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# IN CONSTANT FEAR OF EVICTION

## AN ANALYSIS OF SHELTER INSECURITY FOR VULNERABLE REFUGEE HOUSEHOLDS IN LEBANON DURING COVID-19

JULY 2020

*The majority of Syrian refugees in Lebanon live in rental accommodation. In light of the current socio-economic and financial crisis, along with the impact of COVID-19, the ability of refugees to cover rental payments is increasingly strained. At the same time Lebanese landlords are also impacted by the overall economic decline and face challenges due to the accumulation of unpaid rental fees. These converging factors have resulted in a significant increase in both eviction threats and eviction cases. This report aims to examine evictions from a protection and shelter perspective and outlines the opportunities and limitations of multi-sectoral responses. The analysis builds on data from the International Rescue Committee (IRC) protection monitoring and programmatic evidence from the Lebanon Protection Consortium (LPC) consisting of the Norwegian Refugee Council (NRC), Action Against Hunger (ACF) and Gruppo di Volontariato Civile (GVC).*

## EXECUTIVE SUMMARY

**Often times, an eviction is a lengthy, complex and ‘invisible’ threat that requires a multi-pronged response:** preventive interventions to mitigate the risk of eviction (e.g. Collaborative Dispute Resolution), as well as flexible, fast support to individuals affected by an actual eviction (e.g. emergency cash assistance, shelter kits). With a historically underfunded shelter sector, interventions focusing on security of tenure remain hard to implement at scale, in particular in the current economic and financial context in Lebanon.

The global COVID-19 pandemic has had an unprecedented impact on the world economy and will very likely impact the aid budgets of donor countries in the years to come. Now more than ever, it is **challenging to fundraise for eviction-related responses without being able to demonstrate a sustainable impact.** This report aims to emphasize the need for continued support, and calls on the Lebanese government to create a policy environment that is more protective for refugees, which would further the impact of the existing response modalities. Both **eviction threats and actual evictions have an immediate and long-term negative impact on vulnerable families, regardless of nationality,** and require a continued engagement of donor countries.

This analysis is structured into four main sections:

- First, **trends related to eviction threats** are outlined to provide an indication of the scope of the emerging risk and qualitative differences with previous evictions trends. The evictions recorded since September 2019 are distinct from earlier evictions; they are triggered by individual property owners rather than local (governmental) stakeholders and are primarily linked to the tenant’s inability to pay rental fees, thus resulting in individual rather than collective eviction threats and actual evictions.
- Second, the **relevant legal framework** linked to forced evictions is briefly outlined; highlighting international standards and the relevant Lebanese legal framework. While Lebanese law is highly protective, evictions of Syrian refugees rarely take place within the existing legal framework.
- Third, **existing response modalities** used by various NGOs are outlined, particularly from within shelter and protection sectors, including specialised services such as Collaborative Dispute Resolution (CDR).
- Finally, the analysis presents **concrete recommendations** for the Government of Lebanon (GoL), donor community and humanitarian actors more broadly; including propositions on multi-sectoral responses to the emerging risk.

## BACKGROUND

Lebanon currently hosts 1.5 million Syrian refugees, representing the largest refugee population per capita globally.<sup>1</sup> However, more than ever the resilience of the country is pushed to the brink by an unprecedented socio-economic and financial crisis combined with the impact of the global pandemic.

Even prior to the Syrian refugee crisis, Lebanon faced a persistent housing crisis driven by a chronic underfunding of affordable housing and public infrastructure.<sup>2</sup>

1 This includes 892,310 registered refugees, UNHCR data, May 2020

2 Vulnerability Assessment of Syrian Refugees in Lebanon (VASyR, 2019), p11

The lack of a coherent approach to urban planning is manifested in impoverished and marginalised pockets across the country. The temporary settlement of Syrian refugees within Lebanon is highly urbanised with 66% of Syrian refugees residing in residential buildings; 19% residing in non-permanent structures, mainly Informal Tented Settlements (ITS). The remaining households (15%) occupy different non-residential structures such as agricultural rooms, engine rooms, pump rooms, active construction sites, garages and farms.<sup>3</sup> The **vast majority of Syrian refugees pay rent directly to a landlord**, while only 6% have 'work for rent' arrangements – primarily within ITSs.<sup>4</sup>



'We have a work for rent agreement with the landlord, so we have to work for free on his agricultural land even during the low season. If we don't work enough or if we are too slow, we are exposed to risk of eviction.'

A head of household living in Bouday, Baalbek-Hermel, who received support from the LPC.

According to UNHCR data, in 2019, 4,409 individuals were affected by collective evictions and 8,649 remained at risk of eviction. As reported, 55% of the alleged eviction notices were served by authorities due to environmental and security reasons, 23% of the eviction notices were issued by property owners and 15% linked to the host community. The main alleged reasons behind the notices were: owner re-appropriating the property for alternative use (15.3%) and tensions between the property owner and the tenants (7.1%), along with inability to pay rent (7.1%). In fall 2019, Syrian refugees in 76% of the ITSs targeted by the LPC, expressed concerns around being evicted in the coming year.<sup>5</sup>

**In 2020 there has been a clear shift towards more individual eviction threats**, with the majority of eviction notices issued by property owners, due to the tenants' inability to pay rent. This new trend needs to be considered against the backdrop of the **ongoing economic crisis, and resulting loss of livelihoods, which impacts the most vulnerable people's ability to cover basic needs and rental payments**.

In April 2020, an ILO-led Rapid Assessment on the impact of COVID-19 on 1,987 vulnerable Lebanese and Syrians found that 84% of respondents had been temporarily or permanently dismissed from employment, with Syrians being twice as likely to have faced dismissal.<sup>6</sup>

## SCOPE OF REPORT

At the time of writing eviction threats have been flagged as an increasing concern by the Lebanon Inter-Agency, UNHCR and various NGOs. As such, this report provides an **initial analysis of an evolving situation** based on the available UNHCR nationwide data on eviction trends complemented by programmatic evidence from the IRC and the LPC to date (*refer to box text*). **Continuous monitoring is required** in the upcoming months (through both protection monitoring, NGO hotlines, and community outreach volunteers to identify eviction threats and track whether they materialise into actual evictions, particularly as movement restrictions linked to COVID-19 are eased).

3 Ibid, p41

4 VASyR (2019), p48

5 Data from the Multi-sectoral Questionnaire (MQ) Community Protection Approach, September-November 2019, LPC

6 <https://www.arabstates.undp.org/content/rbas/en/home/library/crisis-response0/rapid-assessment-of-the-impact-of-covid-19-on-vulnerable-workers.html>

In order to analyse trends, **this report examined programmatic data across three distinct time periods:**

- **July 2019 – October 2019:** before the start of the nationwide protests and governmental crisis;
- **November 2019 – February 2020:** combined impact of protests, governmental and financial crisis;
- **March 2020 – June 2020:** converging crises and impact of COVID-19 lockdown.

