



# PLANNED RELOCATION, DISASTERS AND CLIMATE CHANGE: CONSOLIDATING GOOD PRACTICES AND PREPARING FOR THE FUTURE

## REPORT

Sanremo, Italy, 12-14 March 2014

DISASTERS  
CLIMATE CHANGE AND  
DISPLACEMENT  EVIDENCE  
FOR ACTION

PARTNERS

THE  
NANSEN  
INITIATIVE

DISASTER-INDUCED CROSS-BORDER DISPLACEMENT

 **NRC** NORWEGIAN  
REFUGEE COUNCIL

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displacement  
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**BROOKINGS**

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# EXECUTIVE SUMMARY

1. The United Nations High Commissioner for Refugees (UNHCR), the Brookings-LSE Project on Internal Displacement (Brookings Institution), and Georgetown University's Institute for the Study of International Migration (ISIM) organized an expert consultation on Planned Relocation, Disasters and Climate Change: Consolidating Good Practices and Preparing for the Future in Sanremo, Italy, from 12-14 March 2014. The main themes and findings from the consultations are synthesized in this executive summary.
2. As more and more people live in locations highly vulnerable to disasters and other climate change impacts, planned relocation will be one response States may take to protect affected communities. It is important for States and practitioners to draw lessons from past experiences to ensure that future movements are initiated, planned, and carried out in a rights-respecting manner and lead to the most positive outcomes possible for those involved.
3. Generating a common understanding of the meaning and content of 'planned relocation', along with other related terms, is essential to ensure policy approaches are developed consistently and appropriately, and subsequent actions are based on shared assumptions.
4. Planned relocation should be considered as a last resort. All reasonable in situ alternatives and solutions should be explored first, unless communities themselves have identified planned relocation as their preferred option.
5. Well planned relocation can be both a form of disaster risk reduction (DRR)<sup>1</sup> and a form of climate change adaptation.<sup>2</sup> Planned relocation can be undertaken preemptively (e.g. before a disaster strikes, or as a measure to avoid the longer-term impacts of climate change) or remedially (e.g. following a disaster). Planned relocation may be used as a strategy to avoid future displacement: for example when areas are highly disaster-prone or too dangerous for human habitation, when the impacts of climate change are expected to make life unsustainable in particular areas, or when return to original habitats is not possible.
6. Most planned relocation is expected to occur within national borders. The effective use of planned relocation within States can serve as a way to avoid situations where people have no other option but to flee across international borders. Where people have crossed international borders and their places of origin have become uninhabitable, impeding their return, planned relocation to other parts of their home State (or, in exceptional circumstances, to other States) may also be a durable solution.<sup>3</sup>

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<sup>1</sup> Disaster risk reduction is defined as the "concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events." See 2009 UNISDR Terminology on Disaster Risk Reduction, available at: [http://www.unisdr.org/files/7817\\_UNISDRTerminologyEnglish.pdf](http://www.unisdr.org/files/7817_UNISDRTerminologyEnglish.pdf)

<sup>2</sup> Adaptation is defined in the climate change literature as "adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities" with the subset 'planned adaptation' is defined as "adaptation that is the result of a deliberate policy decision, based on an awareness that conditions have changed or are about to change and that action is required to return to, maintain, or achieve a desired state." See IPCC, Fourth Assessment, Annexes (Glossary), Working Group II, 2007, available at: [http://www.ipcc.ch/publications\\_and\\_data/ar4/wg2/en/annexessglossary-a-d.html](http://www.ipcc.ch/publications_and_data/ar4/wg2/en/annexessglossary-a-d.html)

<sup>3</sup> This report focuses on internal planned relocation. For cross border relocation, please see the Nansen Initiative at <http://www.nanseninitiative.org> and the Bellagio conference at <http://www.unhcr.org/4da2b5e19.html>

7. Planned relocation within the borders of a State is primarily the concern of individual States. It will largely be governed by domestic laws, implemented through national structures, and pertain to a range of national frameworks including disaster risk management, climate change adaptation, and development. These domestic laws and practices must comply with applicable international law. Under international law, States bear the primary responsibility to ensure that the human rights of those within their territory or jurisdiction are respected, protected, and fulfilled. This includes the obligation to take preventative as well as remedial action to uphold such rights and to assist and protect those whose rights have been violated. Under international human rights law, the State's obligation to take preventative measures to safeguard life, physical integrity, and health may sometimes mean that people need to be moved out of harm's way.<sup>4</sup> In addition to laws, political will and domestic capacity will be crucial to any response.
8. An assortment of actors—including other States, funders, coordinating bodies, international organizations, regional bodies, humanitarian, and development communities, academic experts and civil society—and multilateral processes have a supporting role in the context of planned relocation made necessary by disasters and other impacts of climate change. Supporting roles may take multiple forms, including formulation of standards, guidance, and operational tools; providing technical assistance and advice; capacity building; generating funding options; developing benchmarks; and undertaking monitoring and evaluation.
9. There is a need for cross-pollination of expertise, ideas, and action among a variety of experts and institutions, including development, humanitarian assistance, human rights, disaster risk management, environment and climate change, and urban and regional planning, as well as affected governments and communities, as all may be involved in planning and undertaking relocation.
10. While principles pertinent to planned relocation are found in a wide range of existing guidelines and practice, a document(s) synthesizing and explaining the applicable principles at the various phases of the relocation process may assist States and actors supporting them to undertake relocation in a manner that upholds the humanity, dignity and human rights of affected populations.
11. Especially needed are practical tools—'how to' and technical guides—and action plans to assist national and local authorities and actors supporting them to implement guidance on undertaking planned relocation.
12. The development of a reference document(s) and 'how to' tools and action plans should be informed by: (a) lessons, experience, and guidance from development-induced displacement and resettlement, disaster risk management, and other relevant contexts; and (b) existing guidance directly on, or pertinent to, planned relocation, including the World Bank Guidelines on Involuntary Resettlement, the Nansen Principles on Climate Change and Displacement, the United Nations Guiding Principles on Internal Displacement, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, the Peninsula Principles on Climate Displacement within States, the Inter-Agency Standing Committee (IASC) Framework on Durable Solutions for Internally Displaced Persons, IASC Operational Guidelines on the Protection of Persons in Situations of Disasters, the Food and Agriculture Organization (FAO) in Emergencies Guidance Note on Supporting Displaced People and Durable Solutions, and International Labour Organization (ILO) Guidelines on the Resettlement of Indigenous Populations. The set of preliminary understandings prepared by Elizabeth Ferris also provides useful guidance.<sup>5</sup> Lessons, experience, and existing guidance could usefully be extrapolated to planned relocation in the context of disasters and climate change.
13. Guidance and practical tools for States and supporting actors should consider and address the following issues and themes (See Box 1), each of which is elaborated in more depth in the body of this report.

