

PROTECTION, REINTEGRATION AND RESETTLEMENT OF IDPs



FIRST SUBSTANTIVE PROGRESS REPORT

FOR THE PERIOD APRIL TO DECEMBER 2008

Submitted to the

United Nations Trust Fund for Human Security

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1. SUMMARY PAGE

Project Title: PROTECTION, REINTEGRATION AND RESETTLEMENT OF IDPs

Reference Number: UDP-AF-05-026

MDTF Project Number: HS-SOM-005-026

Time Frame: 1 November 2007 to 31 October 2009

Locations: Bosasso, Puntland State of Somalia

Participating Organizations: UNDP, UNHABITAT, UNHCR, FAO, UNICEF, DRC,

Total Project Implementation Cost: \$3,999,948.56

Donor: United Nations Trust Fund for Human Security

2. ABBREVIATIONS AND ACRONYMS

DRC	Danish Refugee Council
DRC	Danish Refugee Council
EOI	Expression of Interest
FAO	Food and Agriculture Organization of the United Nations
HSTF	United Nations Trust Fund for Human Security
HSTF	The Human Security Trust Fund
IDD	International Development Department
IDPs	Internally Displaced Persons
JNA	Joint Needs Assessment
JPM	Joint Programme Manager
LED	Local Economic Development
NRC	Norwegian Refugee Council
PBA	Puntland Bar Association
SGBV	Sexual Gender Based Violence
UN	United Nations
UNDP	United Nations Development Programme
UNHABITAT	United Nations Centre for Human Settlements
UNHCHR	United Nations High Commissioner for Human Rights
UNICEF	United Nations Children's Fund

3. EXECUTIVE SUMMARY

This project aims to improve human security and living standards and provide durable solutions for reintegration and resettlement of IDPs and returnees in Somalia, with a particular focus on IDPs currently in Bosasso, North-east Somalia. Somalia has been in a state of anarchy, ruled by power of arms of warlords and clan leaders, following the collapse of the Siyad Barre regime in 1991. As at 2007, UN estimated that there were 370,000- 400,000 IDPs in Somalia representing more than 5% of the then total population of 6.8 million. These form a group of chronically vulnerable people who lack even the most basic protection and essential services. Conditions are among the worst in Africa. There are about 35,000 IDPs in Puntland of which 22,000 are to be found in Bosasso, a coastal town with high exposure to human security challenges.

The project applies the Joint UN Strategy to address the needs of IDPs in Somalia, in assisting IDPs in Bosasso by aiming to provide:

- Better protection for IDPs in temporary and permanent settlements, as evidenced by protection of human rights, against physical violence, and against fire;
- Improved living conditions in existing and temporary settlements, as evidenced by an upgrade of temporary settlements, improved access to basic services, and access to immediate income generating opportunities by implementation through community works schemes;
- Durable solutions for livelihoods, resettlement and reintegration, as evidenced by local resettlement and integration solutions in Bosasso as well as resettlement and integration solutions in alternative rural and coastal locations.

The project has been conceived as a Joint Programme by five implementing UN partners (UNDP, UNHABITAT, UNHCR, FAO and UNICEF) and is levered by recently strengthened UN capacities for field-based coordination of humanitarian assistance. This report aims to document the progress thus far in achieving these objectives and the challenges which have been faced.

4. PURPOSE

Almost two decades of nation-wide civil wars, localized armed conflicts and natural disasters has resulted in the internal displacement of over 400,000 people in Somalia to mostly urban centres. This section of the population forms a group of chronically vulnerable people who lack even the most basic protection and essential services. IDPs in cities have very limited access to security, human rights, basic humanitarian needs and essential services, secure tenure and livelihood opportunities. Often, they are unskilled and disempowered; consequently, many resort to casual labour and begging. The vast majority live in temporary IDP settlements on privately-owned land subject to abuse as landowners frequently charge rent, force IDPs to settle in extreme densities, while refusing the installation of basic services (latrines, etc.). Conditions are amongst the worst in Africa, as commented by Dennis McNamara, Head of IDD Geneva, during his second field visit to Bosasso (May 2006).

Main Objectives

With the UN Joint strategy as a basis, the specific project objectives are:

Protection

This component addresses protection of the most vulnerable and human security for the IDPs living in existing temporary settlements. It targets improved protection of IDPs against physical violence and fire hazards, effective legal protection and monitoring of human rights. As the baseline information on human rights violations in the targeted settlements is not comprehensive, the measures proposed under this objective include the establishment of a reporting system that will first and foremost guarantee confidentiality for the victims but also provides the much needed data on the extent of the issue in the IDP communities.

This coordinated approach to IDP issues recognises the multitude of immediate protection problems facing IDPs in Bosasso. All stakeholders acknowledge the need for more concerted efforts to alleviate the acute protection problems. Interventions in this first component led by UNHCR build on the Action Plan developed by the Protection Cluster/Working Group for Puntland and focus on five areas of immediate protection: 1) development of a security package to enhance physical protection and security of IDP beneficiaries and a response mechanism to issues of Sexual and Gender-Based Violence (SGBV) in temporary settlements; 2) improved law enforcement and community policing; 3) eased access to justice and further development of legal frameworks affecting IDPs in temporary settlements; 4) further establishment and monitoring of structures for rights protection and advocacy on protection issues, and 5) improved fire preparedness.

Coordinated actions of UNHCR, UN-HABITAT and UNDP to reduce the threat of physical assaults and fire hazards include upgrading of the physical environment in temporary settlements through spatial reorganisation and public lighting. Public lights will be placed strategically to reduce the risk of SGBV and other violence. Appropriate planning of settlement layout, in particular by placing the water and sanitation services for women and girls in safe well-lit locations, will also reduce the risk of violent attacks. Fire risk is reduced through establishment of fire safety and response plans and Action Groups, by provision of fireproof shelter materials and clearing of access roads and firebreaks.

In order to improve law enforcement in IDP related issues, effective community policing will be developed in collaboration with the Rule of Law and Security Programme of UNDP, addressing through capacity building of community police forces and by training the representatives of the government, judicial system staff and IDPs themselves on issues of IDPs' protection and rights. In addition, mechanisms for monitoring the law enforcement and practices will be developed. Towards this target, amongst the main objectives of the Cluster is to develop an effective partnership with local authorities. The key partners in the administration of protection activities in Bosasso include the Ministry of Interior (represented in Bosasso by the Governor), the Ministry of Rural Development and Planning (represented by the Mayor of Bosasso) and the law enforcement agencies under the Ministry of Interior including a new police service, immigration and other security agencies. The Protection Cluster is also initiating a framework for engagement and advocacy with the local authorities so that they can better support protection activities and gradually assume their primary responsibility of protection of IDPs.

Interventions for improved access to justice for IDPs and development of legal framework for secure land tenure for IDPs will focus on establishment of legal clinics in temporary settlements and on collaboration with public authorities and private landowners on development of legal land management system and land banks. These will enable secure tenure rights and long-term physical planning of settlements and basic services. UN-HABITAT is in process of developing a comprehensive, long-term approach based on global best practices to address the complex land related problems affecting IDPs and the society as a whole in Puntland.

This component also includes further development of functional structures for advocacy and protection of human rights and protection monitoring. These will be addressed through empowerment of communities and individuals to protect their rights, especially the rights of women and children. Planned activities include community awareness campaigns, development of appropriate monitoring and reporting systems on SGBV, and training of community leaders, community committees and Watch Teams and medical workers to respond to SGBV cases.

The component further includes development of functional structures for advocacy and protection of human rights and protection monitoring. These will be addressed through empowerment of communities and individuals to protect their rights, especially the rights of women and children. Planned activities include community awareness campaigns, development of appropriate monitoring and reporting systems on SGBV that ensure confidentiality for the victims, and training of community leaders, community committees and Watch Teams, police and medical workers to respond to SGBV cases.

Strengthened protection and security for 11,000 IDPs in their current location, as evidenced by:

- Human rights are better protected and incidences of physical violence reduced.
- Physical protection against fire in the settlements in place.

Improving Living Conditions

In the Somali context, where hundreds of thousands displaced people are at the core of one of the worst humanitarian crises on the continent, permanent resettlement struggles to receive the attention it deserves. Permanent resettlement interventions provide substantially improved protection, security

of tenure, access to basic services and infrastructure (especially water and sanitation), and a solid base for income generating activities (e.g. renting out rooms, space for shops or productive activities). The construction process can be formulated in such way that vulnerable communities receive construction focused skills training. The money freed up from paying rent can be redirected to facilitate access to other basic services (ex. education, health).

Additional added value of permanent shelter lies in the advantages that such type of intervention brings to the city as a whole. The provision of infrastructure to the resettlement sites (e.g. roads, piped water, electricity, etc.), and the services built by the humanitarian agencies near the resettlement sites (e.g. schools, clinics, police posts, etc.) can, if well planned, result in planned urban growth, with serviced urban plots for the host community and improved access to services, already in short supply for the urban poor, and residents in general. The increased value of land around the serviced areas brings along very concrete advantages for the landlords.

Permanent resettlement interventions provide a perfect entry point to tackle other governance-related issues: land legal and regulatory frameworks, mechanisms to provide land for services and infrastructures, development of land and property registration systems (to be linked with taxation), preparation of urban development plans, discussions on tenure solutions, etc. Key overarching principles are also pushed ahead through the forum provided by permanent shelter: social, economic and physical integration, and acceptance of the rights of the IDPs to access land and durable shelter.

All this ultimately contributes to sustainable urbanisation, slum prevention and peace building. The above reasons led to the inclusion of permanent resettlement in the Joint UN/INGO strategy for IDPs developed in 2005 by the IDP Working Group and in the Shelter Response Plan of the Shelter Cluster. It is understood that in a complex emergency, with a mix of protracted and frequent new displacements, the emergency response, needs to be broadened with the continuous upgrading of the living conditions in the temporary settlements and the working towards durable settlement and shelter solutions where possible.

This project specifically aims to improve living conditions for 11,000 IDPs, as evidenced by:

- An upgrade of temporary settlements (fire breaks, accessibility, etc) benefiting an estimated 11,000 people;
- Construct sanitation infrastructure;
- Improved access to basic services for 11,000 people in temporary settlements;
- Access to immediate income generating opportunities for at least 1,000 IDPs in Basasso by implementation through community works schemes, including training aimed at skills building on micro enterprise, income generation and provision of access to credit useful for reintegration and resettlement strategies.

Improving Livelihoods, Resettlement & Reintegration

The first of the two sub-objectives of the third and largest programme component addresses long-term, durable resettlement through provision of land and basic shelter for 550 IDP households (an estimated 3,300 people), basic services for all IDPs permanently settled in Bosasso and sustainable income generation, skills training and housing finance opportunities for selected beneficiaries.

Interventions to secure land for future resettlements in Bosasso include further developing the urban development plan, presently being elaborated by UN-HABITAT in consultation with the local stakeholders, in order to design site layouts and define land-sharing arrangements for permanent settlements and for the related infrastructures, municipal services and local livelihoods (including access roads, market places, public service centres, street vending etc.) Five sites have already been identified in the eastern side of the Bosasso city that allow implementation of pilot resettlement projects (see a map in Annex 7). Since the Islamic tradition is relatively strong in the region, the rules related to land, incorporated in the Islamic law (Sharia) have been identified as a potential method to secure land for the urban poor in Puntland (e.g. setting up a 'Wafq' land bank).

To address essential services development in the permanent settlements in Bosasso, UNICEF, UN-HABITAT, FAO/DRC and partners are collaborating to improve access to clean, affordable drinking water, to construct adequate sanitation and strengthen solid waste collection and disposal services. Activities include installation of new shallow wells and rehabilitation of existing shallow wells, the installation of water distribution networks, the construction of waste incineration systems, the construction of adequate sanitation infrastructure (500 latrines) and promotion of community sanitation and hygiene awareness. Community contracting, work schemes and public-private partnerships will be used as implementation mechanism where possible in order to support employment creation for IDPs and host communities.