The data provides an indicative snapshot of the increased trend in eviction-related incidents across the three time periods, showing a correlation between the deterioration of the socio-economic environment in Lebanon and this specific protection threat. **A clear worsening of eviction threats has been observed since March, which is likely correlated with the nationwide lockdown.** Nationwide data confirm that the majority of threats and actual evictions registered in 2020 affected refugees living in residential shelters (collective shelters and individual accommodation).

#### **Data sets used for the analysis at hand:**

- IRC household level protection monitoring and protection incident reports;
- field observations from NRC's Information Counselling and Legal Assistance (ICLA) information focal points
- referral analysis from NRC's shelter programming and GVC's emergency responses;
- findings from the LPC's Community Protection Approach (CPA) and Post Distribution Monitoring(PDM)

Since the four NGOs each utilise distinct data collection approaches, the report looked at the complementarity of data sets rather than direct comparability, to highlight broad shifts in the protection environment linked to the right to adequate housing. The findings in this report have been triangulated with secondary sources including data presented by UNHCR in Protection Working Groups and other humanitarian needs assessments.

Palestinian Refugees from Lebanon (PRL) and Palestinian Refugees from Syria (PRS) are known to be heavily affected by insecurity of tenure.<sup>7</sup> Moreover, these population groups have an extremely limited ability to improve their housing conditions within the Palestinian refugee camps for both economic reasons and due to the Lebanese authorities' restrictions on the movement of building materials in and out of camps.<sup>8</sup> However, given the limited available data for threats and actual evictions of PRL in the last 3 months, this paper focuses on evictions threats and actual evictions impacting Syrian refugees.

7 The Law No. 296/2001 amends the Presidential Decree of 1969 on the Right to Real Estate Acquisition for Foreigners. The Article 1(2) of the law states 'No real right of any kind may be acquired by a person who does not have citizenship issued by a recognised state or by any person if such acquisition contradicts the provisions of the Constitution relating to the prohibition of permanent settlement'. For further information, refer to: Palestinian refugees' right to inherit under the 2001 amendment law – Beirut test case, 2016. <https://www.nrc.no/globalassets/pdf/reports/palestinian-refugees-right-to-inherit-under-the-2001-amendment-law.pdf>

8 [https://www.unrwa.org/sites/default/files/lebanon\\_protection\\_brief\\_october\\_2017.pdf](https://www.unrwa.org/sites/default/files/lebanon_protection_brief_october_2017.pdf)

Eviction threats linked to vulnerable Lebanese have also not been captured in this paper, as neither protection monitoring nor the LPC's CPA covers this group. However, given the desperate socio-economic conditions across Lebanon it should be presumed that similar eviction-related trends are developing and affecting Lebanese tenants.

Moving forwards, further analysis using data from NRC's Occupancy Free of Charge (OFC) shelter interventions<sup>9</sup> in host communities and conversations with national NGOs working closely with vulnerable Lebanese should be undertaken to complement this initial analysis.

## IMPORTANCE OF MONITORING EVICTION-RELATED INCIDENTS

The **Global Humanitarian Response Plan on COVID-19 established as a strategic priority the '[m]onitoring of eviction causes**, particularly among vulnerable groups, and support for protective measures such as moratoriums on evictions and rental support.<sup>10</sup> The **negative impact of evictions is well documented**; forced evictions amount to a violation to the right to adequate housing, which 'should be seen as the right to live somewhere in security, peace and dignity'.<sup>11</sup> Forced evictions dislocate households from their existing communities and support networks; they often result in downgrading into (even more) inadequate shelters or homelessness, loss of access to livelihoods, children being withdrawn from schools and negative mental health consequences linked to stress and trauma.



NRC OFC shelter under construction, with family already moved in. 12 people from 4 families, living in 3 shelter units. By Joshua Berson 2018

While there is **little evidence related to the immediate mental health impact of evictions in Lebanon**, a specific survey has investigated the impact of shelter demolitions on mental health and wellbeing in 2019 in Aرسال. The **impact of demolitions might be comparable with the one of evictions**. Following the demolition of their shelters, the survey respondents reported a clear increase in anxiety and stress:

- 43% of respondents felt at least half of the time nervous, fearful, tired, unable to control their worries, easily irritated with irritability leading to outbursts of anger and/or aggressive acts.
- 34% felt hopeless and 33% were overwhelmed with sadness.
- Men in particular felt anxious that they could not protect their families any longer especially against harsh weather.
- 22% of the surveyed refugee children were negatively affected by the demolitions - for instance through enuresis (bed-wetting), aggressiveness towards others, hyperactivity, fear, sadness, depression, and social isolation.

Source: Interagency Coordination Lebanon and Fundacion Promocion Social (2019), 'Social Vulnerability, Debt And Wellbeing Amongst Syrian Refugees Who Have Had Their Homes Dismantled. Impact Of Home Dismantlement On Aرسال Refugee Population', Jesús M. Pérez Viejo, Ph.D Aida López Serrano, Ph.D Sandra Dacosta

9 NRC works with property owners in Lebanese communities to upgrade unfinished houses apartments to a habitable condition in exchange for hosting Syrian families rent-free for a period of minimum 12 months. This initiative provided vulnerable Syrian families with safe housing while also stimulating local economic activity and potentially increasing the stock of habitable housing.

10 Global Humanitarian Response Plan COVID-19, United Nations Coordinated Appeal (April-December 2020), p27

11 The Right to Adequate Housing; Factsheet No 21 (Office of the UN High Commissioner for Human Rights and UNHabitat), p4: <https://www.refworld.org/docid/479477400.html>

From the perspective of humanitarian actors **in Lebanon, an increase in evictions is of particular concern due to the critical underfunding of the shelter sector**; currently only 8% funded under the Lebanon Crisis Response Plan (LCRP). For years, shelter programming, such as NRC's OFC interventions, has been well placed to provide more sustainable solutions to increased shelter needs and to respond to individual evictions.

However, currently, NRC's OFC programme and other rehabilitation modalities linked to security of tenure, lack the financial resources needed for a rapid scale-up and are confronted with additional operational challenges linked to cash transfer modalities.

