

CCCM Guidance note on eviction¹ response

The mechanism described below is a tri-cluster initiative led by the CCCM Cluster through strong collaboration with the Protection and Shelter clusters. Joint information/socialization sessions accompany this note.

This note provides general guidance on harmonizing the response regarding situations related to evictions of people from IDP hosting sites. Implementation in terms of specific activities related to the community will be led by the CCCM Cluster partners in collaboration with relevant other cluster partners while negotiations with authorities, land-owners and alike will be led by the relevant CCCM coordination teams and UNHCR as cluster lead-agency. In case of evictions from private houses, this should be referred to the Protection cluster which will evaluate the cases and respond/refer as appropriate.

Overall guiding steps

- 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
- Eviction cases, verbal threats and formal notices, shall be reported by CCCM cluster partners to the CCCM subnational coordinators on a bi-monthly basis through the **eviction tracking matrix** template. This will be compiled at the national level
- The CCCM subnational coordinators shall update the eviction matrix every two weeks. The CCCM subnational coordinator will share the compiled eviction matrix on a regular basis with the ICWG and national CCCM cluster coordination team and the adequate multi-sector response will be determined
- With regards to eviction notices or evictions which are deemed by CCCM and Protection as imminent, the CCCM subnational coordinator will call for an **eviction response task force** composed of OCHA, Protection, Shelter and as relevant any other subnational cluster coordinator required to mobilize a response
- The task force, specifically CCCM (along with the cluster lead agency as relevant), OCHA and Protection will engage in **negotiations with authorities** and landowners on behalf of the CCCM partner and will mobilize a response according to negotiation results on a case by case basis
- CCCM teams at site level² should inform Protection teams of the eviction threat/notification received by the community in an IDP hosting site

¹Disclaimer: "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.

²This 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.

- HLP partner should be engaged in all cases where this specialist support is needed. Coordination between the HLP partner, CCCM partner, CCCM Cluster and Protection Cluster is required before any action is taken. This coordination should determine and/or trigger the support of the HLP partner where required.
- In case no protection team is available in the site, the CCCM partner should refer to the CCCM subnational coordinator

Guiding principles

- CCCM partners (or any other humanitarian agency) should discourage relocations of IDPs and advocate against such action at the extent possible.
- Negotiations regarding relocation of IDPs to other sites should not be undertaken unless there is an eviction notice which includes clear communication of date of eviction and only following specified coordination system.
- CCCM partners shall not participate in forced relocations of IDPs.
- **No services should be discontinued until a clear eviction notice is issued including starting date of eviction.**
- Partners should not engage with the community in premature discussions around relocation and should not contribute to announcing the eviction threat to the community.

General considerations

As most IDP sites in Yemen are spontaneous and self-settled, evictions may occur at any time often without prior notice. To ensure an organized response, CCCM partners have the responsibility of keeping track and maintaining track of the status of the land the site occupies and the intentions of IDPs present. This should be done by holding consultations with the community in the site only, not by contacting the landowner directly³. This information is captured and reported by CCCM partners in two ways: the site reporting tool and the eviction tracking matrix. For all sites on private land with an indication of an upcoming eviction intention, the CCCM partner shall establish a site level contingency eviction response plan with all stakeholders in the respective IDP hosting site. The plan shall consider all details described in this note.

Discussions and negotiations with the authorities with regards to the compiled governorate level eviction tracking matrix should additionally determine:

1. The possibility of implementing more sustainable infrastructure. *Note that any infrastructure designed to serve the IDP population in a site must also serve the host community, as per CCCM cluster Area Based Approach policy.* Development of infrastructure shall then be discussed between the task force, local authorities and the landowners on behalf of relevant cluster implementing partners.

³ In case this cannot be avoided, the CCCM Cluster coordination team needs to be consulted.

2. Considerations related to marginalized communities which often inhabit IDP hosting sites. The CCCM cluster (coordination teams and partners) shall employ a needs-based approach advocating for IDPs, the marginalized and the host community equally based on evidence of needs and not on status; as per CCCM cluster policy.

