

**Meeting Minutes of Housing, Land and Property Working Group**  
**January 24, 2017, Kyiv**

Agenda Item	Short Summary of Discussions	Action Point	Time Frame
<p>Welcome. Presentations by participants of their HLP activities in 2016. Lessons learned</p>	<p>The NRC presented the overview of the legal cases, which ICLA lawyers dealt with in 2016. Most cases of counselling and legal assistance regarded the issues of utilities subsidies and addressed state assistance to IDPs targeted for the rent of housing (over 2500). Over 100 cases touched upon complex issues of HLP character ranging from commissioning of the newly built house in relevant utilities and construction companies to mortgage loans on objects with several owners. Besides, in December 2016 the NRC's M&amp;E did the survey and interviewed 250 beneficiaries (including ones residing in the buffer zone) who had received legal assistance from NRC in 2016. 80 respondents out of them had had problems related to HLP sphere. The main attention was drawn to the fact of the absence of documentation to the real estate and lands as regards the households within and out of the buffer zone and along the contact line (GCA).</p> <p>The DRC also presented the overview of the survey they did (with HLP component included) in their area of operation in Donetsk region (GCA) including the buffer zone. They did 200 interviews in total, 5% of respondents are lacking civil documentation, 34% of respondents who are victims of their properties destroyed (damaged) received the documented evidence of that. The DRC proved the results of NRC's survey on a number of households lacking the documentation on their real estate and/or lands. The DRC will present the complete results of the survey in early February 2017. The DRC announced their intention to implement Shelter programme on rehabilitating the multistore buildings including the possible component of organizing condominiums (OSBB) with the support of GIZ and to provide trainings on HLP themes for different NGOs in 2017.</p>	<p>HLP TWG partners will keep on contributing to issue of surveys with HLP component included and possibly conduct the common one in 2017.</p> <p>The scheme for identification of the reasons for houses had been destroyed/damaged is to be developed and implemented.</p> <p>The HLP TWG will take common efforts to create the database of damaged/destroyed properties and UXO contaminated lands</p>	<p>Jan.2017-Dec.2017</p>

	<p>In connection of the surveys presented the participants of the Coordinators of the Shelter Cluster informed that according to their information, 17 thousand of houses were destroyed/damaged because of the conflict in the east of Ukraine. They mentioned that because of clear legal qualification it is necessary to track the reasons for houses having been damaged/destroyed. Another problem is lack of the access by the state officials to the buffer zone. Because of this particular reason, the data on destroyed/damaged housing by governmental officials and international (non-)governmental organisations differ. The HLP TWG should take common efforts to create the database of damaged/destroyed properties and UXO contaminated lands because of military actions in the east of Ukraine. This work should be done in close cooperation with Working Group on Social Housing (Shelter Cluster) and Mine Action Working Group (Protection Cluster).</p> <p>The representative of the Council of Europe Project “Strengthening the Human Rights Protection of Internally Displaced Persons in Ukraine” mentioned the activities of 2016 within human rights protection sphere for IDPs that partially touched upon HLP issues. The main concern and therefore focus of this project in 2017 is the expire of prescription of claims for civil and administrative courts’ procedures (tentatively summer 2017).</p> <p>Local NGOs presented their activities in HLP sphere. Thus the NGO “Crimean Diaspora” presented their activities in Kyiv region on negotiating and receiving the plots of lands in rural area for the IDPs from the Crimea and the Donbass. The families with children are the main target groups of such applications (to receive lands) because rural communities are interested to adopt young people (so that schools in villages aren’t closed and parents of these children can be self-employed businessmen). A number of legal concerns was raised by the participants of the HLP TWG as regards the scheme that started as “Community of Gardeners” and is to be reverted into the lands to build solid houses on.</p> <p>The NGO “Association of IDPs” presented the developed project (in cooperation with “People in Need”) on the renovation of multistore buildings to be used as social housing solutions for the IDPs. The project will cover Belozersk, Ukrainsk and Novogorodovka in Donetsk region. If successful, the same initiative is to be expanded to Odesa and Rivne regions.</p>	<p>because of military actions in the east of Ukraine.</p> <p>HLP TWG partners will hold the common trainings on HLP issues during 2017 on TWG’s behalf.</p> <p>HLP TWG partners are interested to follow on the developments and the results of the projects presented by local NGO partners.</p>	
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<p>Humanitarian Response Plan in Ukraine and HLP issues in Protection Cluster and Shelter Cluster activities. HLP priorities for 2017.</p>	<p>The Coordinators of the Shelter Cluster did the presentation on the priorities and possible solutions based on international practice (<i><b>please find attached</b></i>). Proceeding from this the Shelter Cluster requested the HLP TWG to provide solutions – oriented events/meetings with participation of the relevant (local) government representatives and local NGOs, possibly groups of beneficiaries (is relevant).</p> <p>The Protection Cluster mentioned their main expectations vis-à-vis HLP TWG for 2017:</p> <ul style="list-style-type: none"> <li>- Focus on durable solutions;</li> <li>- Occupations and expropriations by militaries: to come up with mapping of cases in GCA and NGCA and to provide national and subnational advocacy targeted to Ministry of Defense (the leading role in this process goes to the OHCHR/HRMMU);</li> <li>- To approximate the comprehensive solutions by government on IDPs and conflict-affected populations;</li> <li>- To strengthen the cooperation with local and central authorities in disseminating the cases of positive practice among the local communities as well as supporting legislative concepts. This part should target above all the Ministry of TOT and IDPs and the Ministry of Regional Construction and Development.</li> </ul> <p>NRC's representative updated the participants on the HLP AoR for the 2017: strengthening the HLP programs and increase the HLP-people representation within the activities of biggest number of Clusters possible.</p>	<p>HLP TWG will provide the constant support to Clusters' activities during the year and will prioritize the goals set by Clusters.</p>	<p>Ongoing</p>
<p>HLP TWG Strategy development for 2017. Brainstorming</p>	<p>The participants of the HLP TWG divided into 2 groups, brainstormed on the priorities for 2017 and set the following themes as priorities for 2017:</p> <ul style="list-style-type: none"> <li>- <b>Compensation</b> as the broad issue with the view of prescription of claims according to Ukrainian law will start to expire from summer 2017, advocacy targeted at relevant issues of documentation vis-à-vis Ministry of regional development and construction;</li> </ul>	<p>The practice for representatives of relevant (local) government to be permanently invited to HLP TWG will be set.</p>	<p>Jan.2017-Dec.2017</p>