In addition, similar measures for income generation as in the second programme component will be implemented specifically for the permanently settled IDP communities. Livelihood activities will be based on community needs and priorities as identified in the UNDP-RRIDP Survey. Health centres, market places and training for communities have already been provided. Activities of this programme include skills training in productive sectors, and micro-credit initiatives that include formation of new credit societies and cooperatives.

The micro credit component applied by participating agencies will be revolving funds, managed as a grant to the community group established for this purpose. The community group signs a written agreement controlling the use of the funds and gives a commitment that the funds would be used for the defined purpose for a minimum period, typically two years. At the end of the two years (or the project period) the community group is given the opportunity to either continue with the revolving fund or to collect the funds from their members and use this for another community purpose as agreed by the agency and the community group. Agency staff will mobilise and monitor the community groups, as well as ensure that they comply with the written agreement.

Related activities will include institutional strengthening and monitoring of the existing credit societies and cooperatives, and business and marketing training. Strong local partnerships during implementation of livelihoods development will ensure sustainability and strengthen local stakeholders within the community and in relation to local authorities.

Durable solutions for livelihoods, resettlement and reintegration for up to 5,000 IDPs, as evidenced by:

- Local resettlement and integration solutions in Basasso;
- Sufficient land for resettlement of up to 550 IDP families allocated;
- Provision of permanent shelter for up to 550 IDP families;

- Access to essential services and infrastructures in areas of permanent settlement;
- Resettlement and integration solutions in alternative rural and coastal locations:
- Resettlement to places of origin or to alternative locations for permanent settlement facilitated for 350 families
- Opportunities for local economic recovery in alternative rural and coastal resettlement areas created for 3,000 households of IDPs and vulnerable families in host communities

The objectives as outlined in the project document remain valid overall and were further refined. The overall goal of this project is the improved human security and living standards as well as durable solutions for reintegration and resettlement of IDPs and returnees in Basasso.

This joint programme aims to attain the human security objective particularly by offering concrete benefits and strengthening the political, social and economic rights of an extremely vulnerable group which is long-time neglected, the project can make a difference for the situation of IDPs in Bosasso.

The human security approach stresses that the protection and empowerment of IDPs in post-conflict strategies cannot be considered solely as a humanitarian issue outside the broad national development effort framework; and further that the reintegration of IDPs, especially in urban centres, should be given highest priority during the reconstruction process.

The partners of this proposal jointly have the capacities to ensure this. The joint programme integrates humanitarian and development components, by simultaneously putting in place the frameworks for assistance to the improvement of temporary living conditions and for sustainable reintegration and resettlement, making allowance for local and alternative solutions in a holistic process.

Strategies for Implementation

In line with the UN Joint Strategy and JNA findings, the project will apply a three-pronged approach towards the goal of *durable solutions* for IDPs in Bosasso:

- An urban management and development approach which ensures access to land; access to basic infrastructure and services; and improved temporary and permanent shelter as part of a sustainable urban development, integrating IDPs with the host community;
- Promoting durable resettlement to rural areas;
- A modified Local Economic Development (LED) approach – community mobilization and empowerment in support of community-centered planning, training and monitoring process for livelihoods.

The project sees reintegration as the recognition of the interdependencies of each dimension of basic human rights. An integrated approach recognizes that short-term activities have implications over the long-term and should be designed accordingly. An integrated humanitarian and development approach can provide multidimensional answers and encourage synergies among development activities. Thus, a comprehensive, multisectoral approach and reintegration are vital for addressing the political, social and economic aspects of human security.

Further, the project will adopt the Human Security and Rights-based approaches by seeking to develop capacities of the duty bearers to address the political, social and economic rights of IDPs. Each component of the project will work with the corresponding local duty bearer institutions and ensure the

integration of a rights perspective. In Protection activities, the project will put in place community policing and seek to establish functioning law and order in a situation which is currently characterized by lawlessness. In basic services, the project will use community capacities as resources in implementation and address the public service provision capacities of local authorities.

In terms of guiding principles, it will be critical for the success of the project to:

- Apply a participatory approach with IDPs at centre of all interventions; further build sustainable community institutions, empowering communities and developing capacities of beneficiaries, for managing IDP affairs and the relations with host communities and authorities;
- Build capacities of the relevant supporting Authorities (Municipality, Line Ministries), which will be the responsibility of the Lead Agency for each strategic objective;
- Include host communities in consultations and deliberations on durable solutions;
- Strengthen capacity of participating CSOs for sustained advocacy, service delivery, and facilitative roles;
- Assist in the provision of key basic infrastructures in support of protection and economic activity, such as lighting in communal areas; access roads; and market places;
- Integrate conflict prevention by strictly applying criteria for vulnerability in the selection of beneficiaries and monitor the do-no-harm of projects in the field;
- Identify low-cost solutions especially for shelter and housing to extend project benefits to as large numbers as possible. At the same time it is important that selection does not 'overstretch', i.e. attempt to target an unrealistic number of beneficiaries with regard to available resources.

Additionally, settlement upgrading entails various components, each essential for the achievement of the final result. A good settlement layout, improved shelters, sufficient number of latrines and water points, space for services and for vehicular access, presence of fire breaks are all essential elements for a successful upgrading. The budget allocated for this important component – according to the project document – is US\$ 11,500. Within the small financial resources allocated, UN-HABITAT has been working in collaboration with the other agencies involved in the project, and with the members of the Shelter Cluster to maximise the impact of each separate upgrading activity carried out by the individual agencies. UN-HABITAT, NRC, UNHCR, DRC, UNICEF are collaborating – each on its field of expertise – towards the achievement of the expected outputs.

The main responsibilities for the achievement of this objective are:

- UN-HABITAT: coordinating and facilitating the upgrading process and its components; negotiating with local authorities and landowners over the arrangements for land occupation by the IDPs; re-planning the informal settlements to allow sufficient living space for the families, as well as space for roads, firebreaks, and basic services and infrastructure; support the registration of the beneficiaries and the distribution of the improved transitional shelter kits, one per household, to the IDP families; and conducting basic training on settlement planning and risk prevention. As a co-lead of the Shelter Cluster, UN-HABITAT has an important role in coordination and monitoring of the shelter activities carried out.
- NRC, UNHCR, and DRC are providing of the improved temporary shelter kits, and are coordinating the distribution and the physical construction of the improved shelters.
- DRC constructs additional latrines.

The Shelter Cluster and its implementation ‘arm’, the Action Team, selects the settlements to be upgrading in accordance to vulnerability and access criteria, carries out the identification and the registration of the beneficiaries, handles the logistics of the upgrading, and solve disputes that might arise from the project.

The IDP Settlements Committees are fully and actively involved in the process, and the Basasso authorities step in whenever disputes that cannot be solved by the Settlement Committees and by the Action Team arise.

Outputs and Targets

	Outputs	Targets	Lead Partner
Objective 1	1.1 Protection of human rights and against physical violence	• Physical safety and security in IDP settlements and improved access to justice for IDPs	UN-Habitat
		• Effective law enforcement in existing IDP settlements in Basasso	UNDP
		• Access to justice for IDPs and a legal framework for IDP concerns	UNDP
		• Functional structures for human rights protection and monitoring response and advocacy	UNHCR
	1.2 Physical protection against fire	• Functional fire preparedness in existing and new IDP settlements	UNHABITAT
	1.3 Effective management and coordination of assistance to IDPs in Bosasso	• Implementation of the Road Map for Urban Poor, Returnees and IDPs in Bosasso with respect to HSTF-funded components	UNDP/UNHCR
	1.4 Monitoring & Evaluation incl. documentation of best practices	• M & E arrangements in line with the Road Map for Urban Poor, Returnees and IDPs in Bosasso	UNDP
Objective 2	2.1 Upgraded temporary shelter	• 50 % of the existing IDP settlements upgraded	UNHABITAT
	2.2 Access to basic services in temporary settlements	• Improved access to clean affordable water, adequate sanitation and essential infrastructures	UNICEF
	2.3 Income generation opportunities for IDPs in Bosasso	• Immediate income generation opportunities through work schemes in the delivery of basic services and through the support to micro enterprise • Skills developed for 500 IDPs presently in Basasso	UNDP
Objective 3a	3.1 Land secured for resettlement of IDPs	• Sufficient land allocated for 500 IDP families	UNHABITAT
	3.2 Provision of permanent shelter	• Shelter constructed for the most vulnerable groups (up to 550 houses)	UNHABITAT
	3.3 Access to essential services and infrastructures in permanent settlements	• Access to clean and affordable drinking water, adequate sanitation, solid waste collection and disposal services for 100 % of the population in the permanent settlements	UNICEF
	3.4 Income generation opportunities for IDPs in resettlement areas	• Immediate income generation opportunities through works schemes in the delivery of basic services and through the support to micro-enterprise for IDPs	UNDP
Objective 3b	3.5 Resettlement of IDPs facilitated	• Assistance to decision-making on options for return • Support to the return of displaced persons with transferable assets to their places of origin	UNHCR
	3.6 Local Economic Recovery	• Community productive infrastructures in support of micro enterprise	UNDP

		<ul style="list-style-type: none"> • Access to credit, training, and other support functions for micro enterprise in areas of resettlement for at least 1,000 households including IDPs and vulnerable host communities 	FAO
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5. RESOURCES

This joint programme is fully solely funded by the HSTF for the amount of US\$3,999,948. This amount is broken down as follows:

Protection, Reintegration, and Resettlement of IDPs in Bosasso proposal for HSTF - Budget by Activities			
	Description and targets	Total	Implementing Agency
Objective 1	Better protection for IDPs in temporary and permanent settlements		
Output 1.1	<i>Protection of human rights and against physical violence</i>		
	Physical safety and security in existing IDP settlements	135,000	UN-HABITAT
	Effective law enforcement in existing IDP settlements	110,000	UNDP, UNHCR
	Access to justice for IDPs and legal framework for IDP concerns	30,000	UNDP
	Functional structures for human rights protection and monitoring response	162,100	UNHCR
Output 1.2	<i>Physical protection against fire</i>		
	Functional fire preparedness in existing and new IDP settlements	100,000	UN-HABITAT, UNHCR
Output 1.3	<i>Effective management and coordination of assistance to IDPs in Bosasso</i>		
	Implementation of Road Map for Urban Poor, Returnees and IDPs	200,000	UNDP
Output 1.4	<i>Monitoring & Evaluation including documentation of best practices</i>		
	M&E arrangements in line with the Road Map	35,000	UNDP
Total Objective 1		772,100	
Objective 2	Improved living conditions in existing and temporary settlements		
Output 2.1	<i>Upgraded temporary shelter</i>		
	50% of the existing IDP settlements upgraded	42,000	UN-HABITAT
Output 2.2	<i>Access to basic services in temporary settlements</i>		
	Improved access to clean water, adequate sanitation and infrastructures	109,382	FAO/DRC, UNICEF
Output 2.3	<i>Income generation opportunities for IDPs in Bosasso</i>		

