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# Rapid Assessment Report Garasbaley Evictions

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**More than 11,622 persons in 18 settlements forced to flee, as land development increases due to Afgooye-Mogadishu road completion near Zam-Zam University area (Tabelaha village) in Garasbalay, Banadir region**



30 May 2021

Table of Contents	Page
<b>Executive Summary</b> .....	<b>2</b>
<b>Section I: General Information and Methodology</b> .....	<b>3</b>
<b>Section II: Access to humanitarian Assistance</b> .....	<b>4</b>
<b>Section III: Conclusions and Recommendations</b> .....	<b>6</b>
<b>Section IV: Annex – List of Sites affected</b> .....	<b>8</b>

## Executive Summary

On 22 May 2021, 1,937 households approximately 11,622 people were evicted from 18 IDP settlements in Zam-Zam University area (Tabelaha village) in the Garasbalay, Benadir region. The majority of the evictees fled to other settlements in the area of Igadawage village close to their previous settlements (approximately a kilometer). An oral agreement spanning over six years, entered into between the land owner (through the landowner’s representatives) and IDPs allowed the communities to reside on the land for a period of 4 years without any risk or threat of forced evictions. The landowner recently returned from abroad to settle the land issues pertaining to his land in the presence of his representative.

The case was identified during routine outreach activities by NRC’s field team. This was followed by robust negotiation and mediation engagements to secure notice extension. After lengthy deliberations, all 18 IDP settlements secured two eviction notices from the landowner. The first notice was issued on 15<sup>th</sup> February 2021, for a period of three months. After the notice expired, the IDPs were expected to relocate. However, the IDPs were unable to relocate as planned. Following the expiry of the notice, the landowner returned to the site and engaged the stakeholders, subsequently extending the notice for seven days. This extension had an ultimatum to have the IDPs vacate the land at the end of the 7 days. With the new deadline, the IDPs had no option but to relocate to a new place.

The majority of the residents at the new site are also IDPs (not affected by this eviction) from various regions of Somalia, including Bay, Bakool, Lower/Middle Shabelle regions. These IDPs settled on this land between 2015 and 2016 as a result of forced evictions and drought that had subjected them to both primary and secondary displacement.

However, this assessment covers eviction-process related information as well as information on the current humanitarian protection situation of newly evicted IDPs including sector specific needs.

The following are key findings:

- All IDPs interviewed reported that there was no use of violence or force. The respondents also reported that they had received sufficient notice prior to the eviction.

- The eviction was enforced with sufficient notice of 3 months in line with National Eviction guidelines part II-procedure for eviction article 6.1<sup>1</sup>
- Most IDPs gracefully dislodged their housing units and no destruction of their personal belongings were reported.
- At the old site, the affected IDPs lived on land that had its tenure secured through an oral agreement. This was supported by a formal arrangement through a third party, a legally appointed representative of the land owner. However, the oral nature of the agreement placed the IDPs at a higher risk of a forced eviction.
- It is important to note that this was the second eviction threat to the IDPs who had been evicted using violence and force in 2015. This meant they were better prepared for this eviction and therefore a reasonable number facing this risk decided to flee the old site early to avoid their past 'eviction experience.'
- At their previous location, the IDPs had limited access to humanitarian services, had lived on the land in question for over four years. They co-existed peacefully with the host communities, and built a good relationship with local authorities, who allowed them to have unlimited access to 'security services'<sup>2</sup> and local markets.
- At their current location, their vulnerability and exposure to protection risks increased, there is no electricity, they lack access to formal schools and they do not have tenure security for the land.
- The evicted households have several humanitarian needs due to loss and destruction of property at the old site, these losses are as indicated below;
  - 24 latrines provided and constructed by NRC
  - 12 latrines provided by DRC
  - 43 latrines constructed by the IDP community.
  - Two Community centers constructed by the IDPs.
  - Four Quranic schools constructed by the IDP community
  - 50 small scale businesses mainly operated by the IDPs
  - Two Solar lamps donated by DRC

## Section I: General Information and Methodology

### A. Information

1,937 households were evicted from Garasbaley between the 16 and 22 of May 2021, and consequently forced to relocate to settlements at the nearby Igadawage village in Daynille district. Humanitarian needs in the new locations remain high with recurrent displacement or population movements recorded.

A rapid assessment was conducted in newly established settlements, targeting the locations of Saman, Al-Muxasanion, Duco Waalid, Warta Nabada while others joined existing settlements surrounding the former place of residence/old site. The Majority of the IDPs affected by this

<sup>1</sup> 6.1 Before any eviction is carried out, the landlord or public authority concerned shall give reasonable notice of eviction of not less than sixty (60) days to all persons directly or indirectly affected of eviction of note less than by the proposed eviction and, in particular, to all vulnerable and marginalised groups specified in clause 5.2.

