



**Durable**

**Housing, Land and Property**

**Solutions for**

**Customary Displacement Contexts**

**POLICY BRIEF**

## **POLICY BRIEF: DURABLE HOUSING, LAND AND PROPERTY SOLUTIONS FOR CUSTOMARY DISPLACEMENT CONTEXTS**

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For more information read the full report *Durable Housing, Land and Property Solutions for Customary Displacement Contexts* UN-Habitat and GLTN (2024) or visit [www.unhabitat.org](http://www.unhabitat.org)



## **ABOUT THIS BRIEF**

This policy brief describes and provides evidence-based recommendations on how to prevent or provide durable solutions to displacement in customary contexts through housing, land and property rights' interventions. The document summarizes the content of the longer report "Durable Housing, Land and Property Solutions for Customary Displacement Contexts" by UN-Habitat and GLTN which contains detailed case studies on voluntary return, local integration, relocation in other locations and measures to prevent internal displacement.

# Displacement and Housing, Land and Property Rights in Customary Contexts

Each year increasing numbers of people are forcibly displaced from their homes because of conflict, violence, human rights abuses, natural disasters, climate change and socio-economic transformations that marginalize local communities. Many remain within their country of origin but lose access to their homes and income. At the end of 2023, nearly 76 million people were living in internal displacement worldwide.<sup>1</sup> Displacement often occurs from or to customary and communal lands, where housing, land and property rights are outside the formal land registration system and rules regulating land allocation and management are unwritten.

Housing, Land and Property (HLP) issues underlie all aspects of displacement and need to be resolved to prevent it, mitigate its impact and ensure durable solutions.<sup>2</sup> HLP rights mean having a home that offers secure shelter, protection and dignity. They entail the ability to secure a livelihood, rebuild a life and no longer have specific assistance and protection needs linked to displacement.

HLP rights range from registered rights held according to statutory, customary or religious law or informal practices. They can pertain to individuals, groups or families who can be owners, tenants and users for different time duration.

About 70 per cent of land rights in developing countries are not recorded and are managed by communities according to customary practices or informal mechanisms.<sup>3</sup> Many countries have large

areas of customary land, sometimes referred to as traditional, Indigenous, tribal, community, collective, pastoral or informal land. These areas operate under customary, informal or religious laws and practices alongside statutory, formal legal systems. Land is usually administered by community leaders based on long-standing traditions that include community-based decision making.

A wide range of context-specific tenure arrangements and land governance practices exist within and between countries. Customary land rights and the role of customary or community land administrators is often not formally recognized or well regulated, particularly in crisis and displacement-affected contexts. People living in these areas may therefore have precarious security of tenure and can be vulnerable to eviction and displacement, particularly when customary tenure arrangements are not formally codified.<sup>4</sup> Women's representation is often limited.<sup>5</sup>

On the other hand, although customary laws are different from one local context to another and can be open to abuse, they are generally adhered to by community members.<sup>6</sup> Customary approaches to resolving disputes are often preferred as they are quicker and simpler than formal justice mechanisms. Customary land governance is dynamic and constantly adapts to new circumstances. Therefore, a good understanding of how to operate through customary governance mechanisms offers great opportunities to provide land tenure security and HLP solutions to displaced people and their host communities at scale.

1 IDMC (2023). [2023 Global Report on Internal Displacement](#).

2 United Nations General Assembly (2021). [Housing, land and property issues in the context of internal displacement: Report of the Special Rapporteur on the human rights of internally displaced persons](#), Cecilia Jimenez-Damary, 21 April 2021.

3 Land Links (n.d.). [Land Tenure Primer](#).

4 Freudenberger, M. (2013). [The Future of Customary Tenure Options for Policymakers](#), Land Links USAID Issue Brief.

5 Sait, S. & Lim, H. (2006). [Land, Law and Islam](#).

6 Ironside, J. (2017). [The Recognition of Customary Tenure in Vietnam](#). MRLG Thematic Study Series #6.



## Key Concepts and Assumptions

The provision of durable HLP solutions in customary displacement contexts is underpinned by the understanding of key concepts and underlining assumptions. These complement knowledge of norms, concepts and practices derived from statutory laws and formal land administration systems which are prevalent in non-customary contexts and commonly known by national and international humanitarian, peace and development actors.

