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Title of the Paper: Tenure security for Syrian refugees of Lebanon: The Occupancy Free Of-Charge programme in the Bar Elias locality

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Autor(s): Nicole Tabet¹

¹ Postdoctoral researcher, French Red Cross Foundation, nicole.tabet@gmail.com

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Executive summary

This research falls under the “Land management in time of conflicts” topic of the Second Arab Land Conference. It explores the design-implementation-evaluation process of the Occupancy Free-of Charge (OFC) shelter programme of the international humanitarian organizations in the hosting of Syrian refugees in Lebanon.

Implemented in Lebanon as of 2013, this shelter programme seeks to improve Syrian tenants’ housing physical conditions and tenure security while expanding the supply of affordable housing to meet the market’s needs of both Syrian refugee households and Lebanese property owners. By rehabilitating unfinished Sub-Standards Buildings (SSBs) and Sub-Standards Units (SSUs) of Lebanese landlords (including some Palestinians), the programme offers Syrian refugees a rent free or a rent freeze accommodation, generally for a period of six to twelve months.

The objective of the following paper is to draw upon the key issues, challenges and lessons learned from the implementation of the OFC programme in the Bar Elias locality, Bekaa, Lebanon. Focused on old OFC Syrian beneficiaries’ experience, Syrian households whose OFC agreements have expired or are about to expire, it seeks to understand the programme’s outcomes and limits. The paper concludes with a set of recommendations based on lessons learned from different humanitarian organizations’ experience with the OFC programme.

A. The Lebanese humanitarian shelter context of the Syrian refugee crisis

For the last decade, humanitarian shelter operations have been moving away from traditional accommodation solutions such as refugee camps to more integrated ones. The 2009 UNHCR policy on refugee protection and solutions in urban areas highlighted the need to address the issue of urban refugees in a more comprehensive manner. In 2014, the assessment conducted by UNHCR and UN-Habitat on Housing, Land and Property (HLP) issues related to the Syrian refugee crisis in Lebanon stated the importance of prioritizing longer-term shelter options such as rehabilitation over short-term emergency shelter. These changes in the humanitarian aid context along with the Lebanese Government refusal to establish refugee camps for over one million Syrian refugees on the Lebanese soil, led to the development of new shelter alternatives.

Sparsely used as of 2013, the Occupancy Free-of Charge (OFC) shelter programme became one of the most implemented programmes of the shelter sector agencies and organizations in Lebanon starting 2015. By rehabilitating unfinished Sub-Standards Buildings (SSBs) and apartments of Lebanese landlords at the agencies’ and the organizations’ expenses in exchange of a rent-free accommodation for Syrian households, the programme secured housing for Syrian refugees while improving their tenure security and protecting them from forced eviction. While doing so, it reduced the economic strain on both refugee community and small host economies, securing a rent-free hosting for the refugees and helping the landlords complete their unfinished apartments.

Moving away from the definition of tenure security based on ownership and property rights, the programme has explored different ways of improving protection and reducing eviction threats for Syrian refugees while benefitting the host community. In this paper, we do not

address tenure security as a situation relating to private property ownership. Here, tenure security refers to the relationship between the Lebanese landlords and the Syrian refugees-tenants and to those mechanisms that help the Syrian households live in their OFC rehabilitated units without the threat of eviction or forced eviction (NRC Lebanon, 2014, p. 6).

The OFC shelter programme secured adequate housing for Syrian refugees and protected them from the threat of eviction. Building on the urgent need for affordable housing for refugees, the programme increased the supply of affordable rental housing market. It operated changes in the private rental sector by balancing the landlords-Syrian households relationship, impacting rent prices and boosting the local economy.

B. Purpose of the study

This project is funded by a postdoctoral grant from the French Red Cross Foundation (FCRF). It explores the design-implementation-evaluation process of the Occupancy Free-of Charge (OFC) shelter programme of the international humanitarian actors in the hosting of Syrian refugees in the locality of Bar Elias, Bekaa, Lebanon. The aim is to draw upon the strengths, key issues, challenges and lessons learned from the design and the implementation of the OFC programme.

Firstly, the study draws back on seven years of evolution of the OFC programme and its specifics. It shows how the programme evolved building on past experiences and adequately adapting to both the host community and the Syrian refugees' needs. It highlights the upgrades that allowed the programme to secure tenure for the Syrian households during their free-hosting period and beyond.

Later, the study highlights the programme's limits in preventing evictions and rent increases once the free-hosting period is over. It draws on the lessons learned from different shelter sector organizations and raises questions on the sustainability of the programme's outcomes and the tenure security it provides. It concludes with a set of recommendations for future shelter programmes at both the design and the implementation levels.

C. Methodology

The methodology utilizes a broad spectrum of qualitative and quantitative tools, including in-depth interviews and questionnaires for data collection.

A rapid desk review of Bar Elias social geography was first conducted to assess the impact of the refugees' presence on the locality. Literature review of scholarly work on refugees' tenure security and reports of international humanitarian organizations on shelter programmes was carried out to frame the study.

Fieldwork took place during November, December 2020 and January 2021. A first round of field visits with shelter staff members of two international humanitarian organizations to some rehabilitated apartments was carried out along with informal conversations with Syrian tenants and Lebanese property owners, beneficiaries of the programme.

A series of 24 interviews was conducted with the humanitarian shelter sector staff members, the Ministry of Social Affairs (MoSA) shelter response coordinators and the

Lebanese local authorities. This included staff members from the international humanitarian organizations community involved in the implementation and the coordination of the OFC programme.

This was followed by a more targeted survey on the Bar Elias OFC programme where two types of questionnaires were carried out with fifty Syrian beneficiaries whose OFC contract had expired or was about to. Later, a third questionnaire was conducted with a sample of 28 OFC landlords beneficiaries.

An analysis of the collected data was conducted via Excel and NVivo softwares. The data analysis highlighted the key points for the success of the programme in ensuring security of tenure and access to adequate housing to Syrian refugees, the challenges met and a set of recommendations for an improved more sustainable design and implementation of the programme.

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Introduction

Since the beginning of the Syrian conflict, humanitarian aid actors have been covering the basic needs of Syrian refugees in Lebanon. In the first two years following the conflict, refugees sought shelter in Lebanese urban areas (RRP, March 2012, p. 8). The majority of the families were renting accommodation, others were staying with host families, the rest were living in collective or temporary shelters.

