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.

The USIP and IOM Land, Property and Conflict Course 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, Rwanda, Iraq, Timor-Leste, Sudan, Afghanistan, Kenya 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 May 21-24 2012.
PART I: THE ISSUES, THE ACTORS

This part focuses 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.

10:00 – 11:00  INTRODUCTION: LAND, PROPERTY AND CONFLICT
Resource Persons: Deborah Isser and Peter Van der Auweraert
- Explore the relationship between land, property and conflict
- Develop a framework based on the cycle of conflict

11:00 – 11:15  Break

11:15 – 12:00  INTRODUCTION, continued.

12:00 – 13:00  Lunch

13:00 – 14:15  INTERNATIONAL ACTORS AND MANDATES
Resource Persons: Peter Van der Auweraert and Deborah Isser
- 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

14:15 – 14:30  Break

14:30 – 16:00  NATIONAL ACTORS AND FRAMEWORKS
Resource Person: John Bruce
- 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

16:00 – 16:45  CASE-STUDY
- National and international actors and land in Timor-Leste (by Angela Sherwood, Policy and Research Officer, IOM Geneva)
9:00 – 9:15  Reflections and Overview

**PART II: GRIEVANCE AND GREED**

This part focuses on three key triggers of land and property conflicts: (1) mass displacement and conflicts related to putting things back together; (2) high value natural resources and conflict related to greed, exploitation and corruption; (3) insecure tenure and conflicts related to landlessness, inequities and power imbalances.

9:15 – 10:45  MASS DISPLACEMENT
Resource Persons: Deborah Isser and Peter Van der Auweraert
- Explore the land and property aspects of displacement and return
- Critically assess the emerging international legal framework concerning property rights and displacement

10:45 – 11:00  Break

11:00 – 12:30  HIGH VALUE NATURAL RESOURCES
Resource Person: Raymond Gilpin
- Understand the relationship between HVNR and conflict
- Assess programming for mitigating resource-related conflict

12:30 – 13:30  Lunch

13:30 – 15:00  INSECURE TENURE
Resource Person: John Bruce
- Explore how tenure insecurity can lead to conflict
- Understand forms and causes of tenure insecurity
- Case studies: Sudan, Kenya, China

15:00 – 15:15  Break

15:15 – 16:45  CASE-STUDIES
- Land, Displacement and Reconstruction in Haiti (by Rose-Berthe Augustin, Legal Officer, Information Management Division, IOM Haiti)
- Land, Conflict and Displacement in Côte d'Ivoire (by Léon Désiré Zalo, Director of Rural Land and Rural Cadaster, Ministry of Agriculture of Côte d'Ivoire)
- Land Restitution in Colombia (by Camilo Pardo, Independent Consultant, Former Head of the Restitution Division, Colombian Ministry of Agriculture)
DAY 3: Wednesday, 23 May, 2012

9:00 – 9:15 Reflections and Overview

PART III: PROGRAMMING OPTIONS

In this part we will map an array of programming options to manage land and property conflicts and assess the appropriate conditions and resource requirements for such options.

9:15 – 10:15 EMERGENCY RESPONSE
Resource Person: Peter Van der Auweraert
- Land and property programming during conflict and crisis
- Scenario-based exercise (shelter, livelihood, record and evidence preservation, etc)

10:15 – 10:30 Break

10:30 – 11:45 DISPUTE RESOLUTION
Resource Person: Peter Van der Auweraert
- Programming to support peaceful means of resolving disputes related to displacement and otherwise
- From property claims commissions to community mediation

11:45- 12:30 CASE-STUDY
- Addressing Land from a Peace building Perspective in the Democratic Republic of Congo (by Florian Bruyas, UN Interagency Framework Team for Preventive Action)

12:30 – 13:30 Lunch

13:30 – 15:00 LAND POLICY AND ADMINISTRATION
Resource Person: John Bruce
- Programming to support legal protection of property rights
- Programming to support land reform (redistribution, land use management, access to housing)

15:00 – 15:15 Break

15:15 – 16:30 COMMUNITY BASED-PROGRAMMING
Resource Persons: Nicholas Menzies and Deborah Isser
- Empowerment of communities to hold investors and extractive companies accountable
- Facilitation of constructive intersection of community forms of land governance and the formal economy
Day 4: Thursday, 24 May, 2012

9:00 – 9:15  Reflections and Overview

**PART IV: DESIGNING STRATEGIES**

*This part will 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.*

9:15 – 10:00  **CASE-STUDY**
- Responses to land and property issues in post-crisis and peacebuilding contexts: the USAID land portfolio *(by Timothy Fella, Land Tenure and Conflict Advisor, USAID)*

10:00 – 11:00  **PRINCIPLES OF ENGAGEMENT**
- Resource Persons: Deborah Isser and Peter Van der Auweraert
  - What are key principles guiding strategic responses to land and property disputes?
  - How can different actors at different phases of conflict operationalize these principles?

11:00 – 11:15  Break

11:15 – 12:15  **CAPSTONE SIMULATION PART I**

12:15 – 13:15  Lunch

13:15 – 15:00  **CAPSTONE SIMULATION PART II**

15:00 – 15:15  Break

15:15 – 16:15  **DEBRIEF FROM EXERCISE**

16:15 – 16:45  Evaluation and Closing of Course