**Continuum of land rights** – In customary contexts, there is a wide range of legitimate land rights. These may be legally or customarily recognized or informally accepted, may or may not be formally registered or recorded and may be held by individual people, families, groups or communities. They include full ownership and many types of short- and long-term land use rights. There can be a host of overlapping and interwoven land tenure arrangements with varying degrees of security. Understanding land rights through the continuum approach helps build on existing practices to provide solutions that respond to the HLP needs of displaced and host communities.

**Ownership vs use rights** – The continuum of land rights concept recognizes several types of legitimate land rights. Full land ownership is just one type of right, which corresponds to the concept of freehold, applying to property ownership held in perpetuity, passed on to heirs, formally registered and that can be used as a financial asset. Humanitarian HLP rights' frameworks hinge heavily on the full land ownership concept, particularly when it comes to compensation and restitution of properties to displaced persons who do not intend to return and re-occupy them (but rather sell them, rent them out or keep them vacant).<sup>7</sup> In customary systems, tenure rights are often conditional to the need and use of such lands, particularly in the case of unbuilt properties. Community lands are generally allocated to be used for a specific time duration. Once

the land is no longer needed, it can be re-allocated, although customary ownership rights are retained by the lineage, extended family, group or tribe. The people displaced from their land do not necessarily retain the rights to a specific plot (or the right of compensation and restitution in case of non-return as defined by full ownership rights), but rather they retain the right to be re-allocated land on their return. This also affects secondary occupants, who have similar rights as the previous 'owners' if such lands were re-allocated to them after they had been vacated.

**Individual vs group rights** – Access to HLP in customary contexts is predominantly shaped by the needs, rights and responsibilities over the use of land and related natural resources. There is a very strong community dimension to the management of these resources, and therefore the nature, duration and characteristics of individuals' rights depend on their position and role within the community and the family, thus differing from one individual to another. Establishing durable HLP solutions on customary lands requires recognizing and embracing these features of the underlying governance system. This is essential for negotiating solutions that can resolve the immediate HLP needs of the displaced and that can be progressively upgraded to incrementally achieve durability and local integration.

**HLP solutions for host vs displaced** – Commonly, the type of land rights available to individuals belonging to the host community differ from those available to outsiders to the group, although they can both provide durable solutions. As an example, in Sudan, displaced people hosted on other tribes' customary land can be assigned plots on which to live and practice their livelihoods for generations, but they do not acquire the right to sell or rent out the land (similarly to a leasehold/freehold distinction). This traditional and respected customary community-based mechanism of hosting

7. [United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons](#) ("Pinheiro Principles"), E/CN.4/Sub.2/2005/17.

IDPs in areas of displacement provides HLP solutions for millions of people without disrupting the local balance and the resilience of host communities, therefore providing durable HLP solutions at scale.

**Legal pluralism** – Several co-existing legal systems may operate in customary areas, usually customary and statutory, but sometimes also religious and informal. This plurality provides a wider range of solutions, but can also create confusion and uncertainty, negatively impacting the vulnerable<sup>8</sup> and women.<sup>9</sup> Statutory laws usually have some weight even if customary laws are present; however, if there is conflict between statutory and customary law, traditional communities are likely to resort to the latter, which is generally better known, easier and cheaper to administer. Systems that link customary and statutory rules and institutions, enabling them to function as a cohesive system and build on the respective strengths,<sup>10</sup> are the most effective. Customary and statutory systems need to continue evolving, become better regulated and more adequately administered to respond to the needs of both host and displaced communities. When intervening at the local level, it is important to map the provisions across various sources of laws and derived practices to identify the best entry points and most suitable durable HLP solutions.

