

Consultant Terms of Reference

NRC LEBANON

Research on Housing, Land and Property in areas affected by the Beirut Port Explosions

Country: LEBANON

Duration: February – May 2021

Reporting to: Information, Counseling, and Legal Assistance (ICLA) Specialist

1. BACKGROUND INFORMATION

1.1 Background on the Country and Housing, Land and Property Context

On 4 August 2020, explosions occurred at the Beirut, Lebanon Port, resulting in large-scale damage to buildings and infrastructure, losses in lives, homes and businesses, and a disruption in the services provision of several facilities. It is estimated that the Beirut Port explosions directly impacted 291,180 individuals living in 72,265 apartments within three kilometers of the epicenter (UNOCHA, 2020).

In August, shortly after the explosions, NRC conducted a multi-sectoral needs assessment, covering Karantina and Mar Mikhael neighbourhoods. The preliminary findings were based on a survey of 280 buildings and 641 accessible apartments, including interviews with 506 households living in the affected areas. Preliminary data showed that around 23% of buildings sustained moderate levels of damage and almost 73% have minor damages. The households surveyed (49.6% Lebanese HHs, 40.3% Syrian HHs, 10.1% other nationalities HHs) reported the following occupancy status: 30% owned property (all Lebanese nationals), 67% rented property (mostly Syrian nationals, some Lebanese nationals and other nationalities), and 3% were hosted. 85% of the tenants reported having rented the property after 1992, and 15% (mainly Lebanese nationals) reported having rented before 1992. 55% of the respondents (mainly Syrian nationals, other nationalities and some Lebanese nationals, renting properties) reported not possessing any housing document.

The Beirut Port explosions highlighted, and exacerbated, challenges related to housing, land and property (HLP) rights linked to the pre-existing complex urban housing context. The ongoing emergency response has further revealed critical HLP issues that need to be addressed in order to ensure that the HLP rights of affected populations are protected. These HLP challenges include:

- Lack of tenants' security of tenure due to threats of eviction for various reasons, including rental payments.
- Lost, damaged or missing HLP documentation (property deeds, lease agreements, etc.).
- Lack of information and awareness on how to retrieve HLP documentation in case of loss.
- Lack of awareness by tenants and owners of their HLP rights and responsibilities and their potential for seeking HLP legal support, counselling, and judicial system recourse.
- Disputes between property owners and tenants over responsibilities for repair of damage and rental payments.

- Concerns regarding governmental compensation mechanisms related to the damages caused by the explosions and community tensions related to assistance and compensation.
- Financial pressure on property owners to sell their properties to developers or investors.

Additionally, refugee families in this context are particularly vulnerable and still require support related to registering life events and legal residency in the host country.

1.2 NRC's activities and presence

Established in Lebanon in 2006, NRC has nationwide coverage with offices in Beirut/Mount Lebanon, Bekaa, Akkar and Tyre. NRC provides humanitarian aid to refugees from Syria, Palestine, and vulnerable Lebanese communities. In addition to Shelter, WASH and Education programmes, NRC is the largest legal service provider for refugees in Lebanon, providing services in 21 of the country's 26 districts through the Information, Counseling and Legal Assistance (ICLA) programme.

NRC also engages in advocacy with the Lebanese government and donors to expand and safeguard refugee rights and protection.

Following the Beirut Port explosions on 4 August 2020 which killed more than 180 people, injured more than 6,000 people and left 300,000 people homeless, NRC has been implementing a multi-sector emergency response focused on shelter, ICLA and education to meet the critical needs of persons impacted by the explosions.

1.3 NRC's Intervention Specific to the HLP Research

NRC, through its ICLA Programme, contributes to enhancing legal protection through implementation of a legal assistance programme focused on four main thematic areas of specialty: Civil Documentation, Legal Residency, Employment rights and HLP rights. The ICLA programme provides free of charge information, counseling and legal assistance services in Beirut-Mount Lebanon, South Lebanon, Bekaa and North Lebanon.