Often, an eviction forces the affected family to (further) downgrade to substandard shelter options. For people whose only option is to downgrade to ITs, in certain areas (e.g. the Bekaa), the identification of alternative accommodation post-eviction has become increasingly restricted and requires approval from several authorities. In urbanised areas, NRC maps out properties that have been upgraded under the OFC modality so they can serve as potential housing options for families impacted by evictions. Community-based coping mechanisms exist and are used by refugee households to identify properties themselves and support each other, for example through the use of dedicated WhatsApp groups. During COVID-19, however, NRC shelter teams have observed instances where relocation to a different neighbourhood was prevented by the host community because the arrival of new residents was considered a potential risk of the virus spreading in their area.<sup>12</sup> In sum, **relocation options after evictions are very limited**. In ITs, the LPC's CPA data showed that only 17% of the households who received an eviction notice had identified a site for relocation.<sup>13</sup>

## THE RELEVANT LEGAL FRAMEWORK

The right to adequate housing, and the interrelated protection from forced evictions, is derived from the right to an adequate standard of living as set out in the International Covenant on Economic Social and Cultural Rights (ICESCR). The GoL has ratified the ICESCR and the Lebanese Constitution expressly recognizes the broader International Human Rights Law framework. The right to adequate housing includes the notion of security of tenure which provides that **'[n]otwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats.'**<sup>14</sup>



The IRC Protection team while conducting the Emergency Cash Assistance visits to Syrian refugees in North Bekaa. By Elias Beam

12 This was particularly the case in South Lebanon. Another example at hand were the families seeking to move out of Majdal Anjar (Bekaa) after COVID-19 cases had been confirmed there in May 2020, documented through IRC Protection Monitoring.

13 Data from the Multi-sectoral Questionnaire (MQ) Community Protection Approach, September-November 2019, LPC

14 Committee on Economic, Social and Cultural Rights, 1991, General Comment Number 4 on the right to adequate housing, para. 8. <http://www2.ohchr.org/english/bodies/cescr/comments.htm>

The Lebanese legal framework on evictions is set out in the Code of Obligations & Contract of 1932<sup>15</sup>, and the Tenancy law. According to the Lebanese law, evictions must be mandated by court and **landowners do not have the right to evict a tenant without a court order**.<sup>16</sup>

While this legal framework is protective of the rights of tenants, including in instance of ‘verbal’ rental contracts, **in practice the Lebanese law is rarely applied to the eviction of Syrian refugees**. As such, the majority of evictions are undertaken without the adequate legal protection or due process, and thus constitute forced evictions. Moreover, property owners tend to evict tenants without adequate notice, leaving them in a vulnerable position, and potentially at risk of homelessness.

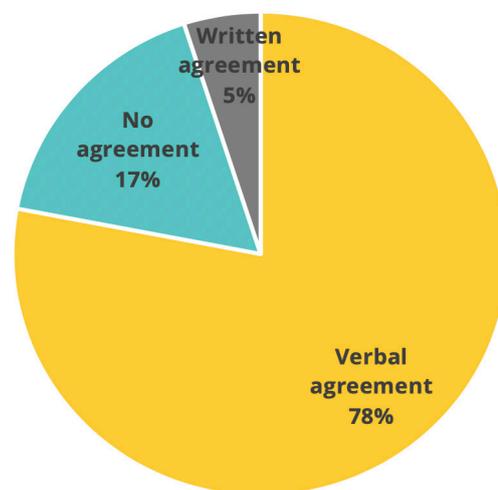
Syrian refugees in Lebanon face challenges in seeking protection through the Lebanese judicial system. The majority of refugees do not possess legal residency, are effectively in an ‘irregular’ situation, and thus are subject to arrest and detention.<sup>17</sup> As a result, there is a **general hesitation among the Syrian population to report harassment and other violations to authorities**. Therefore, it is very likely that many cases of forced evictions happen under the radar.

## SHELTER ARRANGEMENTS IN LEBANON

The overwhelming majority of Syrian refugees in Lebanon reside in residential buildings (‘individual housing’) in (peri)urban areas.<sup>18</sup> This reflects a global trend whereby displaced communities seek to live within proximity to dynamic networks of livelihoods and services in the surrounding host community.

The recent Inter-Agency ‘Monitoring of the Effects of the Economic Deterioration on Refugee Households’ (MEED) indicated that **90% of Syrian refugee households pay rent to a landlord**.<sup>19</sup> According to protection monitoring data, **Syrian refugees primarily have verbal rental agreements with their Lebanese landlords**.<sup>20</sup> While verbal agreements are a valid form of rental contract, these agreements are more difficult to prove in practice and thus may leave Syrian refugees in a weaker position regarding legal recourse/protections.<sup>21</sup> Only 5% of Syrian refugees monitored between March 2020 and mid-June stated that they had a written agreement with the landlord. However, one Housing Land and Property (HLP) study reported that some refugees preferred to have oral agreements as this was perceived to add a level of flexibility in their existing housing arrangements.<sup>22</sup>

Protection monitoring data on type of housing agreement



15 Article 538 of the COC on lease agreements

16 76 E.g. Civil Judge of Beirut (president Mekié), Decision No. 501, issued on 11 November 2002.

17 According to the VASyR (2019) 78% of Syrian refugees over the age of 15 years old are lacking legal residency

18 According to the VASyR (2019), 69% of Syrian refugees live in residential housing; while 11% live in non-residential buildings and 20% in ‘non-permanent’ shelters (i.e. Informal Settlements). Residential shelters include apartments, concierge rooms and hotel rooms.

19 Inter-Agency Assessment, Monitoring of the Effects of the Economic Deterioration on Refugee Households (MEED), Wave II – May 2020.

20 LPC MQ data collected between September and November 2019 also confirm this trend with 81% of respondents in ITs having a verbal rent agreement (including the rental agreement in exchange of work which amounts to 10% of the total), 14% a written contract, 4% are granted or owned by a community member and 2% don't know.