In 2012, shelter was recognized as one of the most critical problems of the Syrian refugee crisis in Lebanon (RRP, September 2012, p. 54). To provide shelter assistance, humanitarian organizations and agencies implemented a series of activities. This included the maintenance of existing collective shelters, the weatherproofing of unfinished houses and in Informal Tented Settlements (ITSs), the provision of emergency transitional shelter and the cash for rent support (RRP, September 2013, p. 79).

With the protraction of the conflict, the depletion of the refugees' savings and the lack of affordable houses for rent, many refugees were forced to move to ITSs (RRP, September 2013, pp. 28-30). In this context, the Occupancy Free Of-Charge programme (OFC) was designed as a longer-term shelter solution (as opposed to ITSs) to help expand the affordable housing rental market and provide shelter to the growing number of Syrian refugees.

As Thiele (2012, p. 6) and Valkonen (2021, p. 3) explain, tenure security is not limited to ownership; it includes a variety of relationships between housing and those living in it ranging from property deeds to informal occupation. It means "that people can live in their homes without fear of forced eviction" (Sphere, 2018, p. 266). Hence, discussing housing tenure security for protracted Syrian refugees in Lebanon, is very relevant because their resettling experience often means limited resources, precarious employment and constant threat of eviction.

This paper focuses on tenure security for Syrian refugees in the locality of Bar Elias, Bekaa, Lebanon. By examining the design-implementation-evaluation process of the OFC programme of the international humanitarian organisations, it highlights the elements that helped increase the refugees' security of tenure, strengthen their ability to stay in their homes and reduce their forced geographic mobility. It draws upon the programmes' challenges and lessons learned from its design and implementation.

In this paper, we argue that although the OFC programme helped protect the refugees from eviction and secure housing during the free hosting period, it failed to achieve longer-term tenure protection. Once the programme expired, refugees were once again subject to tenure insecurity and relationships of power and dependence on their landlords.

The paper is organized as follows. First, the study draws back on seven years of evolution of the programme. It shows how the programme built on past experiences and adequately adapting to both the host community and the Syrian refugees' needs. Later, the study questions the sustainable impact of the programme on the refugees' tenure security. It identifies the challenges in securing tenure beyond the free-hosting period, and concludes with a set of best practices for future long-term shelter programmes and outcomes.

Methodology

The methodology utilizes a broad spectrum of qualitative and quantitative tools.

A rapid desk review of Bar Elias social geography was first conducted to assess the impact of the refugees' presence on the locality. Literature review of scholarly work on tenure security and reports of humanitarian organizations on shelter programmes was carried out to frame the study.

Fieldwork took place between November 2020 and January 2021. A first round of field visits with shelter staff members of two humanitarian organizations to the OFC rehabilitated apartments was carried out, along with informal conversations with Syrian and Lebanese OFC beneficiaries.

In-depth interviews were conducted with 15 staff members of different organizations involved in the implementation and the coordination of the OFC programme, including the United Nations High Commissioner for Refugees (UNHCR), the Norwegian Refugee Council (NRC), Save the Children International (SCI), Solidarités International (SI) and Medair. Nine interviews with the Ministry of Social Affairs shelter response coordinators and Lebanese local authorities were also conducted.

This was followed by a more targeted survey on the Bar Elias OFC programme conducted with fifty OFC Syrian beneficiaries and twenty-eight OFC landlords beneficiaries of different humanitarian organizations. Since many Syrian households beneficiaries were staying in the same apartment, only one beneficiary was interviewed per apartment. The selected Syrian households had their OFC contracts expired or were about to in the coming weeks. Twenty-five Syrian beneficiaries and fourteen landlords were randomly chosen from two lists facilitated to us by the humanitarian organizations. Due to the COVID-19 pandemic, the questionnaires were completed over the phone, completion time varied between 18 and 35 minutes.

Fieldwork data was analyzed via Excel and NVivo to highlight the key points for the programme's success and limits. The participants' names were changed for protection of privacy purposes.

Section 1. The Occupancy Free of-Charge programme design and evolution

As of March 2012, a large number of refugees crossed the eastern border of Lebanon and settled in the Bekaa valley (RRP, March 2012, p. 41). The vast majority of these new arrivals rented accommodations in the central Bekaa area, many of which were in poor conditions and for relatively high rents (RRP, September 2012, p. 59). The Lebanese Government refusal to establish official camps for the refugees along with the humanitarian actors call for longer-term shelter solutions led to the design of new shelter alternatives (Yassi et al., 2015, p. 51).

The lack of affordable rental housing and the limited refugees' resources forced thousands of refugees to live in rented sub-standard unfinished apartments (Shelter Phone Survey, 2014, slide 22). These unfinished buildings belonged to Lebanese landlords unable to finish the construction process due to beginning of the Syrian conflict and the increased control of the Lebanese-Syrian border. Syrian households would then rent out these unfinished structures and settle in.

Some international humanitarian organizations will build upon these practices and transform them into an opportunity to design a residential shelter programme and help expand the rental housing stock for refugees from Syria.

A. The design of the Occupancy Free Of-Charge programme

Implemented in Lebanon as early as 2013, the OFC programme consists of paying for the rehabilitation of unfinished apartments belonging to Lebanese landlords (and Palestinians in some cases) in exchange of a rent-free hosting period, generally of twelve months, for vulnerable Syrian families.

The Syrian households, the landlords and the units to be rehabilitated are chosen based on the UNHCR's Refugee Assistance Information System (RAIS)¹ and the organizations' vulnerability and technical assessments (interviews with shelter sector staff members; Chadi, online, 18 November 2020 and Karim, online, 21 December 2020). Once the beneficiaries are chosen, an agreement is signed between the landlord, the Syrian household and the organization. The agreement states the rights and responsibilities of each party; for example, that the utility bills should be paid by the Syrian household.

