Durable Solutions Technical Working Group

Housing-Housing, Land and Property (HLP) Subgroup

Terms of Reference

Background

The Durable Solutions Technical Working Group (DSTWG) was set up at the end of November 2020 under the overall leadership of the Durable Solutions Task Force (DSTF). The DSTWG is a task -oriented technical body responsible for providing guidelines, tools, frameworks and overall direction for the development and operationalisation of durable solutions plans of action (POAs) at the area-level, in locations where area-level DS groups are activated. To ensure harmonisation of approaches and adherence to best practice, area level groups, with the support and guidance of DSTWG, will lead on the development of POAs in line with objectives, frameworks and approaches set out by the DSTWG. For more information, see ToRs for the DSTWG and Area level groups here . The DSTWG has developed an Operational and Strategic Framework, outlining specific objectives towards achievement of Durable Solutions. In support of the DSTWG, as agreed by members of the DSTWG, time-bound task oriented groups will be established when the development of tools and guidelines requires focused discussions and specific technical expertise and knowledge - particularly with the view to expand upon the specific objectives of the Operational Framework.

Housing-Housing, Land and Property (HLP) Subgroup

One of the specific objectives of the operational framework - objective 2 -states that displacement affected households should have access to housing and security of tenure, Within the DSTWG, the Housing-HLP Subgroup aims to facilitate the provision of effective, transparent, accountable and comprehensive response by humanitarian, stabilization, development and durable solutions actors to Housing-HLP. In advancing the Housing-HLP rights of displaced persons and returns to achieve durable solutions in Iraq, the Housing-HLP Subgroup will be guided by the Iraq Durable Solutions Strategy and Operational Framework[MQ1] , IASC Framework on Durable Solutions for Internally Displaced Persons (April 2010), Guiding Principles on Internal Displacement (1998), the Pinheiro Principles on Housing and Property Restitution for Refugees and Displaced Persons (2005), The UN Guiding Principles on Security of Tenure for Urban Poor (2013) and other relevant Iraqi legislations.

The Subgroup is created for an initial period of 6-months, with potential extension if required, granted under the authority of the DSTWG and DSTF.

Objectives

The Housing-HLP Subgroup aims to assist the DSTWG and the Government of Iraq to find durable solutions for the Iraqi displaced population and returnees on Housing and HLP related issues. The specific objective of the Housing-HLP subgroup is:

1.   Provide technical support to the DSTWG and area-based coordination groups (ABCs) to identify, address and resolve Housing-HLP issues and develop strategies related to durable solutions.

Functions-Tasks of the Housing-HLP Subgroup

As outlined in the Iraq Durable Solutions Strategy and Operational Framework established under Strategic Objective 2, the Housing-HLP Subgroup for Iraq, under the guidance of the DSTWG, will support the affected populations to have access to housing and security of tenure. More specifically, the Housing-HLP Subgroup shall:

·   Actively seek to engage with Housing and HLP partners who are able and willing to contribute to expertise, knowledge and/or resources relevant to Housing-HLP durable solutions;

·   Bearing in mind the timebound existence of the subgroup, support the development of the Plans of Action (PoA) led by the ABCs by providing short notes on the HLP/Housing situation in prioritized areas/locations e.g. number and categories of damaged houses, secondary occupation situation…

·   Provide advice and guidance to the DSTWG, ABCs and Housing/Housing/HLP partners acting under the durable solutions umbrella, through the development of materials and legal, legislative, technical, and practical guidelines with particular focus on the durable solutions concerns and objectives; this could include:

➢ HLP support and housing reconstruction in areas of origin for returnees – e.g. War Damaged housing units rehabilitation
➢ HLP support and housing solutions for local integration of IDPs unable to return e.g. - social housing, rental support, support for hosting arrangements while keeping in mind the ultimate objective of achieving durable solutions.
➢ HLP support and settlement integration efforts for formal camps and informal sites - inclusion of informal sites into urban planning, housing upgrades to provide medium durable solutions in smaller camps (e.g. mud-brick housing, camp integration into surrounding settlements, etc..)

The Housing-HLP Subgroup is also expected to provide strategic guidance for the achievement of durable solutions including for through:

➢ The identification of activities requiring complementary support to achieve durable solutions e.g. rental support, transitional shelter options (RHU, shelter kits), and advices on pertaining strategies/best practices.
➢ Identification of options to address secondary occupations and support security of tenure.
➢ The determination of strategies and best practices to support property access for widows and female headed households.