	Immediate income generation through work schemes and micro enterprises	444,500	UNDP, FAO
Total Objective 2		595,882	
Objective 3 A	Local resettlement and integration solutions in Bosasso		
Output 3.1A	<i>Land secured for resettlement of IDPs</i>		
	Sufficient land secured for 550 IDP families	50,000	UN-HABITAT
Output 3.2A	<i>Provision of permanent shelter</i>		
	Shelter constructed for the most vulnerable groups (up to 550 houses)	1,092,634	UN-HABITAT
Output 3.3A	<i>Access to essential services and infrastructures in permanent settlements</i>		
	Access to clean drinking water, adequate sanitation, waste management for 100% of the population	147,373	UNICEF
		281,500	UN-HABITAT, FAO/DRC
Output 3.4A	<i>Income generation opportunities for IDPs in resettlement areas</i>		
	Immediate income generation opportunities through works schemes and micro-credit	190,000	UNDP
Objective 3 B	Resettlement and integration solutions in alternative rural and coastal locations		
Output 3.5	<i>Resettlement of IDPs facilitated</i>		
	Assistance to decision-making, support to return	100,000	UNHCR
Output 3.6	<i>Local Economic Recovery</i>		
	Community productive infrastructures in support of micro enterprise	104,579	UNDP
	Access to credit, training, and other support functions for micro enterprise	359,410	FAO/DRC
Total Objective 3		2,325,496	
TOTAL ACTIVITIES	Total Programme Cost	3,693,478	
PSC	Programme Support Costs	306,470	
TOTAL BUDGET	Incl. Programme Support Costs	3,999,948	

Breakdown per agency is as follows:

	UNDP	UNHABITAT	UNHCR	FAO	UNICEF
COMPONENTS (US\$)	1,000,000	1,700,001	349,998	700,001	249,948

6. RESULTS

MAIN ACTIVITIES UNDERTAKEN, CONSTRAINTS MET AND ACHIEVEMENTS ATTAINED

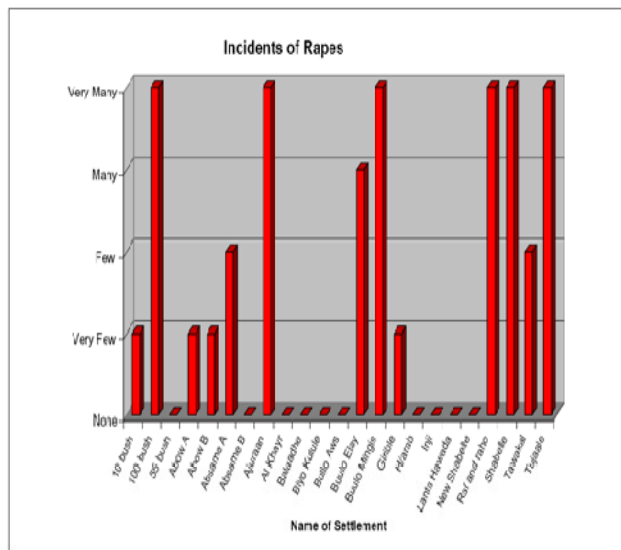
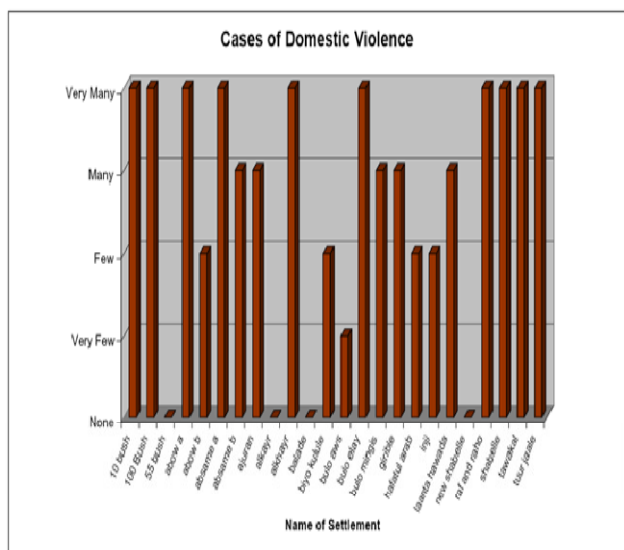
The project objectives are based on the joint UN strategy relating to:

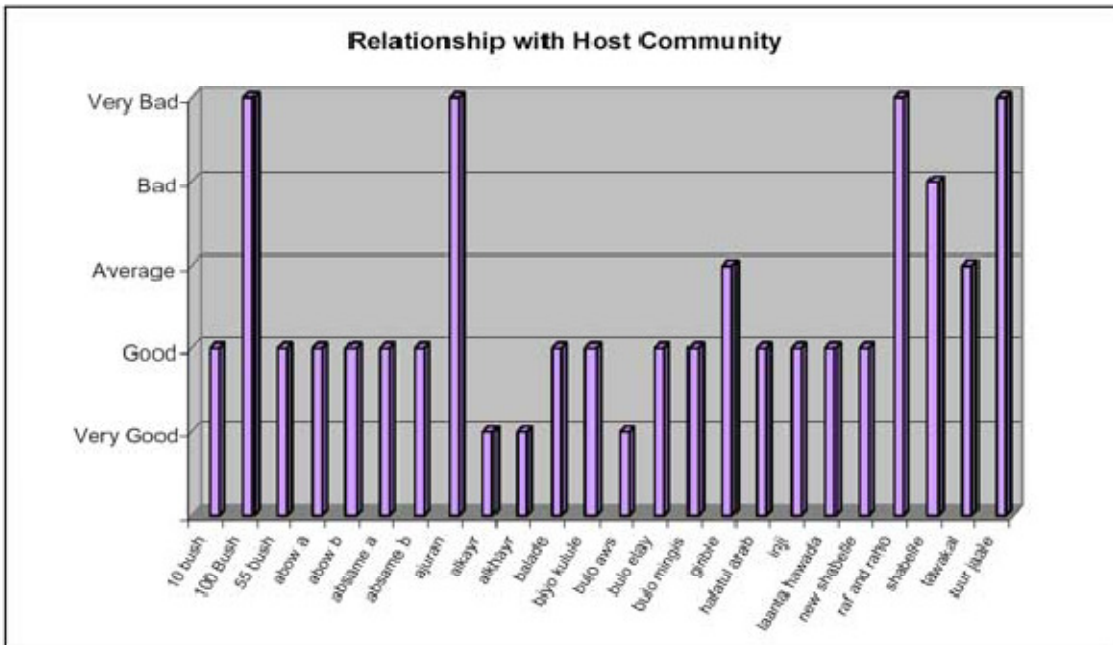
1. Better protection for IDPs in temporary and permanent settlements, as evidenced by protection of human rights, against physical violence, and against fire;
2. Improved living conditions in existing and temporary settlements, as evidenced by an upgrade of temporary settlements, improved access to basic services, and access to immediate income generating opportunities by implementation through community works schemes;
3. Durable solutions for livelihoods, resettlement and reintegration, as evidenced by local resettlement and integration solutions in Bosasso as well as resettlement and integration solutions in alternative rural and coastal locations.

The activities which have been accomplished are documented below, as well as the corresponding outcomes. Constraints met in the course of undertaking the activities have also been noted.

Protection

Protection concerns are a major problem for the displaced population living in IDP settlements in Basasso. A survey carried out by UNHCR and the Danish Refugee Council in the framework of the Protection, Reintegration, and Resettlement of IDP Project highlights the main human rights violations: sexual and gender-based violence, harassment, physical attacks, illegal arrests, and forced evictions are very high especially in some of the most disadvantaged settlements.

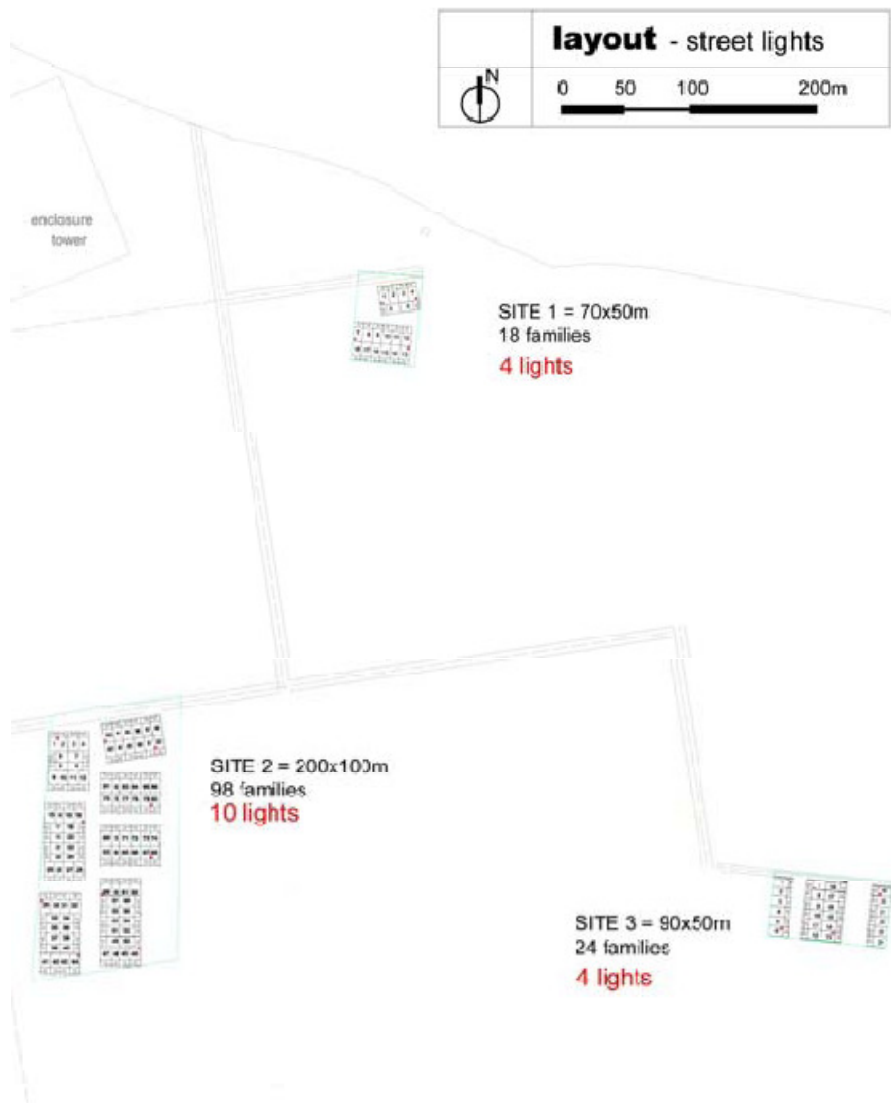




While the authorities and various organization are putting in place long-term mitigating measures to reduce human rights violations (e.g. strengthening the capacity of the police), UN-HABITAT has been targeting the short-term improvement of the IDPs' security through the provision of street lights in the displaced population settlements. This approach was tested in the Hargeisa IDP settlements and proved to be very successful in reducing the risk of attacks in the night hours, enhancing the general security in the settlements, and reducing the risk of SGVB for women and vulnerable individuals while accessing latrines or returning to their shelters.

In line with this, activities carried out so far include:

- Discussion with the authorities and other relevant partners on the need for the project, and modalities of implementation. Graphic presentations were prepared to explain the advantages of the project and its impact.
- Identification of the locations where the lights would be placed. Some of the lights will be placed where IDPs and urban poor were resettled in permanent shelters, others will be placed in the IDP settlements, while few others will be positioned for demonstration purposes in public areas and in the premises of key municipal buildings.
- An Agreement of Cooperation was signed by UN-HABITAT and the Basasso Municipality for the implementation of the project. Under such agreement, the municipality subcontracted the procurement and the installation of the lights to a qualified private company.
- A tender was carried out for the award of the contract; several competitive bidders took part into the tender and a contractor was selected.
- In December 2008, a contract was issued by the Basasso Municipality to the selected contractor.