<sup>4</sup> The right to life is enshrined in Article 3 of the Universal Declaration of Human Rights, Article 6 of the International Covenant on Civil and Political Rights and Article 2 of the European Convention on Human Rights. From the right to life and the individual's right to have his or her life respected and protected by law, emerge the obligation for States to take positive measures to safeguard health and physical integrity, and to prevent risk.

<sup>5</sup> The World Bank Guidelines on Involuntary Resettlement, available at: <http://goo.gl/JE0ULo>; The Nansen Principles, available at: <http://www.unhcr.org/4ea969729.pdf>; The Guiding Principles on Internal Displacement, available at: <http://www.idpguidingprinciples.org>; The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, available at: <http://www.unhcr.org/4ae9bede9.html>; The Peninsula Principles, available at: <http://displacementsolutions.org/peninsula-principles>; The IASC Framework on Durable Solutions for Internally Displaced Persons, available at: <http://goo.gl/J8sbKQ>; The IASC Operational Guidelines on the Protection of Persons in Situations of Disasters, available at: <http://goo.gl/AW5iNf>; The FAO in Emergencies Guidance Note on Supporting Displaced People and Durable Solutions, available at: <http://goo.gl/36e68c>; The ILO Guidelines on the Resettlement of Indigenous Populations, available at: <http://goo.gl/MxizL3>; E. Ferris, Protection and Planned Relocations in the Context of Climate Change, available at: <http://goo.gl/1QDXp>

## **BOX 1: GUIDANCE AND PRACTICAL TOOLS FOR STATES AND SUPPORTING ACTORS**

1. Planned relocation should generally be a measure of last resort;
2. There should be early identification of people exposed to disasters and other impacts of climate change or affected by mitigation and adaptation projects associated with climate change;
3. Planning for relocation is essential and requires the creation of an enabling environment, including a legal basis for undertaking planned relocation, capacity-building, institutionalization, and a whole-of-government approach;
4. Planned relocation should be integrated into national strategies, plans, laws, and policies, including those relating to land use, disaster risk management, climate change adaptation, national action plans under the United Nations Framework Convention on Climate Change, development, and internal displacement;
5. There should be mechanisms for determining when planned relocation should occur, including appropriate vulnerability- and risk-assessment activities;
6. Decision-making and consent mechanisms should be established that enable consultation with and participation of affected communities (including the relocating and host communities);
7. There should be a human rights-based approach to planned relocation;
8. The vulnerabilities of various constituencies during different phases of the process (i.e. before, during, and following planned relocation) should be ascertained;
9. The sustainability of planned relocation should be assured through adequate attention to site selection, livelihoods, integration (identity and culture), and host communities, among other factors;
10. Equitable compensation schemes that are attuned to the needs of affected populations should be created;
11. Independent, short- and long-term, quantitative and qualitative monitoring and evaluation systems should be created to assess the impacts and outcomes of planned relocation;
12. Mechanisms should be established to ensure accountability of decision-makers and other relevant actors and to provide remedies to affected populations;
13. Adequate funding and strategies should be put in place to allocate and mobilize funds for planned relocation.
14. In addition to guidance and practical tools, a longer-term strategic plan to better prepare for, institutionalize and implement planned relocation may go some way toward minimizing the negative outcomes that have arisen from relocations in other contexts.