21 ‘Housing, Land & Property Issues in Lebanon; Implications of the Syrian Refugee Crisis’ (UNHCR & UN Habitat August 2014)

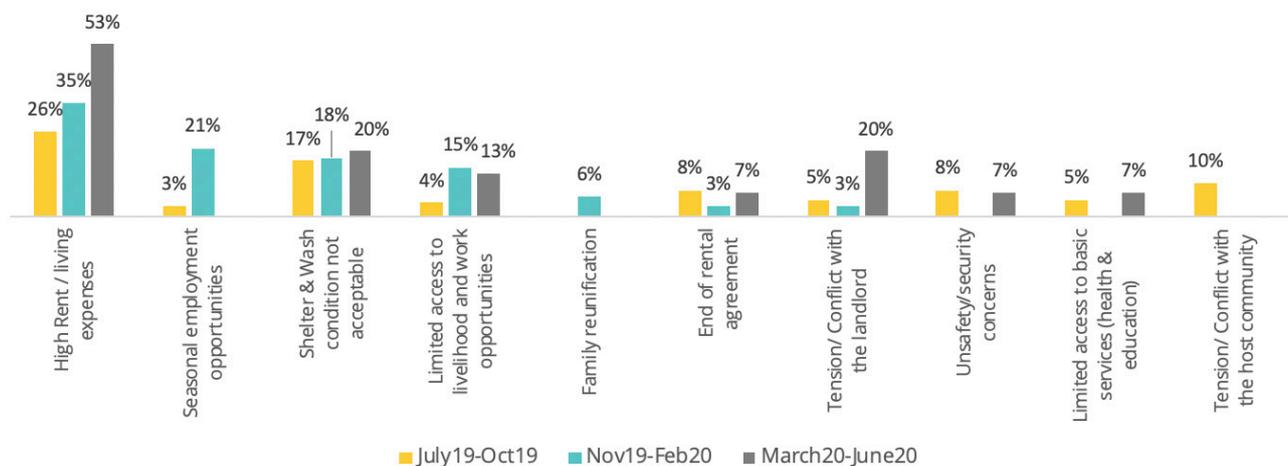
22 ‘Housing, Land and Property Issues of Syrian Refugees in Lebanon from Homs City’ (UNHCR & UN Habitat November 2018)

MEED data reported that the average rent paid by Syrian refugees is 270,000 LBP, while the average actual payment made to landlords is 287,000 LBP in order to cover previously accumulated debts. According to the MEED findings, **relatively few refugees have faced increases in rental prices while only a very small percentage (2%) of surveyed refugee households is paying rent in USD.**

The number of Syrian refugees who relocate between accommodation in Lebanon of their own accord, is relatively limited. VASyR data in 2019 indicated that 20% of refugees relocated in the previous 12 months. The rate of mobility within the refugee population has, however, decreased starting October 2019. According to the MEED assessment, 13% of surveyed households moved shelter between October 2019 and February 2020, and internal mobility has further decreased from March 2020 (6% of interviewed households reported moving shelter between March 2020 and May 2020). **Protection monitoring data from March - mid-June 2020 found that only 1% of respondents intended to relocate within the next months** (8 households out of 1,396). **When relocation does occur, the driving factors are cited as primarily negative;** i.e. due to high rental prices (26%) or conflict with the landlord.

This may indicate that households prefer to remain in their existing locations where they have more established social networks. However, **since July 2019 there has been a steady increase in Syrian refugees reporting that they plan to relocate in the coming six months due to high rent/living expenses** (refer to graph below). This rising trends in confirmed by ACF's Post Distribution Monitoring findings from 20 May to 1 June 2020 in Arsal, where 19% of the respondents said they would possibly or definitively relocate in Lebanon. Only 1% said they would relocate to Syria.

**Protection monitoring trends from July 2019 - June 2020**  
**Cited reasons for Syrian refugees households to relocate within next 6 months**



IRC protection monitoring data from July 2019 to mid-June 2020 also show that high rental fees in Lebanon is a key factor influencing the decision of refugee households to return to Syria. Conflicts with landlords also appears to be an increasing factor driving internal relocations.<sup>23</sup>

23 Between September and November 2019, LPC Multi-sectoral Questionnaire (MQ) data showed that one eviction notice out of three in ITSs was caused by a conflict with the landlord.

## A SHIFT IN EVICTION-RELATED TRENDS

### Individual rather than collective evictions

The issue of **forced evictions impacting Syrian refugees is not new in Lebanon**. In 2019, one quarter of the ITs assessed through the LPC's CPA reported having received an eviction notice at household level and in 33% of the cases, the notice period was less than one week.<sup>24</sup>

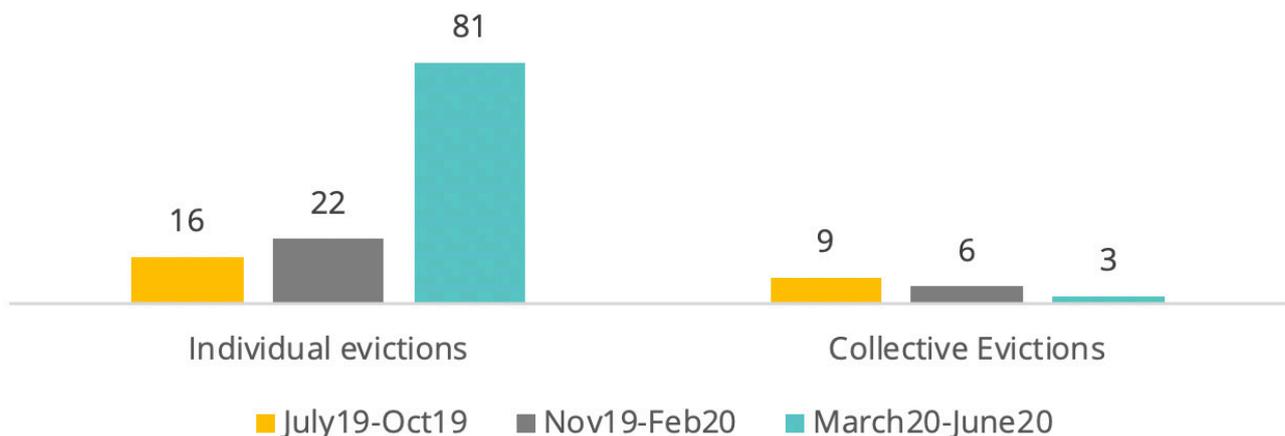


'We don't feel secure here. We live in constant fear of eviction by the landlord because we are not able to pay the rent on time. We have received threats of eviction several times but no official notice has been issued yet.'

A head of household living in Koura District, North Lebanon, who received support from the LPC

Previous wide-scale evictions threats were often collective evictions initiated by authorities. The **current eviction trend is somewhat distinct**, and unsurprisingly linked to the economic crisis which has beset Lebanon combined with the COVID-19 lockdown. While refugees have been deprived of access to livelihoods opportunities in order to meet rental payments, Lebanese landlords are also 'feeling the crunch', and thus may have less capacity to overlook unpaid rental fees.

