

# Supporting Yazidi's Land Rights in Iraq

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## Returns Working Group

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## Discrimination against Yazidi's HLP rights – historical roots

- Since 1970s, the Ba'ath regime enforced Arabization of northern Iraq, confiscating land and properties of Iraqi minorities
- Hundred thousand of Yazidis were forcibly evicted from their mountain villages to the new settlements which were known by the Arabic world *mujamma'at* or “collective townships”
- These discriminatory policies and practices particularly targeted the Yazidi minority in Sinjar, of Sinjar to 11 residential complexes
- Beside the deportation to new settlements, the regime did not allow them to register their land rights
- During ISIL 146 villages inhabited by Yezidi were forced to abandon their home and approximately 6,000 houses were destroyed
- Yazidi minority faced challenges to return because (a) they cannot prove their land/housing ownership or occupancy rights through official documents, and (b) their houses and infrastructure are destructed or damaged, and systematic looting



# Why addressing HLP rights of Yazidis

- End discriminatory practices and policies against Yazidi community
- Enhancing the right to property of Yazidis
- To overcome the challenges to prove ownership rights
- Protection of HLP rights, including women
- Prevent property disputes within community
- Prevention of property confiscation
- Prevention of illegal occupation or evictions
- Raise the awareness on HLP (particularly for women)
- Provide HLP documentation
- Reducing and preventing conflict over land
- Supporting voluntary, safe and dignified return



# Goal and Objective

## Overall Goal:

Contribute to the voluntary, safe and dignified return and sustainable reintegration of Yazidis victim of ethnic and religious violence by incremental approach addressing the decades of denial of Housing, Land and Property Rights

## Objectives:

- Support the HLP rights and claims of Yazidi minority returning to areas liberated from ISIL
- Enhance local capacities to address HLP rights in Iraq (national and local government, IDPs, returnees)

## Resolving HLP claims in Sinjar



# UN-Habitat's approach to support Yazidi's HLP rights (2)

## Social Tenure Domain Model (STDM)

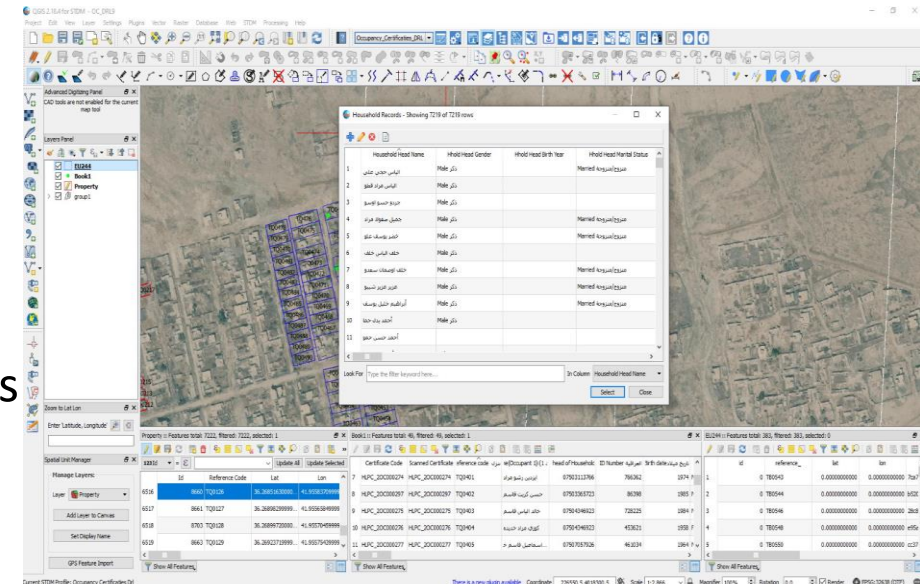
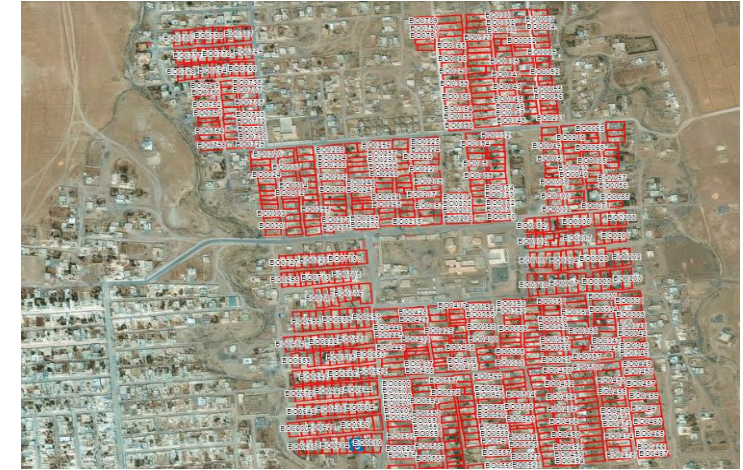
STDM is a pro-poor, participatory and affordable land tool for mapping, registering and capturing people to land relationships along the continuum of land rights.