# 1. INTRODUCTION

15. The United Nations High Commissioner for Refugees (UNHCR), the Brookings-LSE Project on Internal Displacement (Brookings Institution), and Georgetown University's Institute for the Study of International Migration (ISIM) organized an expert consultation on Planned Relocation, Disasters and Climate Change: Consolidating Good Practices and Preparing for the Future in Sanremo, Italy, from 12-14 March 2014. The consultation, supported by grants from the European Union, Norway, and Switzerland, brought together 43 experts from a range of areas (adaptation, development, development-induced displacement and resettlement, disaster risk management, civil protection, environment and climate change, humanitarian assistance, and human rights) from 21 countries, drawn from governments, international and non-governmental organizations, and academia. Elizabeth Ferris from the Brookings Institution prepared a background paper to underpin discussions (Background Paper).<sup>6</sup>
16. Recognizing that planned relocation may increasingly be used as a tool by governments to move populations out of harm's way in the context of climate change and disasters, the consultation sought to: (1) enhance understanding of the issue and cooperation between stakeholders; (2) draw upon existing research and experience to identify: (a) suggestions for the development of guidance for States on planned relocation; (b) themes and recommendations integral to formulating such guidance; (c) possible supporting actors; and (d) the needs and rights of affected communities; and (3) canvass other strategies to better prepare for planned relocation.
17. The consultation focused on planned relocation *within national borders*, not cross-border movements. Discussions centered on planned relocation made necessary by climate change-related disasters and other impacts of climate change (such as temperature changes, sea-level rise, etc.). Disasters emanating from other environmental (e.g. earthquakes, tsunamis, volcanic eruptions) and man-made (e.g. nuclear accidents) triggers were also raised with the understanding that any outcomes stemming from the consultation may also be applicable to planned relocation made necessary in these other contexts.<sup>7</sup> It was acknowledged, however, that all these triggers overlap and intersect with other stressors (such as poverty, discrimination, conflict, generalized violence and systemic violations of human rights) and their combined impacts will influence the environment in which planned relocation may occur and/or the decision-making process.
18. This report does not purport to represent the views of individual participants or of UNHCR, the Brookings Institution or ISIM, but instead reflects broadly the themes, suggestions and guidance emerging from the consultation. There was general agreement on many themes, suggestions, and guidance and equally, many on which differing viewpoints were expressed and on which there was no clear consensus. This was the case with regard to terminology and some aspects of the recommended follow-up action. This report attempts to capture these differing views as a means of conveying the rich content of the deliberations and to inform subsequent action.

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<sup>6</sup> UNHCR, Brookings and Georgetown University, Planned Relocation, Disasters and Climate Change: Consolidating Good Practices and Preparing for the Future, Background Document, Sanremo Consultations, 12-14 March 2014, available at: <http://www.unhcr.org/53c4d6f99.html>

<sup>7</sup> The phrase "disasters and other impacts of climate change" is used throughout this report as shorthand to encompass disasters emanating from climate-related, environmental, and man-made triggers as well as other impacts of climate change such as temperature changes, sea-level rise, etc.

## BOX 2: DEFINITIONS

While there was no consensus on definitions, for the purposes of this report:

**PLANNED RELOCATION** is understood as a solutions-oriented measure, involving the State, in which a community (as distinct from an individual/household) is physically moved to another location *and* resettled there. Under this schematic approach, evacuation is distinct from planned relocation and does not fall within its scope. Planned relocation may, of course, play a role following evacuations in circumstances where places of origin are no longer habitable and continued presence in the place of evacuation is not feasible.

**RESETTLEMENT**, as a component of planned relocation, means: the process of enabling persons to establish themselves permanently in a new location, with access to habitable housing, resources and services, measures to restore/recover assets, livelihoods, land, and living standards, and to enjoy rights in a non-discriminatory manner.<sup>8</sup>

**EVACUATION**, as it relates to planned relocation, means: in situations of urgency where risk is imminent, the rapid physical movement of people away from the immediate threat or impact of a hazard to a safer place. The purpose is to move people as quickly as possible to a place of safety and shelter. It is commonly characterized by a short timeframe (from hours to weeks) within which emergency procedures need to be enacted in order to save lives and minimize exposure to harm. Evacuations may be mandatory, advised, or spontaneous.<sup>9</sup> While evacuations should be orderly, they may not be owing to the situation prevailing, although this does not mean they cannot be planned.

Note: While the Background Paper included evacuations as a form of planned relocation, it became clear during the consultation that the two terms ought to be distinguished conceptually.

19. The next section provides background and context. Section 3 discusses terminology and section 4 presents lessons from development-induced displacement and resettlement, disaster risk management, and other experiences. Section 5 outlines the main elements recommended for inclusion in any eventual guidance directed at national, regional, and international actors. Section 6 highlights some relevant principles and existing frameworks and section 7 suggests possible ways forward/follow-up.

<sup>8</sup> Note that the term 'resettlement' is used in two other particular contexts: (1) humanitarian actors use the term 'resettlement' to refer to refugee resettlement to third countries; and (2) development actors associate 'resettlement' with relocating populations in the context of development projects.

<sup>9</sup> Drawn from the Comprehensive Planning Guide for Mass Evacuations in Natural Disasters (MEND guide), Global Camp Coordination and Camp Management (CCCM) Cluster, available at: <http://www.globalccmcluster.org/tools-and-guidance/publications/mend-guide>