Since the 4 August 2020 Beirut Port explosions, NRC ICLA staff have been working within the Emergency Response team to respond to legal protection needs, and in particular, HLP related issues. NRC ICLA is providing information, counselling and legal assistance to persons affected by the explosions (Lebanese nationals, refugees, migrant workers) on HLP rights, civil documentation and legal residency. The legal aid delivery aims at increasing security of tenure, solving disputes over HLP issues and eviction threats through Collaborative Dispute Resolution (CDR) interventions, providing information and follow-up on existing compensation mechanisms, supporting with replacement of lost and damaged documents along with providing assistance on civil documentation and legal residency, in particular for refugees and migrants.

NRC ICLA is also supporting shelter and rehabilitation interventions by conducting due diligence activities. Due diligence is the process of confirming property ownership or usage rights as a measure to help protect owners and tenants by ensuring that beneficiaries are in lawful possession of the property. The due diligence process serves as protection and also deters the potential for disputes or issues of liability for owners, tenants, and third parties.

NRC also co-chairs the Housing, Land and Property Temporary Technical Committee for Beirut Port Blast Shelter Response (HLP TTC). The HLP TTC was established in the aftermath of the Beirut

Port explosions and the subsequent emergency humanitarian response operation to support the most vulnerable affected populations with shelter assistance to return shelters to pre-explosion status. The HLP TTC has published, among other things, a Guidance Note on HLP which highlighted HLP issues, discussed the legal framework, and included a HLP Due Diligence checklist for shelter actors, recommendations and advocacy messages.

2. PURPOSE OF RESEARCH AND INTENDED USE

The research on housing, land and property rights in the context of the Beirut Port explosions will allow NRC to produce a new analysis on emerging HLP issues in an emergency setting.

The main purpose of the research is to achieve a better understanding of:

- The dynamics related to HLP rights in the emergency context
- The main challenges faced by affected property owners and tenants
- Coping mechanisms and aspects related to security of tenure
- Access to property damages compensation schemes
- Emerging disputes
- Complex HLP cases, and
- Analysis on housing policies and the national legal framework.

The findings of the research will be oriented to inform key stakeholders, support advocacy actions, and inform NRC programming.

3. SCOPE OF WORK AND LINES OF INQUIRY

This research will cover the complexities of the impact of the Beirut Port blast on the HLP rights of the affected populations in Beirut.

Geographical scope: Beirut – areas affected by Beirut Port blast

3.1 Lines of Inquiry

The research will look to answer the following guiding questions:

- What are the main HLP challenges faced by persons affected by the Beirut Port explosions?
- How has the aftermath of the Beirut Port explosions affected property owners and tenants' security of tenure?
- What coping mechanisms, if any, are property owners and tenants using in response to the aftermath of the Beirut Port explosions?
- What are the challenges related to accessing property damages compensation schemes?
- To what extent have the dynamics in the affected neighbourhoods changed and led to increased disputes, or tension within these communities?
- What is the existing legal framework relevant to HLP rights in the Beirut Port affected areas?
- To what extent has the national legal framework or local policy related to housing created or exacerbated HLP challenges within the affected neighbourhoods?

The full list of research questions will be further developed during the inception phase of the project.

4. METHODOLOGY

To answer these research questions, NRC would like the researcher to engage in a methodology process that includes, but is not limited to, the following phases:

- Inception phase and desk review of key documents
- Key informant interviews, including key stakeholders (shelter sector partners, government, community actors, protection international and national organizations, CBOs, etc.) and key NRC ICLA and Emergency Response staff
- Field visits that will include semi-structured interviews to seek the views and perceptions of the targeted beneficiaries and their communities
- A validation exercise for confirming preliminary findings, and
- Drafting and revising a report including key findings of the research

5. RESEARCH FOLLOW UP AND LEARNING

The findings of the research will be oriented to inform key stakeholders, support advocacy actions, and inform NRC programming. It will offer the opportunity to create learning that can be

used to adapt the services that are being provided to the affected population (e.g., legal services and shelter assistance) and conduct advocacy actions aiming at promoting and protecting HLP rights. Key findings will be shared with key stakeholders.

