



**UNHCR SO Mazar-I-Sharif**  
**Northern Region Housing, Land and Property Task Force (HLP TF) Meeting Minutes**  
**11<sup>th</sup> May 2014**

**Participants:** NRC, UN Habitat, UNAMA and UNHCR

**Venue:** UNHCR Mazar Conference Room

UNHCR welcomed the participants and presented the agenda items. The meeting reviewed the minutes of the previous meeting and adopted the agenda items. Thereafter, the discussion focused on each item as follows.

**Action Points of the Previous Meeting**

All action points were attended except the letter which was supposed to be sent to National HLP and IDP TF on Jawzjan IDP Township. After review and comparison of IDP Policy criteria and Jawzjan IDP Township, both UNHCR and NRC came to the conclusion that a demand to reduce the price for plots cannot be based on the IDP Policy, because the land of the Township sufficiently meets the criteria of the IDP Policy concerning land.

**A) Update on Land Allocation Sites**

**A.1) Carpet Weavers Township, Balkh Province**

- All land ownership documents have been completed. NRC has also finalized the shelter beneficiary selection and the implementation will start soon. There is no particular HLP related gaps or issues needing intervention at this stage.

**A.2) IDP Township in Jawzjan**

- NRC had a follow up mission to Sheberghan on the last week of April. An MP from Jawzjan was involved in following up the IDP land case in Kabul. There was a misunderstanding of the land plot sizes when decided by Board of Ministers and MoRR on installation payment. The decision is being reviewed now. Most probably the IDPs will be asked to pay the required amount (Afs 9,000) in different installments. However, Board of Ministers and MoRR rejected to decrease the price.
- UNHCR on behalf of NR HLP TF was supposed to draft a letter to the National HLP and the National IDP TF requiring their intervention on the matter. Both UNHCR and NRC reviewed the land criteria in the National IDP Policy during the last bilateral meeting. Considering the land criteria in the policy and the living standards in the locality of the township; it was noted that such a letter cannot be sent.

**A.3) Water Problem of Asqalan Twonship in Kunduz**

No update was available. OCHA will be informed during the next meeting so that they can take the issue with the WASH Cluster.

**B) Other Land Issues**

**B.1)**

[REDACTED]

**B.2) Update on Sayed Abad, Saripul Principle Land Case**

As per NRC's (telephonic) contact with clients, the delegation which came from Kabul to look into the case and determine the government part of the land finished their tasks. Part of 220 Jeribs of land is reportedly occupied by the defendant had to be handed over to the owner and the Provincial Governor deployed police to implement the decision during the reporting period, but they faced a strong confrontation by the defendant. The police did not intervene to avoid any major conflict in the area as overall security in the province remains quite fragile. The delegation returned to Kabul (not known whether will return or not).

UNAMA RoL said that it could lead to bigger conflicts if not prevented since the defendant is a strong figure in the province while the returnee community forms a large population group.

NRC said that it was one of the few principle cases in the North and it was referred to NRC by UNHCR sometime in 2003. The case was followed up in the past 10 years. The primary court and the provincial courts referred it to elders Shura. The Shura proposed the following solutions.

1. The defendant returns the land to returnees and the returnees compensate the investments done on the land (construction of building and gardening).
2. The second option, the returnees sell the parts of the land where the defendant has done constructions in the market value (it is optional for returnees).

Then the case was referred to the Supreme Court in Kabul and the Supreme Court endorsed the first recommendation of the Shura. The government tried to implement the decision of the Supreme Court on several occasions, but it was not possible due to weak rule of law and the security situation in the province. For instance, the former Provincial Governor who wanted to implement the decision faced a big demonstration in the province after which the central government had to replace him.

The members raised concern that the case may take even longer if no proper remedy was found. One option which could be feasible is that returnees could sell those parts of the land in the market value to the defendant. However, NRC said that returnees did not agree to sell the land. As a next step NRC will follow up the case with Provincial Governor and get his consultation on the matter. Thereafter, if possible they will also meet the defendant to better understand his position on the case.

UNHCR has already started documenting and filing HLP cases involving big groups of beneficiaries/clients and requested NRC to share the relevant documents of the case with UNHCR for the mentioned purpose. NRC said that they will prepare all the relevant documents and will share with UNHCR. **Action Point:** NRC to share all necessary records and documents of the case with UNHCR.

#### **C) UNHABITAT Update on CB-MSP Project**

The Community Based – Municipal Support Program of UNHABITAT has covered districts number 2 and 5 of Mazar City in 2014 and 2015. The registration now totals 2,200 houses through the Property Registration component of the project and 300 families are remaining who will be covered during May 2014.

#### **D) Shelter Needs of 40 Relocated Families in Balkh District**

UN Habitat informed the members that the Turkish government has undertaken the task of building shelter to those affected as a result of the relocation.

#### **E) Floods and HLP**

Members mentioned that the recent flash floods in the North have occurred in quite a massive scale and affected hundreds of families either leading to displacement and loss of properties and agricultural cultivations. However, there was no confirmed figure of each caseload as the field visits and assessments are in progress. OCHA was not present to give an update to provide an update on the assessment.

UNHABITAT mentioned that the floods were unprecedented in many locations. It could be due to climate change as well as ongoing demolishing of forests, bushes and other natural plans in the country.

UNAMA RoL laid emphasis on the importance of environment protection. Mr. Sam said that relevant state actors can provide awareness to citizens and it can start from school students as they form a large part of the population and will widely disseminate the information.

## **F) AOB**

### **F.1) Women Cases in the Courts**

UNAMA RoL informed the TF that they were interested and looking for women cases in the courts either on property, inheritance or family issues. NRC had a good record of such cases and will liaise with UNAMA and share the list of relevant cases.

### **F.2) Next Meeting**

The next meeting was tentatively scheduled to take place on 5th June 2014 at 10 am in UNHCR Office.

Minutes drafted by: UNHCR SO Mazar