**Recognition of customary law** – The degree to which customary law and customary land administration are recognized by national legislation varies from country to country. Without constitutional or legal recognition of customary law, statutory law prevails in principle.<sup>11</sup> Even where customary law is recognized by statutory

law, practices and associated land rights might not be well codified. In some countries, the legal recognition of customary land administration may not play out in practice, whereas the opposite may also be true. In some contexts, local authorities might turn a blind eye to customary land management practices, whether they are allowed for in law or not. The fact that customary land administration and practices are dynamic and constantly changing makes it difficult to ensure they are reflected in statutory law, and experiences of codification of customary land laws generally have not worked well. Nevertheless, for the protection of HLP rights of displaced and host communities and for the establishment of durable HLP solutions, it is crucial that customary law and the role of customary land administrators is recognized by statutory law.

**Customary land administrators** – Customary land is managed and administered by customary land administrators,<sup>12</sup> who differ from those in the formal land administration sector. The type and role of customary land administrators varies depending on the context and it is crucial to map them when planning HLP interventions in contexts of displacement.

**Area of origin** – Protracted crises lead to a complex process of cyclical movements, temporary return and different levels of integration.<sup>13</sup> The durable solutions approach adopts return to the area of origin as an option and, in customary contexts, return remains an important right. However, displaced people are often forced to move multiple times, and much will have changed in their area of origin since they were initially displaced. Returning could be as difficult as moving

8 Cuskelly, K. (2011). *Customs and Constitutions: State recognition of customary law around the world*, IUCN Regional Environmental Law Programme, Asia.

9 UN-Habitat (2024b). *Women, Land and Peace. Training Guided to Advance Women's Housing Land and Property Rights in Fragile Contexts*.

10 Cuskelly, 2011.

11 Cuskelly, 2011.

12 UN-Habitat (2023). *Land Professionals in the Arab Region: Roles, capacities and contribution to land governance and land tenure security*. UN-Habitat, GLTN, Istdama and Union of Arab Surveyors.

13 Rudolf, M. and Schmitz-Pranghe, C. (2018). *Beyond aid: The continuous struggle to cope with displacement in Myanmar and Thailand*. (BICC Working Paper, 1/2018). Bonn: Bonn International Center for Conversion (BICC).

to a third location, and HLP solutions might be similar as well. It may be impractical to consider property restitution at the individual or household level as the main HLP solution, particularly given the widespread lack of HLP documentation and property registration in customary areas. It may be better to apply, more broadly, the principles and practices related to the right to adequate housing.

**Crisis-induced power shifts** – When a customary context experiences rapid change such as the arrival of large numbers of displaced people, customary practices and customary authorities are put under pressure. New actors may be more familiar with the statutory system which changes the power balance and relations

between customary and statutory practices, potentially leading to long-term changes in how land is used, distributed and managed.

**Urban and peri-urban areas** – Customary land management practices are not necessarily restricted to rural areas. In peri-urban areas, conflict may arise between traditional authorities trying to maintain customary practices, while government authorities implement formal land tenure and management.<sup>14</sup> Customary governance structures may dominate in some urban areas. Informal settlements can include customary rules, modern rules or a mix of both, which evolve as new residents adapt to urban life. Traditional authorities may still wield significant power.

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14 Freudenberger, 2013.







## Recommendations to Prevent and Provide Durable HLP solutions in Customary Displacement Contexts

A set of recommendations on how to prevent or to provide durable HLP solutions to displacement in customary contexts has been drawn from the review of case studies, displacement trends, concepts and assumptions.



**Legitimate customary land rights and the role of customary land administrators.** It is necessary to recognize all legitimate customary land rights, acknowledging and strengthening individual, household and group rights. This may require revised policies and laws. It also entails recognizing the role and progressively strengthening the capacities of customary land administrators.



**Legal pluralism.** Legal pluralism prevails in most customary contexts, where customary, statutory, religious and informal laws and norms coexist, creating a range of local practices that vary across communities and can change rapidly during crises. To achieve durable HLP solutions in customary contexts it is important to work with local actors who have a good understanding of the customary, religious and statutory laws at play. Solutions should consider drawing upon the different legal frameworks. With a longer-term perspective, it is important to progressively reform laws and norms to increase their alignment, harmonize and better define how they and their implementation mechanisms relate to one another and when each applies. A better regulated plurality of laws and practices means a better functioning and more cohesive system to manage customary areas and achieve the HLP rights of people living in them.