Guiding steps in case of eviction threats

- The CCCM partner at the site level should maintain all service providers informed of the threat and ensure continuous delivery of services, as per the usual practice, until (and if) an eviction notice is issued.
- The CCCM partner will keep all service providers informed of all actions regarding negotiations with landowners.
- The CCCM partner should contact and timely inform the CCCM subnational or, where available, CCCM Area Based Coordinator.
- The CCCM subnational coordinator and/or the Area Based Coordinator shall convene (following agreement among the two) and coordinate with relevant other actors, on behalf of the community, negotiation meetings with the landowners, or their legal delegates or ultimately, with those identifying themselves as landowners, to assess the contextual scenario and verify the property documents (to the extent possible land deeds).
- The negotiation meetings should be held only in the presence/with the attendance of the relevant government authorities, Protection partners, the HLP expert -if available-, OCHA representatives and UNHCR head of office, as Cluster Lead Agency.
- The aim of negotiations should be to halt the eviction completely or prolong the stay of IDPs to the greatest extent possible and financially acceptable.

Ideally, the subnational CCCM coordinator and at the minimum, the UNHCR head of office would have met the government authorities prior to the negotiation with the landlord to present the situation and decide on a common approach. The exchanges between the CCCM coordinator, UNHCR and authorities can cover more than one location as per the **Eviction Tracking Matrix**.

The relocation and establishment of new sites or settlements is against national CCCM policy. In case negotiations lead to the authorities declaring the intention to relocate the IDP population, the CCCM partners/CCCM ABA coordinators/subnational coordinators should urgently communicate to the CCCM national coordinators.

CCCM subnational coordinators with support from Protection and OCHA should convene an **Eviction Task Force** including all service providers and/or relevant cluster coordinators to assess the context and plan a **response** effectively.

NOTE: *Relocation to another site is the last resort. The first response from CCCM partners is to assess with the Protection partners the intentions of the community and hold focus group discussions to understand what options the population has. The next step is to identify those very vulnerable. In case the eviction occurs, and the population finds alternative locations to relocate to, the CCCM cluster*

partners will monitor their movements through community leaders and advocate with Protection for multi-purpose cash grants or Shelter for rental support.

If **the establishment of a new IDP sites is a last resort** and if deemed as a viable option, the task force should refer to the CCCM, Shelter/NFI, Wash, Protection and any other relevant national cluster coordinators for specific guidance and technical assistance.

The establishment of a new IDP site requires several technical and legal actions, starting with the negotiation regarding Housing and Land Propriety HLP, earthworks, levelling and drainage, planning and settlement of housing units and basic infrastructural services, safety and security measures setting in place, site organization and management, and coordination of services delivery. No action shall be taken prior to consultations with national CCCM, Protection and Shelter cluster coordination teams.

Recommendation in case of eviction notices

In case of formal eviction notices⁴ being issued, the CCCM partner shall inform all service providers on site and provide updates on the status of negotiations and incoming eviction in a timely manner. Eviction notices should be communicated by the local authorities to the IDPs in the sites – both verbal and written communication. CCCM partners can support with informing IDPs of their options only after IDPs have been informed about lawful eviction by the authorities. The CCCM partners and other humanitarian actors should not be involved in communication regarding the eviction itself as this can create a negative impression and thus reduce acceptance and reputation of humanitarian actors.

CCCM ABA coordinator/subnational coordinator shall hold meetings with the authorities, landowners and task force to advocate based upon the following priority criteria:

- **Notification:** families should be notified and provided with clear information about the eviction, dates and relocation with sufficient time for preparations
- **Timeline:** Evictions should be postponed until the yearly closure of schools, 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 a military or armed body related to the evicting authorities. Only civilian apparatus related to the authority must be physically present.

Community engagement is mandatory: CCCM and protection partners shall organize **FGDs and intention surveys** with the community.

Safe alternative locations with access to minimum services must be provided by the authorities.

⁴ These would require verifications and confirmation by the authorities.



The IDP community should be informed of all aspects, options, HLP and their rights to be able to make the most appropriate decisions, if being relocated or return to their areas of origin, in case information confirming the reestablishment of adequate conditions for the return.