The rehabilitation works depend on the available budget; the latter usually ranges between USD 1300 and USD 1800 per unit, depending on the organization's yearly budget and the condition of the units. The rehabilitation works follow the Sphere humanitarian handbook standards; they aim to attain a minimum standards unit according to the Sphere shelter and settlement standards, providing an adequate living space "offering physical security, dignity, privacy and protection from weather" (Sphere Association, 2018, p. 254) (interview with Dahlia, shelter sector staff member, Beirut, 10 November 2020). The works usually

¹ RAIS is "a secure web-based assistance management platform used by UNHCR, implementing partners, and donors to ensure effective tracking of assistance, enhanced accountability, and reduced duplication of efforts." (RAIS v2 - User Manual, 2012, p. 4).

include weatherproofing, thermal insulation, windows and doors installation and electrical, water and sanitation installations.

Following the Sphere standards of a minimum of 3.5 m² of living space per person² (2018, p. 254), one unit of 25 m² can host a family up to of seven members (interview with Ahmad, shelter sector staff member, online, 21 December 2020). The kitchen and the bathrooms are shared by the households of the same apartment. The rent-free hosting period starts once the works are done.

B. Tenure security and the evolution of the Occupancy Free Of-Charge programme

The following section (B) is based on information collected from interviews with one specific international humanitarian organization who gave special attention to refugees' Housing, Land and Property rights in the design and implementation of the shelter programmes.

In Lebanon, Syrian refugees-tenants' sources of tenure insecurity are connected to the social and power dynamics with landlords and the host community, to the lack of rent regulation in the private rental market and to rent debt linked to restrictions on livelihoods. In the first years of the OFC implementation, the tenure security component was very weak. Refugee households were constantly exposed to threats of eviction and forced evictions either from their landlords or due to conflicts with other households of the same apartment. At the time, the organization was representing the Syrian households who had no self-representation within the programme; only the organization and the landlord would sign the OFC agreement without the involvement of the household.

As of 2015, many upgrades were added to the programme with a focus on Housing, Land and Property (HLP) rights. The Syrian households would be given a better representation and the agreement previously signed by the organization and the landlord, was now signed by all three parties. The agreement would now clarify the rights and responsibilities of each of the landlord and the household, giving them the certainty that, in case of a breach in the contract, consequences would be applied. For example, the landlord has to respect the privacy of the house and doesn't have the right to enter without the occupants' permission. The organization's role was now limited to the monitoring of the programme and would only intervene in case of a conflict or a threat of eviction.

Adapting to the households' needs of tenure protection, another HLP rights component was added to the programme. A collaboration between the organization's shelter and legal sectors led to the creation of a Taskforce in charge of reporting and resolving tenure disputes during the OFC implementation (interview with Dahlia, shelter sector staff member, Beirut, 10 November 2020).

As of 2018, a specialized dispute resolution team was created. Its job is to resolve tenure issue threatening the Syrian refugee households, whether under OFC or not. The organization decided to play an active role in resolving disputes related to refugees' tenure

² The 3.5 m² area per person excludes the cooking space, the bathing area and the sanitation facility (Sphere, 2018, p. 254).

security through a facilitated negotiation approach (interview with Carole, legal sector staff member, online, 23 December 2020).

Beyond the tripartite agreement signature, the shelter-legal taskforce and the dispute resolution team, the organization also conducts HLP rights sessions to its OFC households beneficiaries. The sessions include information on tenants' housing and property rights in Lebanon, on the importance of official rental agreements for tenure security and on the shared spaces social norms under the OFC programme. Adding to that is a post-OFC monitoring period of three months, providing legal assistance to the households in their decision to stay or to leave once their contract expired (interview with Carole, legal sector staff member, online, 23 December 2020).

Concluding note

The lack of affordable rental housing supply, the availability of unfinished apartments stocks and the need to provide shelter for the refugees led to the design of the OFC shelter programme. This humanitarian financial aid "injection" expanded the affordable housing supply, while benefitting both the refugees and the landlords.

Over the years, the OFC programme evolved to ensure a "more secure" tenure for refugees living in residential areas. From the rehabilitation of sub-standards units in 2013, it included a tripartite signed agreement clarifying the rights and obligations of those under OFC, it adopted a more holistic approach integrating a counselling and legal aid team specialized in HLP rights to the programme, and more recently added a dispute resolution team whose job is to monitor tenure insecurity during the OFC and after.

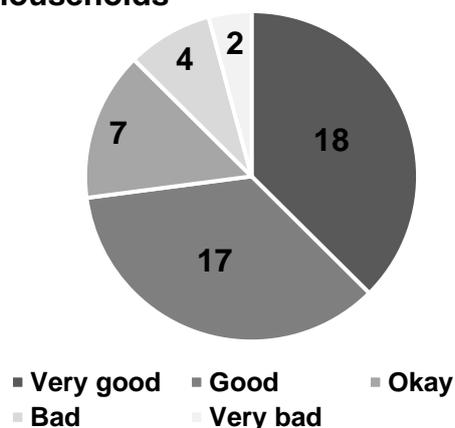
Section 2. The Bar Elias OFC programme: key findings and outcomes

Bar Elias is located in the Bekaa, one of the most affected regions by the Syrian displacement in Lebanon. It is one of the highly vulnerable localities in Lebanon and counts a high presence of Syrian refugees. This settlement of Syrian refugees is linked to many factors; in Bar Elias, social connection pre-existed between the two Lebanese and Syrian groups long before the start of the conflict in 2011 (Bennafla, 2007, p. 167).

Bar Elias agricultural economy attracts seasonal Syrian labour force and after 2011, many refugees settled there for the job opportunities. The population of Bar Elias being predominantly Muslim of the Sunni faith, it attracted a Sunni Syrian refugee population who sought refuge with a population with whom they share religious and political rapprochement.

With the large influx of Syrian refugees, Bar Elias will be the subject of many shelter programmes. The influx of refugees caused a high demand in the town's affordable rental housing and the Bar Elias inhabitants will benefit from this dynamic.

Figure 1
Rehabilitation works' evaluation according to the Syrian households



Note: Two of the participants couldn't answer the question. They spent too little time in the apartment to be able to evaluate the works.

