

6 February 2025

**Terms of Reference (ToR) for the
Housing, Land and Property (HLP) Working Group
Rohingya Refugee Response**

1. Background

Rohingya refugees face significant challenges when it comes to accessing housing, land, and property (HLP) rights. After the 2017 influx, the Bangladesh government allocated land in two districts of Cox's Bazar—Teknaf and Ukhiya—for refugee settlements. However, these settlements overlap with private land in Teknaf and forest land in Ukhiya, where local communities have established use rights through social forestry agreements. This overlap has led to tenure insecurity, resulting in various HLP issues such as eviction threats, rental disputes, and conflicts over shared facilities.

Additionally, complex land registration systems in the country and unclear land ownership have caused many people to rely on informal documents or customary practices to prove ownership of their land. This has led to widespread land forgery, making it difficult to distinguish between legitimate claims and fraudulent ones. Clearing these forgeries from verified land records has become a significant challenge.

HLP issues have been on the rise since 2023, with 2024 seeing the highest number of cases registered due to the political changes and the new refugee influx, leading to new land claims, increase in rent and rental disputes, and evictions. Between January and November 2024, a total of 6,517 HLP cases¹ were reported across various camps, marking a 32% increase compared to the whole of 2023, which saw 4,434 cases. Women now account for 49% of the HLP caseload this year, reflecting an 8% increase compared to last year.

Additionally, HLP issues have a multi-dimensional nature, requiring coordination and support from various sectors, including Protection, SCCCM, WASH, Health and Education.

Given the issues mentioned above, reactivating the HLP Working Group is now essential, following its dissolution some time ago due to ISCG's rationalization effort at that time.

2. Purpose

The overall purpose of the HLP WG is to facilitate a systematic and structured approach to identify and address HLP issues affecting the Rohingya refugees and Host Communities in Cox's Bazar, Bangladesh.

3. Objectives

- Identify priority HLP issues in Cox's Bazar limited to the Ukhiya and Teknaf camps and their surroundings and provide leadership and guidance in addressing and resolving them timely and effectively.
- Support effective coordination and advocacy efforts of HLP responses in Bangladesh to enhance accountability, predictability and effectiveness of humanitarian actions.

¹ The figures reported by NRC as the only HLP actor within the Protection Sector.



- Capacity development of local, national and international actors to ensure quality HLP services are delivered.

4. Core functions:

4.1. Coordination

- Provide a coordination platform to actively engage key humanitarian and development partners across all sectors able and willing to contribute expertise, knowledge, and resources to responses that target agreed strategic HLP priorities.
- Strengthen the overall coordination structure, capacity, and effectiveness of the HLP actors for a coordinated and effective HLP response.

4.2. Needs Assessment including tracking evictions/risk of evictions

- Support the identification and prioritization of critical HLP needs and related gaps in Rohingya camps through regular HLP assessments in refugee camps; HLP related legal framework mapping, research and trend analysis to inform HLP programming and advocacy. Support systematic eviction tracking and immediate appropriate response.

4.3. Planning, Policy, and Strategy Development

- Develop appropriate HLP response plans that contribute to the JRP and relevant development planning and resource mobilization processes.
- Develop, operationalize and review relevant HLP strategies and technical guidance for the Rohingya response, and contribute to dissemination and application of these- notably related to evictions, relocations, security of tenure, rental disputes, identification of suitable land, access to adequate shelter/housing, dispute resolution and land administration systems.

4.4. Advocacy

- Identify HLP advocacy priorities, key messages, main advocacy targets, and undertake strategic, evidence-based advocacy on behalf of partners and the affected population and contribute and support HLP advocacy efforts by the ISCG as appropriate.

4.5. Capacity Building

- Undertake HLP mainstreaming training for partners and interested sectors.
- Provide targeted training on prioritized HLP concerns, policies, and tools to stakeholders (Government authorities, host communities) and refugees.

4.6. Resource Mobilization

- Advise and support resource mobilization efforts for priority HLP activities in the JRP and HLP WG strategies/response plans.

5. Participation and membership

The HLP WG is open to all interested UN Agencies, local, National and International NGOs/entities working on humanitarian and development that seeks to ensure the realization of HLP rights of the Rohingya refugees and Host Communities in Bangladesh. Membership is inclusive and on a voluntary and self-nominated basis.

Active membership in the WG requires:

- **Technical expertise:** Attendance is expected to be at the technical level. Each agency nominates one relevant regular representative and one alternate representative that will attend the WG meetings. By participating in the WG, each representative commits to working towards the



realization of the WG's objectives and making time and human resources available to carry out tasks agreed by the partners.

