



USAID
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NORWEGIAN
REFUGEE COUNCIL

LAND, PROPERTY AND CONFLICT COURSE

September 21-24, 2015

Washington, DC

Land and property disputes play a role in many more conflicts than is often recognized. While the most straight-forward case may be two sovereign states fighting over a piece of territory, disputes and grievance over land and property take a multitude of forms in the intra-state or internal conflicts that have been more common over the past few decades. In rare cases, land may be a primary cause of conflict; more often it is a tinderbox of discontent caused by long standing tenure insecurity and inequities, easily ignited by the flames of violence. During the conflict itself, land is not only a physical battleground, but is often a tool as well as a casualty of war. Control of land may serve a political or ideological aim, such as population control, including mass forced displacement and secondary occupation. It may be financially motivated, to enable armed groups to plunder land and natural resources for direct profit or to reward loyalists. Land and property relations are further profoundly impacted by the dramatic social and political changes that occur during and in the immediate aftermath of armed conflict. The lawless free-for-all that characterizes so many of these transitions creates an environment ripe for land grabs. Mass return of refugees and the displaced – sometimes following generations of absence – together with accelerated rates of urbanization, especially among the landless and unemployed, can put tremendous pressure on a fragile administration. If not adequately addressed, grievances related to land and property – both old and new – may threaten to unravel a hard-won peace.

This course, jointly sponsored by USIP, IOM, the World Bank Justice for the Poor program and USAID aims to provide practitioners with analytical tools for assessing and addressing an array of complex land and property disputes, from competing ownership claims and restitution to customary land rights and illegal urban settlements. Drawing on case studies of peace operations and peacebuilding efforts, participants explore the range of entry points (humanitarian, human rights, state-building, development, etc.) and options for dispute resolution and structural reform. The course is tailored to professionals who work on conflict management and peacebuilding, whether they come from a legal, development, military, government, NGO, international organization, private sector or academic background.

By the end of this course, delegates will be able to:

- Identify a range of complex land and property disputes and assess their relation to a particular conflict;
- Understand the various mandates and entry points of international actors with regard to land and property disputes;
- Assess the desirability of a range of intervention options for addressing land and property disputes in a given context;
- Apply lessons learned from several case studies of complex conflict-related land and property disputes;
- Understand and apply over-arching “principles of engagement” to interventions related to land and property disputes.

Delivery Methodology

The course will be delivered through a variety of methodologies that seek to maximize the learning experience. With an emphasis on ‘problem-based learning’ or ‘learning by doing’, presentations will be supplemented by simulation exercises, group work/discussion, role-playing, and so forth. Primarily, the training course seeks to cultivate an environment in which delegates can learn from each other through the sharing of knowledge, experiences and solutions.

The training course will be facilitated and delivered by individuals with strong backgrounds in land and property issues in conflict environments, both from an academic and practical perspective. Case studies and examples will be drawn from a variety of states where land and property disputes have played an important role, including Bosnia, Burma, Rwanda, Iraq, Timor-Leste, Sudan, Afghanistan, Nepal and Colombia.

Course Requirements

Participants enrolled in this course will find that it is intensive in nature given the breadth of materials being covered. Participants are expected to attend every seminar, and engage in discussions. In addition, participants will be asked to:

- Actively participate in all group discussions, exercises, and case studies and
- Actively participate in the final simulation at the end of the course

Timing

This course is taught as an intensive 4 day course from September 21-24, 2015.

DAY 1 – Sept, 21: The issues, The actors

Focus on an analysis of the intersection of land, property and conflict, and an introduction to the key actors – international and national – who engage with these issues in conflict situations.

