



Minutes of the Housing, Land & Property Task Force Meeting – Western Region
Herat 08 May 2014

Chaired: UN-HABITAT

Present: UNHCR, NRC, UNOCHA, ARAA (Local NGO), UN-Habitat (Herat and Farah) and MUDA & HLP TF National Coordinator and Co chair (NRC)

Agenda:

1. Review and adoption of last meeting minutes and follow up of action points.
2. Karizak and Pashdan land issues
3. Saadat IDPs (possible) eviction threat
4. AOB

Items	Discussion	Action Points
Last meeting Minute adoption	The minutes of the February 2014 meeting were adopted without any changes or comments.	In future the chair needs to share the previous meeting minutes along with the agenda and invite.
Update on Karizak settlement	<ul style="list-style-type: none"> • <u>UNHCR stated that there were HLP issues in Pashtan, Karizak and Saadat which were referred to NRC and UN-Habitat by Protection Cluster and requested if there was any follow up.</u> NRC informed that IDPs in Karizak have been approached by some people who claimed ownership of the settlement's area. However, these individuals who claimed ownership to Karizak were arrested by the police and asked not to bother the IDPs anymore. There was not any other claim thereafter. • UN-Habitat informed that according to ANDMA and Herat Mayor, Karizak area is governmental land. 	UN-Habitat will discuss Karizak land status with Arazi in their upcoming meeting in May.
Update on Saadat	<ul style="list-style-type: none"> • On Saadat NRC informed that about six hundred IDP families have left Saadat township to Shaidayee police check point area. According to some of the IDPs some of the landlords (refugee returnees and other allottees from Herat) have been claiming ownership of the shelter and land in Sa'adat and asking IDPs to vacate their houses. This has contributed to some IDPs moving to Shaidayee and Pashdan. NRC informed, that the government has taken back at least 30 plot of lands from the people who were initially allotted these plots in Saadat because they have not occupied the land and built shelters. The Government therefore, decided to redistribute these lands 	<p>NRC to keep monitoring the situation in Saadat and intervene if there are serious threats of eviction.</p> <p>NRC will try to find the initial allottees (from the first phase) whose land has been taken away from them and</p>

	<p>they had taken over to the people who are entitled in the second phase and those who were ready to live in the township. However there are two issues: 1) the government has illegally (against Article 40 of the constitution) taken back the land which was initially allotted. Moreover, not building a shelter is not counted as a restitution factor as the Article 11 of Decree 104 is explicitly describing this situation. 2) The current allottees of these land have not received any ownership documents. (Article 13 of the Decree 104 requires the commission to issue temporary deed for five years and then permanent deeds for deserving people.</p>	<p>redistributed to people who are entitled in the second phase. Also will gather information on all aspect of this issue from any source for further follow up.</p>
Update Pashdan	<ul style="list-style-type: none"> • NRC informed that Pashdan IDPs have been approached by a group of people who were claiming ownership of Pashdan area and have asked the IDPs to buy the land if they want. The IDPs raised this issue with the Governor of Herat, the Governor sent a delegation and discussed the issue with those who are claiming ownership of this land. And since there are disputes between the government and these private individuals over the ownership of this land, the Governor has requested these private individuals to not bother the IDPs until this ownership issue is cleared. This issue has been confirmed by IRC as well. 	<p>NRC and UN Habitat to clarify with ARAZI and Governors office regarding the ownership challenges of Pashdan.</p> <p>Once there is some clarity, advocacy at both Herat and Kabul (through HLP TF and other forums) to ensure these IDPs have land tenure security and do not face force eviction in future.</p>
AOB	<ol style="list-style-type: none"> 1) To expand coverage of the HLP TF to Farah, Badghis and Ghor (ensure there are dedicated focal points who are frequently consulted, can follow up on identified issues etc) 2) Agreement on having HLPTF meetings on monthly or ad hoc basis. The agreement was to hold it on ad hoc/need basis 3) To finalize HLPTF 3Ws by end of May 4) To finalize Western Region annual work plan by end of May 5) To send minutes of previous month's meeting along with the invitation 6) To invite more members to HLPTF. The proposed names by the participants: ARAZI and Cadastral Department, Land Commission (Governors Office), Herat Province's Head of Sectoral Services (Mr. Zargar), AIHRC and NGOs. 7) To share the humanitarian response website with the members to ensure they have access to updated HLP documents (and thus humanitarian issues from all over Afghanistan) 8) To avoid meeting on Thursday afternoons as government offices are off (to ensure engagement of Government counterparts in the WR HLP TF meetings). 9) Next meeting: 18 June 2014 	<p>UN-Habitat will make sure to call its Farah sub-office and UNICEF sub-office in Ghor and Badghis as well as ARAA (UNHCR IP) to find out if there are HLP issues which need to be discussed/raised at the WR-HLP TF before each meeting and then ensure these are shared with the National HLP TF and feedback is provided to the regions.</p>