**Influencing national policies through local approaches.** The case studies analysed prove that local initiatives to secure the HLP rights of displaced people can successfully feed into policy making at the national level, leading to better policies and laws.



**Land tenure security and adequate housing.** To provide durable HLP solutions to displacement in customary areas, 'land tenure security' and 'adequate housing' are useful guiding principles that can provide better entry points than restitution and compensation approaches, particularly in rural settings and contexts affected by multiple displacements where HLP rights are unregistered. This means identifying suitable land and housing options for all people living in a particular area, whether they are returning there, displaced there or moved there as their choice of a third location. The type of HLP rights accessible to individuals from displaced and host communities may vary from ownership and long-term use rights to short-term use rights, but all these options have the potential to provide durable HLP solutions. On the other hand, HLP restitution and compensation mechanisms are useful HLP solutions for people returning to areas where HLP rights are registered and documented, as well as for built-up properties.



**Recordation of customary land rights.** All successful case studies analysed describe solutions for the recordation of renegotiated and adjudicated land rights through innovative participatory, fit-for-purpose, community-led processes. Customary land management systems must continue to evolve to protect people from displacement and improve resilience to causes of displacement. Communities with stronger land tenure security invest more in climate resilience and environmental conservation which results in improved livelihoods and reduced vulnerability to displacement. Recording customary rights helps customary land administration systems become

more transparent, gender responsive and better able to accommodate newcomers, and helps customary land administrators to be more accountable. Recordation of customary land rights can lead to their formalization, though they can also remain at the local or community level. The recordation process must clarify what these rights mean.

Rapid participatory mapping of group rights using customary land tenure types proved to be a cost-effective short-term solution to record land rights and lay the ground for local integration and durable solutions. These work best when built on pre-existing, locally acceptable customary mechanisms and when further institutionalized in law. Written short-term land use agreements and lease agreements also proved effective in strengthening land tenure security and facilitating recourse to formal or traditional dispute mechanisms.

The involvement of a neutral broker (e.g. an NGO or the UN) is often pivotal in supporting the recognition of HLP rights, providing tools for participatory mapping and recordation, developing the capacities of stakeholders and mediating disputes.



**Women’s HLP rights.** Displaced women’s safe access to HLP is crucial to protect them from violence, to improve their and their families’ standard of living and to move towards recovery and self-reliance.<sup>15</sup> Yet, displaced women in customary contexts face layers of discrimination regarding HLP rights: as women, as displaced and as subject to customary norms which are generally gender discriminatory. To make advancements, it is essential to understand the communal dimension of customary land management, where the nature, duration and characteristics of individuals’ rights depend on their position and role within society, community and family.

HLP provisions in customary law are often not the same for men and women. However, customary land administration practices are an important avenue to provide HLP solutions, including for women, because they are well known and accepted by the communities, which increases their chances of being enforced. The acceptance of customary norms and practices largely draws from the perception of them being rooted in long-standing traditions and as non-threatening to society and family values. Hence, HLP solutions perceived to be in line with traditions are more likely to be durable, and they can always be incrementally upgraded and strengthened over time. HLP solutions that require a fundamental change in the way communal and customary lands are managed, on the other hand, are unlikely to lead to a sustainable positive outcome in the short and medium term.

While introducing more gender responsive ownership patterns, women’s use rights over the houses, land and properties of their male relatives, families and communities should be strengthened. This is often the most impactful and durable HLP solution for women. This includes usufruct rights of widows, longer agreements for the use of agricultural land, and the use of written agreements that more clearly define rights and responsibilities.

15 UN-Habitat, 2024b.

The recordation of customary land and the issuing of joint documentation also proved successful in making customary land management practices more gender responsive, with positive effects on the prevention of displacement. The progressive inclusion of women in all aspects of the land sector needs to be pursued, accompanied by capacity development. Customary and community-based dispute resolution mechanisms are more likely to be used by women as they are more accepted by the community and less confrontational. These should be further strengthened and rendered more gender responsive.



**Due diligence.** Due diligence should be conducted on land where displaced people are to be accommodated, securing solid consensual agreements with land administrators and ensuring that these are recorded in writing, or at least witnessed by reliable parties, including terms, conditions, rights and responsibilities. Negotiations should involve all stakeholders including traditional leaders.



