

CCCM Guidance note¹ on eviction² response

Annex1: Practicalities of implementation

Note: In some situations, evictions may take place before appropriate actions are made by the eviction task force/key actors. Therefore, CCCM and protection partners should always engage the community leaders in nominating focal points that can be contacted for tracking the communities' movement and providing timely assistance to the most vulnerable in the location(s) where they settle.

Key humanitarian actors and designated roles in the eviction response:

CCCM partner

- Responsible for informing Area Based Coordinator of the eviction threat;
- Responsible for informing site partners of the eviction threat and updating them on key developments;
- Responsible for specific activities related to the community in the eviction affected site;
- Responsible for governorate level bilateral advocacy with the local authorities on the eviction threat if appropriate and feasible (prior to establishment of Task Force);
- Responsible for coordinating activities related to the eviction response at the site level (e.g. assessments, FGDs), including those completed by the Protection partner;
- Member of Task Force for operational discussions, not for Local Authority and Landowner negotiations;
- *The following shall be done in coordination with the cluster coordination team to avoid duplication of efforts:* Leads advocacy against forced eviction and where necessary negotiate a safer site for resettlement of IDPs who are under eminent threat of eviction. CCCM partner involvement on behalf of affected IDPs may lead to a better arrangement and dignify relocation exercise especially if the CCCM partner has good working relationship with landlords and local authority in the area.

CCCM cluster

- Responsible for triggering the establishment of the Eviction Response Task Force (including CCCM partner, Protection Partner, HLP Partner, Protection Cluster, UNHCR, and OCHA);
- Responsible for chairing the Task Force;
- Responsible for leading on engagement with Local Authorities and Landowner engagement through the Task Force on key advocacy messages with negotiation members of the Task Force (Protection Cluster, HLP Partner, UNHCR, and OCHA);
- Leads mobilization of required resources from humanitarian service providers for immediate response.

UNHCR as Cluster lead agency

- UNHCR Head of Office to join the Task Force for high level advocacy and Local Authority/Landowner negotiations, leveraging UNHCR strategic partnership with the local authorities;

¹ This note is relevant for sites with CCCM partner presence. If locations are not covered by CCCM but under an "eviction" situation, the case would be handled by Shelter and Protection and if relevant supported by CCCM roving teams in case these may be available

² Disclaimer: "evictions" are referred to here in a broad manner to reflect situations in which an IDP community is communicated the need to vacate their inhabitation space. The system described through this note would be activated upon verifications by CCCM and Protection partners of the validity and relevancy of such communication to trigger such response.

OCHA

- OCHA Representative to join the Task Force for high level advocacy and Local Authority/Landowner negotiations, leveraging OCHA's position;

CCCM Area Based Coordinator

- CCCM Operational Partner (e.g. DRC, NRC, ACTED), tasked with the Area Based Coordinator role;
- Cannot lead high level Task Force Local Authority/Landowner negotiations due to risks to programming as an operational CCCM partner, and lack of leverage at the same level as CCCM Cluster and UNHCR;
- Responsible for collating eviction incident reports into the Evictions Tracking Matrix and escalating to the CCCM SN Cluster (with Protection SN Cluster in cc) as soon as information is received from a CCCM or Protection partner;

Protection partners

- Member of Task Force for operational discussions, not for Local Authority and Landowner negotiations (with the exception of HLP actor as required);
- Designated by Protection Cluster (may not be the Protection partner who is currently operational in the site if this partner does not have the technical capacity to respond to an eviction threat);
- Responsible for carrying out 'Intention Community Discussions' in eviction affected sites at the request of the Protection Cluster, following the lead of the CCCM partner; (Where relevant, these intentions discussions must be carried out jointly with CCCM partners)
- Responsible for Protection Monitoring (building on existing data from site management monitoring tool) throughout the eviction threat and actual eviction incidents (identify cases of individuals at risk to provide adequate response / case management and provide recommendations to CCCM partner to account for identified vulnerabilities and protection concerns);
- Track cases at risk following the eviction and/or relocation and provide adequate protection response;
- Responsible for providing legal support to ensure that beneficiaries of rental subsidies can sign rental agreements with house owners who are renting out their property;
- Responsible for legal awareness raising and capacity building amongst IDPs, CBPNs, local (administrative and tribal) authorities, SCMCHA and ExUnit on the importance of HLP to mitigate protection risks related to evictions;
- Longer term perspective: advocacy with local authorities to ensure land tenure by allocating public land and/or transforming collective centres thereby ensuring safe shelter as a longer term (durable) solution for IDPs.

HLP partner

- HLP partner should be engaged in all cases where this specialist support is needed as part of the Task Force engagement;
- NRC is technical partner on HLP for the CCCM cluster, providing following support in case of eviction threat. HLP partner is generally responsible in ensuring eviction guidelines under ICESCR (which Yemen is signatory to) are respected by:
 - Ensuring affected communities are consulted and their viewpoint guide the process. This includes consultation on alternative land
 - Ensuring that adequate and reasonable notice of eviction is provided to the affected communities in accordance with their needs.
 - Ensuring that right to alternative accommodation is granted in line adequate

housing requirements.

- Ensuring that a pre-eviction assessment is conducted, and report produced in 72hrs outlining measures taken on above, with clear recommendations.
- Ensuring that information is provided to the affected communities on their HLP rights to make an informed choice
- Land tenure documentation. HLP partner is responsible in providing technical and legal support to the local authorities to ensure a protective land tenure agreement is put in place to prevent further eviction and ensure sustainable humanitarian assistance. This will be assessed on case by case basis and in consultation with affected communities.