## 2. CONTEXT

20. There is widespread agreement that climate change will lead to an increase in the frequency and intensity of sudden-onset hazards, such as floods, windstorms (hurricanes/typhoons/cyclones), mudslides, and other hydro-meteorological events. Climate change will also have slower-onset impacts, including increases in the severity of droughts, land degradation, desertification, salinization of fresh water resources, riverbank and coastal erosion, thawing of permafrost, and sea-level rise. The effects of these events and processes will, in turn, affect crop yields, food production, fresh water supplies, health, and livelihoods and thus the safety and sustainability of human settlements.
21. Widespread agreement also prevails regarding the correlation between the effects of climate change and human mobility, even though uncertainty remains as to the triggers, scale and timing of movements. The latest report of the Intergovernmental Panel on Climate Change (IPCC) acknowledged that: “Climate change over the 21st century is projected to increase displacement of people. Displacement risk increases when populations that lack the resources for planned migration experience higher exposure to extreme weather events, in both rural and urban areas, particularly in developing countries with low income.”<sup>10</sup> Earlier, in December 2010, the Conference of Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC), meeting in Cancun (COP 16), adopted the Cancun Adaptation Framework which recognized (in paragraph 14(f)) the potential impact of climate change on the movement of people and invited States: “to enhance action on adaptation... by undertaking... [m]easures to enhance understanding, coordination and cooperation with regard to climate change induced displacement, migration and planned relocation, where appropriate, at national, regional and international levels.”<sup>11</sup> This identifies three types of mobility – migration, displacement, and planned relocation – and calls for three types of actions – enhancing understanding, coordination, and cooperation – at three levels – national, regional, and international.
22. A significant amount of research has sought to analyze and document the links between the effects of climate change and migration and displacement.<sup>12</sup> There is growing evidence that migration and displacement related to disasters and other impacts of climate change will be substantial and will increase in years to come.<sup>13</sup> Unlike migration and displacement, considerably less attention has been given to planned relocation made necessary by disasters and other impacts of climate change.
23. The gradual and progressive impacts of climate change may lead many people, particularly those with resources, to migrate in anticipation of worsening conditions. When disasters strike, displacement (at least on a temporary basis) is almost inevitable. Prospects of return for displaced populations may be inhibited by physical and social destruction, continuing risks, and impacts on livelihoods. In circumstances such as these, those who are left behind may well be the most vulnerable and in need of relocation.

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<sup>10</sup> Working Group II contribution to the IPCC Fifth Assessment Report (WGII AR5), 2014, Climate Change: Impacts, Adaptation, and Vulnerability, available online at: <http://www.ipcc.ch/report/ar5/wg2>

<sup>11</sup> UN Climate Change Conference in Cancun, Mexico, 2010, Decision 1/CP.16, paragraph 14(f), available online at: <http://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf>

<sup>12</sup> Migration scholars typically describe movement as falling somewhere on a continuum, with forced movement at one extreme and wholly voluntary movement at the other. For the purpose of this report, ‘migration’ is understood as predominantly voluntary movement, and ‘displacement’ is understood as forced movement. ‘Planned relocation’ can be forced or voluntary, depending on the circumstances.

<sup>13</sup> Foresight report on Migration and Global Environmental Change, 2011, reveals that millions of people will be ‘trapped’ in vulnerable areas and unable to move, particularly in low-income countries and that people will increasingly migrate towards environmentally vulnerable areas. More information available at: <http://goo.gl/NKkxMR>

24. The extent to which disasters and other impacts of climate change will necessitate planned relocation will depend on other environmental, social, cultural, political, and economic factors and the degree to which governments and affected communities can adapt and respond.
25. Planned relocation is already occurring in some parts of the world (e.g. Fiji). In other parts (e.g. Alaska), affected populations are pressing authorities to assist them to relocate. Since more and more people live in regions and locations highly vulnerable to disasters and other impacts of climate change, planned relocation, together with migration, has an important role to play in future strategies to respond and adapt to such impacts. Accordingly, States may use planned relocation as a potential policy option to protect affected populations.
26. Planned relocation may be needed in the following circumstances: (a) where people are living in areas prone to sudden-onset hazards, such as those identified in paragraph 20; (b) because their livelihoods and settlements are threatened by the slow-onset effects of climate change such as those identified in paragraph 20; (c) because their State or parts of their State face destruction from the effects of climate change (e.g. small island States facing sea level rise); and (d) due to mitigation and adaptation projects associated with climate change (e.g. dams for hydro-power and water storage, biofuel and forest plantations, seawalls, coastal defenses, dykes, irrigation schemes, water reallocation projects, etc.).<sup>14</sup> While all these categories were discussed, much of the consultation centered on the first two, although guidance would be relevant to all.

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<sup>14</sup> Warner, K., Afifi, T., Kälin, W., Leckie, S., Ferris, B., Martin, S. F. and D. Wrathall, 2013. Changing climates, moving people: Framing migration, displacement and planned relocation, Policy Brief No. 8. Bonn: United Nations University Institute for Environment and Human Security (UNU-EHS).



## 3. TERMINOLOGY

27. As a preliminary matter, the meanings ascribed to ‘planned relocation’, ‘evacuation’, and ‘resettlement’ for the purposes of this report are detailed in Box 2.
28. The consultation highlighted the need to develop a common understanding of these fundamental terms. This is essential to ensure that policy approaches are developed consistently and appropriately and that subsequent actions are based on shared assumptions.
29. ‘Planned relocation’ is not a term of art, notwithstanding its inclusion in paragraph 14(f) of the Cancun Adaptation Framework. ‘Relocation’ and ‘resettlement’ are often used interchangeably, and frequently alongside ‘displacement’ and ‘migration’, to describe forms of mobility, with little dissection of their independent meaning.<sup>15</sup> Slippages between ‘relocation’, ‘planned relocation’, ‘assisted relocation’, ‘preemptive relocation’, ‘resettlement’, ‘evacuations’, and ‘displacement’ are common in the literature and in practice, even though the contexts in which they are discussed reveal they are not synonymous. These terms have different meanings depending on the discipline, conceptual background, or vantage point from which they are approached. For humanitarian actors, for example, ‘resettlement’ is almost always associated with refugee resettlement to third countries, whereas for those working in the development arena, ‘resettlement’ or ‘involuntary resettlement’ is associated with relocating populations in the context of development projects.
30. Sensitivity to the potential negative connotations associated with certain terms and their relevance to individual and community notions of identity, should be borne in mind when crafting and settling on the meaning and content of applicable terms. Historical and cultural contexts influence individual and community receptiveness to their association with specific terms. In Bangladesh, for example, the term ‘relocation’ is problematic because it is associated with the violent conflict that occurred when people were moved to the Chittagong Hill Tracts.
31. Informed by the Background Paper, the general descriptions for ‘evacuation’ and ‘resettlement’ included in Box 2 evolved from the discussions, although no firm consensus emerged. There were two inconsistent views on the meaning of ‘planned relocation’. While most participants agreed that ‘planned relocation’ is ordinarily instigated, supervised, and carried out by the State or under its responsibility, or carried out by communities in their own interests, in coordination with the State, or suggested or petitioned for by communities and put into practice by the State, differences of opinion arose with respect to the following:
  - a. In one view, planned relocation was understood as an overarching term describing physical movement. Under this approach, evacuation was understood as encompassing the temporary, very short-term relocation of persons, without resettlement (as defined in Box 2), and related to moving people out of harm’s way in the face of an imminent hazard. Longer-term or permanent relocation, accompanied by resettlement, was also encompassed by the umbrella term of planned relocation.<sup>16</sup>