### IRC protection incident report A shift in eviction-related trends since July 2019<sup>25</sup>



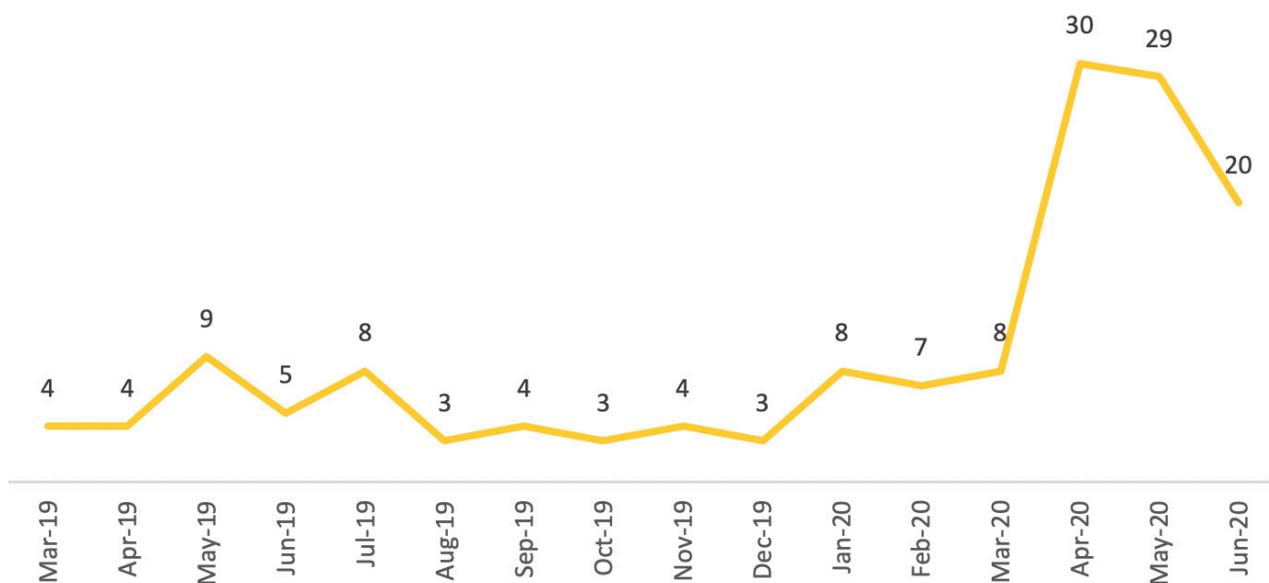
Since March 2020, the LPC and the IRC have observed a sharp increase in the number of eviction-related incidents (including both eviction threats and actual evictions). This observation is triangulated by data presented within the field level Protection Working Groups, humanitarian needs assessments and field observations.

<sup>24</sup> Data from the Multi-sectoral Questionnaire (MQ) Community Protection Approach, September-November 2019, LPC

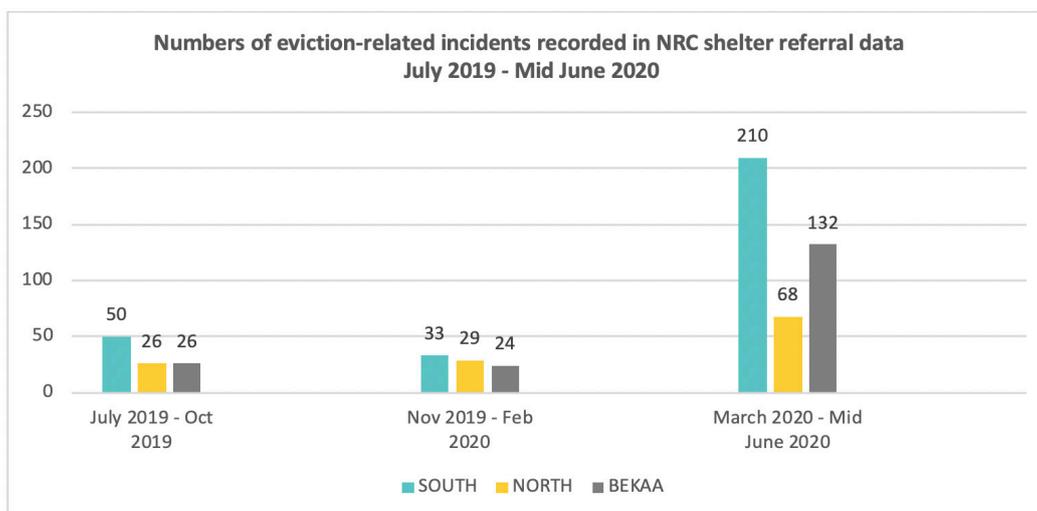
<sup>25</sup> Note this is only based on Protection Incident Reporting within the IRC's areas of operation and thus is not a statistically sound representation of nationwide trends, yet provides an illustrative example of broader trends.

The below graph illustrates the eviction-related incidents captured by the IRC’s Protection Incident Reports. This includes both eviction threats and evictions which actually occurred (both collective evictions and individual evictions). While the graph only reflects eviction-related incidents in the IRC’s areas of operation; primarily north Bekaa, North Lebanon and Beirut & Mount Lebanon, the graph highlights the overall incline in incidents identified by protection monitoring teams since March 2019.

### Number of eviction-related incidents recorded in protection incident reports



This finding from IRC’s protection incident reporting is confirmed by the substantial increase in referrals to NRC’s shelter services for eviction-related incidents in the period of March – mid-June 2020 in contrast to previous periods (see graph below). This is particularly evident in South Lebanon where vulnerabilities are reported to be particularly severe.<sup>26</sup> The majority of these referrals currently require eviction threat mitigation rather than a response to an actual eviction.

