

A photograph showing a makeshift settlement with people sitting under a large tree. The scene is outdoors, with a clear blue sky and some clouds. The ground is sandy, and there are several makeshift structures made of plastic and other materials. People are sitting on the ground, some under the shade of the tree. The overall atmosphere is one of a temporary and vulnerable living situation.

# An Unnecessary Burden:

## Forced Evictions and Covid-19

Covid-19 is a public health crisis that for many vulnerable people in East Africa, is made worse by the threat of forced eviction.

Forced evictions impact many vulnerable communities particularly Displacement Affected Communities (DACs) whom are particularly at risk. Even without the wide-ranging impacts of Covid-19, forced evictions undermine efforts to help marginalised and vulnerable people escape poverty and secure durable solutions to their displacement. As such, forced evictions can be both a cause and a multiplier of displacement across the region.

A forced eviction is understood as the removal against their will of people from their homes and/or land which they occupy, without any form of legal or other protection. In most cases evictions are unlawful and violate a range of civil, cultural, economic and social rights enshrined in international and national laws. Yet evictions also expose people to various forms of exploitation and disrupt livelihoods. Added to which, the destruction of property and assets by authorities or landowners which often accompanies eviction, further weakens the resilience and coping mechanisms of communities, who already have limited capacity, resources and social capital.

### Why is this urgent now?

Covid-19 and its accompanying government restrictions and economic impacts makes the threat of evictions across the East Africa region more complicated – and more pressing. People are finding themselves evicted at a time when there are unprecedented pressures on livelihoods and limitations on movement within and between cities. What little coping mechanisms vulnerable communities have, are being further undermined by Covid-19.

For example, in Somalia, evictions represent a constant risk for vulnerable communities, including displaced populations living in collective settlements and other urban poor in densely populated areas. In 2019, more than 260,000 people were forcibly evicted from their homes, including over 150,000 in Mogadishu alone. And while the numbers have reduced this year, 64,621 people have already been evicted in 2020, including 33,400 in Mogadishu.<sup>1</sup>

<sup>1</sup> Norwegian Refugee Council, (NRC) Eviction Dashboard also found here:  
<https://evictions.nrcsystems.net/dashboard.php>

In Ethiopia, in April 2020, municipal authorities in Addis Ababa demolished dozens of homes deemed to be illegally constructed on land with contested ownership, leaving approximately 1,000 people homeless. The houses belonged to day labourers, many of whom had lost their jobs due to the ongoing Covid-19 lockdown.

In Kenya, in April 2020, authorities defied court orders and forcibly evicted more than 7,000 people from land in Kairobangi and Ruai informal settlements in Nairobi.<sup>2</sup> The official reason given was that they demolished the homes because they were built on public land, the state-run Nairobi City Water and Sewerage Company (NSWSC) claims ownership of the land and says the families had been occupying it illegally since 2008.

In South Sudan, evictions represent a constant risk for many communities – including internally displaced people (IDPs) living in abandoned or unused buildings.<sup>3</sup> The Housing Land and Property Technical Working Group identified an increased risk of evictions during the Covid-19 crisis as restrictions to movement and trading have made it more difficult for people to pay rents – which in turn lead to evictions – as well as owners reclaiming building occupied by IDPs.

The East Africa region already has a high eviction rate, and as the previous examples illustrate, evictions are continuing despite Covid-19 and its accompanying impacts on health and livelihoods. The various restrictions put in place to limit the spread of Covid-19 will therefore likely exacerbate the impact of evictions, and further undermine the limited legal protections tenants have against evictions. The majority of people evicted do not have a safety net. Thus while evictions already represent a significant protection threat, now in the context of Covid-19, they expose already vulnerable populations to greater risk of infection as people

are effectively made homeless and forced into more crowded and unsanitary conditions.

## What needs to be done?

Moratorium on evictions. Governments and local authorities in the region can put in place regulations to stop evictions from property, or the closures of camps and informal settlements while Covid-19 response measures are in place.

In Somalia, the Baidoa District Administration, has issued an official directive suspending evictions in Baidoa during “the Covid-19 period”.<sup>4</sup> The mayor of Baidoa issued a warning of legal action for landowners who disobey the directive. While enforcement and monitoring will likely remain a challenge, the directive shows intent and a route that can be replicated across the region.

A moratorium would primarily prohibit the eviction of people from public land, the closure of IDP settlements, or the destruction of homes by national or local level authorities. It can further prohibit the enforcement of agreements to vacate; prohibit landlords from requiring a tenant to accept lesser terms and prevent landlords from threatening to take action against tenants for a prescribed time period. It can also prohibit landlords from threatening to assess rent or impose other charges for non-payment; prohibit landlords from increasing rents or deposits for both residential and commercial properties. Tenants of commercial properties, who cannot pay their rent because of Covid-19 should also be protected from eviction.

<sup>2</sup> OHCHR, Covid-19 crisis: Kenya urged to stop all evictions and protect housing rights defenders. Accessed: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25901&LangID=E>

<sup>3</sup> Housing Land and Property Technical working group South Sudan, Evictions in South Sudan during the COVID Crisis \_ Key

Messages, May 2020. Accessed: <http://data.globalprotectioncluster.org/fr/documents/download/153>

<sup>4</sup> OCHA, Somalia update 2 May 2020. [https://reliefweb.int/sites/reliefweb.int/files/resources/FGS%20FMS%20directives\\_Update%203%20-%20final%20eo.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/FGS%20FMS%20directives_Update%203%20-%20final%20eo.pdf)

In Uganda, the Ministry of Lands halted all kinds of land evictions while the country was in lockdown. This was part of an interim land management guideline issued by the Minister of Lands, Housing and Urban Development. The directive stated that no tenant will be evicted during the lockdown period. The Land Information System (LIS) and registries were also closed just to ensure that no land services will were available to landowners or agents as no transactions could take place.<sup>5</sup>

The procedural protections<sup>6</sup> which can be applied to forced evictions also include an opportunity for genuine consultation with those affected. By providing adequate and reasonable notice prior to the scheduled date of eviction, or information on the proposed evictions, people are best able to prepare themselves. Government officials or their representatives should also be present during an eviction, and all persons carrying out the eviction to be properly identified. Moreover, evictions should not take place in particularly bad weather or at night. Finally, legal remedies, and where possible, of legal aid should be available to vulnerable groups to seek redress from the courts.

The East Africa region is currently in an unprecedented state of emergency that will likely result in financial hardship across all levels of society – but especially for the most vulnerable – and will resonate long after the crisis is over. So looking beyond the immediate crisis of Covid-19, regulations put in place now can have a long-lasting impact that mitigates the effect of evictions on the most vulnerable.

Links to other relevant information:

- [NRC Eviction Information Note, May 2020.](#)
- [Eviction Advocacy Brief, Somalia, April 2020.](#)
- [Key Messages on Evictions During COVID-19, South Sudan, May 2020.](#)

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