

HOUSING, LAND AND PROPERTY (HLP) AND CASH-BASED INTERVENTIONS TIP SHEET

This tip sheet summarises key points to reflect on in HLP programmes when considering Cash-Based Interventions (CBI's). It is intended to assist HLP Area of Responsibility and partners to highlight linkages between Cash-based Interventions and HLP activities and consider ways CBI's can be used to minimise protection risks and enhance protection benefits.

TERMINOLOGY

Cash based intervention (CBI): Refers to the provision of assistance to individuals, groups or communities through cash and vouchers, and is an alternative modality to doing in-kind distribution or direct service provision. CBI's are not a programme, they are a modality that helps to achieve programmatic results (such as enabling populations to meet basic needs, assist with livelihoods recovery, or improve access to services). CBI's are used when target populations are facing an issue of **accessibility** to goods and services due to insufficient income/money. When a market is well-provisioned and can scale-up its supply when faced with increased demand, CBIs are the preferred intervention modality because they inject money into the local economy (multiplier effect), and provide the dignity of choice to target populations. If a population is facing an issue of **availability of quality** goods and services, provision of cash or vouchers may cause inflation due to insufficient supply. In this case, in-kind, or a combination of CBI and in-kind may be required for the initial stages of response until the local economy can support a large cash-influx. Considerations and preferences of affected population should play a prominent role in the design of CBI.

Conditional versus Unconditional: Refers to whether a condition must be met before a beneficiary may obtain the cash or voucher. Examples of conditions that may be applied include work (cash for work), attendance at a training, bringing children for doctor's checkups, instalments for livelihoods grants being provided upon proof of proper expenditure of previous instalment, and disarmament.

Restricted versus Unrestricted: Refers to how the money can be spent. Unrestricted means that it can be spent on whatever the beneficiary wishes. Restricted grants are typically provided through vouchers, which limits the expenditure to a specific place (ie only at selected stores), or a commodity (a voucher worth x kg of rice), or a cash value (a voucher worth x money to be spend at participating retailers). Restricted CBIs are usually adopted when the program requires that the cash be spent on a specific commodity or service, however this commodity or service is not the highest priority of the target population.

Cash delivery mechanisms: Refer to the delivery mechanism of how the beneficiary will receive the cash/voucher. Mechanisms include cash envelopes, bank cards, electronic vouchers, distributions through 3rd party service providers, mobile banking etc. Key considerations when selecting the cash transfer mechanism include local availability of services, distance to services, access (including safety) of beneficiaries to services, costs, speed and ease of set-up, speed and ease of making changes, and intended duration (one delivery vs regular instalments).

KEY MESSAGES

- Do not assume that CBI's are not suitable modality to be used to achieve effective outcomes in HLP programmes. Use evidence base to inform your decision. The evidence base can include context-specific analysis of HLP issues, including HLP as part of the conflict or crisis, ie. HLP as a root-cause, HLP violations used as part of the military tactics, or for political or other purposes, etc.
- Begin with the understanding of the evolution of HLP legal framework and local local tenure arrangements over time, and their impact on the daily life of affected populations. Explore HLP relations in urban, peri-urban and rural contexts as well as among different socio-economic and Age, Gender and Diversity groups, including displaced populations as they may vary considerably.
- There are multiple forms of Cash-Based Interventions, ranging from Multi-Purpose Grants, restricted, unrestricted, conditional and unconditional cash transfers and vouchers, cash and vouchers for assets and trainings, to cash for work and social protection safety nets. The programme outcome to be achieved, safety and economic conditions in local context and preferences of affected population should guide the selection of a particular type of CBI, either alone or in combination with complementary programming. For advice on whether economic conditions are favourable to use CBI's as a programming modality in a specific context, reach out to your local Cash Working Group for guidance.
- Do no harm: If the local economy can support a CBI modality, however the choice is made to ship large quantities of commodities into an area in-kind, this may result in the program cutting demand for locally available goods.

Learning in action:

Market-based exchanges might assist in the facto integration of displaced persons with host population. In Jordan and Lebanon, Norwegian Refugee Council provides financial incentives and technical support to Jordanian landlords to complete construction of houses which are then offered to Syrian refugees rent-free for up to 18 months. In overall, increased security of tenure for refugees "allowed them to gain independence and dignity for this period of time, and generally to have peaceful enjoyment of the property without fear of eviction". Meanwhile, Jordanian landlords were able "to complete their unfinished properties which would on average have taken them an additional 1.8 years."