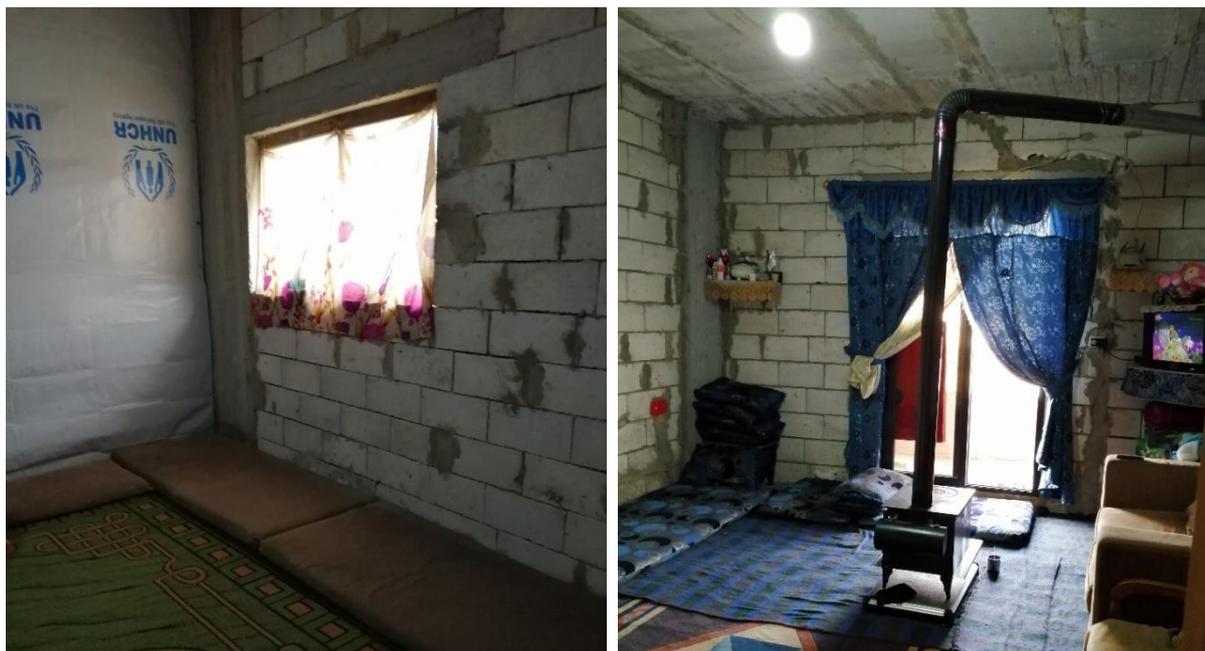
A. Improving Syrian refugees' housing physical conditions

Housing has a significant effect on the individual's physical and mental wellbeing; problems related to housing condition have a direct impact on the individual's health such as depression or respiratory illnesses (Ziersch, Walsh, Due and Duivesteyn, 2017, pp. 2-3).

One of the programme's objectives is to improve the housing living conditions of the refugees living in unfinished apartments. According to 73 per cent of the 48 Syrian participants (35), the works were successful, with the majority of participants deeming them "good" and "very good" (figures 1 and 2). Those who were not satisfied with the rehabilitation stated problems related to poor waterproofing, walls, roofs and window water leaks, lack of sun and problems of humidity.

Figure 2

Physical conditions of a pre-OFC (left) and a post-OFC (right) apartments



B. Securing a one-year rent-free housing for Syrian refugees

One of the programme’s objectives is to secure a one-year rent-free housing period for the households and by doing so, alleviate difficulties caused by rent debt. The 50 Syrian participants were able to secure a rent-free housing period of an average of 10 months and 18 days. That’s because some households didn’t benefit from a one-year programme, others left earlier for personal reasons or were forcefully evicted from their units (figure 3). The majority however was able to benefit for a one-year rent-free period.

Figure 3

The length of the Occupancy Free of-Charge rent-free period

Length of stay	Less than 3 months	Between 3 and 6 months	Between 6 and 9 months	Between 9 and 12 months	12 months
Number of households	2	5	3	1	39

C. Securing tenure for Syrian refugees during the OFC programme

On average, the 50 participants have occupied four to five different shelters during their years of stay in Lebanon (figure 4). And while they were provided with one year supported OFC housing, the previous and following years have seen them move back and forth to camps and between various private rentals. However, during their OFC period, issues around their security of tenure improved. As mentioned in Section 1, the organizations enforced tenure security by monitoring the implementation and resolving early disputes that may lead to evictions. According to the organizations’ staff members, eviction rates during OFC ranged between 2 and 5 per cent in 2018 and 2019.

Figure 4

Syrian refugee households' year of arrival to Lebanon

Note: Missing from the figure below are the households who arrived prior to the Syrian conflict (one in 2000, one in 2010 and one in 2018).

Arrival year to Lebanon	2011	2012	2013	2014	2015	2016
Number of households	5	12	16	6	2	5

But the monitoring wasn't the only reason behind securing tenure for refugees. Authority relations, everyday politics, social and power dynamics are determinant in securing tenure (Valkonen, 2021, p. 3). By interfering in the landlord-refugee relationship, the organizations straightened the power balance between landlord and household, thus increasing the tenure security of the household over a limited period of time.

The programme balanced a landlord-household relationship with a tripartite relationship built on trust in the humanitarian sector. As the landlords repeatedly stated, their trust in the organizations' work increased their confidence in a conflict-free Syrian household stay. Because of the organizations' involvement, the landlords were able to rehabilitate their apartment without worrying about the consequences a free-stay can have on the apartments.

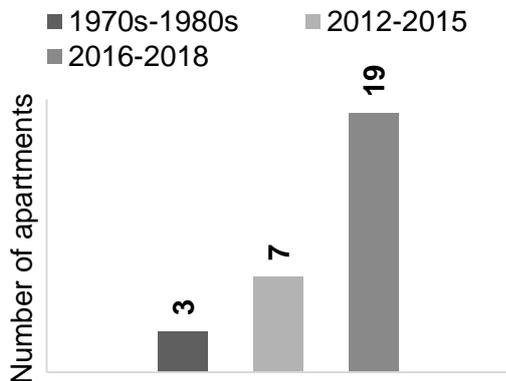
D. Increasing the supply of affordable housing and boosting the local economy

Over the 50 units rehabilitated, only two (4 per cent) were withdrawn from the rental market. Over the 28 landlords interviewed, 24 were renting (or wanted to rent) their apartments. Only 4 (15 per cent) needed it for personal use. Over the last three years, one organization rehabilitated around 580 units in Bar Elias, the equivalent of 193 apartments (interview with Sara, shelter staff member, online, 25 November 2020). Consequently, between 164 and 186 apartments³ were later absorbed by the private rental market. While this calculation is in no way exact since the samples are too small, the rough calculations and the logic behind it show that there has definitely been an increase in the supply of affordable housing.