IDPs should not be forced to return to their areas of origin. Returns must be voluntary, dignified, safe and assisted. CCCM and Protection partners if available should prepare lists of IDPs target by the eviction accordingly to:

- Segregated 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.

The above lists will allow the CCCM partners to set adequate services to ensure protection and special assistance during the eviction. The lists shall be transmitted to the CCCM partners present on the identified new site of relocation to facilitate the coordination of assistance and support the evicted families upon their arrival.

In case of formal eviction notices being issued, but no appropriate relocation site is made available, the CCCM and protection partners should engage the community leaders in nominating focal points available to be contacted – confidentially - for tracking the communities’ movement and timely offer assistance to the assessed most vulnerable in the location where they relocate voluntary. . Protection partners with the help of the cluster must identify a relevant mechanism to keep supporting the most vulnerable families after the eviction. This can include referrals and cases transfer to protection partners in the new hosting area/site.

In case of formal eviction notices being issued, and a site being identified and considered feasible and suitable by the National CCCM, Shelter, Protection and Wash Clusters, in order to ensure that IDPs are fully informed for making decisions on their relocation, the local CCCM partners should use the following tool (table below) for undertaking coordinate and appropriate actions.

Some variation on the below actions is acceptable if contextually relevant and verified with the cluster teams.

Before relocation		
Activity	Map actors involved	Timeline
Document existing services and service providers on the location the IDPs are currently living in (use CCCM technical assessment form)		
Assess and map the existence of any IDP representatives or / and IDP community structures (committees, etc.) and power structures		
Make sure dignified alternative shelter solutions are available, endorsed by Shelter Cluster firstly and local authorities / private owners have approved them - preferably in writing		
Make sure that the alternative locations are not in remote areas which would isolate IDPs		
With relevant agencies, make plan for humanitarian assets and / or facilities in the evicted site		
Confirm policy with relevant agencies which humanitarian items, ie. shelter and latrines could be relocated by the departing household		
Assess the alternative solution for safety and availability of services in coordination with Shelter and Wash partners		
Coordinate with relevant partners, with support of the CCCM Cluster coordination team, to ensure adequate service delivery in the new location, striving for similar if not improved level of assistance.		
Organize sessions to inform IDPs of available and endorsed alternative locations		
If IDP or host population is already living in the alternative shelter solution/premises, organize consultation sessions prior the relocation in order to assess and ensure acceptance of new IDPs. Be mindful of cultural customs (living space is only shared with extended family, women need private space, etc.)		
Constitute the list of IDPs willing to benefit from alternative solution(s). Identified the most vulnerable IDPs (e.g. unaccompanied elderly, unaccompanied pregnant women, unaccompanied physically or mentally challenged persons, unaccompanied or separated children, child / woman headed households, etc.)		
Constitute the list of IDPs who have alternative solutions on their own accord		
Constitute the list of IDPs who do not wish to be relocated and state the reasons if known		
Plan movement itinerary (date/time of movement, modalities of transportation especially for the most vulnerable, reception at alternative		

accommodation, etc.) to the new location in consultation with the concerned IDPs		
Organize special assistance for transportation for vulnerable persons		
Organize a visit by IDPs to the alternative locations if needed and give information on available services		
CCCM partner to request a letter from local authorities certifying that IDPs are willing to be relocated		
During relocation		
Activity	Map actors involved	Timeline
Ensure special assistance for the most vulnerable people and people with specific needs		
Ensure protection monitors are on site throughout the relocation		
Ensure that there is a neutral and impartial grievance redress mechanism in place so complaints of IDPs or host community can be addressed		
After relocation		
Activity	Map actors involved	Timeline
CCCM partner to request a letter from local authorities certifying that voluntary relocation of IDPs has been completed		
In case the alternative solution is a site, submit De-confliction request through the CCCM Cluster's Coordination team. De-confliction request, through the Cluster, can only be submitted once IDP are actually living in the site.		
Perform regular CCCM monitoring to the new location and old location if IDPs are still present (use CCCM technical assessment form)		
Decommissioning of the site to take place with responsible actors, including reallocation of humanitarian assets in line with the agreement prior to the relocation		

Information and Communication

Information and Communication with IDPs shall be the first activity to be ensured in the relocation process.