[Notio Partners, "Evaluation of the Norwegian Refugee Council Jordan integrated urban shelter and Information Counseling and Legal Assistance Programme \(ICLA\)", pp. 70-71, accessed at https://www.nrc.no/globalassets/pdf/evaluations/evaluation---shelter-icla-urban-programme-in-jordan.pdf](https://www.nrc.no/globalassets/pdf/evaluations/evaluation---shelter-icla-urban-programme-in-jordan.pdf)

THE EVIDENCE SHOWS THAT:

- ✓ Market-based exchanges might assist in the de facto integration of displaced persons with host population. Fostering economic connections, including through CBI, across different economic classes may increase displaced persons access to social and economic capital.
- ✓ Combining CBI with other types of programming and appropriate services may result in more sustainable protection impact that goes beyond the duration of cash assistance.
- ✓ The merits and shortcomings of the different delivery modalities should be assessed in order to make informed decision, with particular emphasis on barriers to access. For instance, if majority of affected population lacks bank accounts, civil documentation to open bank account or

acquire mobile phone or faces other significant barriers to access, other forms of delivery modality should be considered, particularly as a short-term measure. Considerations and preferences of affected population should play a prominent role in the design of CBI.

- ✓ When considering cash-based assistance, the feasibility and capacity of relevant market systems, including housing, rental and markets for construction materials, need to be assessed continually throughout the response. For instance, influx of displaced person might cause dramatic hikes in rent related to the increased demand for rental accommodation. If the housing market was already constrained and supply lagged behind tailor-made responses linked with market capacity should be considered not to cause distortions to the housing market for host population.
- ✓ Unrestricted cash grants (that can be spent on anything), will always be spent on a household's most urgent unmet need (usually the majority is spent on food). If your program requires cash to be spent on a specific service or commodity that is not considered a top priority by households, use vouchers to restrict expenditure.
- ✓ If your programming priority requires that beneficiaries is offered a specific service, you may impose a condition on delivering cash, or a restriction, ie voucher to use at specific stores with safe/quality construction materials.

PROGRAM STRATEGY CONSIDERATIONS

- a. Cash in Needs Assessment and Analysis
 - Programmatic assessment of needs of affected population, how UXOs/ERW impact upon their daily lives, safety & perceptions, and how risks may be exacerbated due to vulnerabilities and limited access to income. This stage is not linked to the decision making of using CBIs.
 - After understanding what the needs are, assess why they need what they need; availability issues? Access due to insufficient funds? Access due to other issues?
 - Either immediately or as part of a separate exercise follows market assessment, cash delivery service provider mapping.
- b. Cash in Strategic Planning
 - The decision on the type of programming to implement (livelihood, basic needs, service provision), is not linked to the decision to use cash.
 - Once the decision is made on the programmatic priorities, the decision is made for each location on whether this assistance should be provided through in-kind, cash, service provision or a combination of the modalities. One program may use multiple different assistance modalities in different locations depending on the local economy and context.
- c. Cash in Resource Mobilisation
 - Include calculations of extra administrative staff, include start-up costs (such as buying the bank cards), consider price of commodities in remote locations (may be more expensive than estimates made in big cities), and incorporate planned transaction costs.
- d. Cash in Implementation and Monitoring

- If a CBI program is implemented to facilitate access to commodities, plan for price monitoring to ensure that the program does not cause inflation due to demand being higher than supply.
- Monitor the safety, access, and ease of use of the CBI. Potentially plan for information sessions if it is an unfamiliar technology to the local population.
- Develop a monitoring framework that allows to capture changes in community dynamics or harmful changes in the HLP landscape as a result of cash injections, such as exploitation of beneficiaries or increase in forced evictions.
- Work in multi-functional / multi-sectoral teams when designing, implementing and monitoring CBI, including cash officers, protection, health practitioners, education, SGBV, livelihood specialists, social and community workers, engineers. Multi-functional teams bring together different professional expertise, skills and functions that enable comprehensive analysis and consensus on common goals, outcomes and approaches.

TENURE SECURITY

- Consider community-based stakeholder analysis to gauge power relations at local levels, where cash is going to be injected, perceptions and experiences of tenure security among people and communities, identify risks faced by different Age, Gender and Diversity groups. What are the pragmatic responses these groups formulate in order to reduce their economic, social and political vulnerabilities that affect their tenure security?
- There is a close relationship between tenure insecurity and forced eviction though tenure insecurity may not automatically result in evictions. Local context and local perceptions

Security of tenure is a central component of the right to adequate housing.