Also, staff members suggested that the programme encouraged landlords to invest in the construction market. Landlords' would build the structural elements and contact the organization to come finish the works. As figure 5 shows, the programme encouraged the owners to invest in construction and benefit from both the humanitarian aid and the high demand for affordable housing. According to the survey, the majority of the landlords (68 per cent) built their apartments during the 2016-2018 period.

³ In Bar Elias, apartments comprise on average three bedrooms (units). Between 2018 and 2020, around 193 apartments were renovated under the OFC programme. The final numbers were calculated by subtracting from the total number of 193 apartments, the 4% and the 15% percent rates of landlords who needed the apartment once the contract expired.

Figure 5
The OFC apartments years of construction

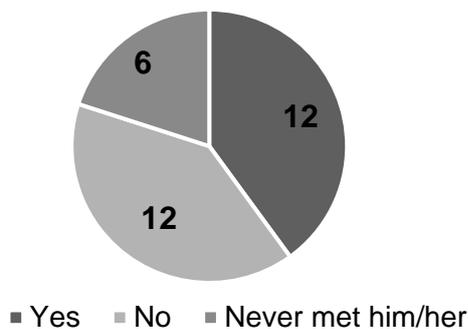


By doing so, the programme benefited the Bar Elias local economy. As the humanitarian staff and municipal authorities stated, the humanitarian programmes put in place since 2013 have brought economic growth to the town.

Within the OFC, the landlord would hire local labour such as tilers and carpenters, and buy the material from the town. The OFC supported local markets for construction works, labour and materials and boosted the local economy.

E. Building a landlord-household relationship during and after the OFC expired

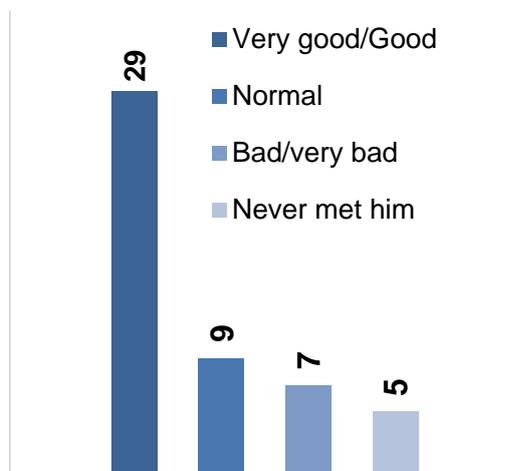
Figure 6
The OFC's impact on the landlord-household relationship



On whether the OFC programme helped build a landlord-household relationship or not, the majority of the 30 Syrian participants to this survey (18) claimed, that they never met the landlord during their stay or that the programme didn't contribute to the strengthening of the relationship (figure 6).

When asked to evaluate their relationship with the landlord, the vast majority of the households said that they maintain a good/very good relationship with their landlord (figure 7).

Figure 7
Households' evaluation of relationship with landlord



When asked about the frequency of their visits to check on the OFC households (and potentially creating a context for building a relationship), half of the landlords (15) said that they never visited the apartment during the OFC or occasionally did upon the households' request, usually in cases when something is not working in the apartment (figure 9).

When asked on whether their apartment was damaged after the expiration of the OFC; 9 said the apartment was damaged and were not happy about having to pay for repairs ⁴ (figure 8).

⁴ The question didn't apply to 12 of the landlords whose Syrian households' beneficiaries never moved out after the OFC expired.

Figure 9

Landlords' reactions to the apartments' damages

- Light to severe damages. The landlord wasn't happy and fixed them himself
- Light damages. The landlord had no problem in fixing them himself
- The landlord fixed them. No comment added
- The apartment didn't suffer any damages

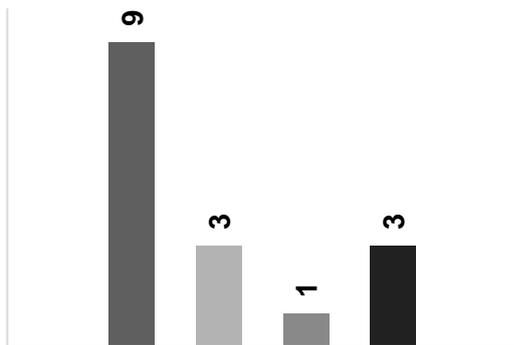
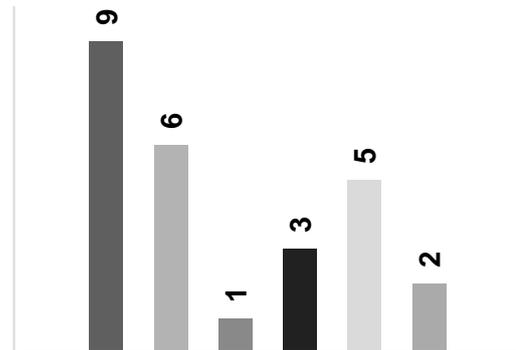


Figure 8

The frequency of the landlords' visits to the apartments during OFC

- Occasionally, if the household needs him to
- Never visited the apartment
- Once a month
- Once every two weeks
- Once a week
- Every day



Conclusive note: defining elements of success

The programme improved the Syrian beneficiaries' housing conditions and secured them an average of ten months and a half rent-free housing. It increased the supply of affordable housing in the private rental market in Bar Elias and benefited the local economy. The programme played a very important role in protecting the beneficiaries from forced eviction. The signed agreement, the monthly follow-up, the HLP sessions and most importantly the direct involvement of a team of dispute resolution professionals, were all key elements in the success of the programme.

The presence of the organizations straightened the power balance between landlord and household and increasing the tenure security of the household over the OFC period. However, once the contract expired, there is no proof that the programme contributed to the strengthening of the landlord-household relationship and consequently increasing tenure protection for the refugees.

Section 3. A “secure enough” tenure: key issues of the OFC programme

The programme had a great impact on both the refugee and the landlord housing situations. However, once the contract expired, the programme failed to lead to sustainable outcomes in terms of access to housing for refugees, protect the refugees from any rent increase or balance the power dynamics between the landlord and the tenant refugee.