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<sup>15</sup> Different forms of human mobility stand in the continuum from completely voluntary movements to completely forced movements. For the purpose of this report migration is understood as predominantly voluntary, and displacement is understood as a non-voluntary movement. For a better understanding of the three terms mentioned in paragraph 14(f), see Warner, K., Afifi, T., Kälin, W., Leckie, S., Ferris, B., Martin, S. F. and D. Wrathall, 2013, Changing climates, moving people: Framing migration, displacement and planned relocation, Policy Brief No. 8. Bonn: United Nations University Institute for Environment and Human Security (UNU-EHS).

<sup>16</sup> Planned relocation remains however context specific. In the case of Fiji for example, relocation of communities is voluntary and permanent.

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b. In another view, the three terms—evacuation, resettlement, and planned relocation—were distinct. Relocation (which was also regarded as temporary) would occur after an evacuation, but might not be followed by a process of resettlement (as defined in Box 2).<sup>17</sup>

32. As States begin to operationalize paragraph 14(f) of the Cancun Adaptation Framework, further clarity is needed on the precise meaning of ‘planned relocation’, ‘evacuation’, and ‘resettlement’ and their relationship to each other (as well as their relationship to ‘migration’ and ‘displacement’). Local and national contexts and experience should inform the attribution of a common meaning to these terms. The temporal dimension embedded in these terms, namely whether they encompass temporary, longer-term or permanent movement, may be a key basis for distinguishing between them.
33. While, in general, the term itself might be neutral, planned relocation might be pursued in bad faith (e.g. favoring or discriminating against certain communities, engaging in land speculation, gerrymandering, etc.). This reinforces the need for clear standards on determining when planned relocation is necessary and authorized and the process that must accompany its implementation.

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<sup>17</sup> An illustration was given as follows: people might be evacuated from their home and taken to a school hall as an immediate place of safety. They might stay there for a week, but then school needs to recommence so at that point they are relocated somewhere else, but with the intention that their homes will be rebuilt. Thus, no formal process of resettlement is instigated. Or, there might be a situation where people are relocated temporarily so that their home can be disaster-proofed, and then move back. Again, the idea is that relocation is temporary.



## 4. LESSONS FROM PAST EXPERIENCES

34. Based on the roundtable discussions, this section draws together lessons and guidance from development-induced displacement and resettlement (DIDR), planned relocation in the context of disaster risk management, planned relocation in the context of climate change, and other historical experiences. These lessons form the foundation for the guidance elaborated in section 5.

### 4.1 LESSONS AND GUIDANCE FROM DEVELOPMENT-INDUCED DISPLACEMENT AND RESETTLEMENT

35. Development actors, particularly the multilateral development banks, have considerable experience in carrying out the resettlement of people and communities in the context of large-scale infrastructure and other projects. This is commonly referred to as DIDR<sup>18</sup>. DIDR offers lessons for undertaking planned relocation made necessary by disasters and other impacts of climate change. Experience from DIDR shows that if resettlement is not planned and implemented properly, it leads to the impoverishment of resettled people. DIDR provides insight into the questions to address and the activities that should be undertaken for relocated populations to progress to emplacement and empowerment.<sup>19</sup>

The challenge is to develop policies that support a genuine and participatory approach to planning relocation, decision-making, and implementation in order to restore the standards of living of relocated populations and preferably enhance them.

36. Existing evidence suggests overwhelmingly that resettled communities are worse off following DIDR, although it is acknowledged that negative experiences are frequently documented while positive experiences may have received less attention. However, if appropriately planned, financed, and implemented, planned relocation has the potential to deliver positive outcomes, provided that relevant actors recognize and seek to overcome the risks of loss, destitution, and impoverishment that may stem from mass uprooting and physical relocation.<sup>20</sup> In this sense, ‘smart’ indicators are necessary to measure not only the overall ‘success’ of planned relocation, but also improvements in specific aspects of it.<sup>21</sup>

37. Thayer Scudder’s Four Stage Framework, which was developed to describe and analyze the displacement and resettlement process, is likely to be applicable to planned relocation made necessary by disasters and other impacts of climate change. Scudder represents the resettlement process as occurring in four stages and emphasizes how ‘resettlers’ can be expected to behave during each stage.

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<sup>18</sup> Some forms of development-induced displacement may be forced. Some actors refer to a subset of development-induced displacement and resettlements as ‘development-forced displacement and resettlement’.

