

Pakistan Humanitarian Country Team

Protection Briefing on Land & Property Rights for HC

INTRODUCTION:

Without the provision of land and housing especially for the most excluded and vulnerable flood affectees, the sustainability of recovery and reconstruction efforts will be severely undermined. Furthermore, the already fragile social equilibrium in a country like Pakistan will be affected. The country is already fighting a war against terror and facing political unrest resulting in the fragmentation of families and serious economic out migration. This provides added urgency for an adequate and timely intervention

1. Land Owners' conflicts on land post-repatriation

Details of key issue

- People whose livelihoods exclusively relied on land which they owned and who have lost all or most of their land by river action. The result is that some of these owners may become "Landless"
- Slum-dwellers in urban areas who had houses on encroached land either with some or without any legal right.
- Various classes of people who lived along river belts that were regularly inundated in summer and are now waterlogged.
- Afghan refugees or internally displaced persons who had houses built on state or private land, without entitlement.

Action Required:

Post-repatriation conflicts to be addressed by Government through legal assistance through the Revenue Department by means of a Grievance Redress Mechanism

2. Re-settlement of occupancy tenants/ occupants of state land

Details of key issue

- People who had built houses on State land allotted to them but that land has been washed away by floods.
- People who had built houses illegally on State land and now the land and their house has been washed away.
- People having land that was part of a scheme (like Katchi Abadi) but it had not yet been allotted to them or allotment was in process; this land has now been washed away or is no longer habitable.
- Tenants registered in the land records who had houses provided by the titled land owners but who had no legal residential entitlement.
- Artisans in rural areas e.g. carpenter, potters, etc: who had houses provided by the land owners in return for services rendered or under customary agreements but had no legal entitlement to residence.
- Small holders who had previously occupied katcha land illegally, who now risk being prevented from returning by larger influential landholders. These large landholders who have also been occupying large tracts of katcha lands illegally may take this opportunity to increase their landholdings in katcha areas at the expense of the smaller occupiers.

Action Required:

A focused policy to be devised by the government for re-settlement of former occupants of state land who are now landless or virtually landless

3. Relocation of the Virtually Landless

Details of key issue

- People who still have land but it has become uninhabitable i.e. virtually landless
- People who inhabited lands which have now become unusable due to water logging

Action Required:

The virtually landless and residents of highly hazardous zones should be relocated and resettled in new colonies or in Jinnahabadi Scheme model of Punjab.