A. On evictions through rent increases

Insecurity of tenure is a key characteristic of the private rental sector (Ziersch, Walsh, Due and Duivesteyn, 2017, p. 11). Once the OFC expired, the refugees had to negotiate the rent price with the landlord. These negotiations are not based on equal bargaining power and benefit Lebanese landlords’ interests; given the high demand for rented housing, the negotiations for a reasonable rent price depended on the landlord’s goodwill.

^o**Those who moved out**⁵. Out of the 50 beneficiaries, 22 moved out of the apartment once their contract expired, five were forcibly evicted before the end of the contract and two left for personal reasons (figures 10 and 11).

Figure 10
OFC beneficiaries of 2018 and 2019

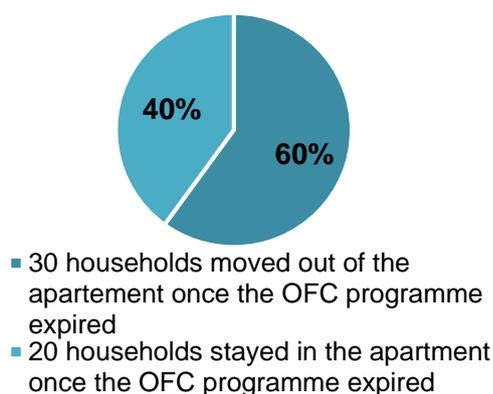
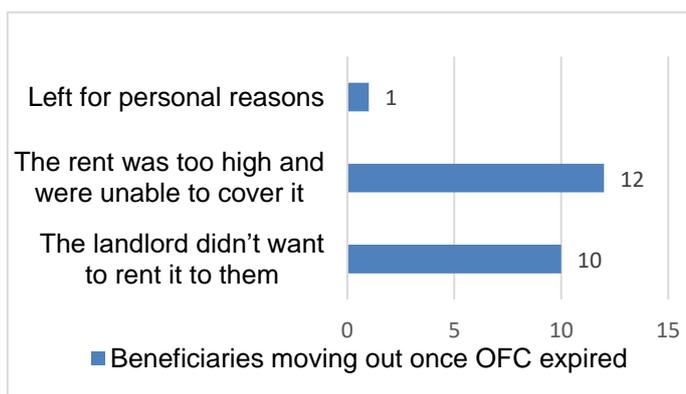


Figure 11
Beneficiaries moving out once OFC expired



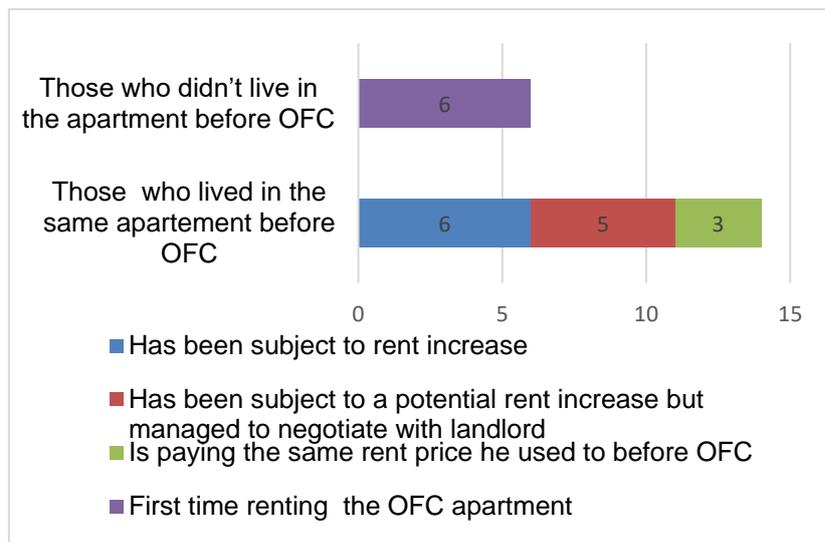
The vast majority of the participants were subject to insecure tenure once the programme expired. Having to move out one year later, the refugees were unable to secure social and shelter stability unless their financial resources allowed it.

⁵ By moving out, we refer to either willingly left or were evicted because of rent increase.

Those who stayed. Out of the 20 households who stayed in their OFC apartments, nine were under the threat of eviction because of rent debt or rent increase. Of those 20 households, the majority were subject to rent increase or to a potential one (figure 12).

Figure 12

OFC beneficiaries who are renting the apartment after programme expired



While the OFC led to the expansion of the affordable rental market, this did not benefit the 21 beneficiaries who have been evicted through rent increases or were under the threat of eviction because of rent debt

or rent increase (figures 11 and 12). Therefore, as affordable as the OFC housing stock is, transitioning from a tent-rent or a free-rent to renting out an apartment turned out to be financially hard for almost half of the beneficiaries interviewed.

B. On the length of the rent-free hosting period

When asking about the one-year period length of the programme, one shelter staff said that from a practitioner perspective the implementation needs guidelines for effectiveness. Dahlia explained that the period was based on the assumption that a year might be good enough for a family in some cases, and might not in others (Beirut, 10 November 2020).

Aware that the one-year period isn't enough to protect the household from eviction once the contract expired, nor does it allow the household to make significant savings, one organization introduced the possibility of a yearly renewal for the most severely vulnerable cases. "The greatest news a household can receive is when we told them we might extend their contract for another year," said Chadi (online interview, 18 November 2020). The head of the household could then start to make plans for this extra year; he's been living there for a year, "he may have found a job near by and is now considering putting his children in school," adds Chadi.

However, in most cases, the contracts are not renewed to be able to reach as much vulnerable households as possible. That's why, when asking about what once the one year is over, staff members explain that the OFC beneficiary can't be expected to be able to pay rent as long as there's no reliable access to livelihoods. The sustainability of tenure security, beyond the OFC, can't be achieved unless the households have proper access to work.

C. On extending the initial contract period to better secure tenure for refugees

When asked about designing a three-years long OFC programme, humanitarian staff members stated two main obstacles: the high geographic mobility of the households (interviews with shelter staff ; Elie, Beirut, 6 November 2020; Hicham, online, 20

November 2020) and the landlords' difficulty to commit for a long period (interviews with shelter staff; Dahlia, Beirut, 10 November 2020; Karim, online, 20 December 2020).