<sup>2</sup> These are local community arrangements aimed at ensuring the safety of settlement dwellers at a fee.

eviction hail from various regions in Somalia, and they preferred to relocate to sites hosting IDPs from Bay, Bakool, Lower/Middle Shabelle Regions which were coincidentally established during the 2015 and 2016 drought.

## B. Methodology

This assessment applied a combination of both quantitative and qualitative methods and approaches. Structured questionnaires were used to collect data.

- **Focus Group Discussions (FGD);** NRC field teams conducted six focus group discussion targeting Men, Women, and Youth/children. Focus group discussion consisted of 12 individuals per group, reaching a total of 72 individuals.
- **Key Informant Interviews (KII);** a total of 9 KIIs mainly targeting local leaders from the 18 settlements was conducted. 6 key informants were interviewed in person through key informant interviews, and 3 over the phone.
- **Field observation and previous field reports;** records from negotiations, mediations and field visits conducted prior to the recent eviction were used to gather additional inputs to complement this report.

## Section II: Access to humanitarian assistance

Access to humanitarian assistance and basic or essential services like Food, WASH, Shelter/housing, Nutrition, Health and Education is significantly constrained for the newly evicted IDP HHs residing in the new locations at Igadawage village of Daynille district.

The loss of shelter/housing and limited access to basic and social services that were available at the old site close to the Afgooye-Mogadishu main road resulted in the loss of humanitarian assistance, including humanitarian investments made by INGOs.

This eviction therefore undermines the prospect of achieving durable solutions for these IDPs, including evictees.

### A. Needs and response gaps

#### Livelihoods and Food security

- In 2015, NRC and DRC supported the IDPs with cash assistance (vouchers) when they first settled in the area. This was the only substantial form of assistance used to ensure the IDPs had sustainable livelihoods with the ultimate outcome of being self-reliant and food secure.
- As a result of the eviction incident of May 2021, 61 % of the respondents lack access to food. Due to disruption of livelihood sources and lack of access to humanitarian support, IDPs are no longer self-reliant and hence in need of humanitarian relief.
- All respondents reported loss of property such as shops and yet they had used these assets as collateral for loans, to complement casual labour and domestic work undertaken at the old site in order to increase HH income.

- More than 50 small scale businesses mainly operated by IDPs were disrupted and the owners forced to relocate. As a result, they lost customers and no longer have access to markets. Many of the IDPs will therefore be forced to incur construction fees for new business premises, in order to restore lost livelihoods and household income streams.

### **Education**

- The eviction interrupted access to education for learners, with girls disproportionately affected.
- All respondents mentioned that schools were not available both at the old and new location. This means learners trekked long distances to access the nearest learning center/facility or school, exposing them to several protection risks (child protection and sexual gender based violence). Distance and threats to learners have resulted in fewer children attending school.
- Additionally, four Quranic schools/local Madarasa were demolished during the eviction. However, some of the IDP HHs managed to secure the construction materials from the old site and have put in place plans to re-establish Qur'anic and Madarasa schools at the new location since this is seldom constructed by humanitarian agencies.

### **Shelter and NFIs**

- There are no shelter facilities at the new site. Those evicted are without shelter or housing to protect them from the harsh weather conditions. Inadequate housing also exposes vulnerable HHs to protection risks such as GBV etc.
- Some of the IDPs are currently being hosted by other IDPs living in congested or overcrowded settlements and shelters respectively. The majority of IDPs lost their shelters and sources of livelihoods at the old site. As a result, they cannot afford to pay rent at the new site.
- 53% of IDPs stated that they were able to relocate with some of their shelter construction materials that could be carried to the new site while 47% were unable to
- 100% of the authorities interviewed mentioned that all HHs headed by elderly persons, women and children were unable to carry these materials from the old to the new site due to their vulnerability hence making them more vulnerable.

### **WASH**

- There are no WASH facilities including 0% latrines at the new site. More than 79 latrines were dislodged during relocation leaving the IDPs without any latrines, hence exposing them to the risk of a disease outbreak.
- 80% of the newly evicted households do not have access to clean water which increases their risk to health hazards, including disease outbreaks.
- Water is not available at the new location and IDPs are currently 'buying' water at a fee of one thousand Somali Shillings per 20 litre jerrycan.

### **Health and Nutrition**

- According to the respondents, 53% reported that the children in the newly established settlements were in need of nutritional services that were not available in the new area.



- Furthermore, 70% of the respondents lack access to health services, as such services are either not available in the area or are not affordable for them.
- Forced evictions have forced some IDP HHs to share accommodation with already vulnerable IDPs and hence increasing the risk of exposure to COVID – 19, which spreads faster in congested or overcrowded environs.