STDM is developed by Global Land Tool Network (GLTN)-alliance of more than 80 organizations around the globe

The system is a software that allows for:

- Creating linkages between land units and data
- Importing and creating maps and boundaries of land parcels
- Defining tenure relationship between person, institution and plots
- Assessing tenure relationship
- Designing reports and certificates

## Securing Tenure Rights for Yazidis



# UN-Habitat's approach to support Yazidi's HLP rights (5)

## Occupancy Certificates for Yazidis

### Delivery of the Occupancy Certificates

A. Once all activities were completed and data on beneficiaries, alternative documents, and maps were captured and consolidated on the system, certificate of occupancy were distributed to the beneficiaries.

B. The certificates were signed by beneficiaries, neighbours, local authorities, the municipality, two witnesses and UN-Habitat.

C. The signature by local authorities supports and protect claims.

D. The information on the certificates includes: map of the plot, photo of the family, names, text explaining the occupancy right nature of the document, and signatures.



# UN-Habitat's approach to support Yazidi's HLP rights (6)

- Through this programme, Yazidis receive for the first time their HLP documentation-Occupancy Certificate
- The project placed a strong emphasis on gender including during the selection of beneficiaries (Female headed-household)
- The occupancy rights are registered on behalf of **wife and husband** and listing all family members
- The occupancy certificates are verified and validated by local authorities and community leaders.
- The occupancy certificates are endorsed by Federal Government also
- The occupancy certificates are a first step toward full title recognition

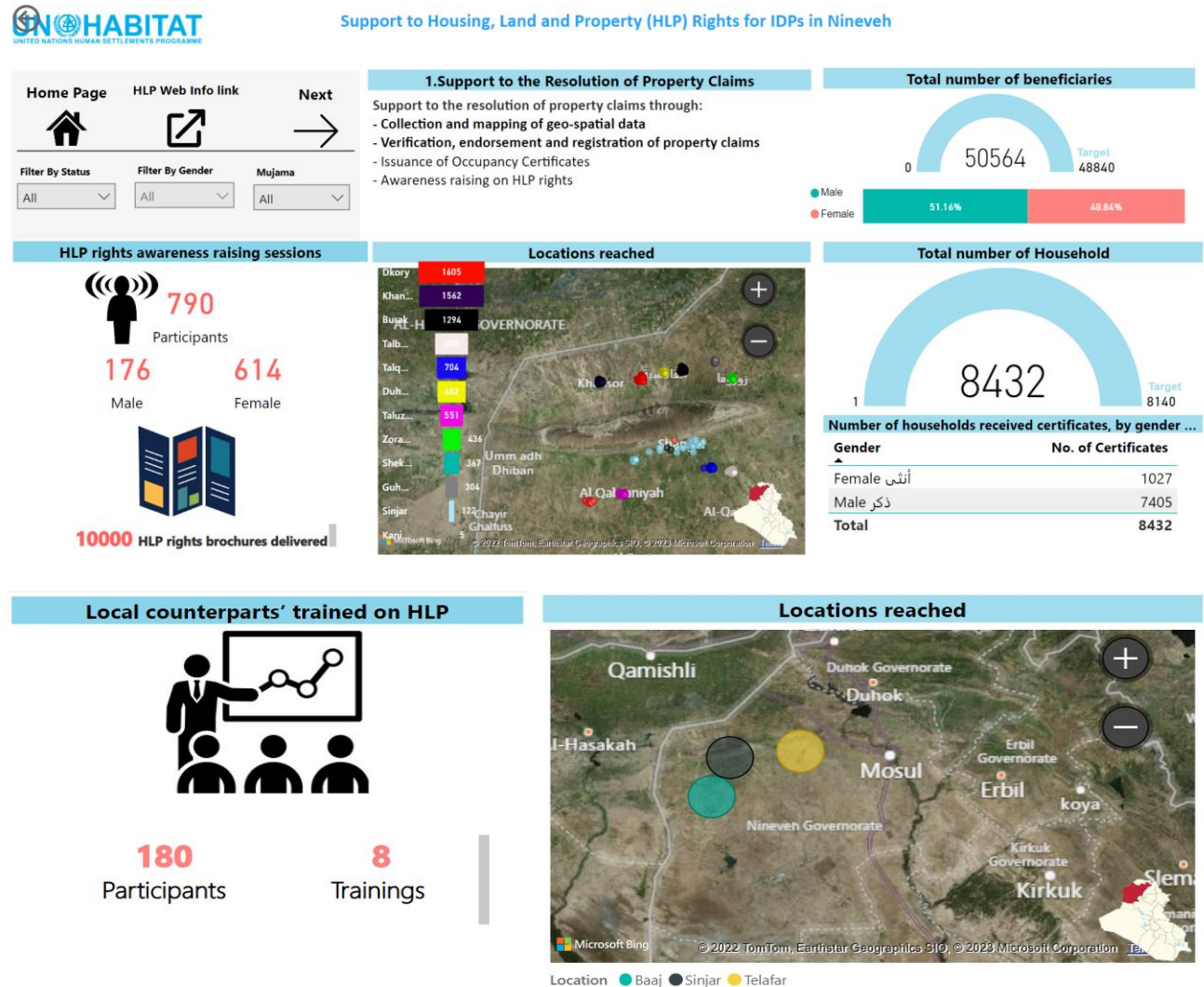
## Delivery of the Occupancy Certificates for Yazidis