6. RESEARCH PRINCIPLES

The views expressed in the research report shall be the independent and candid professional opinion of the researcher. The research will be guided by the following ethical considerations:

- Openness - of information given, to the highest possible degree to all involved parties
- Public access - to the results when there are not special considerations against this
- Broad participation - the interested parties should be involved where relevant and possible
- Reliability and independence - the research should be conducted so that findings and conclusions are correct and trustworthy

7. COORDINATION AND MANAGEMENT OF THE RESEARCH PROJECT

A Research Reference group is established by NRC with the following members: ICLA Specialist, HLP Advisor, Emergency Response Manager, the Regional ICLA Advisor.

The main functions of the Research Reference Group will be to:

- Give input on the TOR
- Review the inception report
- Facilitate the gathering of data necessary for the research
- Participate in the validation of research findings, and to ensure that they are factually accurate
- Review and approve the research report

8. DELIVERABLES AND REPORTING DEADLINES

The Researcher / Research team will submit the following deliverables:

- **Inception report:** Following the desk review and prior to fieldwork, the researcher will produce an inception report subject to approval by the NRC Research Reference group. This report will detail a draft work plan with a summary of the methodology to be used and a work plan/schedule for field visits and major deadlines. With respect to methodology, the researcher will provide a description of how data will be collected and a sampling framework, data sources, and drafts of suggested data collection tools such as questionnaires and interview guides. Once the report is finalised and accepted, the researcher must submit a request for any change in strategy or approach to NRC. **The Inception Report will be submitted within 2 weeks of commencing the consultancy contract.**
- **Field work:** Field work will commence after approval of the Inception report. **Approximately 3 weeks of field work** are required to conduct semi-structured interviews and other data collection, conduct a preliminary analysis, and participate in a validation

workshop and presentation of preliminary findings and recommendations to the NRC Research Reference group.

- Draft report: The draft report of research findings will be submitted within 2 weeks after finalization of the field work. The NRC Research Reference group will review the draft and provide feedback within 2 weeks from the receipt of the draft report.
- Final report: The Final Research Report will be submitted within 2 weeks of the NRC Research Reference group feedback from the draft report. The Final report shall include a maximum two-page executive summary of the findings, conclusions and recommendations. The final report will be approved by the NRC Research Reference group.

All material collected in the undertaking of the research process is the property of NRC and shall be lodged with the ICLA Specialist prior to the termination of the contract.

9. TIMEFRAME

Proposals should present a budget for the number of expected working days over the entire period.

The research consultancy is scheduled to start no later than 15 February 2021 and is projected to end no later than 15 May 2021.

The Researcher / Research team is expected to provide a suggested timeline and work plan for the consulting assignment based on these scheduling parameters and in keeping with the scope of the research questions and criteria.

In the event of serious problems or delays, the (lead) researcher should inform NRC immediately. Any significant changes to review timetables shall be approved by NRC in advance.

10. RESEARCHER CONSULTANT QUALIFICATIONS

NRC seeks expressions of interest from individuals, ideally with the following skills/qualifications and expertise:

- Sound and proven experience in conducting research consultancy assignments
- Expertise in participatory qualitative data collection techniques
- Background and work experience in housing, land and property / protection programmes
- Previous experience in conducting research on housing, land and property in humanitarian and/or emergency settings

Additional, desirable knowledge, includes:

- Demonstrated knowledge of Middle East and Lebanon political and legal context
- Understanding of global and regional trends and initiatives related to housing, land and property / humanitarian protection

Necessary Skills:

- Fluency in written and spoken English is required
- Fluency in written and spoken Arabic is highly desirable
- Prior experience in Middle East is highly desirable
- Proven experience of research / report writing
- Experience in designing qualitative data collection methods
- Excellent team working, communication, and organization skills and flexibility



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REFUGEE COUNCIL

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