**Relocation.** Relocation should be avoided whenever possible. When unavoidable, adequate compensation for the loss of customary rights and alternative equivalent HLP solutions should be provided. Communities need to be consulted at all stages, ensuring a thorough understanding of the community's land use and income generating activities, and their livelihoods should be monitored after the move to ensure that the community is not worse off than before.



**Similarity among durable HLP solutions.** The movements of displaced people are complex. In most cases people have experienced multiple displacements over decades. In customary areas, particularly if affected by protracted displacement, there are significant similarities among the durable HLP solutions applicable to the three categories (return to the area of origin, local integration and settlement in a third location).



**Alternative and collaborative dispute resolution mechanisms.** A well-functioning justice sector is crucial for enabling durable HLP solutions. Alternative collaborative dispute resolution mechanisms proved effective to resolve conflicts over customary land ownership and land use and emerged as a constant feature in case studies. Agreements can be reached more easily when facilitated by a neutral external party.



**Inclusive negotiated area-based approaches.** The HLP needs of the displaced compete with those with the same purchasing power within local communities. Such convergence should be factored in from the onset to avoid the sparking of new conflicts that aggravate existing vulnerabilities. The customary land rights of host communities and the land-related agreements they have with the displaced should be strengthened.<sup>16</sup> Overstretched host communities should be supported, including by working with local community-based structures to build additional houses and new rooms, upgrade services and upgrade sub-standard settlements to accommodate

16 Key informants' interview, Wala Abdelmuati and Salah Abukashawa, 1 July 2024.



the newcomers. The process of defining and agreeing on the sharing of communal resources must be inclusive and gender responsive. Different groups should be represented in negotiating agreements, jointly monitoring implementation. Early warning mechanisms and effective dispute resolution mechanisms need to be established to mitigate and diffuse tensions that may arise from sharing communal land rights. Participation of all affected people at all stages of durable solutions, particularly affected communities, traditional authorities and local leaders, is critical.



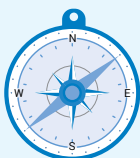
**Resilience and reduced risk of displacement.** Taking measures to prevent displacement from occurring is the most effective and long-lasting durable solution. This requires investments in resilience-building measures to protect livelihoods.



**Climate and displacement.** Local, national and international development, humanitarian and peace actors need to better understand the correlation between displacement and climate dynamics for preparedness, mitigation and response programming, particularly in customary contexts. Positive climate interventions must protect and strengthen the HLP rights of local communities to be effective and to avoid dispossession and mass displacement. Climate-motivated mass relocations must be carefully planned and include compensation for the loss of HLP of displaced people, including in customary areas. Strengthening HLP rights and land governance in customary areas promotes housing and agri-food resilience, effective land restoration and biodiversity conservation interventions.



**Capacity development.** The capacities of all stakeholders involved in land administration, land governance and land allocation in customary areas need to be strengthened. Developing local capacities, including of customary actors, is particularly effective. This can inform national legislation, as displacement solutions need to be nationally owned, locally led and incorporated into national and local development plans.



**Beyond HLP.** A longer-term perspective is needed to assess the durability of solutions in terms of livelihood. Secure access to HLP alone does not always lead to durable solutions. Complementary infrastructure, services, peace and security must accompany HLP solutions. Livelihood opportunities are key. Access to productive land is critical to the integration of displaced people in terms of their ability to reconstruct their livelihoods. Measures to foster socio-economic integration and provide IDPs with access to housing, land, health, education, livelihoods, decent jobs and social protection are important, particularly those that are gender responsive.

## Conclusion

All actors dealing with displacement in customary contexts need to understand displacement trends and drivers and related HLP issues.

**Development actors** should work with local stakeholders and communities to develop context-specific HLP solutions that consider the statutory, customary, religious and informal laws shaping local practices. The tenure security of host communities and displaced people should be strengthened, as should women's land rights whenever possible. Tools to record legitimate land rights should be implemented, prioritizing communities that are at risk of being displaced or of receiving those who have been displaced. Where appropriate, actors should consider formally registering the land rights of host, returnee and relocated communities. Where displacement can reasonably be anticipated, preparedness plans for the arrival of IDPs should be made. This includes identifying land and services required, conducting due diligence, securing consensus and negotiating agreements with the host communities. Capacity development of all stakeholders involved in managing displacement and administering customary areas is important and improves the resilience and self-reliance of communities.