In addition to the human rights violations experienced, fire outbreaks are another major concern for the displaced populations of Basasso. The IDPs live in makeshift structures made of cardboard, cloth, and

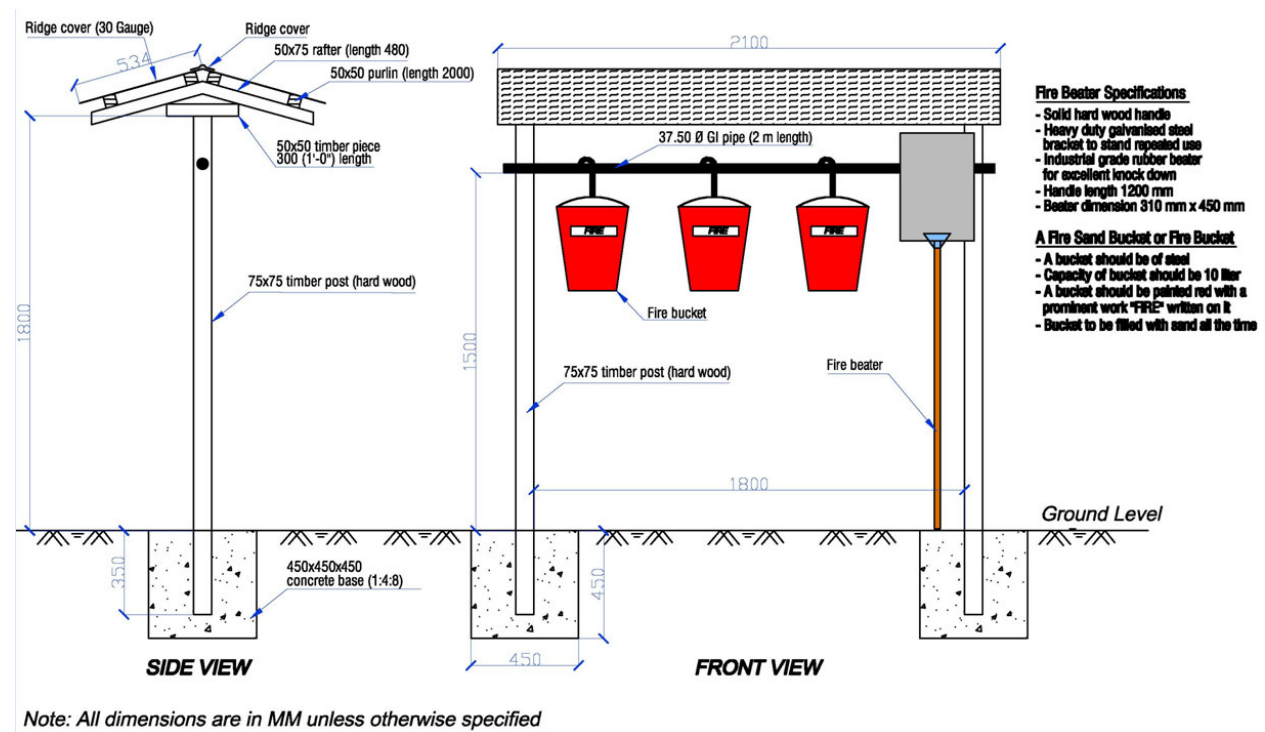
other highly flammable materials that – combined with the extremely hot temperatures experienced in the summer time and with the very strong winds – result in an extremely high number of fire incidents registered every year. The figures collected by the Basasso Shelter Cluster over the past years confirm the seriousness of the problem. In 2007 alone, 14 of the 21 IDP settlements in Basasso were affected by fire, and over 1,800 families had their shelters and belongings destroyed.

To address this issue, several interventions are under implementation. The Danish Refugee Council (DRC) has been supporting the Municipal Fire Brigade with equipment and training, and fire-retardant shelter kits. The shelter kits distributed changed three times from the beginning of the project, to accommodate lessons learnt and the newly arising needs of the beneficiaries. Few families at a time receive the materials and the support for assembling the kit. Training and awareness for the IDP communities are being carried out as well.

The Norwegian Refugee Council (NRC) has been busy with clean up campaigns to remove the piles of garbage from the settlements. This - besides having very positive effects on health and hygiene aspects - prevent the fast sprawling of the fire amongst the *buuls*. Further interventions are nevertheless needed.

UN-HABITAT has adopted a two-track approach to tackle the problem: (1) Upgrading and re-planning the IDP settlements; and (2) Carry out community awareness and training activities in line and in collaboration with the efforts made by DRC.

The project intends to develop a systematic fire response system in each settlement that can enable the IDPs to respond more effectively during the fire outbreaks. The scope of the project includes awareness raising campaigns, creation of fire response committees, and contingency planning. The project also aims at establishing basic fire fighting infrastructures in the selected IDP settlements (image below).



To this end, so far, for the implementation of the community awareness and training activities, a concept paper and of an Agreement of Cooperation with a local implementing partner for the direct implementation has been prepared. Selection of a suitable local NGO capable to carry out the planned activities has been completed, and The GARWADO NGO has been selected by a multi agency panel of local and international experts. The implementation of the training and awareness activities is now ongoing with an expected completion date of May 2009.

One of the more long-term mitigating measures includes the establishment of the Puntland Legal Aid Center through the employment of four lawyers who operate in four offices located in Bosasso, Garowe, Gardo and Galkaio. They provide free legal aid services to vulnerable, economically deprived or low income people, including IDPs, women and children. This joint programme has provided support to the establishment of the Bosasso legal aid center, ensuring that the lawyer stationed in Bosasso visits all Bosasso IDP settlements, prisons and police stations on a weekly basis to review and provide legal advice as necessary on cases concerning IDPs and other vulnerable groups. The lawyer also actively advocates for the rights of the IDPs, refugees and asylum seekers.

During the period May to November 2008 the Puntland Legal Aid Center lawyer base in Bosasso accepted and finalized approximately 100 cases. Of these, 60 percent were IDP clients, 15 percent were refugee clients, and the remainder consisted of other vulnerable families from Puntland. Most of the clients were being held at the Bosasso Prison in remand, awaiting trial.

Another more long-term measure is the establishment of the Puntland Bar Association (PBA) to ensure the civil rights protection of the Puntland IDP population including those in Bosasso. The Bar Association aims to achieve this by facilitating the IDPs' alternative access to justice complementary that provided by the Legal Aid Center.

The establishment of community policing has been introduced as a mechanism to improve the security situation of the IDP settlements in Bosasso. The initiative is under the management of the IDP communities in conjunction with the local authorities and consists of both the IDPs and the host communities around each IDP settlement. UNDP has provided both technical and logistic support to this initiative.

To enhance the effectiveness of the community policing initiative, UNDP has provided logistical support to the local authorities to allow them establish regular nightly police patrol units in the IDP settlements within Bosasso. These patrol units support the efforts of the community police and jointly work with the community management communities.

UNDP in conjunction with local authorities and in consultation with both the IDPs and the host communities has established community policing in the 23 IDP camps within Bosasso town.

Living Conditions

Selection of the priority settlements to be targeted with the programme has been made, with attention taken to avoid duplication and repetition while applying lessons learnt. The settlements selected for the training and awareness activities are: 100 Bush, Ajuuraan, Bulu Mingis, Biyo Kulule, and Tawakal.

As mentioned above, the living conditions of the displaced population in the settlements are very dire. Protection, health, sanitation, shelter and basic services are some of the most urgent issues to be addressed. This Objective, targeting 11,000 of the most vulnerable IDPs, has the potential of having a great impact on improving the lives of the displaced, as well as improving the general living environment of the city to the mutual benefit of host and displaced communities. At the time of the proposal preparation, such figure corresponded to 50% of the existing IDP population, while now the estimated number of IDPs has risen to 45,000. Nevertheless, the Joint Programme agencies agreed to target the 11,000 beneficiaries as a medium-term output, and to look into possibilities for replication in additional IDP settlements within or without the current Protection, Reintegration, and Resettlement Project.

- Additional latrines are constructed in the settlements.
- Conflict resolution interventions and negotiations for the relocation of the families who have to move to different areas.
- Facilitation of discussions between the communities and the landlords.

This activity is 80 per cent completed. Since the beginning of the project, the following settlements have been upgraded:

- Tawakal: 364 families
- New Shabelle: 75 families
- Bulo Elay: 123 families
- Ajuuran: 511 families, and
- Biyo Kulule: 360 families.

The total number of beneficiary households is 1433, corresponding to an estimated 8,598 people. The upgrading interventions had an extremely positive impact on the reduction of the fire incidents in the settlements. While in 2007 over 1,800 families had their shelters and belongings destroyed, in 2008 the number of families affected by fire almost halved, and “only” 1,001 families were affected. None of the upgraded settlements was affected by fire.

Construction of Shelters: All 199 beneficiary households who will receive assistance for the provision of permanent shelter on purchased land have been selected.

- The IDP settlements that will benefit from the permanent shelter project have been identified utilising vulnerability criteria, and participation in other previous or ongoing shelter projects.

NAME OF THE SETTLEMENT	ESTIMATED N. OF HOUSEHOLDS	PARTICIPATED IN PREVIOUS RESETTLEMENT PROJECT	SUGGESTED AS TARGET SETTLEMENT IN THE PROTECTION SURVEY	SETTLEMENT PROPOSED
100 BUSH	719	YES	YES	
BULO ELAY	740		YES	YES
AJURAAAN	511	YES	YES	
SHABELLE	608		YES	YES
ABSAME	535	YES	YES	
BULO MINGIS	702	YES	YES	

ABOW	506		YES	YES
BYIO KULULE	360			YES
10 BUSH	234			
TAWAKAL	241		YES	
GIRIBLE	183			

- The list of the eligible beneficiaries for each settlement has been prepared in collaboration with the Danish Refugee Council and in accordance to the criteria listed above.
- The final lists are now being presented to the communities, and the final lotteries for the selection of the final beneficiaries are being organised.
- Meetings were held with the Municipality and the elders for the preparation of the list of urban poor. The list is under preparation.

The steps undertaken towards the physical construction of the shelters are:

- Preparation of the technical documentation: Concept notes, drawings, bills of quantities and related budget have been finalised.
- Collection of expression of interest from qualified NGOs has been done.
- Selection of suitable NGOs has been finalised. Three NGOs were selected.
- Agreements of Cooperation with the selected NGOs were prepared, and are now been signed.
- Training on reporting and financial procedure has been carried out for the local counterparts.



Besides the above mentioned challenges related with the nature of such activity, the main constraint is the degenerated security situation in Basasso and the related lack of access, particularly for international staff. Although the UN-HABITAT staff on the ground have been trained to carry out independently most of the activities required for the implementation of this component, some of the activities (e.g. land issues, close supervision of the construction, etc.) required a consistent presence of internationals. The day-to-day presence of international staff is also required to provide technical inputs, guidance, supervision, monitoring, and effective management, ensuring a timely and quality implementation of the activities. In addition, following the terrorist attacks of November 2008, UN-HABITAT office premises were declared non-compliant with the UN security standards and were closed. UN-HABITAT is now trying to look for different premises; a possible alternative was identified, and the

required assessments are now under way. An additional constraint is the extremely low capacity of the local administration and of the local implementing partners.

If the security situation does not degenerate further, it is expected that the construction of the first 350 permanent shelters and related basic services will be completed by the end of 2009. The provision of security of tenure and permanent shelter to the remaining 100 households is expected to be finalised by early 2010.

Construction of Sanitation Infrastructure: Under Output 2.2 (Objective2), “Access to basic services in temporary settlements”, a total of 68 latrines in 11 IDP settlements have been constructed. In addition, 15 user groups mobilized and registered for construction of 38 more latrines for which work is currently in progress.

A beneficiary –consumer satisfaction survey tool was designed to gauge the relevance, acceptance, participation/utilization and the impact of the established latrines in IDP settlements.

The tool was applied to assess beneficiary satisfaction and behavioural change. It was also used to assess if there was an improved sense of safety and security among women due to proximity of latrines to the shelters.

The results of the consumer survey tool for satisfaction indicated that women became less vulnerable to insecurity risks and the entire populace appreciated use of the toilet facilities indicating a remarkable high level of utilization. Nevertheless, toilet construction was found to be costlier than budgeted due to inflation. A co-funding initiative from DANIDA channeled through DRC helped to partially cover this cost increase.