	<ul style="list-style-type: none"> <li>- <b>Occupation</b> (issues of land mines/UXO contamination to be tackled in cooperation with the Mine Action Working Group; occupation by military will be channelled through advocacy efforts by OHCHR/HRMMU targeted above all at the Ministry of Defence);</li> <li>- <b>Housing solutions</b> (in cooperation with Shelter Cluster Working Group on Social Housing).</li> </ul> <p>The main tools of the HLP TWG are: common advocacy efforts aimed at (local) governmental decision-makers; common activities on HLP TWG behalf (trainings, surveys, multiplication of good practices of local authorities by means of their integration to the work of the HLP TWG); assistance to HLP working sub-group within Ministry of TOT and IDPs.</p> <p>Meetings are to be held on rotation basis as agreed.</p> <p>One of the groups elaborated more profoundly on the issue of <u>housing rights</u>:</p> <ul style="list-style-type: none"> <li>- Affordable housing solutions;</li> <li>- Security of Tenure;</li> <li>- Restitution/compensation of destroyed housing</li> </ul> <p>It was suggested to implement and/or monitor the positive practice on social housing solutions with the aim to spread these examples among other relevant local self-government units.</p>	<p>HLP TWG will prioritize the Housing and Land Sub-group (Ministry of TOT and IDPs) in terms of constant informational exchange. The common advocacy efforts will be developed and implemented. Common activities on HLP will be prioritized for 2017.</p> <p>Cooperation between HLP TWG and other Cluster groups will be strengthened (Working Group on Social Housing, Mine Action Working Group).</p> <p>Positive housing rights implementation will be monitored and lobbied against other local self-governments in the affected by conflict communities.</p>	
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Update of the Work Plan of the HLP TWG	The HLP TWG reviewed the Work Plan of HLP TWG and decided to update it according to the priorities agreed.	NRC will update the Work Plan according to the priorities set above.	Before February 20, 2017
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Participants: Shelter Cluster, Protection Cluster, OHCHR/HRMMU, UNHCR, Norwegian Refugee Council, Danish Refugee Counsel, the Council of Europe Project “Strengthening the Human Rights Protection of Internally Displaced Persons in Ukraine”, Right To Protection, NGO “Crimean Diaspora”, NGO “Association of IDPs”.

Next meeting: tentatively – February 20, 2017, Severodonetsk. Theme: Compensation.