On the beneficiaries high mobility despite a free-hosting period. Over the 50 participants, only two willingly left the apartment for family reasons (figure 14).

Figure 13

Three-years OFC. Landlords opinions

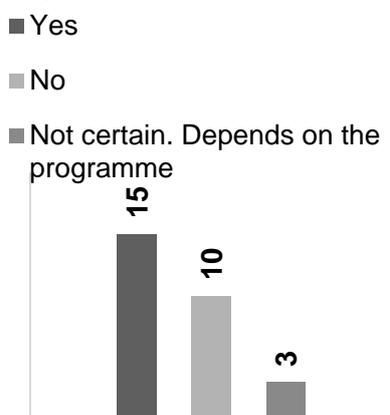
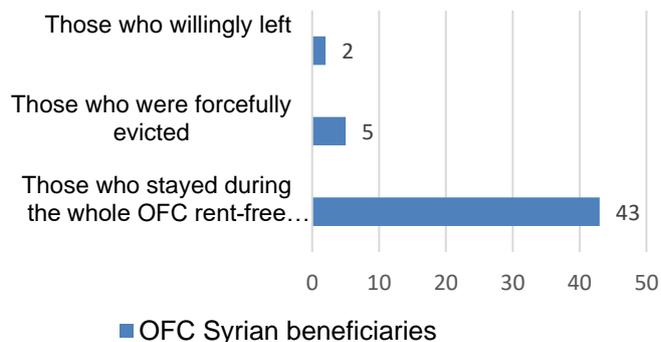


Figure 14

Households mobility during OFC period



On the landlords' difficulty to commit for a long period. When asked if they thought a three-years rehabilitation programme is better than one, 15 landlords preferred the longer one. The main reason is that it would allow them to finish their apartments (figure 13). For those who disagreed, it was hard to commit for three years and might need the apartment earlier for personal use.

D. On the donations and the sustainability of the programme

The efficiency of a programme outcomes is affected by the funding mechanism employed. The following section discusses how changing the way donations happen can improve the outcomes of the programme.

Less resources: the donations challenge

The *Too important to fail* report of the High-Level Panel on Humanitarian Financing concludes with recommendations to address the gap between the humanitarian needs and the available resources; one way is to improve the efficiency of the assistance through the provision of cash-based assistance (2016, pp.18-19). The call for cash-based assistance led to an important decrease in the OFC budget.

Adding to that is the ITSs challenge. "As the organizations' funds are currently undergoing cuts, residential shelter programmes are being cut as well," states Karim (online interview, 20 December 2020). "The focus is on ITSs since they constantly need repairs," he adds. ITSs' weatherproofing programme, where 20 per cent of the Syrian population in Lebanon lives, is a bigger priority than the OFC unfinished apartments. Those in apartments are considered in better conditions than those in tents and, "in terms of shelter funds, the priority goes to those in ITSs (...) and need to be repaired every year" adds Rachid (shelter staff, Beirut, 6 November 2020).

The funding gap between the needs for OFC and the available resources is one challenge. The available funds are not enough to cover all the needs and priorities go to the most urgent matters – the ITSs, even if this means throwing money on temporary shelter solutions instead of investing in more durable ones.

The short-term annual funding challenge

The shelter funding system limits the scope of the response of the OFC programme. Apart from a few exceptions, shelter organizations in Lebanon receive yearly funds for their needs in terms of shelter activities. This means that the OFC programme cannot exceed the one-year funded period and would need to reset the following year.

Short-term funding has a direct impact on the design of the programme and consequently its sustainability. Although, in a protracted crisis like the Syrian one, donors would be expecting to renew their OFC funding for the following year, no funding is official until the end of the on-going year making it hard to conceive a programme implementation beyond a year period.

The OFC programme is affected by the timing of the funding, consequently having a great impact on the effectiveness of the response (Christopher and Tatham ed., 2011, p. 42). As one staff member explains, short-term assistance, solutions and funding have always prevailed in the humanitarian world (interview with Rachid, shelter staff member, Beirut, 6 November 2020).

Humanitarian agencies and organizations, with a yearly fundraising cycle, are unable to implement multi-year programmes. Ending short-term annual fundraising, especially in a protracted refugee crisis, can pave the way for longer-term solutions.

Conclusive note

Once the OFC rent-free period is over, the household's tenure security rights were no longer a certainty and depended on the goodwill of the landlord. The organizations limited power over the private market and the landlords rent pricing led to the eviction of half of the survey participants.

To a more sustainable tenure security, the programme needs to be completed with a transitional phase during which rent is controlled. Organizations can negotiate a rent control/freeze period once the free hosting is over. This would allow to achieve some certainty about tenure for the refugees or as much tenure as possible given the context and constraints on the ground.

The impact of the OFC programme on the beneficiaries' tenure, beyond the one year, is very limited. An integrated approach of the programme, focusing on shelter, tenure security and livelihoods would lead to more sustainable results.

Extending the programme over many years reduces uncertainty and help the household secure three years of housing. To do so, this needs to be accompanied with an increase in the programme's amount of the donations but also a multi-annual funding model. A multi-annual programme would ensure more cost and time efficient results.

Conclusion

The need to prioritize longer-term shelter solutions over short-term ones for the Syrian crisis in Lebanon led some humanitarian international organizations to design the Occupancy Free-of Charge programme. Implemented as of 2013, the programme consists of paying the rehabilitation of unfinished apartments of Lebanese landlords in exchange for a rent-free hosting period, generally of twelve months, for Syrian families.

In Bar Elias, the programme benefitted both the refugees and the host community; it improved the refugees living conditions and secured them housing for a year, it increased the supply of affordable rental housing and benefited the local economy for many years. The programme played an active role in protecting the beneficiaries from any threat of eviction or forced eviction. The organizations' presence balanced the landlord-household power dynamics. The landlords' trust in the work of the organizations helped better secure households' tenure during their OFC stay.