Improved Livelihoods, Resettlement & Reintegration

Livelihoods Needs Assessment: A joint (UNDP/DRC/FAO) livelihoods needs assessment of IDPs living in Bosasso was conducted to form a baseline database for development of income generating activities to enhance livelihoods, and a consolidated list of action points put together.

The results of the survey would be used as a micro credit baseline for the purposed of planning and decision-making during the selection of micro grant beneficiaries and disbursement of funds. It was also used to determine the most beneficial training programmes.

A preliminary rapid assessment of the labour market was carried out in 24 settlements in Bosasso to identify means by which IDPs make a living, to assess IDPs households coping strategies for recovering from stress and shocks of displacement, and to explore initiatives on marketable skills for gainful employment opportunities.

The assessment report provides a comprehensive baseline of existing livelihood opportunities while at the same time assessing possible livelihood programming interventions for investment in skills training. The report revealed that, some IDPs had adequate skills in such sectors as carpentry, masonry and tailoring but were, underdeveloped due to lack of business capital. IDPs however possessed low level skills in small micro enterprise development and management. This was identified as a potential for

training opportunities. Majority of the IDPs practice petty trade and others work as casual labourers to make a living. In a nutshell, 45% of the IDPs cited the need for skills training; 28% start-up capital; 16% credit; 8% production techniques and 3% farm extension services. Based on this crucial information, livelihood support activities will be designed along a needs based approach for the implementation of the durable solution component. The report also identifies the need for business support services such as financial institutions/structure that can provide lending services.

Skills Training: An EOI for potential partners expected to facilitate training of an initial 250 unemployed IDPs was then launched, and the partner selection process carried out. The facilitation of this skills development activity continues.

Terms of reference for recruiting vocation skills trainers have been developed, based on the training needs assessment. The identified vocation skills trainers will conduct training sessions to help IDPs develop skills which would promote self reliance through diversified income generation opportunities. Due to rising security-related risks in Bosasso, the support of technical staff has been limited and has slowed the trainer selection process.

60 IDPs have been identified for the training initiative, and will be eligible to receive grants to initiate businesses related to their newly acquired skills once they successfully complete the training.

Micro Grants: To promote income generation activities, training for DRC implementation staff on enterprise development was conducted in August¹ 2008. This was aimed at equipping staff with the requisite knowledge and skills in preparation for the beneficiary training. DRC successfully trained key focal staff on skills related to income generation activities, ranging from beneficiary selection, training, reporting and disbursements of grants.

100 IDPs are expected to benefit from the grants programmes, with priority being given to IDPs with some level of skills and with business development potential. More importantly, the overarching criteria will be based on degree of willingness to resettle or reintegrate where acquired skills will be usefully applied for durable livelihood solutions.

A transparent beneficiary selection criteria has been developed to select the beneficiaries based on the individuals' motivation, determination, ability and current market dynamics in Bosasso, but at the same time respecting the culture, traditions and way of life of the IDPs with specific attention on the socio-political structure underlined within the clan system².

Beneficiaries' Selection: In February 2006, the selection process and criteria were agreed upon and the percentage of urban poor households to be included in the selection process was set at 20%. A Selection Committee to preside the selection of the 140 families of IDPs and urban poor was formed. The Bosasso mayor chaired these committees, confirming the full involvement of the authorities in the process.

¹ The DRC Livelihood coordinator organized and did the training for project staff in Bosasso.

² Community Based Targeting Principles for Community Driven Development.

The beneficiaries' selection is seen as a key success factor. It has been a very long process, initially planned for maximum 2 months, and ending up taking over a year. The process was followed through by UNHCR and UN-HABITAT, with support of UN-OCHA and DRC. The good cooperation among agencies facilitated the discussions with the Authorities. The selection of IDPs took place between September 2006 and April 2007; that of the Urban poor between September 2006 and November 2007.

The Basasso Selection Committee presided over the whole selection process. It was chaired by the Mayor and composed of local councillors, traditional leaders representing the clans in Basasso, religious leaders, a woman representative from the local NGO WAWA, and UN observers (UNHCR, UN-HABITAT, and OCHA). The selection committee took full ownership of the process, and the Mayor, or his representative, was present in each meeting. The UN observers helped to set the agenda.

112 families of IDPs (corresponding to 80% of the shelter units) had to be selected for permanent resettlement. The first step of the process was the selection of four (4) IDP settlements, from where the IDPs would come from.

It was felt by the agencies that the available IDP profile results did not provide sufficient data to classify the settlements based on measurable vulnerability criteria. The Basasso Selection Committee set their own criteria and identified four IDP settlements. The priority was given to settlements with the following characteristics: (1) high congestion, (2) hosting IDPs living in Basasso for a long time, (3) particularly vulnerable, and (4) unfavourable conditions imposed by the landlords. The settlements selected were:

1. Hundred Bush, one of the oldest settlements hosting more than 900 households mainly from Southern Somalia and the Qalaafo District of Ethiopia, inhabited by Somali population.
2. Buulo Mingis, with total population of nearly 500 households mainly coming from the Bay Region.
3. Ajuuraan, with an approximate population of 330 household, mainly from Bay and Banadir Regions.
4. Absame, with an estimated population of 270 households, mainly from Somali region of Ethiopia (zone5).

This process was smooth and did not encounter big delays. UN observers verified that minorities had not been discriminated.

The non-negotiable criteria requested by the UN for the selection of the IDP families eligible for resettlement were:

- Must not own fixed assets (e.g. land or house) in Puntland.
- Must have lived in Basasso for more than 6 years.
- Must have 3 or more children.

It is important to understand that some 'UN'-definitions are difficult to maintain and verify with reasonable accuracy in the Somali culture. With regard to the female headed household, it is to be noted that the 'nuclear' family seldom exists in the Somali context and polygamy is not uncommon. During the registration of the families eligible for resettlement, for instance, the IDP Settlement Selection Committee would write the names of the wives as the head of the households, if the husbands were not present or currently living with another of his wives. This has created tension and conflict within the households, and allegedly even led to family separation and sudden divorces. It was also noted that households were 'borrowing' each other children, to reach the requested quota of at least

three children. The recommendation is therefore to stick to very simple, visible and easily understandable / verifiable criteria.

Once finalised, the lists were made public, complaints were addressed through a mechanism which was put in place, to give voice to the ones who felt erroneously left out. This was followed by four lotteries – one for each settlement. These were organised by the Basasso IDP Selection Committee (with strong support from UN observers), and witnessed by UN agencies, representatives of the IDP communities, and IDP Settlements Selection Committees. Local media were present at the ceremonies, which were entirely broadcasted on the local TV and radios. 28 families were selected from each settlement, regardless the number of eligible families per settlement. The municipality was very cooperative in this phase. The Basasso population accepted the lottery as an appropriate, just and transparent way of allocating shelter to the IDPs. After the lotteries, the households of the chosen beneficiaries were then registered and issued tenure certificates for all selected beneficiary IDP families were prepared and endorsed by all the concerned authorities. Terms and conditions of the ownership would be clearly mentioned in the tenure certificate.



In collaboration with the Puntland and Basasso authorities it was decided to allocate a percentage of the houses to urban poor, even though the intervention was initially meant for IDPs only. The reason behind this is the need of giving a share of the benefits of the intervention to the host community, and increasing the protection of the IDPs by relocating them in settlements where members of the host community also live. It is hoped that this proximity will also increase the social integration between different groups. Thus, in addition to the IDP families chosen, the Basasso Selection Committee selected 28 families (corresponding to the 20 % of the housing units in the resettlement site) among the most vulnerable of the urban poor of Basasso. The urban poor had to fulfill the same criteria as the IDPs (no fixed asset in Puntland, and 3 or more children).

Out of 870 applicants, 199 families were selected: Ajuraan settlement - 80 families (out of the 127 initially registered); Bulo Abow - 50 families (out of the 78 initially registered); Biyo Kulule - 43 families (out of the 52 initially registered), Bulo Mingis - 26 families (out of the 37 initially registered).

Obtaining land for resettlement: To ensure a sustainable social and physical integration of the displaced populations within the city, and an early-recovery from the trauma suffered by the families affected by the conflict, the project envisages the provision of security of tenure and permanent shelter to a number of selected and particularly vulnerable IDPs. The project document indicates that up to 550 permanent shelters will be provided; nevertheless the growing inflation and the increased costs for construction materials may lead to the provision of about 450 permanent shelters only.

The implementation of this component of the project is particularly challenging. Obtaining land for the permanent resettlement of IDPs is extremely difficult in a context where land law and regulations are not in place, the competent authorities have no capacity to manage or make land available, and there is no public land. Such challenges are aggravated by the resistance and discrimination against IDPs by the host community. UN-HABITAT has nevertheless been able to build trust and understanding amongst the parties on the need of such intervention, which will ultimately benefit the IDPs as well as the host community.

The survey conducted by UN-HABITAT in twelve IDP settlements has revealed that over hundred IDP families have purchased land over the period from 1996 to 2008 with prices ranging from US\$ 1.0 to US\$ 8.0 per square meter. These plots - mostly purchased within the IDP settlements - are better positioned and closer to services than the plots donated for the previous permanent shelter project. Considering that the IDPs have the potential to buy land in good locations (in terms of livelihood, access to services and protection), it was proposed to build up to 200 permanent shelters on the land purchased by the IDPs if the location and the beneficiaries fulfil the criteria described below.

Criteria for Land:

- Land purchased should be either from within the existing IDP settlements or from an area not far away from the town limits.
- Land purchased should have a written documentation to prove ownership.
- Land purchased should be free of disputes and in area suitable for residential use.
- The plot dimensions for each shelter unit should be at least 75 sqm and with regular shape.
- The plots of land should be clustered in groups of at least 10 plots.

Criteria for Beneficiaries:

- The IDP receiving assistance should reside in Basasso for at least 5 years.
- The IDP receiving assistance should not possess any other property in Puntland.
- IDPs should be willing to contribute their own resources (labour, materials, etc.) in the construction of shelter.
- IDP families living on their land and have some form of investment already done will be given priority over those lands which are lying vacant.

In 2007 - with the support of DRC, UNHCR, OCHA, and in collaboration with the local authorities and the communities - UN-HABITAT provided permanent shelter to 140 families of IDPs and urban poor in Basasso. For the Protection, Reintegration and Resettlement Project, UN-HABITAT proposes an approach built on the lessons learnt from the previous interventions and readapted to the current conditions of Basasso. Such approach has two tracks: (1) Provision of shelter on land already purchased by the IDPs; and (2) Provision of shelter on land donated land by land owners.

Up to 250 houses for IDPs and urban poor will be built on lands donated by landlords to the Municipality or to the Elders Association, who will then hand it over to UN-HABITAT for shelter construction. This approach is widely known and accepted by the Basasso citizens and landlords, because it was used for the recently completed permanent shelter project. Land donations to the benefit of the poor are called *wafaq* in the Islamic land law and are widely used by the Muslim communities across the world.

Appeal (TV, Radio, leaflets, individual contacts, through municipality, etc.) is made to landowners willing to donate land for permanent resettlement of IDPs & urban poor. Land owners are informed about the benefits they will receive from the donation of a part of their land for shelter construction (e.g. provision of services such as water and roads to the area, increase of land value, etc.). Land owners are also informed also about the conditions of the land donations (no money exchange, no claims on land after the donation, no contracts for the construction of the houses, etc.).

Criteria for the Donated Plots:

- Sufficient dimension to accommodate at least 20 housing units and related public spaces - access roads, etc. – (min 2500 sqm).
- Free of land disputes.
- Suitable for construction.
- Not too distant from town and from existing services (max 1 km), and not too distant from existing water network or from alternative sustainable source of clean water. Preference will be given to plots that are near to such services.
- Free from environmental hazards and any other factor that could harm the future residents of the settlement.
- All necessary legal documents pertaining to the donated land should be in place before commencing the implementation of shelter activities.