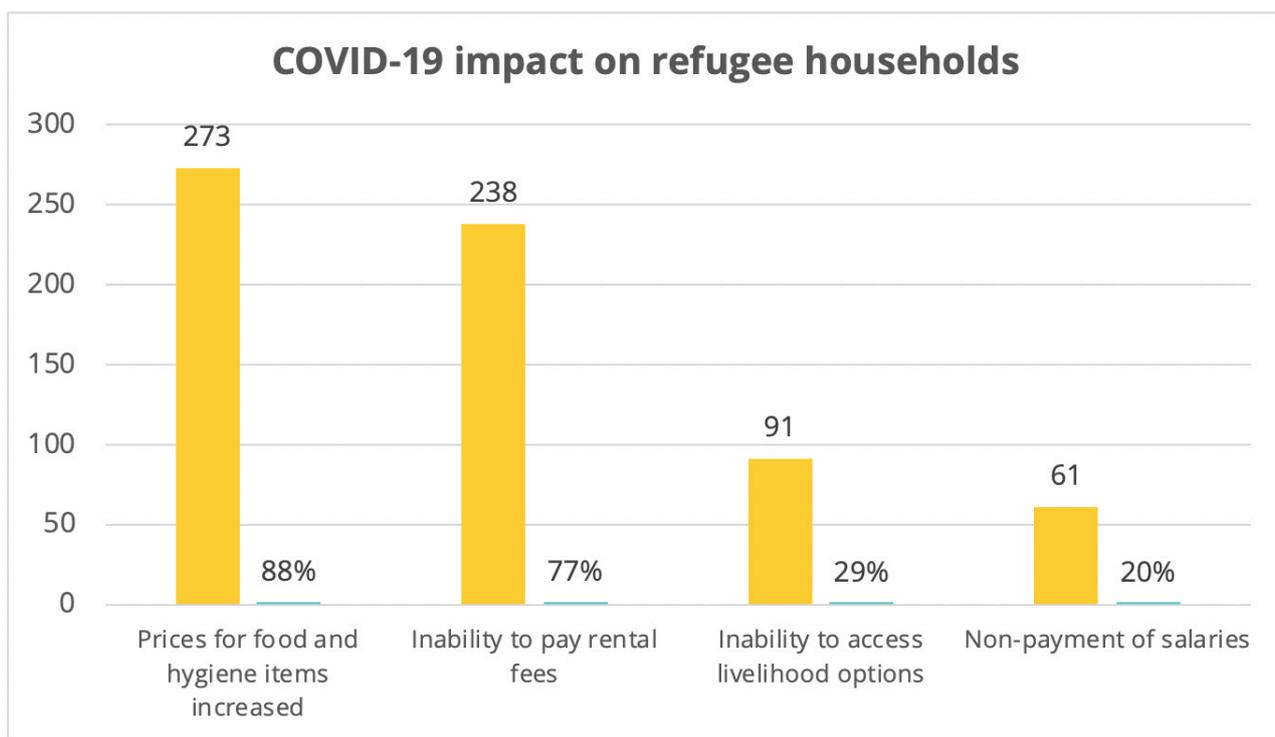


<sup>26</sup> Confirmed by both UNHCR (presentation during technical meeting on evictions, 17 June 2020) and partners working in the area, including NRC.

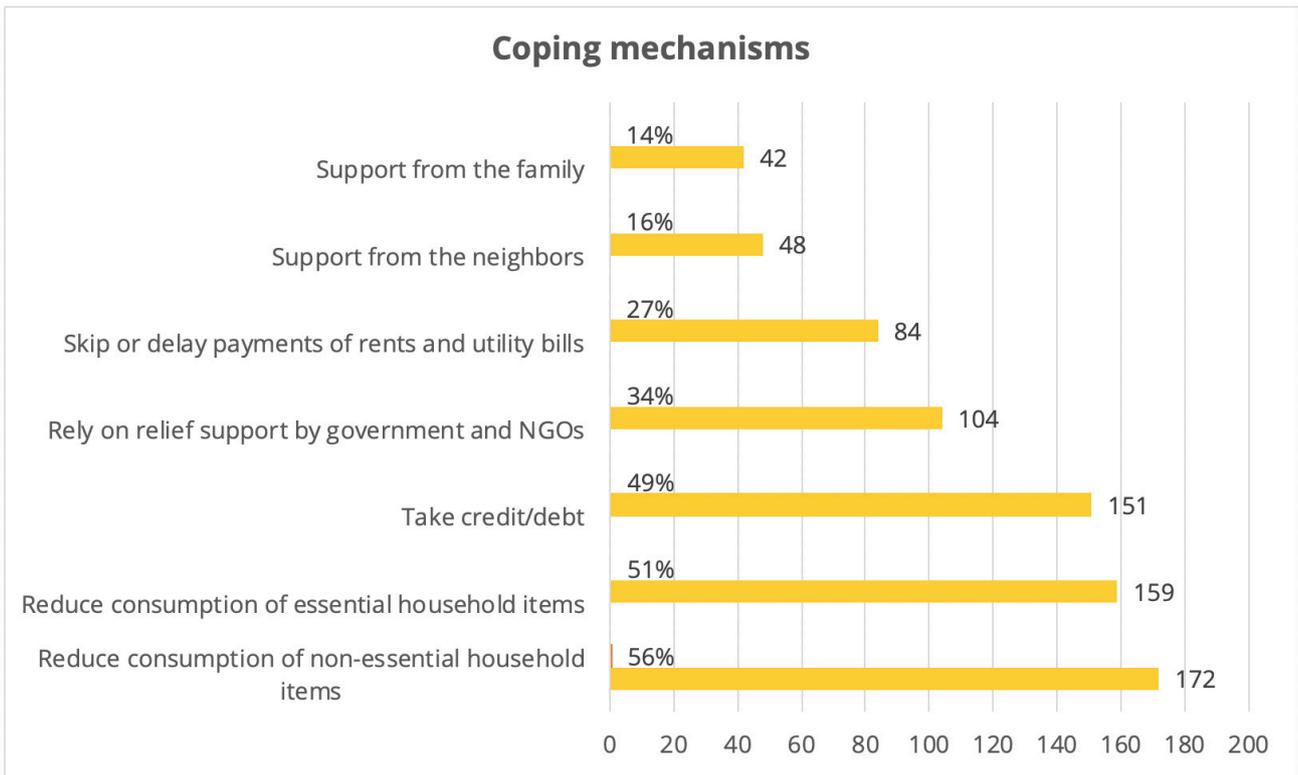
It should be noted that evictions are often area-specific. GVC's referral analysis for the same timeframe shows a *decrease* in the incidents related to evictions in ITSS in the border areas in North-East Lebanon compared to the winter months. One of the main reasons is the increase in job opportunities during the agricultural season, which refrains landlords in need of workers from issuing eviction notices. This reaffirms that trends are linked to geographical variations in access to livelihoods and security of tenure.