9:00 – 9:45	WELCOME AND OVERVIEW SESSION
9:45 – 11:15	INTRODUCTION: LAND, PROPERTY AND CONFLICT <u>Resource Persons:</u> Camilo Pardo <ul style="list-style-type: none">• Explore the relationship between land, property and conflict• Develop a framework based on the cycle of conflict
11:15 – 11:30	Break
11:30 – 12:30	INTERNATIONAL ACTORS AND MANDATES <u>Resource Persons:</u> Jitendra Bohara <ul style="list-style-type: none">• Map the range of international actors engaged in land and property issues• Understand the various mandates, perspectives and entry points of these actors and how this has evolved
12:30 – 13:15	Lunch
13:15 – 14:15	NATIONAL ACTORS AND FRAMEWORKS <u>Resource Person:</u> Jitendra Bohara <ul style="list-style-type: none">• Map the national actors engaged on land and property issues• Understand different national legal frameworks for land and property, including customary law and legal pluralism
14:15 – 14:30	Break
14:30 – 15:30	CASE STUDY: Land Governance in South Sudan – Martina Santschi, Swisspeace
15:30 – 16:30	CASE STUDY: Land and Extractives in Peru – Enrique Pantoja, The World Bank.

DAY 2 – Sept 22: Triggers of Land and Property Conflicts

Focus on three key triggers of land and property conflicts: (1) insecure tenure; (2) displacement; and (3) land grabs and the 'natural resource curse'

10:00 – 10:15	Reflections and Overview
10:15 – 11:15	CASE STUDY: LAND REFORM AND PEACEBUILDING IN NEPAL <u>Resource Person:</u> Pooja Shrestha, IOM, Nepal
11:15 – 11:30	Break
11:30 – 12:30	CASE STUDY: Colombia <u>Resource Person:</u> Camilo Parlo, IOM, Washington
12:30 – 13:15	Lunch
13:15 – 14:45	SECURING WOMENS HOUSING, LAND AND PROPERTY RIGHTS IN CONFLCIT AND POST-CONFLICT CONTEXTS <u>Resource Person:</u> Kirstie Farmer, NRC <ul style="list-style-type: none">• Exploring the need for of a gender perspective in relation to housing, land and property
14:45 – 15:00	Break
15:00 – 15:30	DISPUTE RESOLUTION: PRESENTATION ON THE UNDP-UNEP HANDBOOK ON NATURAL RESOURCES AND CONFLICT <u>Resource Person:</u> Michael Brown

DAY 3 – Sept 23: Programming Options

Map an array of programming options to manage land and property conflicts and assess the appropriate conditions and resource requirements for such options

10:00 – 10:15	Reflections and Overview
10:15 – 11:45	LAND & EMERGENCY RESPONSE <u>Resource Persons:</u> Jitendra Bohara <ul style="list-style-type: none">• Explore how to protect and/or preserve land rights in crisis• Provide overview of mapping and data collection tools• Case-study: land and shelter in Haiti
11:45 – 12:30	Lunch
12:30 – 13:30	CASE STUDY: Women's Housing, Land and Property Rights in Somalia <u>Resource Person:</u> Kirstie Farmer, NRC
13:30 – 13:45	Break
13:45 – 15:15	FORCED MIGRATION AND DISPLACEMENT <u>Resource Person:</u> Peter Van der Auweraert, IOM <ul style="list-style-type: none">• Understand forced migration and displacement in conflict• Explore the land and property aspects of displacement and return• Critically assess the emerging international legal framework
15:15 – 16:15	CASE STUDY: Land and Displacement in Iraq <u>Resource Person:</u> Peter Van der Auweraert, IOM

Day 4 – Sept 24: Designing Strategies

Explore how to develop strategic responses to land and property conflicts in crisis and peacebuilding situations. Participants will put this into practice in a simulation exercise.

10:00 – 10:15	Reflections and Overview
10:15 – 10:30	INTRODUCTION CAPSTONE SIMULATION <u>Resource Persons:</u> Jitendra Bohara, IOM
10:30 – 12:00	CAPSTONE SIMULATION PART I
12:00 – 12:45	<i>Lunch</i>
12:45 – 14:15	CAPSTONE SIMULATION PART II
14:15 – 14:30	<i>Break</i>
14:30 – 15:00	DEBRIEF FROM EXERCISE
15:00 – 15:30	Evaluation and Closing of Course