The land situation has had a strong impact on the pilot resettlement phase as the land discussion was still in its initial phase. Initially the Regional and Local Authorities had indicated a site, 11km out of town ('Check Point'). During a mission of Dennis McNamara (December 2004), the then Head of the Inter-Agency Internal Displacement Division, UN-HABITAT had questioned the viability of the site. As an action point, it was agreed that UN-HABITAT would further assess the site and study alternative resettlement options. This resulted in a set of criteria to identify land that would allow sustainable resettlement.

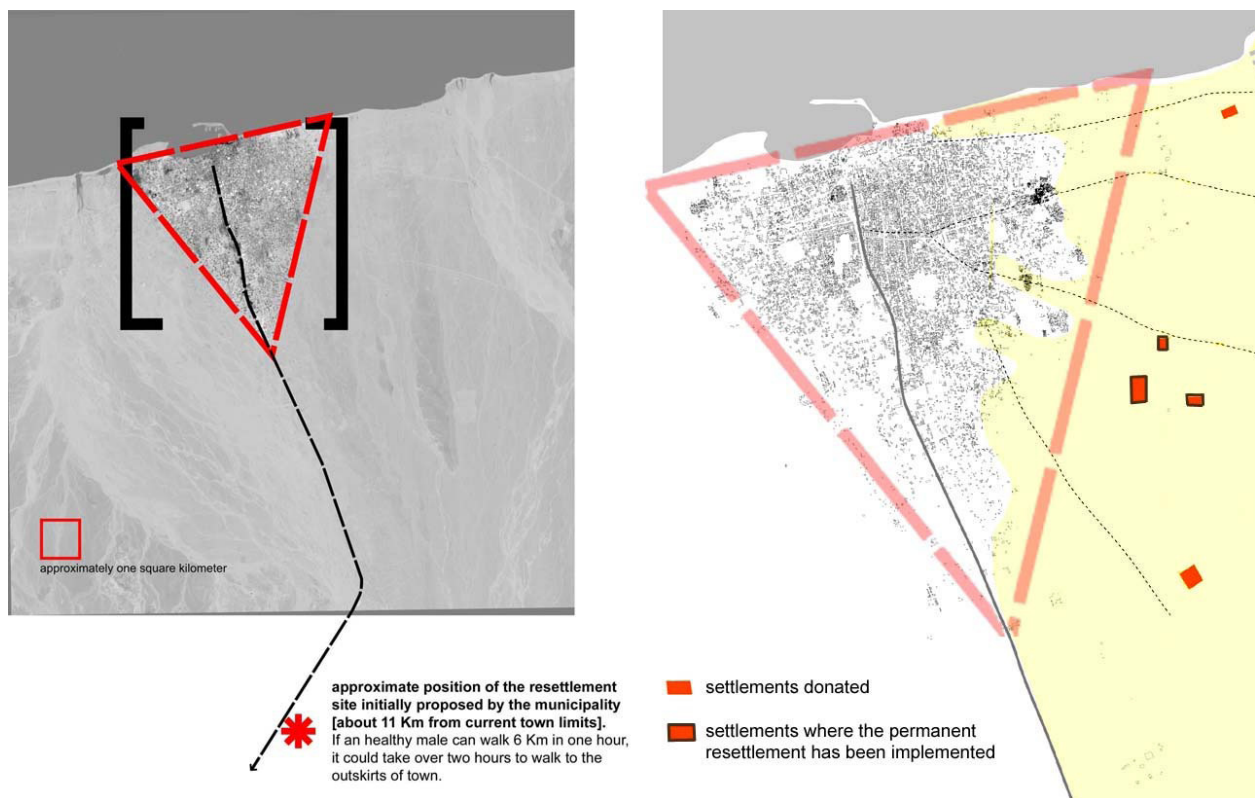
The acceptance of the 'Check Point' site would have endorsed the creation of a slum-like ghetto disconnected from the growing city. It would have been difficult to provide adequate security and protection to the IDPs. Access to the job opportunities in town (mostly around the port and the markets) would have been severely restricted, due to the distance. The transport cost would be out of reach for most and severely impact on the already strained budget, further limiting money for food, health, education, etc. The physical and social segregation would have further stigmatised the IDPs and denied them the benefits of the neighbourhood level solidarity extended by the host community. The International Community would have, provided services and infrastructure, out of reach for the largely un-serviced host population. The International Community would have been forced to finance the maintenance of most basic services and infrastructure for the foreseeable future as cross-subsidisation with the better off host community would not be possible. Moreover, as witnessed in resettlement projects elsewhere, the probability that vulnerable communities re-settled far from town, return to their original slum locations in town, to satisfy more basic needs (food, work, protection) is very high.

After the initial assessment, a broad-based consultation process was initiated, led by the HC/RC and the Head of UN-OCHA Somalia, involving the concerned agencies³, and key Regional and Local Authorities.

³ UNDP-RRIDP, UNHCR, UNICEF, ILO, UN-OCHA, WFP.

This resulted in a Road Map for Basasso. The criteria to select land had been negotiated in parallel at the Ministerial level, while discussing land for resettlement in Puntland.

An appeal was made to make land available closer to town. Further consultations with all local stakeholders (incl. traditional and religious leaders, landowners, business people, etc.) resulted in the creation of two Local Committees, consisting of key local stakeholders. One of the Local Committees was tasked to find land for resettlement within the current urban growth areas. The principle of land sharing was introduced as a way of unlocking land. Taking the opportunity of the Ramadan, a public forum was organised to receive land donations. The response was very good and many land-‘owners’ offered to donate plots. UN-HABITAT and the municipality accepted only 5 of them, which were of sufficient dimension⁴ to accommodate permanent resettlement. In December 2005, the transfer of ownership of the five donated plots from the landowners to the municipality was arranged through the Sharia Courts.



The shortcomings of relying on land donations for resettlement of vulnerable groups / services and infrastructures / public buildings and public spaces are evident:

4. Donated land might be too small an area to plan and re-settle the IDPs and urban poor
5. Land donations are difficult to insert in a integrated urban development plan for the city.
6. Land donations do not give the opportunity for establishing a comprehensive framework to regulate the use of land for purposes of public interest and to plan a proper urban growth.

⁴ Minimum size was 20 households

7. Donated land might not be in a suitable location (too far from existing residential areas, road networks and existing infrastructure).
8. Land donation is not a predictable and reliable.

Donations can still be useful as a last resort to implement permanent resettlement projects (incl. services), although implementing agency should have clear criteria to accept or reject plots (accessibility, possibility of providing services, etc). Benefits and conditions for the landlords need to be negotiated in detail.

For the expansion of the permanent resettlement scheme under the Human Security Trust Fund in Basasso, UN-HABITAT is advocating for a more comprehensive approach to make land accessible, based on land-sharing and land-redistribution concepts. Annex 3 explains gives an insight of these concepts.

Land-sharing and land-redistribution in Hargeisa

A similar approach is successfully used in Hargeisa. A comprehensive Neighbourhood Development Plan for the south-western part of the city has been developed. Roads have been planned, and the remaining land has been divided in plots. The previous owners of the land would receive back the 70% of the plots included in the new plan, while the remaining 30% of the plots are retained by the municipality for services, public use and resettlement of vulnerable communities. This process has been accepted and is now been implemented. Ongoing discussions focus on the proper distribution and integration of the small plots. It is evident that the more efficient the plan is, the more plots can be returned to the original 'owners'.

An Urban Development Plan is being developed for Basasso, where an equivalent exercise will be experimented and UN-HABITAT is now developing a more detailed version of it to be discussed with the new administration and with all key development actors of the city.

The survey conducted by UN-HABITAT in twelve IDP settlements has revealed that over hundred IDP families have purchased land over the period from 1996 to 2008 with prices ranging from US\$ 1.0 to US\$ 8.0 per square meter. These plots - mostly purchased within the IDP settlements - are better positioned and closer to services than the plots donated for the previous permanent shelter project. Considering that the IDPs have the potential to buy land in good locations (in terms of livelihood, access to services and protection), it was proposed to build up to 200 permanent shelters on the land purchased by the IDPs if the location and the beneficiaries fulfil the criteria described below.

Criteria for Land:

1. Land purchased should be either from within the existing IDP settlements or from an area not far away from the town limits.
2. Land purchased should have a written documentation to prove ownership.
3. Land purchased should be free of disputes and in area suitable for residential use.
4. The plot dimensions for each shelter unit should be at least 75 sqm and with regular shape.
5. The plots of land should be clustered in groups of at least 10 plots.

Criteria for Beneficiaries:

1. The IDP receiving assistance should reside in Basasso for at least 5 years.
2. The IDP receiving assistance should not possess any other property in Puntland.

3. IDPs should be willing to contribute their own resources (labour, materials, etc.) in the construction of shelter.
4. IDP families living on their land and have some form of investment already done will be given priority over those lands which are lying vacant.

7. IMPORTANT FINDINGS FROM PROGRAMME EVALUATIONS & ACTIONS TAKEN

Protection

Following assessments by UNDP in mid 2008 it was found that the PBA was non-operational, requiring technical, logistical and financial support to re-establish itself and be in a position to carry out its objectives. In response to this, UNDP facilitated a 2 day capacity building workshop in late August. The workshop drew together 15 lawyers from different parts of Puntland, with the objective of strengthening the capacity of PBA by assisting the lawyers to review the Bar Association constitution and structure and to develop a comprehensive work plan for the coming months. As a result of this workshop, the organizational structure was confirmed and strengthened and a new President elected. The Bar Association subsequently submitted a proposal to UNDP for assistance in their re-establishment (an office, equipment etc) and activities (legal aid provision for IDPs and refugees, and a human trafficking project). Following the capacity building workshop, UNDP liaised with UNHCR to have UNHCR staff provide 2-day training on refugee law and the rights of IDPs to the lawyers and other key justice actors in Bosasso.

Living Conditions

Land situation, land laws and regulations in Puntland: The implementation of resettlement activities requires a solid understanding of the local (land) context. The absence of the Rule of Law, obsolete land laws, ineffective institutions and the overlap between religious, customary and secular practices make it impossible to have a proper land management system in place. The revision of the secular land law has been initiated but is not preceded by a clear land policy. Property taxes are collected, based on an embryonic and incomplete property registration system, and only sales of land are recorded, not supported by any formal title deeds. Widespread land-grabbing at the start of the civil war results in frequent and bloody land disputes, massive land speculation, and a dysfunctional land market. In the absence of public land, compounded by the lack of legal instruments and weak notion of the 'public good', the municipality is unable to plan a proper road network, set land aside for basic services and infrastructure, and facilitate access to land for the urban poor.

A series of UN-HABITAT supported workshops (June 2006, November 2007), allowed stakeholders across the board to identify key elements of a Land Policy⁵ and an initial road map. Topics discussed were different approaches to land management practice, the land policy formulation process, interventions

⁵ See annex 1

needed in terms of land law, land disputes resolution, access to housing, land and property rights for displaced communities, protection and registration of public land and property, types of tenure and land registration an records, etc.

Tenure solutions: Letters of allotment and their 'legal value'- By definition, the strength of a legal document (such as a tenure certificate) lies in the laws that sustain it. In Puntland, in absence of a clear legal framework, the production of a tenure document that would guarantee the maximum protection to the resettled families, had to be carefully tailored around the local context. UN-HABITAT, in consultation with the authorities, the beneficiaries, and the Shelter Cluster agencies, opted for a hybrid and 'multilayer' solution: all authorities retaining some power on land-related issues had to sign the **letters of allotment** given by the municipality to the beneficiaries of the permanent shelter. This adds maximum strength to the validity of the document.