# UN-Habitat's approach to support Yazidi's HLP rights (7)

## Delivery of the Occupancy Certificates for Yazidis

- More than 14,500 Occupancy Certificates are issued to Yazidi households
- 11 collective townships have been included in the programme
- More than 88,00 individuals benefited from the programme (50.86 % male and 49.1% female)
- 668 female headed households
- 1,436 disable individuals
- Handed over all data to Real Estate Registration Office/COMSEC





# UN-Habitat's approach to support Yazidi's HLP rights (6)

## Capacity building & Handing over the data to government

- Capacity building on Land Management



UN-Habitat placed a central emphasis on providing hands-on training to local leaders on HLP, including land governance and management.

- Handover the data, certificates and maps to government

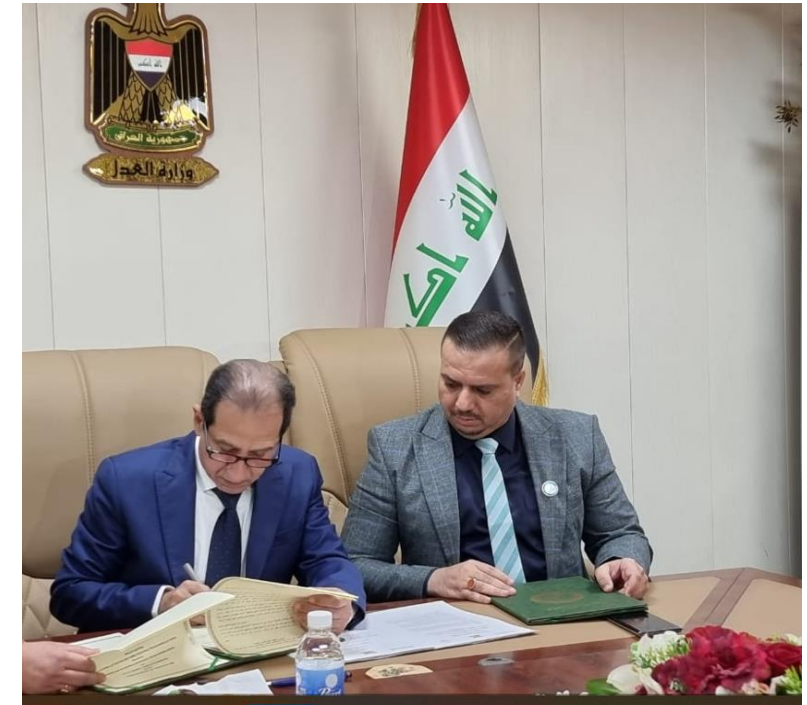


Local government officials played an important role throughout the project cycle.