**Humanitarian actors** need to map HLP needs and prioritize HLP programming for IDPs' protection, shelter and livelihood. In customary contexts, they can build on suitable customary approaches for the rapid allocation and recordation of land use rights, to be implemented with local communities and customary actors. Local mechanisms for hosting displaced people need to be supported. Conducting due diligence and securing solid consensual agreements with the local communities and the customary land administrators of the areas where the displaced will be accommodated is crucial. Such agreements should be recorded or witnessed by reliable parties. This is important for establishing emergency shelters and securing land for livelihood activities. Humanitarian actors need to familiarize themselves with the implications of legal pluralism and the differences between individual and group rights and ownership and land use rights in customary contexts. In customary contexts, particularly in rural areas, the provision of land

tenure security and adequate housing are likely to be more time- and cost-effective solutions than restitution and compensation.

**Peace actors** need to include HLP issues in conflict analyses, peace agreements, mediation efforts and rule of law and peacebuilding interventions.<sup>17</sup> Control over land and land-based resources are root causes of conflict. Understanding the key concepts and assumptions that inform the allocation of rights, the functioning of customary land administration and the resolution of land-related disputes in customary areas is important. Alternative and collaborative dispute resolution mechanisms that use customary approaches can be valuable in solving conflict and negotiating agreements. Customary dispute resolution mechanisms are usually cheaper, quicker and accepted by the community and may work better for women. Ensuring that agreements are recognized by all parties and recorded is essential. Early warning mechanisms and effective dispute resolution mechanisms should be established to monitor and address any tensions.

**Climate actors.** Understanding the correlation between displacement and climate dynamics is important for preparedness, mitigation and resilience. Land restoration, conservation and green infrastructure interventions must protect and strengthen local communities' HLP rights to be effective and sustainable, and to avoid dispossession and mass displacement. Climate actors should understand the role of customary communities and customary land administration to protect the environment and prevent climate- and conflict-induced displacement. If communities in customary areas must be relocated for climate-related reasons, this should be carefully planned, with adequate compensation for the loss of HLP even when land rights are not formally registered, including compensation for the loss of communal land. The case studies present tools and approaches that proved successful for managing HLP rights in customary areas. These can be useful to advance the implementation land-related decisions relevant to the three Rio Conventions in customary areas of high environmental value, such as forests and wetlands.







## Case Studies

The case studies presented below are the summary of the detailed case studies of HLP interventions in the context of voluntary return, local integration, relocation in other locations and prevention of internal displacement presented in the longer report.

