Section V of the Principles is primarily dedicated to the enforcement and implementation of individual HLP restitution rights. It draws from a wide-ranging practice of international, internationalized and national HLP restitution programmes and undertakings that are often initiated upon an international stimulus.

The focus of the following is put on people-centred solutions in the context of mass return of refugees and displaced persons. The myriad of HLP restitution projects since the fall of the Berlin Wall have shown that a well-arranged and perspicuous core set of parameters and factors is essential to ensure minimum HLP rights protection. Therefore the following principles provide HLP rights-specific guidance on the approach needed and 'how' to ensure the rights to HLP restitution in practice.

The Pinheiro Principles remain nevertheless case sensitive as regards the institutional and procedural form used for a precise situation. There is no one-size-fits-all solution, but there is the minimum framework in which a number of fundamental factors and determinants – as a pre-requisite – need to be respected for a successful rights protection.

Conceptually, the experience and best practices incorporated by the Pinheiro Principles are sufficiently clear and delineated as to contribute to a manageable adherence without 're-inventing the wheel' in each situation or setting; this incorporation also brings the efficiency aspect of restarting discussion and persuading actors and stakeholders.

In addressing the typical obstacles and problems encountered in the miscellaneous forms of HLP restitution, this code of practice ensures effective rights restitution. Methodologically and procedurally, the Iran-United States Claims Tribunal (IUSCT) and later the United Nations Claims Commission for Iraq (UNCC) set the precedents and paved the way for recent mass claims dispute settlements, in which HLP rights restitution and compensation were granted. Although a classical arbitration tribunal, the IUSCT was not only an efficient means of peaceful dispute settlement, but it granted in its approach direct restitution or compensation awards to the claimant and it used procedural means as categorizing and grouping of claims and expediently processing of claims as well as statistical methods in claims dispensation. Consequently, policymakers
or implementers of HLP restitution rights programmes will not be forced into
the position of striking a balance between individual justice concerns and
aspirations with the necessity to bring a just and timely solution to all claim-
ants.\textsuperscript{68} The use and application of instruments of mass claims procedures is
only geared at expedient and timely processing – in a technical process-related
manner – of claims without compromising the legal guarantees of any indi-
vidual. Further, there is not any consideration or balance to be struck that
could limit or even violate substantive due process interests and rights of every
potential claimant.

The principles articulated in this section are based, in part, on the findings
of the Special Rapporteur in his 2002–2005 reports, which analysed some of
the common obstacles to HLP restitution: secondary occupation; property
destruction; loss or destruction of property records; ineffectual institutions;
and discriminatory restitution programmes. Section V therefore contains the
lessons learned and the valuable experiences gained that were devised at the
level of policy to overcome these common obstacles to effective HLP restitu-
tion. Principles 11–22 will be particularly relevant to actors, stakeholders
and policymakers responsible for the implementation of HLP restitution
undertakings.\textsuperscript{69}

\textsuperscript{68} Of a different opinion, IOM, Property Restitution and Compensation, 2008, pp. 2 et

\textsuperscript{69} For a more comprehensive empirical study dealing with different HLP restitution situa-
tions and projects, see Scott Leckie, Returning Home: Housing and Property Restitution
Rights of Refugees and Displaced Persons, 2003. For a case study on Kosovo and its model-
character see Khaled Hassine, Housing and Property Directorate & Claims Commission
in Kosovo, 2009.