Guiding principles on Security of Tenure

<http://www.ohchr.org/EN/Issues/Housing/Pages/StudyOnSecurityOfTenure.aspx>

“Security of tenure is an agreement between an individual or group to land and residential property, which is governed and regulated by a legal (formal or customary) and administrative framework. The security derives from the fact that the right of access to and use of the land and property is underwritten by a known set of rules, and that this right is justiciable.”

UN-Habitat, “Enhancing urban safety and security: global

Forced eviction is “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of and access to appropriate forms of legal or other protection”

General Comment No. 7, International Covenant on Economic, Social and Cultural Rights

will help determine a feasibility of a rental support cash grant to families facing eviction or other form of CBI, either alone or in combination with other approaches in a given context.

- In many contexts, tenure security of women is limited and usually depends on their relationship with a man. When using CBI’s for reconstruction or upgrade of

housing, considerations should be given to joint titles for spouses where this is appropriate and does not expose women to domestic violence. At the minimum women and men should be informed of their options, for instance as part of the legal aid awareness raising.

- Widows (and other categories of female-headed households) are at particular risk of eviction, including from their family homes as well as non-formal settlements in urban centres. Consider appropriateness of cash support to reduce exposure to immediate protection risks arising out of it.

- Follow ‘Do No Harm’ approach and mainstream analysis and mitigation of protection risks in the design and implementation of CBI using, for instance, UNHCR protection risks and benefits analysis tool available at http://www.globalprotectioncluster.org/assets/files/tools_and_guidance/cash-based-interventions/erc-protection-risks-and-benefits-analysis-tool-web_en.pdf
- In some contexts, there is a link between Gender-Based Violence and HLP. Insecure tenure may increase exposure to exploitation and abuse by landlords, family members (ie domestic violence) and others. Subject to thorough context analysis, CBI may be an appropriate modality to respond to and mitigate these protection risks through tailor-made approach.
- In order to prevent sexual exploitation and abuse (SEA) beneficiary feedback and complaint system should be established accessible to different Age, Gender and Diversity groups as part of the monitoring system. The system should reflect local preferences, literacy rates, different forms of disability, safety. Its development should be preceded by engagement with communities, both potential beneficiaries and non-beneficiaries on entitlements, targeting for cash assistance and distribution of cash which should be done in transparent, consistent and predictable way to minimise the potential of SEA.
- Restricted cash grant may be appropriate form of CBI in programmes with an explicit focus on improving tenure security in a defined form (time-limited contract, documentation, legal processes, etc). Technical support, oversight and monitoring is critical to achieve these objectives.

ACCESS TO REMEDY

- Crisis and population displacement changes patterns of tenure security, and has impact on HLP institutions and rules governing HLP arrangements. This may result in secondary occupation of HLP previously belonging to displaced persons and increase in HLP-related disputes which may affect the feasibility of durable solutions, particularly the return. Displacement may also result in a loss of civil documentation which is often required to provide one’s identity and enjoy HLP rights. Consider appropriateness of CBI to contribute to address HLP disputes and strengthen access to civil documentation. For instance, cash grant may be considered for legal assistance to cover cost of legal representation, civil documentation, transport to attend court hearings, visits to cadastral/land office to follow application procedures for title, deeds or other HLP-related documentation.

Learning in action:

In Somalia, NRC ICLA pays stamp duty for registration of land tenure documents. This payment often between \$5 to \$15 is in bulk for IDPs; mainly shelter beneficiaries or those at risk/affected by forced evictions. Stamp duty is mandatory for land transactions in Somalia and both host and IDP communities are required to pay.

- Explore supply and demand aspects of HLP at micro, meso and macro level and barriers to access for different socio-economic groups. This will help inform vulnerability framework and targeting.

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- There is a relationship of a mutual dependency between urban and rural livelihood systems and the role of land is central to understand these relationship and its impact on affected population. Subject to context-specific analysis, cash grant for lease of agricultural land might be considered as a way to improve people’s livelihood and respond to identified demand.
- Increased urbanisation and the steady transition from a rural to an urban world changes the patterns of warfare where aspects of HLP rights systems are being used by parties to the conflict resulting in large scale destruction of urban infrastructure, including housing and commercial properties. Subject to context-specific analysis, consider whether and how CBI’s can contribute to the recovery and reconstruction efforts, the role of development actors and other forms of programming.
- Partnership and integrated programming between HLP and partners can contribute to providing solutions and remedies for displaced persons. For instance in Colombia, mine action and Land Restitution Unit of the local government joined hands to ensure that areas prioritised for restitution to returning IDP’s are clear of mines. Integrated programming that includes elements of mine clearance and infrastructure rehabilitation (including housing) through conditional (cash for work), unconditional or other forms of cash transfers and is closely coordinated with entities responsible for organised IDP return can strengthen the likelihood of sustainable solutions.