# UN-Habitat's approach to support Yazidi's HLP rights (7)

## Advocacy for HLP Rights of Yazidi – recognizing HLP rights

- UN-Habitat conducted high level advocacy with international community, federal authorities, governorate and local authorities to advocate and build the case of Yazidis
- UN-Habitat developed a detailed study on the HLP rights for Yazidi
- UN-Habitat jointly with PM's Office drafted the legal decree to formally recognize HLP rights of Yazidis
- In 2019 UN-Habitat submitted the legal decree to Iraqi Prime Minister's Office and Council of Minister in for endorsement.

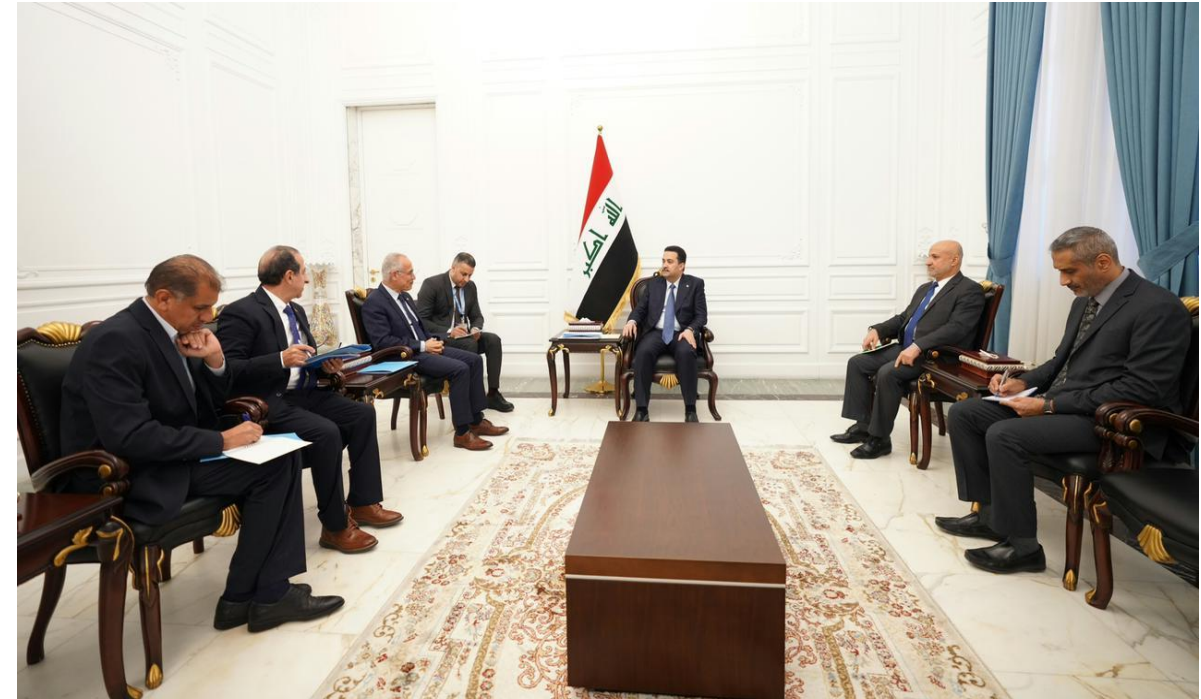


UN-Habitat signed the MOU with Ministry of Justice to support and facilitate the formalization of HLP rights of Yazidis

# UN-Habitat's approach to support Yazidi's HLP rights (9)

Yazid HLP rights are recognized by the government of Iraq

On the 27<sup>th</sup> of December 2022, the Council of Ministers approved the Legal Decree to grant HLP rights to Yazidi minority – **ending the 47-years discrimination**

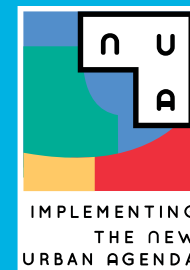


Meeting between the President and the Prime Minister of Iraq and UN, joined by DSRSG/RC Ghulam Isaczai and the Head of UN-Habitat Programme in Iraq Wael Al-Ashhab, to discuss the issue of the legal decree for recognizing the Yazidis land and property rights

# Thank you

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