<sup>19</sup> In India alone, development projects in the last sixty years are estimated to have displaced roughly sixty million people, some of them more than once, reducing most of them to a state of permanent poverty. In Africa in this case the building of Kariba Dam on the Zambezi River, and subsequent flooding of the Middle Zambezi Valley and the relocation of approximately 57,000 Gwembe Tonga People in 1957-1959, as documented by Elizabeth Colson, livelihoods were not built into the planning process, and community remains poverty stricken.

<sup>20</sup> In China, for the Three-Gorges Dam project, 1.3 million people were resettled and were offered houses and compensation. Some of the resettlers recognize that their conditions are probably better than if they had to migrate on their own. Other potential benefits include improved health outcomes, access to new sources of income, creation of new income-generating activities, improved mobility, etc. In the United States, renowned universities offered scholarships following hurricane Katrina to give opportunities for hurricane-affected youth. In Alaska, communities promoted skills training for community youth to enable them to gain marketable skills and participate in rebuilding of communities in new locations. In the context of Carteret Islands, one important factor has been to use relocation as an opportunity to reduce impoverishment.

<sup>21</sup> Success could be measured by the degree to which the community comes to constitute a socially and culturally integrated residential unit that is capable of sustaining itself in a reasonably equitable manner and is able to deal with an array of social and environmental stressors within a certain range of variation without experiencing major disruptions or loss of functionality in terms of the maintenance of social services, well-being, and human rights. In other words, it becomes a resilient community. Obviously, this is the kind of ideal that will probably never be achieved in reality, but we could discuss ‘success’ in terms of how far or how close a community comes in achieving such a condition. It could be evaluated in terms of adequate and appropriate housing and service delivery, economics and livelihoods, politics and power relations and structures, participation as an autonomous party in regional networks, collective environmental impacts, cultural and social integration (community institutions and networks, ethnic and gender relations, social conflict/consensus, issues of substance abuse, etc.).

a. Stage one, prior to physical movement, requires planning for resettlement and recruitment of the community to be resettled, including creating enabling conditions;

b. Stage two involves coping with the initial drop in living standards that tends to follow removal;

c. Stage three involves initiating economic development and community-formation activities;

d. Stage four involves handing over a sustainable resettlement process to the second generation of resettlers and non-project authority institutions.

Community consultation and participation is crucial to all four stages.

38. The Impoverishment Risks and Reconstruction (IRR) model, developed by Michael Cernea, identifies eight fundamental and recurrent impoverishment risks in DIDR, which are likely to be pertinent to the present context as well. These risks are: landlessness, homelessness, joblessness, marginalization, food insecurity, increased morbidity, loss of access to common property resources, and social disarticulation. The extent, severity, manifestation, and effects of each of these risks will differ among different cohorts of the population. Advance recognition of the IRR risks is indispensable for predicting, diagnosing, and resolving the problems associated with planned relocation made necessary by disasters and other impacts of climate change and should therefore be factored into strategies, policies, and planning efforts.
39. Other risks that also need to be considered in long-term strategic planning include those particular to each region, State, location, context, and gender, as well as risks associated with the loss of physical security and secondary movements.<sup>22</sup>
40. Lessons from DIDR also suggest that in carrying out planned relocation, adequate attention should be accorded to the risks of psycho-socio-cultural (PSC) impoverishment inflicted by resettlement. If resettlement is undertaken in a mechanical manner, with a focus on logistics and little regard for loss of place and social geometry<sup>23</sup> that accompanies it, then the smooth establishment of a new community is likely to be impeded. This will spawn a secondary set of problems. Resettlement should enable affected people to

answer three primary questions: Who are we? Where are we? How do we relate to one another? Pre-displacement routine culture may not be recovered, let alone restored, but it can be re-created in the new destination by reinterpreting 'the old' in the context of 'the new'. A good example is where resettled communities have reused the names of streets, squares, place names, and landmarks in their 'new' communities.

41. Specific elements that have proved crucial for the success or failure of DIDR projects, and which have potential relevance for the disaster and climate change contexts, include: careful and advanced planning, choice of site for resettlement, design and layout of the new settlement, housing design, materials and construction, land tenure, livelihoods and income restoration, access to health and education services, effective community involvement including consultation with and participation of affected populations, due regard for the needs of host communities and those who remain behind, local capacity, transparency, accountability, adequate and sustained financing, sharing of benefits, conflict resolution and redress mechanisms, national-level structures including legal frameworks, and strategies that are community appropriate to avoid cultural dislocation, loss of cultural identity and distinctiveness, and loss of traditional ways of living.
42. A range of existing international and national policies and laws, used in the context of DIDR, have the potential to provide guidance for planned relocation made necessary by disasters or other impacts of climate change.<sup>24</sup> Negative outcomes in DIDR frequently arise, in part, from the failure to enforce existing policies and laws and from limitations in government capacity. This is despite guidance, operational directives, and lessons learned through experience. These issues, together with research, monitoring, and analysis and evaluation of impacts, should be addressed to improve outcomes in the disaster and climate change contexts.
43. The critical differences between DIDR and planned relocation made necessary by disasters and other impacts of climate change should be understood so that lessons and guidance from DIDR can be appropriately adapted. Differences include:

<sup>22</sup> Indeed, secondary or cyclical displacements may become a by-product of ineffective adaptation strategies to address original situations, as well as a consequence of the failure to sufficiently plan ahead in areas such as food security, spatial planning, or resource management, all of which may be put under additional pressure by the effects of climate change.