- **Demonstrated capacity** to contribute strategically and provide operational support, including assessing needs, developing plans, policies, guidelines and HLP responses.
- **Regular participation** in the HLP WG meetings and commitment to contribute consistently.
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Agencies wishing to participate in the WG should fill out the HLP WG Member Form in Annex 1. The agencies are bound by the 2007 Principles of Partnership, including equality, transparency, result-oriented approach, responsibility, and complementarity. The agencies are further bound by principles of neutrality, cultural sensitivity, confidentiality, do-no-harm, and risk-to-benefit analysis.

6. Governance Structure

The WG is placed under the umbrella of the Protection Sector. However, given the cross-cutting nature of HLP issues, other sectors members, particularly SCCCM, WASH, Health and Education, will also be of it.

The WG is chaired by the PS (represented by the HLP Technical Advisor) with only one co-chair who would be elected by the members among national/International NGOs and UN agencies. The position for the two co-chairs is open to any international and national NGOs members. Members wishing to self-nominate should fill out the Co-chair Nomination Form in Annex 2.

7. Decision-Making

Decisions at the WG are typically taken by consensus. However, in the absence of agreement on any issue requiring the decisions of the Chairs/Co-Chairs and the WG, a vote is taken, and a decision is made if there is a 51% majority. A quorum for a meeting in which decisions are taken is one-quarter of the members. Any issues that require strategic support and guidance will be elevated to the Protection Sector.

8. Reporting

The Working Group shall report on its structural and/or functional updates to the Protection Sector as part of the accountability reflected in the ISCG Coordination Report section 5.1.6: *"All Working Groups or similar entities henceforth will function either under a Sector or under the ISCG to ensure accountability. There will be no stand-alone Working Groups or similar entities that operate outside this structure."*

9. Frequency of Meetings

The HLP Working Group shall convene regular meetings on a monthly basis. In addition, extraordinary ad hoc meetings may be called by the Chair/Co-Chairs or be convened upon requests by any of the WG members.

- **Meeting dates and agendas:** The dates of the meetings will be set in advance and the agendas will be sent out a week ahead of the meeting by the chair/co-chairs.
- **Location:** Meetings will be held in the ISCG office in Cox's Bazar, with options for virtual participation to accommodate members outside the area. Based on the request and agreement of the members, some meetings could be held at members' offices as well.

- **Meeting Format:** Meetings will follow a structured format, including context updates, achievements and progress, challenges faced by HLP actors, and support required. Action points will be agreed upon, and progress will be monitored at subsequent meetings.

10. Revision of the Terms of Reference, Strategy, and the Work Plan of the HLP WG

The ToR, strategy, and work plan of the WG may be reviewed and amended annually or if revisions become urgent due to the change in the situation and response in Bangladesh.

11. Duration

The HLP Working Group has been reactivated for an indefinite period. However, its structure, mandate, and continued existence will be reviewed annually and adjusted based on prevailing conditions.

Annex 1
Housing, Land and Property Working Group (HLP WG)
MEMBER FORM

REPRESENTATIVE	
First Name	
Surname	
Position/Work Title See area of work/expertise below	
Agency	
Please tick as appropriate	<input type="checkbox"/> UN <input type="checkbox"/> INGO <input type="checkbox"/> NGO <input type="checkbox"/> Academic <input type="checkbox"/> Government <input type="checkbox"/> Others _____
	<input type="checkbox"/> Humanitarian <input type="checkbox"/> Development <input type="checkbox"/> Human Rights <input type="checkbox"/> Others _____
Existing Cluster Member Mandatory to be a member of at least one. Please tick as appropriate.	<input type="checkbox"/> SNFI <input type="checkbox"/> CCCM <input type="checkbox"/> Protection <input type="checkbox"/> WASH <input type="checkbox"/> Others _____
Address	
Mobile No	
Email	

Annex 2
Housing, Land and Property Working Group (HLP WG)
CO-CHAIR NOMINATION FORM

AGENCY	
Agency Name	
Address	
Please tick as appropriate	<input type="checkbox"/> N/NGO <input type="checkbox"/> I/NGO <input type="checkbox"/> Others _____
Member of the HLP WG (mandatory)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Existing WG/Cluster Member: Please tick as appropriate	<input type="checkbox"/> SNFI <input type="checkbox"/> CCCM <input type="checkbox"/> Protection <input type="checkbox"/> WASH <input type="checkbox"/> Others _____
Does your agency have HLP programming?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details: <ul style="list-style-type: none"> – Project Title – Duration – Objective – Activities – Coverage 	