The current practice seems to indicate that the Mayor holds the final authority on land issues within his municipality. The mayor used to report⁶ to the Minister of Local Government and Rural Development. Nonetheless it seemed that land disputes, if not solved by clan elders, are decided before the Sharia Court. This led the UN-HABITAT land expert to suggest that the letters of allotment had to be signed by the beneficiary, the Mayor of Basasso, the Minister of Local Government and the Chief Magistrate of the Sharia Court. In addition, the receipts of the yearly land tax and property tax payment would constitute a further endorsement by the municipality of the tenure rights held by the beneficiaries.

Entitlements - in Puntland, it is not clear if land can be legally owned by private citizens (as generally happens in the countries based on the roman right), or if it always belongs to the government who leases it to the citizens through lease agreements (as in the Anglo-Saxon countries). In the Sharia, land belongs to Allah, and can only be used by people to fulfill their needs⁷. To avoid a premature discussion on the types of ownership of the land, the letters of allotment do not do explicitly mention to this.

For what is concerning the tenure of the buildings, after consultations with the central and local authorities and with the beneficiaries, and internal consultations with the members of the Bosasso Shelter Cluster, UN-HABITAT opted for the following solution: upon signature of the letter of allotment⁸, the beneficiary receives the right of use, sublet, and inheritance of the house. After 15 years of proven continuous occupation, the beneficiary or his/her heir/heirress acquires the right of disposal (selling the property). The rationale behind this is that the family is likely to have invested in the plot in 15 years of use, and therefore acquires the right of selling his/her investment. The basic core received by the beneficiaries is rather minimal, and their investments in the structures are expected to be quite substantial.

If the beneficiaries decide to leave their properties before 15 years, the Authorities, with the help of the international agencies and in close consultation with the communities in question, should develop a system to replace the family with another vulnerable family living in the Bosasso IDP settlements,

⁶ This Ministry has been recently abolished and substituted by the Ministry of Interior.

⁷ This seems to imply that land cannot be 'kept' for speculation as now happens in Bosasso.

⁸ Text of the letters of allotment (English version; the signed documents were translated into Somali): see Annex 3

fulfilling the criteria set for the selection of beneficiaries at the beginning of the process. This mechanism needs still to be elaborated.

The shortcomings of this system have not been identified yet, since the beneficiaries took possession of their housing units just few months back. This component needs to be closely monitored in the coming months and years. In parallel, UN-HABITAT continues to work on the development of legal and administrative frameworks for land management in Puntland.

8. PERCENTAGE OF BUDGETED FUNDS SPENT

		AMOUNT IN US\$
Total implementation budget		3,999,948
Amount received in 2008		2,089,045
Expenditure		
UNDP	59,126	
UNHABITAT	137,668	
UNHCR	0	
FAO	257,608	
UNICEF	0	
Total Expenditure (including programme support costs)		454,402
Unspent Balance		3,545,546
Expenditure as percentage of total budget		11%

9. IMPACT OF KEY PARTNERSHIPS AND INTER-AGENCY COLLABORATION

The involvement of the authorities has been the most challenging element of the whole process and, at the same time, one of the most important achievements. From the beginning of the process in 2005, it was very clear that the Local Authorities had to take the lead in the shelter and resettlement activities, not only the permanent resettlement ones, but also the temporary and the emergency-related ones. As briefly mentioned, two task forces led by the authorities and with a strong representation from the

communities were established, and after further consultation with local stakeholders (incl. traditional and religious leaders, landowners, business people, etc.), two Local Committees were created.

- Committee 1: to actively develop and promote a strategy of engaging with landlords renting to IDPs to find mechanisms to improve the living conditions of the IDPs.
- Committee 2: to negotiate portions of land on the eastern edge of the existing town to be made available for resettlement, as well as to agree on an Urban Development Plan for the east of Basasso, based on a principle of 'land sharing'. This committee made the land donation possible (December 2005).

Regional Authorities were kept informed all along and involved in consultations and decision making when it came to the overall policy setting. They were also called upon if specific conflicts required mediation at the local level.

Salient Lessons Learnt & way forward

- The Basasso municipality has very limited experience in terms of planning, shelter and land related disciplines, therefore a huge effort is needed to bring the Mayor and his Councillors on board on every step of the process. The language barriers and lack of clear institutional structure would result in frequent communication breakdowns, paralleled by the circulation of false rumours. Activities are often be interrupted for weeks in order to bring everybody on the same page again. The agencies involved in the implementation should speak with one voice and be consistent when transmitting key messages and when arguing fundamental principles. Each major step of the project implementation should be made public to the broader community, using local media and other means.
- The lack of institutional clarity and procedures makes it difficult to replace the Mayor by one of the Councillors in the decision making and to delegate the implementation, starting from key decisions, to the administration. The risk of endless 'coordination' meetings needs to be avoided. Periodic meetings need to result in clear distribution and delegation of roles and responsibilities. It is necessary to document decisions and steps taken to avoid a return to previous positions, also in light of the instability and turn over within the Local Authority.
- The same lack of institutional set-up also affects the division of roles and responsibilities between the different levels of authorities. It occurs frequently that individuals within the higher authorities interfere into the local processes. Local matters need to be managed by the Local Authorities and it is up to them to manage the relations with the higher authorities where and when possible.
- Clear benchmarks and non negotiable principles should be agreed at the beginning of the project, and the agreement should be signed by agencies and authorities (e.g. percentages of urban poor, criteria for selection, procedures for selecting the contractors when needed, etc.). Such principles should not be subject for revisions without strong justifications (nor by the authorities, nor by new UN staff joining the project). The field team should seek the support from the UNCT when appropriate.
- The on-the-job training of the municipal staff improved their capacity. The high turnover of municipal staff requires repeated intensive capacity building efforts. Every change in Mayor often results in a complete reshuffle of the municipal staff, destabilising the activities⁹.
- Community participation and involvement has not been as constant as the authorities' one. Few stakeholders other than authorities were involved throughout the process (e.g. elders, landlords,

⁹ The Mayor of Basasso for instance changed three times in the last six months.

women organisations, members of the host community and IDP community, etc.). Efforts should be made to keep all key stakeholders involved throughout the process.

- The role of the communities and their representatives should be enhanced in each step of the process. This is why it is important to initiate the beneficiaries' selection as early as possible.

- It was noted that some representatives of the IDP communities are acting as gatekeepers, and the communities do not feel represented by them. Clear steps should be taken to ensure inclusive community participation.

- Although this activity is at an advanced stage of completion and no major constraints were encountered, the lack of funds for additional shelter kits is refraining the up-scaling of the exercise.

The instable security situation in the town, does not always allows agencies to operate in the settlements, and this results in delays and difficulties in monitoring. If the security situation does not degenerate further, the expected completion date for this activity is the third quarter of 2009.

10.FINANCIAL IMPLEMENTATION

I. OPERATING FUND

Balance as of 1 January 2008				\$0.00
Add:	Remittances from United Nations in 2008			\$2,089,045.26
	Interest Income a/			\$280.00
	Miscellaneous income a/			<u>\$0.00</u>
	Subtotal			\$2,089,325.26
		<u>Unliquidated</u>	<u>Disbursements</u>	
		<u>Obligation</u>		
Less:	Staff and other personnel expenses		\$147,701.69	
	Travel on official business		\$57,417.07	
	Contractual services		\$200,427.00	
	Operating expenses		\$23,947.51	
	Acquisitions		\$0.00	
	Fellowships, grants and others		\$0.00	
	Total expenditures			\$429,493.27
	Programme support costs ...%			\$24,908.92
	Total expenditures and programme support costs			<u>\$454,402.19</u>
Balance as of 31 December 2008				<u>\$1,634,923.07</u>

Notes:

a/ Interest earned reported by FAO.

11.PROMOTIONAL ACTIVITIES

As envisioned in the project documents, the project is being implemented in close coordination with community leaders and community committees, some of which have been established through the services of the project. The community committees serve as an important liaison point between the project, the authorities, duty bearers, and the implementing partners, and they will be the main focal points for dissemination of information to communities and generation of key issues or feedback. The project has also invested in these mechanisms which pay special attention to cross-cutting issues, for example by ensuring that there are committees taking into consideration the specific concerns and needs of women and children.

Internally among the UN agencies and its implementing partners, the Cluster coordination mechanism serves to communicate and validate the vision and experiences of the project, and is the main mechanism for networking among partners. The Nairobi-based working group communicates progress of the project to external stakeholders including donors with the assistance of focal points in OCHA and the RC's office.

The Joint Programme Manager will play a key role in ensuring that the project monitoring and evaluation mechanisms generate the desirable data, and that the respective agencies have the requisite systems for generating data and conducting assessments. They also play a leading role in advocacy delivering information on a regular basis from the local authorities, as well as prompting the decision-making process in appropriate forums. Although the position was vacant for half of 2008, recruitment for a replacement is currently underway and is envisioned to be complete in the first quarter of 2009.

This joint programme is assisting the UN raise the profile of Human Security as a concept by demonstrating tangible improvement to the conditions of IDPs in an extremely challenging security environment in a vulnerable part of Africa. The experiences gained in the project are continuously shared through multiple networks under the aegis of the IASC, UNDP crisis prevention and recovery knowledge network, the Early Recovery network, and other humanitarian practice networks in the UN system.

12.ANNEXES

ANNEX 1: Key Elements of a Land Policy for Puntland

Some of the key elements arisen from the consultation are the following.

A. Land law: (i) Islamic Sharia is preferred as the supreme source of property law. (ii) Enforcement of existing secular land law is extremely weak. Existing Republic of Somalia land laws should be reviewed and re-drafted to make them acceptable, compatible to present circumstances and appropriate for application in Puntland. (iii) Need for capacity building, technical and financial empowerment of municipal land department staff [e.g. to enforce land taxation, development control, etc] and law enforcement organisations such as the police force [e.g. to enforce decisions on land disputes]. (iv) The different sources of land law [i.e. religious, customary and secular] should be harmonised especially with respect to common issues of controversy e.g. hoarding of idle land, hierarchy of evidence of land ownership, etc.

(v) A national commission for the protection of public land should be established by law. (vi) A strengthened institutional framework for better coordination between Local Authorities, Min. of Public Works, Min. of Agriculture & Environment, Min. of Fisheries & Marine Resources and other stakeholders in the land sector is necessary for effective land management.

B. Land dispute resolution: (i) Islamic Sharia law is the most acceptable authority for resolution of land disputes and should remain the main source of law for this purpose. Where appropriate, Sharia can be complemented by using customary property laws. (ii) Where existing secular land laws are appropriate for use in dispute resolution, decisions should be based on evidence provided by the registration reference number, registration map, and payment of property tax and the protection of public interests. (iii) There is a strong need to empower and strengthen the capacity of land administration system to solve land disputes and law enforcement organisations to enforce and maintain kadhi/district court rulings. (iv) A parallel peace and reconciliation process between clans/communities is necessary to quell land-based conflict e.g. in Galkayo, a wooded area has been decorated with a clan identity by a certain clan and any non clan member who fells a tree therein is deemed to have killed a member of the “land owning” clan. (v) The success of any form of land dispute resolution mechanism relies on the extent to which ordinary citizens can be disarmed. (vi) A robust registration process and continuing public education on the requirements and benefits of obtaining official land documents can reduce the incidence of land disputes. (vii) The process of land allocation/adjudication must consider and protect public/community needs especially in urban areas.

C. Land Policy: (i) International land experts and local consultants should be seconded to a national level secretariat to commence the Land Policy formulation process. (ii) A national awareness campaign including civic education is necessary for the Land Policy formulation process. (iii) Key elements of Land Policy should include accountable and transparent land administration system, improved technical and financial support to land sector, harmonisation of different sources of land law, limitation on individual land ownership, protection of public land/property, equitable land taxation, promotion of peace and reconciliation between clans/communities.

D. General Conference on Land Management: A four day General Conference on Land Management will be held in Garowe with the participation of government, landlords, women and youth groups, private sector and civil society, traditional and religious leaders, land professionals. The agenda will include: grabbing of public land/property, land management, land policy formulation process.