### Key cause for eviction-related incidents: inability to cover rental payments

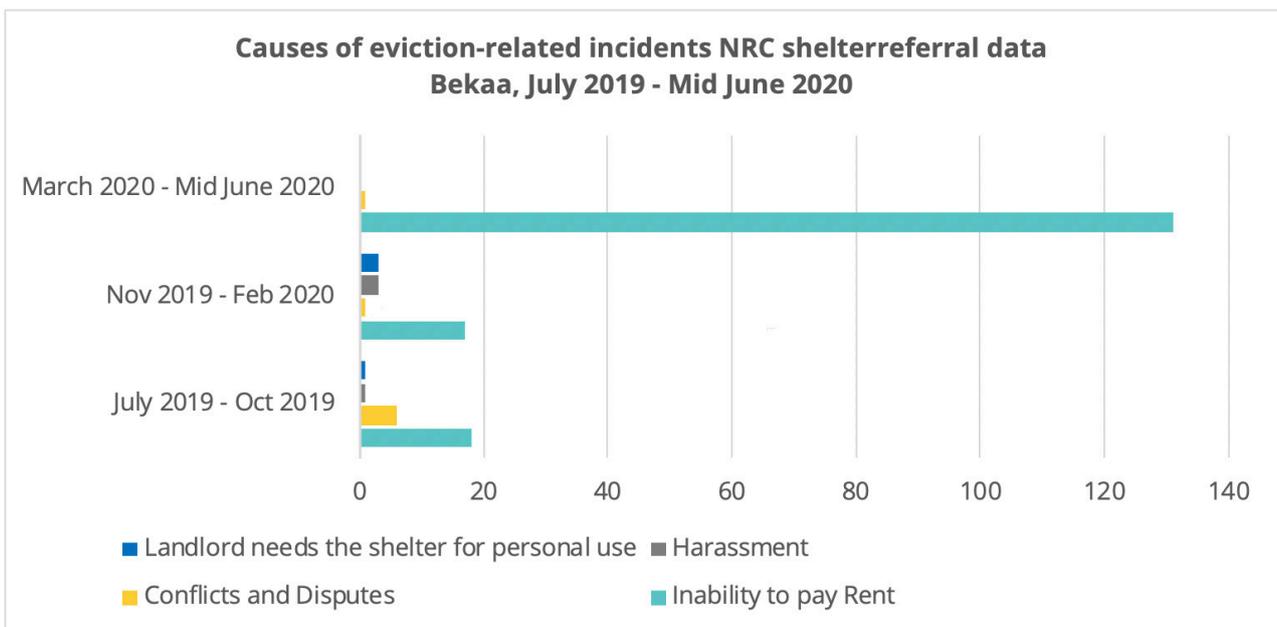
In a recent NRC ICLA assessment (early June 2020), 77% of respondents reported the inability to pay rental fees as the main impact of the current situation and 27% mentioned skipping or delaying rental and utilities payments as a coping mechanism.



By Joelle Assaf



The increased difficulty to cover rental payments is also confirmed in recent IRC Protection Monitoring, NRC shelter referral data (see graph below) and WFP’s recent assessment of Lebanese, Syrian and Palestinian refugees. The main concerns raised by all population groups revolved around the need for money to cover essential needs (incl. food, rent and medicine) have been strongly echoed by the different population groups. For all three groups, debt was incurred mainly to cover the cost of food and rent payments.<sup>27</sup>



27 WFP, 'Assessing the impact of the economic and COVID-19 crises in Lebanon, June 2020': <https://reliefweb.int/report/lebanon/assessing-impact-economic-and-covid-19-crises-lebanon-june-2020>



'The relationship with my landlord has generally been okay but due to the financial situation I was three months late with the rent. He said he would evict me if I didn't pay. I was given 10 days to pay or leave. My rent is 300,000 LL in addition to electricity and water fees. But how could I pay him without money?'

A head of household who received support through NRC's Collaborative Dispute Resolution and Cash for Rent intervention, which effectively mitigated the eviction threat, Taalabaya, Bekaa.

**Humanitarian observations of rising eviction threats is echoed in the perceptions of affected populations themselves.** In a survey conducted by the Persons Affected by the Syrian Crisis Network (PASC) before the outbreak of COVID-19 in Lebanon, 80% of Lebanese, 70% of Palestinian, and 73% of Syrian respondents already shared the belief that incidents of evictions would increase in the upcoming months.<sup>28</sup>

## THE NEED FOR A MULTI-PRONGED RESPONSE TO EVICTIONS

Evictions emanating from private property owners due to unpaid rent are distinct from the collective evictions initiated by authorities and thus require a novel advocacy and humanitarian response. **Individual eviction threats and actual evictions, certainly in urban areas where refugees are more 'invisible' than in ITs, may be under reported.** In instances where relevant humanitarian organisations are informed, the nature and the duration of the response may depend on the capacity of the relevant actors in a given geographical area to intervene.

**In the event of collective evictions, there may be greater scope for direct engagement between UN stakeholders and the government entities triggering the eviction.** In certain cases such negotiation with key Government interlocutors has resulted in postponement of collective evictions or certain protective guarantees for families. However, both in case of individual and collective eviction threats, it is often hard to tell how protracted this threat will be. This often long-term insecurity deepens households' anxiety around the threat materialising into an actual eviction.

The risk-mitigating and response modalities outlined below clearly address specific needs of vulnerable people throughout the protracted threat of eviction, and emphasize the **need for a multi-pronged response to eviction risks and forced evictions.** It should be noted, however, that these interventions, even when combined, are unlikely to have a sustainable impact in the absence of a greater protective standards for refugees within national strategies and policy frameworks in Lebanon. This includes frameworks related to labour and access to the legal framework that should protect them against evictions.

### ➤ Collaborative Dispute Resolution (CDR)

Legal actors such as NRC intervene with CDR activities in cases of housing disputes between refugee tenants and property owners to mitigate eviction threats and strengthen the security of tenure of refugee households.

<sup>28</sup> PASC conducted 409 interviews (99 Lebanese, 205 Syrians, and 105 Palestinians (from Lebanon and Syria)) between 12 February and 4 March 2020.

The CDR intervention is often the first line of response to an eviction threat and aims to assess the eviction case, inform the parties involved regarding HLP rights and responsibilities and the eviction procedure, which should be followed according to the Lebanese law. CDR also offers a facilitated negotiation in order to postpone eviction deadlines, reschedule payment of arrears and draft new lease agreements.



Hani\* is a 37-year-old Syrian refugee who lives in Zahle area with his family. He used to work at a restaurant but due to COVID-19 and the general mobilisation imposed by the Lebanese government, he lost his job. The family no longer has a source of income and accumulated rental fees for 2 months for a total amount 700 000 LBP. The representative of the landlord evicted him and his family members and confiscated their furniture. For about a week they moved around and stayed at relatives' houses. When the NRC ICLA CDR team received the case, they negotiated with the property owner and succeeded to return the family to their rented home. The agreement included a decrease of the rental debt from 700 000 LBP to 500 000 LBP in addition to annulling the rental fees for the month of June. Hani's family has also been supported through Cash for Rent assistance.

\*Name changed for confidentiality

During the period March-June 2020, NRC ICLA teams intervened with CDR and provision of counselling for 127 cases. In 69% of the cases ICLA teams were able to mitigate eviction threats, thus avoiding actual evictions. CDR interventions have proven to be effective in reducing eviction risks in the short run. However, due to the nature of the eviction threat (lack of livelihoods and consequent inability to pay rent), this approach alone can of course not replace a long-term final and sustainable solution. Therefore, CDR should always be paired with complementary assistance (ex. cash assistance) to increase the ability of the tenants and owners to cope with the evolving situation and ensure a least short-term security of tenure.

