Negotiation

As per CCCM Evictions Guidance and Annex 1 Implementation Steps, systematic steps must be taken to engage in negotiations to delay and stop eviction threat, with local authorities and landowners.

First, site level negotiations led by CCCM partners must be exhausted, followed by escalation to the Area Based Coordination level if not successful at a site level, while simultaneously triggering the Evictions Task Force.

Special care must be taken to ensure negotiation does not place site residents at additional risk.

Community consultation through (informal) intentions surveys and ongoing risk assessment should inform response options.

Long-term solutions should constantly be explored as an alternative to continued displacement (regardless of eviction threat). Long-term solutions in the context of Yemen may include (but not limited to):
1. Return to area of origin if safe, voluntary, informed and preferred by the community
2. Integration into the host (or other) community, if safe, feasible and preferred by the community

*Note however that it is understood that most people currently residing in IDP sites in Yemen do not have these options, thus if negotiation of eviction threat is not successful, in many cases relocation will need to be considered.

Relocations are generally resource intensive and can present protection risks to the population if not done with extreme care.

Relocation options must be done in close coordination with humanitarian actors, local authorities and with strong engagement with the affected communities, at minimum to ensure all movement is safe and voluntary.

Relocation to an existing IDP site should be considered the first relocation option, to avoid establishing new sites. However there are important considerations to ensure risks are not increased to any group within the affected population, including existing IDPs in the site, relocated IDPs to the site and the surrounding / host community.

From CCCM partners, the Area Based Coordinator should consolidate a list of existing sites with key information: Absorption capacity based on minimum standards (45 m²/person), Landownership / Eviction status, Access to services.

It must be ensured that the new location would present less risk and at least equal service / living conditions to the current site.

A thorough assessment of the site suitability must take place and be discussed amongst the Task Force, including to ensure actors are prepared and able to increase service provision in the site based on increased population.

The risk of social tension as a result of the relocation must be assessed and relevant mitigation measures should be in place.

This option is explored only after the previous options are proven not feasible, not preferred or in the best interest of IDPs.

The establishment of a new site entails site preparation and implies an obligation to meet minimum service provision standards.

Assessment of potential new site locations led by CCCM Cluster must take place, including of location, landownership, access to services, commitment of service providers, natural hazards, host community acceptance, risk of social tensions, IDP preferences.

Local authorities must take the lead on any relocation process, including providing safe transportation for people and materials.

Humanitarians should provide technical support and ensure that no commitments are made (ie. related to service provision) prior to agreement of voluntary relocation, respect for freedom of movement, and mutually agreed location.

The voluntary nature of the relocation must continuously be monitored, with thorough risk assessment throughout the process.

Measures must be put in place jointly between the authorities and humanitarian actors to avoid another eviction threat.