



Evictions in South Sudan During the COVID Crisis

Housing Land and Property Technical Working Group Key Messages - May 2020

Housing, Land and Property (HLP) rights continue to be a key protection issue across South Sudan. The HLP TWG recognises that the current exceptional global emergency of COVID is likely to significantly impact HLP in South Sudan in a number of ways, most notably the risk of eviction. This 1 pager provides **key messages for protection actors in order to identify, refer, advocate, and respond to evictions during the COVID-19 emergency**. For further questions please contact the HLP TWG via Thiago Sothe sothe@unhcr.org and Anna Salvarli anna.salvarli@drc.ngo

Background

The Universal Declaration of Human Rights confirms all individuals' fundamental right to adequate housing and protection against forced eviction. On 18 March 2020, the **UN Special Rapporteur on the right to adequate housing, issued a statement** calling for States to take "extraordinary measures" to ensure housing to protect the most vulnerable against the spread of COVID. Measures suggested include: moratoriums on evictions due to rental and mortgage arrears, extension of moratoriums on forced evictions of informal settlements and increased access to sanitation and emergency shelter spaces.

Evictions represent a constant risk for many communities in South Sudan. In urban and peri-urban areas, the HLP TWG has identified an increased risk of evictions of individuals and HHs during the COVID crisis. Country-wide restrictions to movement and trading has occurred across South Sudan, restricting livelihood activities and resulting in reduced income for many HHs, leading to failure to pay rent, which without external support could lead to evictions. Additionally, IDPs living in collective sites, abandoned or unused buildings, may be at increased risk of eviction as owners (both individuals and authorities) try to mitigate an outbreak of COVID. IDPs are often not given much notice of eviction, are already vulnerable HHs, and may lack means or opportunity to challenge the eviction or find an alternative place to stay, being highly exposed to protection risks.

Key Messages

- Shelter and housing remain an essential protection against the spread of COVID in South Sudan. **Evictions, particularly in densely populated locations, exposes already vulnerable people to greater risk of infection and heightened protection risks.**
- Evictions lead to forced movement, and **any subsequent movement through densely populated areas risks aggravating the spread of COVID**, far beyond the affected HHs.
- **Evictions also damage and destroy infrastructure and compromise livelihoods** of affected HHs and the wider neighbourhoods/blocks.
- **The Land Act 2009 both defines eviction and contains specific provisions** related to eviction orders, notice periods, and bona fide occupancy (Chapter XIV) and property owners should be made aware of these. For example, S.81(1) states '*Any public authority, owner or person having right of ownership over land who intends to evict an unlawful occupier shall give him or her not less than one calendar month written notice of the intention to file an order of eviction.*'
- **Protection actors should work alongside CCCM or other actors to monitor sites and locations with an increased eviction risk**, ensuring HHs are aware of who to contact and their rights should they be given a notice (formal or informal) of eviction. Local authorities should be engaged as much as feasible.
- **The HLP TWG remains available** to provide guidance and support on a case by case basis.