#### ➤ **Emergency Cash Assistance (ECA)**

Cash-based interventions such as ECA under the Protection Sector may provide a short-term response in the event of forced evictions. For example, ECA is often provided after a family has been evicted to support their relocation and establishment in a new shelter. However, as ECA is a one-off intervention, it does not provide a sustainable solution for the household's longer-term inability to meet rental payments due to generalised socio-economic vulnerabilities. In some instances, cases can be referred to UNHCR's longer-term cash assistance; the Protection Cash Assistance Program (PCAP). However, this assistance is reserved for households with multiple protection risks, and therefore is not a solution adapted to address wide-scale eviction risks. As such the provision of ECA needs to be paired with longer term solutions including linkages to livelihoods programming and more sustainable shelter solutions.

#### ➤ **Cash for rent (CfR)**

CfR as a conditional cash modality aims to support households' financial means to secure rent and mitigate evictions. The modality provides direct cash assistance to households or property owners in the form of monthly payments for at least three consecutive months. While during the COVID-19 outbreak, health-related vulnerabilities were crucial in the selection of households, CfR is also intended to support individuals facing individual protection risks, such as GBV survivors, child labour, social violence and other forms of coercion. A very limited number of organisations is currently implementing CfR; this modality needs to be scaled-up to address the growing shelter needs.

## ➤ Rehabilitation modalities in exchange of secured tenure

The OFC modality, which provides secure rent-free minimum standard housing for vulnerable refugees while improving the capacity of local communities to host refugees, is even more pertinent in the current context where property owners are also impacted by increased economic vulnerability. However, OFC along with the other in-kind shelter modalities, has been facing challenges due to the devaluation of the Lebanese pound and the significantly increased costs incurred in LBP, as well as the limited accessibility of owners to cash transfers in USD, given the restrictive bank measures and the low percentage of Lebanese households owning a bank account. NRC is currently seeking alternative means of cash transfers to owners, which can facilitate the access of property owners to fair exchange rates and address the loss of currency value.

## KEY RECOMMENDATIONS

### To aid organisations involved in the response to eviction-related incidents:

- Continue with the provision of information and counselling on HLP rights, including on the Lebanese legal provisions that are in place to protect individuals from eviction.
- Ensure that protection monitoring and outreach to Syrian refugees in urban areas is able to effectively identify eviction threats in order to provide a timely preventative response, such as CDR and other forms of legal mediation.
- Continue to support the Sectors' existing efforts to enhance coordination and referrals between shelter, protection, basic assistance, social stability and livelihoods sectors and mental health programmes to strengthen outreach to the most vulnerable, and ensure a holistic process of assistance.
- Systematically document the perspectives of different stakeholders impacted by our programming, even if they are not directly targeted (e.g. property owners' concerns in the case of Conflict Dispute Resolution, vulnerable Lebanese and municipality interlocutors in areas where the housing market is particularly stretched).

### To UN agencies:

- Create a unified inter-sectorial and nationwide monitoring tool to report the threat of eviction and actual eviction cases, which could directly inform programmatic needs and advocacy efforts.
- Include NGO programmes in negotiations with Banque du Liban for a 'common humanitarian market rate', taking into consideration the fresh money brought in for both cash and other programming (e.g. cash for housing upgrade).

### To donors funding the Syria crisis response in Lebanon:

- Continue to encourage a conflict-sensitive approach and community engagement in programming and create the space for discussions around this topic between donors and partners in the evolving Lebanese context.

- Ensure adequate funding to support:
  - ◆ Eviction threat-mitigation interventions such as Collaborative Dispute Resolution and other forms of legal mediation.
  - ◆ A scale up of Cash-for-Rent interventions to respond to the growing shelter needs, and provide security of tenure for the most vulnerable through reconsidering levels of funding for the Shelter sector.
  - ◆ Localised solutions, for example community-level housing stock mapping exercises which aim to improve availability and quality of housing in host communities so that more vulnerable families can access adequate housing regardless of nationality.
  - ◆ Multi-sectorial responses recognising that Emergency Cash Assistance is only a Band-Aid solution and needs to be paired with a more holistic response package.
  - ◆ Cash-for-work and livelihoods programming to build self-reliance among the Syrian refugee community, and ensure that individuals at eviction risks are supported through this programming.

### To the Government of Lebanon:

- Ensure due process is followed in the event of evictions in accordance with the relevant Lebanese legislation.
- Honour previous commitments in terms of legal residency so refugees can exercise their rights, including seeking legal protection through the Lebanese judicial system:
  - ◆ Increase the capacity to process residency applications and renewals for Syrian refugees.
  - ◆ Implement and expand the fee waiver for legal residency.
- Implement ILO recommendations on flexible work permits in order to support access to livelihoods so the most vulnerable are offered greater opportunities to be self-reliant.
- Introduce a moratorium on evictions during the COVID-19 outbreak in order to support broader public-health outcomes, since homelessness can exacerbate the risk of infection and transmission.



## ANNEX I: TERMINOLOGY

**Forced evictions** – In line with International Human Rights Law (IHRL) this report uses the term forced evictions to refer to the *'permanent or temporary removal against their will of individuals, families and . or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection'*.<sup>29</sup> The prohibition on forced evictions does not apply to evictions which are carried out in accordance with the law and international human rights standards. While the legality of each eviction threat has not been individually assessed, as noted the overwhelming majority of evictions of Syrian refugees do not occur in line with the existing Lebanese legal framework and thus constitute 'forced evictions'.

**Eviction-related incidents** – This report utilises this term to refer to both eviction threats and actual evictions. Based on previous experience of legal programming, a high number of eviction threats are successfully resolved and will not eventuate in forced evictions (thus it is necessary to distinguish eviction threats from actual evictions).

**Collective versus individual evictions** – two types of evictions are typically observed in Lebanon; 'collective evictions' involving the dislocation of multiple refugee households and 'individual evictions', impacting only individual households. This report primarily focuses on the rise of individual evictions which largely impact refugees residing in residential shelters and collective centres in urban and peri-urban areas. These individual evictions are predominantly instigated by private Lebanese owners.

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<sup>29</sup> The Right to Adequate Housing; Factsheet No 21 (Office of the UN High Commissioner for Human Rights and UNHabitat) p4: <https://www.refworld.org/docid/479477400.html>

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