Learning in action:

Assistance may not always be conditioned on formal documentation to increase tenure security.

NRC in Mali provides cash for rent in urban context for IDP’s and returnees to remain in current rental premises. “Written documentation of tenure is not required to receive assistance. Because most beneficiaries lack tenure documentation, Information, Counselling and Legal Assistance (ICLA) consults with neighbours, local authorities, and NRC-facilitated committee about each beneficiary prior to delivery of assistance, and provides wide notice in community to allow anyone with conflicting claim to come forward. If neighbours and authorities agree, NRC provides assistance. If there were disputes about tenure, parties had to resolve disputes themselves prior to shelter assistance being provided.”

“Securing tenure in shelter operations; Guidance for humanitarian response”, NRC (May 2016), accessed at https://www.sheltercluster.org/sites/default/files/docs/nrc_shelter_tenure_guidance_external.pdf

Leasing of agricultural land as an example of market transaction might be a feasible approach to improve sustainable livelihood opportunities for Internally Displaced Persons. In response to government’s call for stimulating agricultural production in Georgia and the IDP’s desire to engage in agriculture, the consortium of Danish Refugee Council and a local NGO, Charity Humanitarian Centre Abkhazeti pilot a land leasing project. Prior to implementation, feasibility study carried out in 2016 “identified procedures to improve and simplify the process by which IDPs and rural communities in Georgia can identify and secure land access for agricultural purposes.”

“Improving access to agricultural land for the internally displaced”, accessed at <http://blogs.worldbank.org/dev4peace/improving-access-agricultural-land-internally-displaced>

SELECTED RESOURCES ON CBI AND HLP

- “Securing tenure in shelter operations; Guidance for humanitarian response”, NRC (May 2016), accessed at https://www.sheltercluster.org/sites/default/files/docs/nrc_shelter_tenure_guidance_external.pdf
- IASC Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action. Reducing risk, promoting resilience and aiding recovery; Housing, Land and Property, accessed at https://gbvguidelines.org/wp/wp-content/uploads/2015/09/TAG-HLP-08_26_2015.pdf
- “Land Rights and Shelter: The Due Diligence Standard”, the Shelter Cluster (2013), accessed at https://www.sheltercluster.org/sites/default/files/docs/4.2_gsc_land_rights_and_shelter_the_due_diligence_standard.pdf
- Fitzgerald E., “Helping families, closing camps using rental support cash grants and other housing solutions to end displacement in camps. A tool kit of best practice and lessons learned, Haiti 2010 – 2012”, IASC Haiti E-Shelter/CCCM Cluster, accessed at https://www.sheltercluster.org/sites/default/files/docs/Helping_Families_Closing_Camps2.pdf
- Securing housing, land and property rights for displaced women, accessed at <http://womenshlp.nrc.no>
- UNHCR Guide for protection in Cash-based Interventions (2015), accessed at <http://www.globalprotectioncluster.org/en/tools-and-guidance/essential-protection-guidance-and-tools/cash-based-interventions-and-idp-protection.html>

SELECTED RESOURCES ON CBI IN GENERAL

- The Cash Learning Partnership (CaLP), accessed at www.cashlearning.org
- CaLP Glossary of Cash Transfer Programming (CTP) Terminology (October 2017), accessed at <http://www.cashlearning.org/resources/glossary>
- CaLP Cash-Based Assistance - Programme Quality Toolbox, accessed at <http://www.cashlearning.org/resources/--pqtoolboxcashlearning--->
- CaLP Cash Toolboxes, accessed at <http://www.cashlearning.org/toolkits/toolkits>
- CaLP Tools for Implementation as per project cycle, accessed at <http://www.cashlearning.org/resources/tools>
- CaLP video library and webinars, accessed at <http://www.cashlearning.org/resources/video-library>
- Regional and country-based Cash Working Groups, accessed at <http://www.cashlearning.org/where-we-work/where-we-work-overview>