The principle that relocation of IDPs can only occur on voluntary basis is a standard among all the involved humanitarian actors and local authorities. In any case IDPs shall not be forcefully moved from current sites.

Messaging to IDPs regarding relocation will primarily be circulated through the local authorities, monitored by CCCM, OCHA, relevant Clusters partners and task force as established.

OCHA in coordination with CCCM cluster or the task force, when established, shall draft clear univocal messages to inform the IDPs about the relocation options so that IDP households will be properly informed to make decision on their relocation.

Messaging shall include the following minimal key information points:

- Why relocation is necessary;
- Principle of relocation on voluntary basis
- Description of the relocation process
- Relocation options and services available at the alternative site/premises
- Advocacy for transportation support to be provided by the authorities not the humanitarian community.

Relocation process

The relocation schedule will be developed based on the IDPs intention to be relocated voluntarily.

Following the initial period of sensitization, IDP families will be given a two-week period to decide if they want to voluntarily relocate. CCCM partners and local authorities shall be available for any clarifications.

The IDP households who are willing to be relocated, are requested to register themselves in the relocation lists.

Registration of those willing to relocate will be handled by CCCM partners and the local authorities. During the registration process, the following information will be recorded:

- Family members' names,
 - valid ID card / means for identification,
 - area of origin and new area of relocation
- In addition, CCCM will complete a rapid vulnerability assessment on all households to identify any specific needs that may be required special assistance during the transport and relocation.
 - CCCM will register the amount of belongings to be transported for each family, with a limit to be determined beforehand, and coordinate delivery of items to the new site of relocation.
 - CCCM will lead extensive sensitization with the households on the movement of personal items.
 - Itinerary schedule will be planned on the bases of the lists of IDPs and their belongings by
 - CCCM in close contact with local authorities will planned the itinerary schedules in due considerations of IDPs lists and their belonging to ensure a smooth and effective relocation plan. CCCM will propose to the concerned IDPs the relocation plan, including information of site where each family could potentially be relocated to, and revise the plan according to the families' feedback.
 - CCCM will require that no families be separated and that all families living in one site will be relocated together in similar circumstances.

The final relocation schedule plan shall be endorsed by the National CCCM Cluster and approved by the local authorities, afterward it will be shared with the transportation company (provided by the authorities) to coordinate the transportation on the given dates of relocation.

CCCM would recommend that the transportation should be provided to a limited set number of families, making necessary adjustments to increase or decrease the number based on lessons learned from the initial pilot relocation arrangement.

Reception and sensibilization at alternative site

Local authorities will conduct sensitization campaign/messaging both to the relocated families as well as to host communities, to facilitate the integration process in smoothly manner, while CCCM partners will support with actions aimed at mitigating potential tensions minimizing and solving raising issues. CCCM will coordinate with Shelter/NFI to provide NFI kits and Shelter solutions to the IDPs families in the new site.

CCCM will support the community engagement process and facilitate the establishment of community committees involving both IDPs and hosting community.

Confirmation of adequate services meeting minimum standards (i.e. water supply, sanitation facilities) should also take place at this time by the CCCM actor, however ideally prior to the relocation. Referrals to Education and Health facilities and Protection and RRM assistance should also take place at this time, as needed.

Grievance, feedback and complaints mechanism

A neutral, impartial and effective complaints mechanism will be set up and available during the entire relocation process (e.g. complaint box, telephone hotline, etc.) This mechanism will be addressed and monitored by CCCM. If complaints cannot be answered by CCCM, the related issues will be addressed to and discussed with the task force, with the local authorities and the National CCCM, Protection and other relevant Clusters. Protection monitoring should be carried out throughout the process to identify and address issues that may not be reported.

Where there is no CCCM partner managing the site or covering the area, Protection actors should refer eviction threats to the Protection Cluster and CCCM Cluster at the subnational level.

Annexes to be shared with CCCM, Protection and Shelter partners:

- Eviction tracking matrix, Intention survey, FGD
- Site selection guidelines