E. Access to housing, land & property rights for displaced communities: (i) Central/local authorities have no deliberate [re]settlement policy for displaced communities. Most displaced communities rent or squat on a temporary basis on pieces of private land with little or no access to education, health, protection and other basic services. (ii) Currently, the only practical way to acquire land for permanent settlement of displaced communities is to negotiate with existing landlords for donation of pieces of land in exchange for services that come with the development of such settlements. (iii) Different models for enabling and financing access to property rights for displaced communities should be explored e.g. Islamic Waqf, micro-credit schemes, etc.

F. Protection and registration of public land and property: (i) Local authorities are responsible for the current status where most of the public land/property has been occupied and/or put to private use in all major towns. (ii) Awareness on the importance of protection of public land for infrastructure development and planning is largely lacking. (iii) Restoration of public property is a very difficult process e.g. in Gardho, it took the Municipality 2 years to negotiate for an urban plot to set up a market.

G. Innovative land tenure: (i) All land should be held on formal basis, (ii) Ownership of land in IDP settlements should be officially transferred to IDPs and ownership documents issued to individual IDPs, (iii) Property owners in IDP settlements should have equal property rights as the host community.

H. Land information & records: (i) Every landowner should be required to register their property/land with the appropriate government authority. (ii) Municipalities and other land administration organisations require capacity building, financial and technical resources to develop and maintain proper land records. (iii) Accurate land audits in all municipalities are necessary to identify public and private property to support planning.

Key elements of a Land Policy

Effective management of a plural land law system,

- Streamlining urban land tenure management including the development of land registries, alternative land dispute/claims resolution mechanisms, controlling the land grabbing menace and innovative land tenure arrangements for displaced communities,
- Restoration and protection of public spaces for purposes of public infrastructure development and temporary settlements.

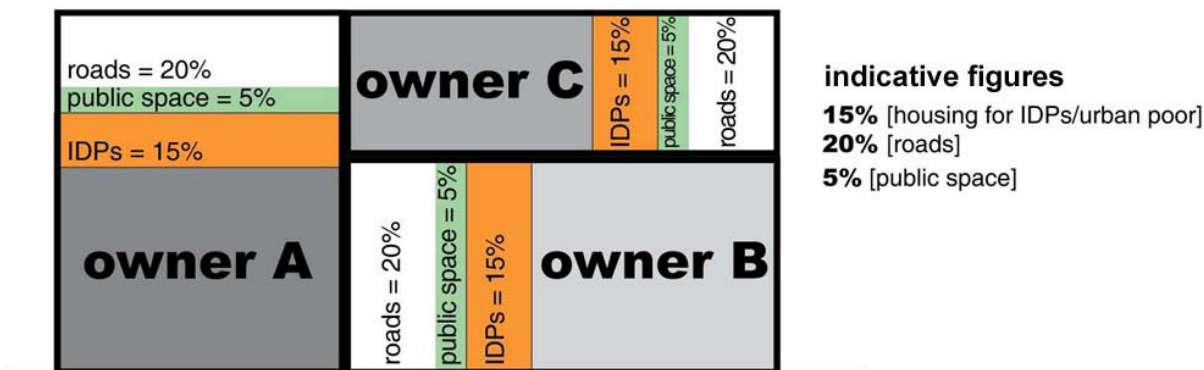
ANNEX 2: Land-sharing and land-readjustment

The concepts of land-sharing and land-readjustment are used across the world to sustain equitable and well-serviced urbanisation. UN-HABITAT is trying to apply such principles in few Somali cities, in spite of the lack of consolidated land laws, bylaws, and land management tools relating to land readjustment. It is believed that the application of such principles in Bosasso will be much beneficial to the balanced development of the city.

Land sharing - The concept of land sharing is the following: the landowner¹⁰ reaches an agreement with a second party (public or private)¹¹ whereby the landowner retains the economically most attractive part of his/her land and gives away a portion of it to the second party. The portion of land given away is generally used for interventions benefiting the whole community (such as services and infrastructures), or for residential purposes (mostly for the poor). The percentage of land 'shared' by the landowner should be in relation to the added value the land gets through the (re-)development. In those cases, where the public sector, with or without help of the international community, invests in the planning and infrastructure and service development, turning idle land into serviced plots, evidently the share should be much bigger than when the private sectors covers most of those costs.

To achieve a successful land sharing, the land size should not be too small, and there should be a certain level of community cohesion and understanding. The process requires a great deal of initial negotiations and it is a time consuming and a complex process. The most common factors leading to the use of landsharing is the need of including the lower income groups in the land markets, facilitating their access to land and shelter, and integrating them into the overall fabric of the city. The landowner can be given incentives to give / lease / sell (below market price) part of his property.

The image below represents graphically the land-sharing principle.

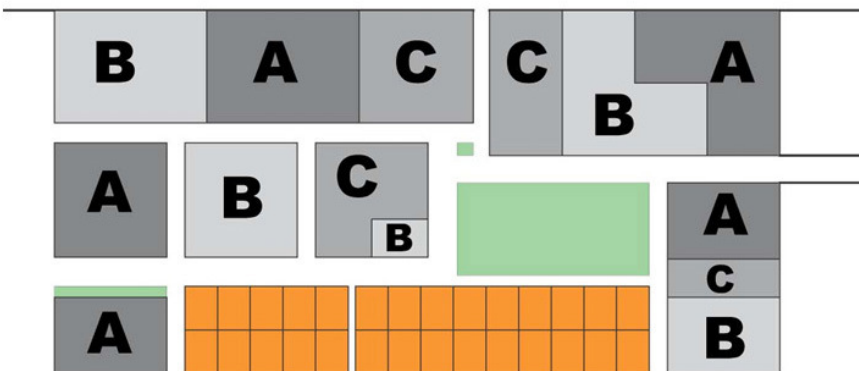


¹⁰ The landowner can be public or private. In the Somali context, ownership is rarely backed with title deeds and a lot of the land has been grabbed and is controlled by certain individuals. The same principles still apply.

¹¹ The second party could be one or more than one individual or institutions.

Land readjustment

Land readjustment is the approach whereby land-ownership and land use of fragmented adjoining sites is re-arranged, usually in order to ensure efficient use of land for development purposes (e.g. provision of services and infrastructures, slum upgrading and regularisation, development of new residential areas, planned development of vacant areas, and similar). For the successful implementation of the land readjustment, the coordinated intervention of several stakeholders is required: community, land owner, credit institution, land development agencies, government land administration institutions. The concept is often applied on land in the urban fringe, to provide it with infrastructure in a planned manner. Land readjustment can be the step following a land sharing exercise, or can be implemented independently. The image below is the graphical exemplification of the land readjustment principle, as a step following the land-sharing intervention represented in the image above.



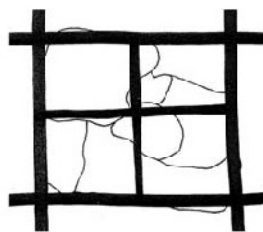
Land readjustment projects are generally divided into two phases: (1) readjustment options are considered and discussed with the owners and occupants; (2) plots are reallocated. In urban areas especially, reallocation is generally based on the value rather than the size of the land.

In post-conflict or crisis situations, land readjustment may be an effective tool for responding to population distribution changes. In various contexts it was experienced that land readjustment often results in drastic increases of land prices, and consequent in the concerned areas.

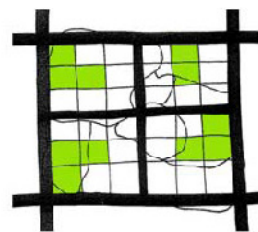
The sketches below represent the basic concept of land readjustment. The percentages indicated are purely indicative.



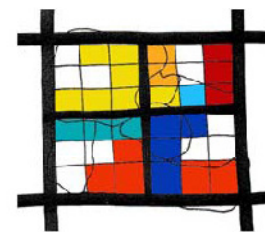
1. current situation:
private citizens own the totality of the land divided in irregular plots



2. roads are traced



3. land is divided in regular plots.
30% of the plots are reserved for services, public use and relocation of IDPs and urban poor



4. landowners receive smaller but regular and serviced plots of land

ANNEX 3: Tenure document for the beneficiaries

MEMORANDUM OF AGREEMENT BETWEEN: (1)....., Bosasso East Resettlement Scheme Beneficiary No..., and (2) Bosasso City Council.

Bosasso City Council has received assistance from UN-HABITAT and the Danish Refugee Council in the field of resettlement planning for displaced communities, shelter construction, provision of building materials and improvement of basic services in resettlement areas. Within the framework of this collaboration, UN-HABITAT, DRC and Bosasso City Council have constructed low-cost shelter units in East Bosasso for the purpose of resettlement of displaced communities and other urban poor communities living in temporary and inadequate shelter in Bosasso City. Based on the selection criteria developed and agreed by the Bosasso Idp Beneficiaries Selection Committee [the Committee], BOSASSO City Council has undertaken to allocate Shelter Unit No. [the Shelter] to the above-named Beneficiary . The present Memorandum of Agreement [the Agreement] between Bosasso City Council and the Beneficiary serves as evidence of the allocation and specifies the Terms of the Agreement between the two Parties.

Bosasso City Council and (Name of Beneficiary)

Names of dependants:,.....,.....,, (as many as they are)

Bosasso City Council and the Beneficiary agree as follows:

1. This Memorandum of Agreement is made this 1st day of April 2007 and is hereunder signed between Bosasso City Council and the Beneficiary. The Ministry of Local Government & Rural Development and the District Court of Bosasso also sign this Agreement as witnesses.
2. Bosasso City Council shall: (i) protect the Beneficiary's right to the peaceful and lawful occupation, possession and use of the shelter; (ii) regulate such occupation, possession and use to ensure that it is lawful and in accordance with this Agreement; and (iii) not arbitrarily evict or dispossess the Beneficiary of the shelter contrary to the provisions of this Agreement and any applicable law
3. The Beneficiary shall: (i) have the right to peaceful and lawful occupation, possession and use of the shelter for the duration of his/her life; this right shall be inherited by his/her lawful dependants upon his death; (ii) take due care and maintain the shelter in good repair; the Beneficiary may construct additional buildings subject to a valid building permit being obtained from the local authority; (iii) pay such urban rates, charges and taxes as may be levied by the local authority and approved by the line Ministry; (iv) not donate, transfer, sell, charge, mortgage or otherwise part with possession or dispose the shelter to any third party before fifteen [15] years of continuous possession have lapsed; (v) not use the shelter for any purposes that are unlawful or repugnant to customary rules.
4. In the event that the Beneficiary and his/her dependants surrender the possession of the shelter of his/her own free will, the shelter will revert to Bosasso City Council for allocation by the Committee to

another qualified beneficiary listed in the official beneficiaries list according to the Committee's prescribed procedures 5. Bosasso City Council shall terminate the contract in this Agreement if the Beneficiary breaches any of the provisions and is found by the District Court to be in default of this Agreement; in the event, the Beneficiary shall be required to vacate the shelter unit and the shelter unit shall revert back to Bosasso City Council for allocation by the Committee to another qualified beneficiary listed in the official beneficiaries list according to the prescribed procedures 6. This Agreement shall be valid and enforceable upon signing by the Mayor/Chair of Bosasso City Council and the Beneficiary, and the appending of the signatures of the Minister of Local Government & Rural Development and a duly authorized officer of the District Court as witnesses

7. Any disputes arising out of this Agreement shall be heard and determined by the District Court.

8. UN-HABITAT, DRC, Bosasso City Council and the Beneficiary shall retain one copy each of the signed Agreement.

Signed and sealed/stamped:

- 1) The Mayor/Chair, Bosasso City Council
- 2) The Hon. Minister, Ministry of Local Government & Rural Development
- 3) The Chief Magistrate, The District Court of Bosasso
- 4) The Beneficiary No.