Building on past experiences, some organizations upgraded the programme ensuring a more secure tenure for the households during the OFC stay. This included an agreement drafted by Housing, Land and Property rights legal experts and signed by all three parties; the household, the landlord and the organization. A shelter-legal sectors Taskforce was created for monthly follow-ups and HLP sessions on housing and property rights in Lebanon were given to the beneficiaries. Most importantly, in 2018, the creation of dispute resolution team, whose sole mission is to resolve issues related to refugees' housing tenure helped protect many OFC beneficiaries from eviction.

However, there is no proof that the programme led to sustainable outcomes in terms of access to housing and tenure security. Working within the private market meant that, once the programme expired, the household's tenure security rights were no longer a certainty and will depend on the goodwill of the landlord. The study showed that evictions increased after the programme expired, either through rent increases or rent debt. As affordable as the OFC housing stock is, the study showed that transitioning from a tent-rent or a free-rent to renting out an apartment turned out to be financially hard for half of the participants. The programme needs to follow a more integrated approach, focusing not only on shelter and legal aspects, but also on livelihoods solutions that would help the refugees secure rent payments once the free-hosting is over.

Donors and organizations must think long-term; a multi-annual programme can have a greater impact on the households' and the landlords' housing situations. A multi-annual OFC would ensure more cost and time efficient results; the humanitarian staff would secure their jobs and develop specific expertise on the programme, the refugees would enjoy better tenure security and stability and the landlords would complete the apartments.

To do so, the humanitarian yearly fundraising cycle needs to adapt to the new reality of a protracted Syrian refugee crisis. Ending short-term annual fundraising can pave the way for longer-term programmes and solutions; a long-term-funding-multi-annual OFC programmes better improve the housing tenure of those benefiting from it.

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References

Books and book chapters

- Bennafla, Karine. 19. La Bekaa, une zone libanaise stratégique au voisinage de la Syrie. In *Liban, une guerre de 33 jours*. Franck Mermier and Elizabeth Picard, eds. Paris : La Découverte, 2007, pp. 167-171.
- Couldrey, Marion, Herson, Maurice ed. (2017). Shelter in displacement. *Forced Migration Review*, vol. 55, 84 p. <http://www.fmreview.org>
- Davis, Ian (2011). What have we learned from 40 years' experience of Disaster Shelter? *Environmental Hazards*, vol. 10, pp. 139-212. doi.org/10.1080/17477891.2011.597499
- Fawaz, Mona, Saghiyeh, Nizar, and Nammour, Karim (2014). *Housing, land & property issues in Lebanon. Implications of the Syrian refugee crisis*. UNHCR/UN-Habitat.
- Harris, William (1985). The View from Zahle: Security and Economic Conditions in the Central Bekaa 1980-1985. *Middle East Journal*, vol. 39, No. 3, pp. 283-4. <http://www.jstor.org/stable/4327124>
- Information, Counselling and Legal Assistance programme (2014). *Increasing security of tenure through relationship building and written lease agreements: An Assessment of NRC's Housing, Land and Property Rights Pilot Project in Lebanon*. Norwegian Refugee Council Lebanon.
- Jahre, Marianne, Heigh, Ian (2008). Does the Current Constraints in Funding Promote Failure in Humanitarian Supply Chains? *Supply Chain Forum: An International Journal*, vol. 9, Issue 2, pp. 44-54. doi.org/10.1080/16258312.2008.11517198
- Kent, Randolph (2004). International Humanitarian Crises: Two Decades before and Two Decades beyond. *International Affairs (Royal Institute of International Affairs 1944-)*, vol. 80, No. 5, pp. 851-869. doi: 10.1111/j.1468-2346.2004.00422.x
- Lewis, Julia, and DRC Shelter Working Group (2019). *Cash and market-based shelter programming in the Democratic Republic of Congo*. Groupe de travail Abris RD Congo. 72 p.
- Schloms, Michael (winter 2005). Le dilemme inévitable de l'action humanitaire. *Cultures & Conflits*, No. 60, pp. 85-102. doi:10.4000/conflits.1924
- Sphere Association (2018). *The Sphere handbook. Humanitarian Charter and Minimum standards in Humanitarian Response*. United Kingdom: Shortrun Press.
- Statistics Lebanon LTD (2014). *Shelter phone survey - March-2014*. UNHCR, 56 slides.
- Tatham, Peter, and Christopher, Martin eds. (2011). *Humanitarian Logistics: Meeting the Challenge of Preparing for and Responding to Disaster*. New Delhi: KoganPage.
- Thiele, Bret (2012). *Security of Tenure: Legal and Judicial Aspects*. United Nations Human Rights Office of the High Commissioner Special Rapporteur report. 43 p.
- Valkonen, Anni (2021). Examining sources of land tenure (in)security. A focus on authority relations, state politics, social dynamics and belonging. *Land Use Policy*, vol. 101, No. 10519, pp.1-8. doi: 10.1016/j.landusepol.2020.105191

Van Gelder, Jean-Louis (2010). What tenure security? The case for a tripartite view. *Land Use Policy*, vol. 27, pp. 449-456. doi: 10.1016/j.landusepol.2009.06.008

Ziersch, Anna, Walsh, Moira, Due, Clemence, Duivesteyn, Emily (2017). Exploring the Relationship between Housing and Health for Refugees and Asylum Seekers in South Australia: A Qualitative Study. *International Journal of Environmental Research and Public Health*, vol. 14, pp. 1-20. doi:10.3390/ijerph14091036

United Nations High-Level Panel on Humanitarian Financing (2016). *Too important to fail-addressing the humanitarian financing gap*. 41 p.

UNHCR, UNICEF & WFP (2019). The Vulnerability Assessment for Syrian Refugees in Lebanon (VASyR-2019). 146 p.

United Nations High Commissioner for Refugees (2009). *UNHCR policy on refugee protection and solutions in urban areas*. 30 p.

----- (2012). *Refugee Assistance Information System (RAIS) v.2 User manual*. 36 p.

----- (2012). *Syria Regional Response Plan – March 2012 (RRP1)*. 84 p.

----- (2012). *Second Revision. Syria Regional Response Plan – September 2012 (RRP3)*. 106 p.

----- (2013). *Second Revision. Syria Regional Response Plan – January to December 2013 (RRP5)*. 343 p.

Yassin, Nasser, and others (2015). *No place to stay? Reflections on the Syrian refugee shelter policy in Lebanon*. Beirut: Issam Fares Institute for Public Policy and International Affairs & UN-HABITAT.