Location & nature of displacement	Type of durable solution & approach	Key outcomes
<p><b>Locations:</b> Lomitas, Caceres, Tierralta, Ataco and Salaminita, Colombia</p> <p><b>Cause of displacement:</b> paramilitary violence</p>	<p>Promote return to the area of origin and facilitate local integration through restitution of dispossessed lands, regularization of informal settlements, and registration of land parcels in customary and informal areas</p>	<ul style="list-style-type: none"> <li>• <b>Lomitas</b> – Over 700 land titles issued; mobilization of funds for housing for 400 vulnerable families; improvement of land administration; formal titles allowed Santander municipality to mobilize public funding for infrastructure.</li> <li>• <b>Caceres</b> – 94 titles at no cost to IDPs; tenure security provided to displaced people who returned to their land reoccupied by new residents. Municipality now has 22 property titles for schools; having titled land means they can provide food and agriculture assistance through investments in agricultural and small infrastructure projects.</li> <li>• <b>Tierralta</b> -The informal settlement area of destination of IDPs was regularized and incorporated into masterplan. Since 2017, over 1,950 titles provided (largest delivery ever of land titles by a municipal administration in Colombia). Women registered as the landowner noted gain access to government programmes and subsidies and a mortgage and enables their children to inherit the property.</li> <li>• <b>Ataco</b> – 11,843 land parcels identified in parcel sweep, over an area of 100,000 hectares; 5,000 of them ready to be titled (Colombia’s largest land formalization initiative). Protected reservations created for Pajaio ethnic minority group to ensure secure access to their ancestral land. 18 public parcels titled for clinics and schools which facilitates national funding.</li> <li>• <b>Salaminita</b> – Superior Court recognized the right to land restitution for 36 families and ordered landlords to return their land to original residents; judgement for municipal support in terms of prioritized housing, health and education not followed through.</li> </ul>
<p><b>Location:</b> North Kivu, Eastern Democratic Republic of Congo (DRC)</p> <p><b>Cause of displacement:</b> violence</p>	<p>Facilitate return and integration through land conflict mediation and participatory land recordation</p>	<ul style="list-style-type: none"> <li>• In the DRC as a whole, resolution of land disputes has benefited 110,580 people (20,334 men, 23,331 women, 32,545 girls, 34,369 boys) and has seen significant drop in land conflicts, promoting more secure land tenure for all, including for the returning displaced people.<sup>18</sup></li> <li>• Locally agreed and legally recognized HLP documents were provided to 564 men and 97 women between June 2016 and August 2018 in the Eastern DRC.<sup>19</sup></li> <li>• Transparent land information system has been established that can facilitate smooth integration of returning and already resident IDPs. This includes digitized tenure information and the database and community-generated map which enable communities to manage their own tenure information.</li> <li>• Communication and coordination on land issues between national and provincial governments and civil society has been strengthened.</li> </ul>

18 UN-Habitat (n.d.). [Democratic Republic of the Congo](#).

19 UN-Habitat, n.d.

		<ul style="list-style-type: none"> <li>• Leveraged support which contributed to development of national land policy and land reform programme; the National Land Policy was subsequently approved in 2022.</li> <li>• Data from this process is used to attract public investment services and infrastructure, and to encourage local development initiatives.</li> </ul>
<p><b>Location:</b> Baidoa, Somalia</p> <p><b>Multiple causes of displacement</b></p>	<p>Facilitate local integration through land tenure agreements to prevent eviction and secure land for housing</p>	<ul style="list-style-type: none"> <li>• Over 1,300 land-tenure documents provided to IDPs providing tenure security to over 70,000 people,<sup>20</sup> including through lease agreements (for 5–8 years), with over half being for women heads of households.</li> <li>• IDPs were able to use these land documents to prevent forced evictions and for dispute resolution when eviction was threatened (at household or settlement level).</li> <li>• Since 2019 2,009 households (about 12,000 people)<sup>21</sup> have been resettled on 300 hectares of newly developed public land (Barwaqo), 7 km north of Baidoa town centre. Relocated families are given cash assistance and a plot of land and receive their title two years after resettlement.<sup>22</sup></li> <li>• Technical and operational capacity at the Baidoa Municipality and Cadastral Services has increased.</li> <li>• Better relations with host communities and secure tenure means IDPs no longer at risk of eviction and have better opportunities for livelihoods and access to other rights. This promotes durable solutions for IDPs.</li> </ul>
<p><b>Location:</b> El Geneina, West Darfur, Sudan</p> <p><b>Multiple causes of displacement</b></p>	<p>Enable local integration through intercommunal reconciliation of land disputes and local peace agreement including land use rights</p>	<ul style="list-style-type: none"> <li>• The displaced communities enjoy greater land tenure security</li> <li>• Shared use and management of land and land-based resources (e.g. water) and improved food security.</li> <li>• To strengthen reconciliation, two primary schools and a water point were built and are jointly managed.</li> <li>• Encouraged peaceful coexistence, enabled mutual consultation and strengthened traditional conflict resolution mechanisms.</li> <li>• Strengthened land-use zoning to address conflict between the nomadic communities and farmers.</li> <li>• Increased participation of women in decision making.</li> </ul>
<p><b>Location:</b> Abyei, Sudan</p> <p><b>Multiple causes of displacement</b></p>	<p>Enable local integration through rapid mapping and recognition of extended family land tenure rights</p>	<ul style="list-style-type: none"> <li>• Use of the traditional concept of housh, or extended family compound, with rapid planning and surveying meant that general boundaries were accepted, and no individual rights needed to be adjudicated. Land is under joint ownership.</li> <li>• People marked their plots on satellite images.</li> <li>• Using this technique, about 9,000 plots were mapped and planned in 18 days.</li> <li>• Internal family dynamics and land tenure relations were not disrupted.</li> </ul>

20 Norwegian Refugee Council (NRC) (2021). "I want my land. You have to go." Understanding the eviction phenomenon in Baidoa.

