

March 18, 2022

EVICTIION THREAT IN SOMALILAND

Name of location/site	Ex-xero ruush, Birjeh Army Barrack and Laynka milateriga settlements, Hargeisa, Somaliland.
Date of establishment	1994-2018
Number of households	750 households (4500 individuals)
Reason for eviction	Land development
Evicting person/institution	Somaliland Military

Eviction Alert

On March 14th 2022, officials from the Somaliland Military Forces announced a plan to vacate all land and premises belonging to the military in Ex-xero rush, which surrounds Birjeh Army Barrack and Laynka milateriga settlements. The Somaliland military issued a fourteen (14) day notice to all residents. The notice was issued without due process (prior consultation) with the affected communities and relevant local authorities such as the Somaliland National Displacement and Refugee Agency (NDRA). No alternative accommodation (land) has been identified for possible relocation of the affected households. This eviction threat will affect 750 households (4500 individuals) in total, if actualised. The residents occupying these settlements are mainly returnees from Ethiopia who have resettled in the area since 1994. In addition, there are drought displaced households that arrived between 2016 and 2018, and poor urban host communities. Majority of these affected households include vulnerable women, children and elderly people.

Needs

- In sites at risk of forced evictions, the challenges are well known and include poor shelter facilities, lack of hygiene, and absence of sleeping and other materials.
- Majority of households that face forced evictions experience disruption to education, as they can no longer send their children to school due to transport costs.
- In sites of forced evictions, there are numerous violations of Housing, Land and Property (HLP) rights. Existing HLP challenges have been exacerbated by the destruction of homes in many areas and massive population movements. Destruction and degradation of housing and land may also pose serious obstacles for the return of IDPs, who have often lost all their sources of income.
- Deteriorating living conditions, growth of informal settlements in the outskirts of the city because of the threat of forced evictions.
- Growing unaffordability of housing and land, and lack of secure land tenure for Displacement Affected Communities.
- Limited livelihood options and access to basic services.
- In the case of forced evictions, there is an inability of displaced to return home and increased risk of discrimination against minorities in the house and land sectors.

Immediate actions

- **Inclusive consultations (military, affected communities, and local authorities):** Local authorities should lead in further consultations with the Military and affected communities to find possible solutions. It remains critical that the rights of the affected communities are respected throughout this process.
- **Adequate notice provided:** At least 60 days should be given in public and in writing to ensure that sufficient time is accorded to identify alternative land for the relocation of the affected population. This will also allow the affected population to dismantle their

dwelling structures, gather their belongings and relocate with all of their assets without destruction.

Facilitate dignified relocations to alternative land with secure tenure for the affected population

- Insecure land tenure creates multiple obstacles for displacement-affected communities in Somaliland. Insecure tenure leaves displaced families at risk of forced evictions, resulting in secondary and tertiary displacements. In an effort to mitigate the risk of forced evictions particularly during the ongoing drought, local authorities and humanitarian stakeholders should pay particular attention and take steps to identify alternative land with secure tenure arrangements in place for the affected population.
- **Post Eviction Cash Assistance:** Whether lawful or dignified, the impact of eviction is invariably the same – secondary displacements, disruption to normal life routines and unsettling of established livelihood arrangements. The net effect is that victims are further exposed to other forms of protection risks. To mitigate the protection risks associated with evictions, a minimum assistance package is required to ensure that those affected are able to cope with post-incident challenges. The underpinning objective of the post-eviction cash assistance is to address the immediate physical security needs arising from the incident, particularly rent, transportation, and food. Relocating from the incident location to a new place usually presents an enormous challenge for the victims.

Procedural actions

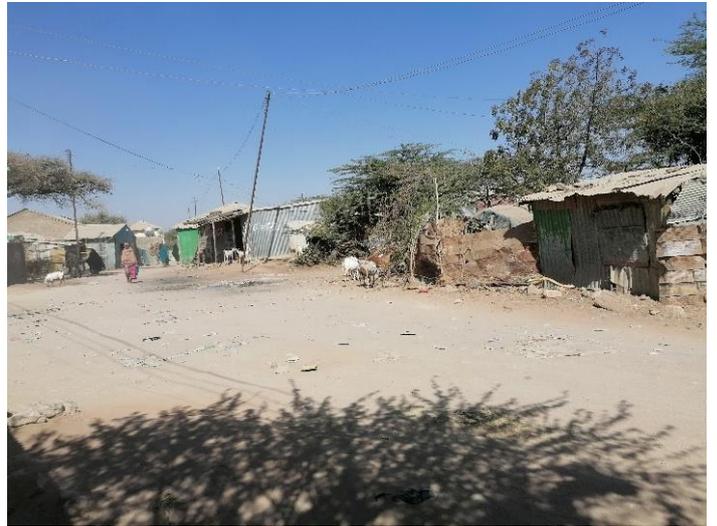
General Comment 7 interprets Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) on forced evictions. It provides that appropriate procedural protection and due process are essential aspects of all human rights but are especially pertinent in relation to a matter such as forced evictions, which directly invokes a large number of the rights recognised in both the International Covenants on Human Rights. The Committee considers the following procedural protections to be applied in relation to forced evictions include:

- a) an opportunity for genuine consultation with those affected;
- b) adequate and reasonable notice for all affected persons prior to the scheduled date of eviction;
- c) information on the proposed evictions, and, where applicable, on the alternative purpose for which the land or housing is to be used, to be made available in reasonable time to all those affected;
- d) especially where groups of people are involved, government officials or their representatives to be present during an eviction;
- e) all persons carrying out the eviction to be properly identified;
- f) evictions not to take place in particularly bad weather or at night unless the affected persons consent otherwise;
- g) Provision of legal remedies; and (h) provision, where possible, of legal aid to persons who are in need of it to seek redress from the courts.

In conclusion, evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights. Where those affected are unable to provide for themselves, the State party must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available.

We therefore call upon all authorities in Somaliland to ensure these evictions are conducted in accordance with the provisions of the applicable legal and policy frameworks on forced evictions including the right to housing, land and property.

Annex: Photos taken at the site (Locus)



Photos of the Ex-xero ruush, which surrounds Birjeh Army Barrack and Laynka milateriga settlements, Hargeisa, Somaliland.