<sup>23</sup> This is the socially constructed spatio-temporal order that anchors 'routine culture' and identity. See Theodore E. Downing and Carmen Garcia-Downing, 2009, Chapter on Routine and Dissonant Cultures, *Development and Dispossession: the Crisis of Development Forced Displacement and Resettlement*, in Anthony Oliver-Smith (ed.), Santa Fe: SAR Press. Pp.225-254

<sup>24</sup> These include: The World Bank's Operational Policy on Involuntary Resettlement and Best Practice, available at: <http://goo.gl/xvyMm5>; The International Finance Corporation (IFC) Resettlement Handbook, available at: <http://goo.gl/F7C8Uz>; The Asian Development Bank (ADB) Handbook on Resettlement, available at: <http://www.adb.org/documents/handbook-resettlement-guide-good-practice>, as well as guidelines by the World Commission on Dams (2000), available at: <http://www.unep.org/dams/WCD> and the Equator Principles (2003), available at: <http://www.equator-principles.com>

a. The limited evidence and lack of certainty regarding risk exposure that may underpin decisions on planned relocation, which leaves room for independent choice about whether to relocate. In contrast, resettlement in the context of DIDR is a compulsory prerequisite for project execution.

b. Planned relocation will generally be undertaken for the benefit of the population being resettled. This is not necessarily the case with DIDR.

c. DIDR has the capacity to mobilize significant funding, particularly if multilateral and regional banks finance projects. This provides incentives for States to comply with conditions for resettlement that go beyond bare minimum standards. Questions remain as to the extent to which funding may be available and accessible to undertake planned relocation in the context of disasters and other impacts of climate change, but experience to date indicates that it is an expensive undertaking, even for small groups, and will be extremely resource-intensive.

## 4.2 LESSONS AND GUIDANCE FROM PLANNED RELOCATION IN THE CONTEXT OF DISASTER RISK MANAGEMENT

44. Lessons can also be gleaned from planned relocation undertaken in the context of disasters (referred to as disaster-induced displacement and resettlement by development practitioners). It can be a preventative strategy to reduce exposure to disasters. In Latin America, for example, such planned relocations have sought to diminish damage, losses, and impacts caused by disasters in both monetary and non-monetary terms.

45. Evidence on planned relocation as a disaster risk management strategy indicates that many practices and lessons are shared with DIDR. Among the challenges hampering better outcomes are: lack of national legal frameworks to plan and implement planned relocation properly (e.g. often only owners with legal titles are recognized and economic losses unrelated to land and structures are not compensated); weak capacity due to high turn-over of staff; lack of experts, documentation, and systematization of outputs and outcomes; the absence of a long-term

vision; inadequate funds and sources of funding; poor institutional structures and political leadership; and problems in implementation.<sup>25</sup>

46. Lessons from planned relocation implemented as a disaster risk management strategy indicate that it provides opportunities to save lives and assets and improve the standard of living in high-risk areas, if articulated into a comprehensive risk management strategy and planned and implemented properly.<sup>26</sup> It is important that efforts to protect the lives and assets of those exposed to disasters and the other impacts of climate change do not make communities more vulnerable to other social, economic, or cultural risks associated with planned relocation.

## 4.3 LESSONS AND GUIDANCE FROM PLANNED RELOCATION MADE NECESSARY BY THE IMPACTS OF CLIMATE CHANGE AND OTHER HISTORICAL EXPERIENCES

47. Of the limited literature and evidence on planned relocation made necessary by slow-onset impacts of climate change,<sup>27</sup> as well as historical examples of cross-border community relocations,<sup>28</sup> matters such as the right to self-determination, the preservation (and politicization) of identity and culture, and the right to control resources have emerged as key issues. Control over the decision to relocate, perceptions surrounding it, and the underlying historical and political contexts, can be fundamental to how relocation is understood and embraced—by the relocated community, by the receiving community, and the community left behind.

48. At present, some communities that have relocated or are in the process of relocating due to slow-onset impacts of climate change have initiated the relocation process themselves (e.g. Alaska, Fiji). In this context, guidance is needed regarding at what point slow-onset impacts of climate change render conditions such that government-led planned relocation is required in order to protect human health, safety, and welfare. In other words, at what point do governments have a responsibility to relocate individuals and communities?<sup>29</sup>

<sup>25</sup> Elena Correa, Fernando Ramirez and Haris Sanahuja, *Populations at Risk of Disaster: A Resettlement Guide*, synthesizes 25 years of DIDR practice and applies them to the disaster context. Elena Correa (Ed.), *Preventive Resettlement of Populations at Risk of Disaster: Experiences from Latin America*, analyzes and examines resettlement carried out as a preventative measure in Latin American States.

<sup>26</sup> *Ibid.*

<sup>27</sup> Robin Bronen, *Climate-Induced Community Relocations: Creating an Adaptive Governance Framework Based on Human Rights Doctrine*, *NYU Review of Law and Social Change* vol 35, 2011, pp. 356-406.

<sup>28</sup> There are three known case studies in the Pacific: the relocation of Banabans from Ocean Island to Rabi, Fiji; the relocation of some Vaitupuans to Kioa, Fiji; and the relocation of some Gilbertese to the Solomon Islands.

<sup>29</sup> In the context of seasonal floods and drought-prone areas, which may be considered as slow-onset by some actors, governments are initiating relocation programs (e.g. Vietnam, China) that may shed further light on these questions.