> The development of an index of best practices, examples and lessons learned from Iraq partners on durable shelter solutions/HLP prerequisites at the household level.
> Any other relevant materials in line with the objective of the subgroup, in agreement with the DSTWG.

·   Support the Monitoring and Analysis Subgroup, as requested by the DSTWG, in facilitating the determination of approaches and tools for measuring achievements towards durable solutions;

·   Advise the DSTWG on potential mechanisms and systems that could be created to ensure the continued availability of technical guidance and advocacy mechanisms to address HLP challenges throughout the durable solutions phase in Iraq.

·   Ensure that Housing-HLP Subgroup members are aware of and utilize relevant policy guidelines on durable solutions such as Iraq Durable Solutions Strategy and Operational Framework, IASC Framework on Durable Solutions for Internally Displaced Persons (April 2010), Guiding Principles on Internal Displacement (1998), the Pinheiro Principles on Housing & Property Restitution for Refugees & Displaced Persons (2005), the UN Guiding Principles on Security of Tenure for Urban Poor (2013) and other relevant Iraqi legislation. [MQ2]

Housing-HLP Subgroup Chair and Co-Chair Responsibilities

The Housing-HLP Subgroup Coordinator (Chair and/or Co-Chair) is accountable to the DSTWG who in turn reports regularly to the DSTF, with the aim of ensuring a more effective and coordinated response capacity vis-à-vis IDPs, returnees and other displacement-affected populations.

Specific tasks of the Housing-HLP Subgroup Chair and Co-Chair include:

    a)   Convening, organising and chairing the Housing-HLP Subgroup meetings

    b)   Strategy development and work planning;

    c)   Identification and engagement of Housing and HLP partners;

    d)   Coordination of activities implemented under the Housing-HLP Subgroup;

    e)   Drafting minutes of the meetings

    f)   Delivering the guidance materials, technical guidelines and other deliverables as agreed on this ToR to the DSTWG for validation

Housing-HLP Subgroup Architecture

The HLP Subgroup is chaired by the United Nations Human Settlements Programme (UN-Habitat) and co-chaired by International Organization for Migration (IOM).

The Co-Chair will be an UN Agency/international NGO or NGO with expertise on Shelter and operations in different parts in Iraq.

Housing-HLP Focal Points and Task Force

Focal Points may be nominated by the Housing-HLP Subgroup to support the Chair (for HLP) and the Co-chair (for Housing) during their absence, when/or additional support is required and also assist them in the coordination role.

Based on requirements and the needs to address Housing-HLP concerns efficiently and effectively, the Subgroup can establish, under the guidance of the DSTWG, Task Forces to address key prioritized issues or develop technical guidance materials.

Participation and Membership in the Housing-HLP Subgroup

The Housing-HLP Subgroup is a focused technical subgroup open to technical experts from UN agencies, international organizations, national and international NGOs or entities, particularly humanitarian, stabilization/early recovery, development actors and durable solutions actors involved in ensuring realization of Housing-HLP rights by displaced and other conflict affected persons in Iraq. The subgroup should not have more than 12 active members.

Where possible, to ensure the group size remains conducive for technical discussions, only one representative for HLP and one representative for Housing from individual organisations, working groups or bodies should be represented.

Members are expected to be active participants, contributing to the completion of outlined tasks and ensure consistency in attendance.

Members can express an interest or will be invited based on specific technical expertise in durable solutions, in particular members with expertise and skills in Shelter-HLP programmes and activities, assessments, analysis, reporting and tool development, with a specific interest or focus on durable solutions.

Membership in the Housing-HLP Subgroup requires:

a)   Regular information-sharing, and participation in regular Subgroup meetings.

b)   Organizations contribute to preventive, responsive and/or remedial activities to address Housing and HLP which contribute to durable solutions.

c)   Sharing responsibility for HLP Subgroup activities and objectives.

d)   Respect and adhere to agreed principles, policies, priorities, and standards.

Frequency of Meetings

The Housing-HLP Subgroup meets on regular (monthly) basis and/or (ad hoc) as requested by the Chair and Co-chair for an initial period of 6 12 months. Extraordinary meetings may be called by the Chair/Co-Chair.

Terms of Reference of the Housing-HLP Subgroup

The Terms of References may be reviewed under the authority of the DSTWG