### **Protection**

- In February 2021, the NRC provided legal Aid for HLP specific issues and subsequently facilitated a meeting between the land owner, his representatives and IDPs. The IDPs were then provided with a 3-month notice. A pre eviction assessment identifying the needs of those at risk was prepared and circulated with the actors for additional support. However, all actors cited the lack of funding.
- According to the respondents, the 3-month notice expired on 15 May 2021 and while some of them were forced to relocate earlier, others that remained were forcefully evicted between 16 and 22 May 2021.
- IDPs require legal assistance to secure tenure in the new locations and that formalization of these tenure arrangements will protect them from another eviction in the future. Hence HLP AoR needs to undertake due diligence on the new site.
- The survey team observed several HHs headed by women and children. Key informant interviews with IDP leaders indicated that some of these children had been separated from their parents and were being assisted by clan relatives during the day but would spend the night alone in make shift shelters. Additionally, due to the long distance, some of the learners were engaged in casual labour (fetching water) at the new site and neighboring host communities.
- Gender Based Violence was reported to be on the rise at the new site. 28% of women interviewed during the FGDs reported that they had been exposed to violence during the eviction while 17% reported that they had experienced some form of violence at the new site.

## **Section III: Conclusions and Recommendations**

### **A. Conclusions**

A total of 1,937 households, approximately 11,622 individuals were affected by this forced eviction and its disruptive consequences. The only response reported is nutrition support from Concern and due diligence for land verification at the new site from NRC. The loss of humanitarian investments and IDP businesses has resulted in the disruption of livelihoods and inadequate housing for IDPs. This has further increased exposure to protection risks hence hampering all local integration efforts.

## B. Recommendations

The following actions are recommended to address both immediate and long term humanitarian needs across key sectors:

### Shelter and NFIs

- Provision of shelter assistance including but not limited to emergency Shelter and NFIs.

### Water and Sanitation (WASH)

- Conduct sensitization campaigns on proper hygiene and sanitation practices
- Construct emergency latrines and pits for the disposal of waste in the assessed locations at the new site.

### Livelihoods and Food Security

- Immediate provision of in-kind and cash assistance to the evicted people.
- Provide livelihood support and business start-up grants to restore lost livelihoods.

### Health and Nutrition

- Conduct rapid nutritional assessment to complement ongoing nutrition support provided by Concern
- Establish nutrition services in the new locations, notably for those children who lost access to such services due to the eviction
- Integrated delivery of nutrition services through other sectors such as WASH etc.
- Provide health response to evicted IDPs at their current location including those specific to Covid – 19.

### Protection

- **HLP:** undertake due diligence to enhance tenure security in the new site and increase access to land for evictees.
- **Child protection:** ensure IDP children at the new site are reunited with their parents. CP actors should help make sure IDP children at the new site are protected and their rights respected. This could include running child friendly spaces where children can play, and mothers can rest and feed their children.
- **GBV response:** facilitate safe and confidential referral of GBV cases for specialised services. Provide up-to-date and accurate information about any GBV specific services and support that may be available to survivors at the new site.
- **Legal Aid:** legal actors such as NRC, SOHRA and NoFYL should intervene with Collaborative Dispute Resolution(CDR) activities in case of housing disputes between IDP tenants and property owners at the new site to mitigate eviction threats and strengthen the security of land tenure for IDP households.  
CDR will also offers a facilitated negotiation in order to postpone tenancy deadlines, reschedule payment of arrears and draft new lease agreements.

Section IV: Annex I- List of sites affected<sup>3</sup>

Departing Settlement	Locality/village	District	GPS Latitude2	GPS Longitude2	# affected households
Ceelbaraf IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.068439	Long 45.264779	96
Caalami IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.068439	Long 45.264779	103
Caanadoon IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.068439	Long 45.264779	81
Ceel-lahelay IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.068439	Long 45.264779	64
Murabax IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.068439	Long 45.264779	93
Nusduniya IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.068439	Long 45.264779	98
Rumigood IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.068439	Long 45.264779	45
Xaragojecel IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.068439	Long 45.264779	97
Xaruur IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.068439	Long 45.264779	59
Xijaar IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.068439	Long 45.264779	89
Kulbiyow IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.069898	Long 45.264735	153
Galjano IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.069898	Long 45.264735	125
Buulmadow IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.069898	Long 45.264735	139
Buurlule IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.069898	Long 45.264735	142
Habasweyne IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.069898	Long 45.264735	143
Indhooy IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.069898	Long 45.264735	134
Qoriyoow IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.069898	Long 45.264735	141
Nasable IDP Camp	Waaxda 5 aad Garasbaaleey	Daynile	Lat; 2.069898	Long 45.264735	135
					<b>1,937 households</b>

<sup>3</sup> Please note that 35 percent of the affected IDP Households assessed are extremely vulnerable. The assessment team will therefore undertake a joint beneficiary selection exercise with other sectors and AoRs that have a funded response plan.