



# Private renters facing risk of eviction

NRC assessment on threat of eviction in households privately renting their homes

From March to June 2022, NRC's Information, Counselling and Legal Assistance (ICLA) program conducted an assessment on the threat of eviction for households privately renting their homes in Kandahar, Nimroz and Herat provinces. The results demonstrate a correlation between the economic crisis and increased risk of eviction.

## Background

Staggering levels of poverty now characterise Afghanistan one year after the takeover of the country by the de facto authorities (DfA) in August 2021. These challenging economic circumstances and an unclear legal context since August 2021 have all added pressure on households who are privately renting from landlords. The economic crisis has impacted the ability of households to pay rent and has increased this risk of eviction as a result.

## Economic crisis

For millions of Afghans, access to essential services and livelihoods effectively disappeared overnight when the DfA took over. Households are taking on more debt, primarily driven by the need to purchase food amidst rising food prices (WFP, *Afghanistan Vulnerability Analysis and Mapping, May 2020*) and shrinking incomes (IMPACT, *Evolving Drivers and Needs in Afghanistan, 2022*). High levels of unemployment are also reported, particularly in urban areas, as many former government officials

and public sector workers lost their jobs (VOCED, *Employment prospects in Afghanistan: a rapid impact assessment, January 2022*). The economic decline and high food prices have caused food insecurity across the country. On average, close to 90 per cent of household income is spent on food, rising to 94 per cent for female-headed households (WFP, *Afghanistan Food Security Update Round Ten June 2022*). Crisis-coping strategies are currently five-times worse than 15 August 2021, meaning that people are increasingly relying on harmful and unsustainable survival mechanisms such as child labour and debt to afford basic needs (WFP, *Afghanistan Food Security Update Round Ten June 2022*).

## ICLA assessment of eviction threats

From March to June 2022, NRC's ICLA program conducted an assessment on the threat of eviction for private rental households in Kandahar, Nimroz and Herat provinces. The purpose of the assessment was to assess the prevalence of threat of and actual eviction in these communities since August 2021.

## Methodology

NRC conducted a household-level questionnaire with men and women heads-of-households who were identified as private renters across the three provinces in areas with high displaced populations. Sample sizes were calculated with support of NRC's Monitoring and Evaluation Unit, based on 95% confidence level and 5 to 8% margin of error. In Herat, 168 people were interviewed (64 women, 104 men); 170 people (79 women, 91 men) in Nimroz; and 503 people (337 women, 166 men) in Kandahar. The gender ratio of participants in each area was not fixed, which has impacted the percentage of each gender in the specific results of the assessments. For example, it was possible to interview more women in Kandahar than in other locations.

NRC used the same questionnaire across each province which contained mostly closed questions. ICLA men and women staff conducted the assessment face-to-face with participants and explained the objectives of the assessment to the participants and village elders before the assessment. ICLA staff collected data on Kobo and ICLA senior staff conducted analysis.

## Main findings

### There were significant reports of threat of eviction since August 2021

Households reported threat of evictions at an alarming rate since August 2021. In Herat, 73% (25% of those women) of respondents have received a threat of eviction since August 2021. In Kandahar, it was 71% of respondents (70% of those women).

Interestingly, in Nimroz, only 8% of respondents (43% of those women) had received a threat of eviction in this period. This could be partly because most respondents had some type of agreement with their landlord (even if only verbal).

Respondents across all the targeted provinces overwhelming indicated that they mostly had no income or were working as daily labourers. Respondents stated that the main reasons for the threat of eviction by the landlord were their inability

to pay rent due to loss of livelihood, or that the landlord had increased the rent and they could not afford it, across all three locations.

### Privately renting households lack adequate agreements with landlords, putting them at greater risk

Across the targeted provinces, households overwhelmingly reported that they lacked adequate rental agreements with landlords.

In Kandahar, 68% of respondents (69% of those women) reported lacking any type of agreement with their landlord. In Herat and Nimroz, the situation was slightly better, in that many respondents had some type of agreement with their landlord. However, 84% of respondents (49% of those women) in Nimroz and 46% (29% of those women) in Herat had only a verbal agreement.

Although verbal agreements offer more protection to renters than no agreement at all, verbal agreements pose greater risk of being incomplete or unclear, which leads to increased risk of eviction or other types of disputes for renters.



An ICLA staff member interviews an assessment participant in Injil district, Herat province, March 2022. Photo: NRC

### Some households attempted dispute resolution with mixed results

Some respondents attempted to negotiate with their landlord after the threat of eviction. In Herat, 94% (23% of those women) tried to negotiate and 93% of those (22% of those women) managed to prevent the eviction from taking place; demonstrating interestingly that the women who did attempt negotiation were mostly successful. In Kandahar,



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72% of respondents (64% of those women) negotiated with their landlord, with only 30% (54% of those women) successfully preventing eviction from taking place. In Nimroz, while all participants had attempted negotiation with their landlord, only one of the respondents (a man) prevented the eviction from taking place.

Respondents across the three provinces also reported attempting other types of dispute resolution. In all three target provinces, more respondents had attempted to resolve their dispute through the informal justice system (shura or jirga) rather than through going to the formal justice system (such as courts). In Herat, around half of those respondents who approached the informal justice system managed to prevent the eviction, whereas in Kandahar, only 13% of those respondents (but 65% of those women) prevented the eviction.

In a similar assessment conducted in Nangahar province in March 2022, 58% of respondents (34% of those women) approached an informal justice mechanism about a threat of eviction, however only 11% (47% of those women) were able to prevent the eviction as a result.

## Conclusions

The results from this assessment indicate that the difficult economic conditions faced by households across Afghanistan since August 2021 permeate all facets of life, including housing, land, and property (HLP) rights. Economic challenges have resulted in loss of livelihood and income, and this has impacted the ability of households to pay rent and the likelihood of landlords to increase rent, which results in increased threats of and actual evictions.

Further, the outcomes of this assessment indicate that a lack of adequate rental agreements with landlords and privately renting households is a substantial contributing factor to insecurity of tenure and vulnerability to eviction.

Steps should be taken to immediately ease the financial challenges of renters through cash-based programming, as well as improve the uptake of rental agreements and improve rental dispute resolution mechanisms.

In the longer term, steps must be taken to address core drivers of these challenges, namely the economic crisis, driven significantly by the major financial and political restrictions that have been placed on the Taliban-led state by the international community.

### NRC recommendations:

- **DfA** to address the unclear legal framework surrounding land tenure and evictions and support constructive and fair dispute resolution mechanisms through both the formal and informal legal systems.
- **DfA** to put in place interim measures to provide legal protection to vulnerable households at risk of eviction due to the economic crisis.
- **NRC ICLA** to provide awareness-raising to renters and landlords about their rights and responsibilities, including the importance of a written rental agreement.
- **NRC ICLA** to provide legal assistance for particularly vulnerable households at risk of eviction.
- **NRC and other organisations** to provide other targeted interventions such as cash for rent or livelihood activities to ease the rental burden on vulnerable households.
- **HLP Taskforce** to monitor threat of and actual evictions, and to conduct capacity-building and raise awareness on standards of eviction among organisations and actors.
- **All actors** to continue advocacy towards international bodies to acknowledge and address the harmful impacts of the economic restrictions placed on Afghanistan.

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