Protection Cluster

- Member of Task Force for operational discussions and high-level advocacy;
- Responsible for designating Protection partner for Protection activities required in site;
- Training protection and CCCM partners on the intentions discussions
- Mobilize protection partners to respond to the needs of the vulnerable individuals at the newly identified site

Process of eviction threat response:

- a. Eviction notice issued or eviction threat issued (verbally or in writing)
 - i. Eviction notice or threat received (noting that this is often not in the form of a formal or legally defined notice)
 - CCCM partner informs key site partners (including all Protection partners) by email;
 - If there is no known Protection partner in the site, CCCM partner to contact Protection Cluster directly;
 - CCCM partner informs Area Based Coordinator (ABC), who updates the Eviction Tracking Matrix. ABC shares Eviction Tracking Matrix with CCCM Sub-National Cluster immediately, copying in Protection Sub-National Cluster.
 - CCCM partner ensures service delivery in the site remains fully operational, despite the eviction threat, and that partners do not engage in premature discussions with community regarding relocations;
- b. If appropriate, a meeting can be held between the CCCM partner, Protection partner, and the local authorities, with the objective of halting the eviction or prolonging the stay of IDPs in the site);
- c. CCCM Sub-National Cluster determines whether the site is facing an imminent threat or not (based on information from site CCCM partner and Protection partner, including whether a date of eviction has been issued)
 - i. CCCM Sub-National Cluster triggers establishment of Eviction Response Task Force if imminent threat is identified;
 - Composition of Task Force:
 - CCCM Sub-National Cluster (Task Force Lead)
 - Protection Cluster
 - Site Protection partner (excluded from local authority + landowner engagement)
 - HLP partner
 - CCCM agency (excluded from local authority + landowner engagement)
 - OCHA (only as needed, for additional advocacy leverage)
 - UNHCR HoO as Cluster lead agency (included only in local authority and

landowner engagement-once escalated)

- Task Force Lead (CCCM Sub-National Cluster) holds meeting with operational members (CCCM partner, Protection partner, Protection Sub-National Cluster, HLP partner, UNHCR (optional) and OCHA (optional)) to review eviction situation and agree next steps regarding advocacy;
 - Task Force Lead (CCCM Sub-National Cluster) to initiate negotiations with the Local Authorities and Landowners (or legal delegates) to advocate on key issues regarding the eviction:
 - Aim: to halt eviction completely or to prolong the stay of IDPs to the greatest extent possible and financially acceptable;
 - Relocation to a new site should be seen as a last resort;
 - Notification – families should be notified and provided with clear information about the eviction, dates, and relocation with sufficient time for preparations by the Local Authorities;
 - Timeline – evictions should be postponed until the yearly closure of schools, and should not take place during Ramadan and relevant holidays;
 - Transportation – families should be provided with transportation by the local authorities; transportation arrangements shall consider families’ individuals and their belongings;
 - Evictions should never be implemented by military or armed bodies related to the evicting authorities. Only civilian apparatus related to the authority must be physically present;
 - Safe alternative locations with access to minimum services must be provided by the authorities. IDPs should not be forced to return to their AoO;
 - If applicable, Task Force to review locations proposed for relocation of evicted IDPs (or at risk of eviction). CCCM Cluster to lead on Technical Site Assessment for proposed sites for relocation, and Protection Cluster to engage on any protection risks associated with the proposed site;
- d. Eviction is not halted, and site level response is needed
- i. The CCCM partner is responsible for coordinating the eviction response in the site – no assessment, FGDs, etc. should be carried out without coordination of the CCCM partner.
 - ii. CCCM partner should make a request to the Protection Sub-National Cluster to delegate to a Protection partner to carry out the ‘Intention Community Discussion’ assessment and/ or pre-eviction assessment;
 - iii. CCCM partner should request technical support from HLP partner in delivering information sessions to IDPs on HLP, and to inform families on their rights to make informed decisions about their choice of alternative accommodation;
 - iv. Protection partner should carry out regular Protection Monitoring in the site, as requested by the CCCM partner and coordinated through the Protection Cluster;
 - v. Humanitarian partners (specifically CCCM partner and Protection partner) should never be responsible for communicating decisions regarding evictions to IDP communities. This communication should come from the Local Authorities;
 - vi. Humanitarian partners should never participate in forced relocations of IDPs;
- e. Eviction is activated
- i. CCCM partner to lead communication with site residents regarding options and support available (only after eviction notice has been clearly communicated to the IDPs by the

Local Authorities or Landowner);

- ii. Local authorities propose relocation – see Relocation of Evicted Sites Guidance Note;
- iii. No alternative sites offered –
 - CCCM partner to collate contact information for community Focal Points, to monitor movements and advocate for follow up support (e.g. multi-purpose cash grants or cash for rent support);
 - Exit survey to be considered (as appropriate, CCCM partner to lead);
 - Referrals to be carried out for vulnerable cases to relevant Protection partners and CCCM partners in sites receiving evicted HHs;

CCCM and Protection partners should prepare lists of IDPs targeted by the eviction as this will allow the CCCM partners to set adequate services to ensure protection and special assistance during the eviction, and to facilitate the coordination of assistance and support evicted families upon arrival at secondary displacement site:

- Disaggregated data: numbers, ages, and genders of all IDPs currently living in the site subject of eviction;
- Vulnerable households currently living in the site, including details of their specific additional needs;
- Numbers, ages, and genders of all children currently enrolled into schools.

Tools: Eviction Tracking Matrix, Intention Surveys and FGD to be detailed in annex 2