21 Laser Pulse Project (2024). Somalia Resilience Food Security Activities: A Political Economy Analysis.

22 UN-Habitat (2018). Land and Conflict: Lessons from The Field on Conflict Sensitive Land Governance and Peacebuilding.

<p><b>Location:</b> Chamuka, Zambia</p> <p><b>Risk of displacement:</b> high demand for land in peri-urban agricultural areas</p>	<p>Prevention of displacement through the establishment of a customary land recordation system that increases tenure security, reduces conflicts and enhances local investments</p>	<ul style="list-style-type: none"> <li>• Strengthened land tenure security of local communities, due to recordation of customary land rights and the issuing of 4,752 certificates of customary.</li> <li>• Reduction in disputes over land rights boundaries due to availability of land maps validated by the communities and the establishment of a reliable database generated using the GLTN innovative land tools and approaches.</li> <li>• Spatial and socio-economic data for future infrastructural and services planning.</li> <li>• Strengthened women's and girls' land rights – policy introduced declaring that 50 per cent of land should be reserved for women</li> <li>• Women's role as project leaders changed perceptions of women's participation in land matters.</li> <li>• Overall reduction of key root causes of displacement: dispossession of local communities and poverty due to land tenure insecurity and consequent limited investments.</li> <li>• Successful mapping leveraged funding for road rehabilitation and attracted private sector investment.</li> <li>• Strengthened the capacity of community organizations, local youth volunteers and traditional chiefs.</li> </ul>
<p><b>Location:</b> Southern Kayin (Kawthoolei), Myanmar</p> <p><b>Cause of displacement:</b> conflict</p>	<p>Prevention of displacement through community land recordation</p>	<ul style="list-style-type: none"> <li>• Villagers received land certificates that give sense of inheritance rights and protection from land grabs.</li> <li>• Mapped ancestral lands in seven districts of the state.</li> <li>• Demarcated 326 kaws (ancestral customary lands) over 842,820 hectares, including 107 reserved forests, 18 wildlife sanctuaries, 204 community forests and four herbal medicine forests, covering a total forest area of over 2.7 million hectares.<sup>23</sup></li> <li>• Participatory process enabled remote rural communities with limited internet to use accessible technology to protect their land and resources.</li> <li>• Process enhanced community conservation efforts.</li> </ul>
<p><b>Location:</b> Bo Hòn, Vietnam</p> <p><b>Cause of displacement:</b> infrastructure megaproject</p>	<p>Planned relocation in a new area</p>	<ul style="list-style-type: none"> <li>• 27 households were moved (although settlement subsequently grew), the village lost 87.3 per cent land, each household lost 30 per cent; initially not able to use protected forest, given permission to reclaim unused uplands to plant acacia forests in 2007.</li> <li>• Initially those moved suffered a loss in land and income. However, recovered after three years due to adaptive strategies arising from support from local authorities and NGO (including access to acacia forests – source of income, and income generating possibilities due to location close to city).</li> <li>• Effect of resettlement unequal, negatively affecting women and the more marginalized, leading to greater inequalities and some distrust.</li> </ul>

23 Hyolmo, S. (2024). [Not waiting for the government, Myanmar's Karen people register their own lands](#). Mongabay, 26 February 2024.



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## ABOUT THIS PUBLICATION

This policy brief describes and provides evidence-based recommendations on how to prevent or provide durable solutions to displacement in customary contexts through housing, land and property rights' interventions. The document summarizes the content of the longer report "Durable Housing, Land and Property Solutions for Customary Displacement Contexts" by UN-Habitat and GLTN which contains detailed case studies on voluntary return, local integration, relocation in other locations and measures to prevent internal displacement.

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