## 4.4 LESSONS AND GUIDANCE FROM EVACUATIONS

49. Lessons learned from evacuations are relevant to discussions of planned relocation in the context of disasters and other impacts of climate change.
50. Evacuation in the face of imminent harm is an accepted practice among States. National disaster management and civil protection frameworks and experiences boast a rich array of information on specific aspects of evacuations. Topics addressed by these frameworks include planning, assessing and mapping at-risk populations; informing the public; understanding the evacuation zone; disseminating warning messages; evacuating people; and identifying and managing evacuation centers/sites and solutions (typically return to communities).<sup>30</sup>
51. Assessments and evaluation of evacuations identify factors and challenges to take into consideration in planning and managing evacuations. The draft multi-stakeholder negotiated Comprehensive Planning Guide for Mass Evacuations in Natural Disasters (the MEND Guide) incorporates national experiences and lessons into a global guidance document for States on planning evacuations.<sup>31</sup> Documents and tools developed by international agencies, such as the IASC Guidelines on Protection in Natural Disasters, the Guiding Principles on Internal Displacement, and those relating to camp management in the humanitarian context, are also relevant to (and contain specific guidance on) evacuations.<sup>32</sup>
52. In contrast, there is very limited guidance on situations of protracted displacement following an evacuation, particularly in the event that the place of origin is no longer habitable. This issue is also not
- commonly addressed in disaster management contingency planning strategies and guidance.
53. Experience and guidance relating to evacuations hold lessons for carrying out planned relocation, whether it is undertaken before a disaster, following a disaster, following evacuation, or in the context of other impacts of climate change. Experience from evacuations is particularly valuable to the extent it pertains to measures to ensure that planned relocation is carried out in a manner that fully protects, respects and accommodates the needs and rights of affected people. The key differences between these situations should be borne in mind when analyzing materials on evacuations and extrapolating guidance for planned relocation. For example:
- a. Potentially longer lead times in slow-onset impact scenarios will provide greater scope for planning, effective consultation with, and participation of, affected communities, site selection, etc. although, they may lack the clearer signals of more dramatic events;
  - b. When planned relocation follows evacuations, factors such as the need for transitional shelter,<sup>33</sup> attention to loss of documentation and possessions, continuation of humanitarian and livelihood assistance pending resettlement, and family tracing and reunification processes, etc. may be necessary;
  - c. The complexity of planned relocation means that a more extensive cross section of government actors will need to be engaged as compared with evacuation, which is usually led and facilitated by a more limited set of government actors;
  - d. Evacuation, which is generally less costly than planned relocation, is more often anticipated in national budgets or funded by humanitarian agencies.

<sup>30</sup> In Japan, after a disaster strikes, people are displaced to evacuation centers, then to transitional centers and then to permanent housing. The Government also carries out 'land banking' exercises to pre-identify land for relocation in the event that those evacuated are not able to return home.

<sup>31</sup> The MEND Guide, developed within the CCCM Cluster with input from governments and disaster management and humanitarian communities, provides considerations and a template to assist planning bodies at national, regional, and municipal levels, both urban and rural, in the development of evacuation plans in accordance with emergency management principles. It incorporates considerations, best practices and guidance from a wide range of different sources and from a variety of States to provide a generic template for creating an evacuation plan. The Guide, which proceeds on the assumption that evacuation is needed (i.e. risk assessments have been undertaken), is underpinned by the principle that evacuations should be used as a last resort and should not expose people to greater risks than sheltering from danger. The 'mass evacuation template' to be adapted to a given context covers 'pre-event', 'early-warning', 'decision', 'issue warning/directive', 'evacuation' 'transitional shelter', and 'resettlement' phases detailing specific aspects to be examined under each phase. Among the issues covered are the legal bases for undertaking evacuations, bilateral agreements, roles and responsibilities, protection, etc. The Guide also incorporates case study based guidance, available at: <http://www.globalccmcluster.org/tools-and-guidance/publications/mend-guide>

<sup>32</sup> IASC Operational Guidelines on the Protection of Persons in Natural Disasters provides useful information on evacuation preparedness measures. The Sphere Standards articulate guidance on minimum emergency standards in sectors such as shelter and nutrition, available at: <http://goo.gl/AW5iNf>. Tools and the Toolkit from the Global Cluster on CCCM are also likely to provide valuable guidance on evictions including the Basic Principles and Guidelines on Development-Based Evictions and Displacement, Annex 1 of the Report of the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living, UN Doc A/HRC/4/18 (2007), available at: [http://www.ohchr.org/Documents/Issues/Housing/Guidelines\\_en.pdf](http://www.ohchr.org/Documents/Issues/Housing/Guidelines_en.pdf)

<sup>33</sup> Displaced people are often housed in public buildings such as schools in the immediate aftermath of a disaster, posing conflicts of interest in returning children to school as quickly as possible, while at the same time identifying safe, suitable housing for displaced populations pending a durable solution or a planned relocation process. For guidance on the principles and good practices for managing this challenge, see the Global CCCM Cluster Collective Centre Guidelines, available at: <http://goo.gl/YPtSMM>



# 5. ISSUES TO ADDRESS AND PRELIMINARY NON-EXHAUSTIVE GUIDANCE

54. Planned relocation should be a process of rebuilding and integration, enabling people to settle sustainably in a new location. In order to be sustainable, planned relocation should provide affected populations with suitable land and/or housing; access to public services like water, sanitation, electricity, and transportation; and access to social services like education and health and sources of income, livelihood and/or employment opportunities. Other factors that are relevant to successful relocation include integration into host communities; family and community cohesion; political empowerment; land tenure, including communities' rights on forestry, fisheries, etc. ; access to common property resources or to social networks through which informal credit and other resources can be secured; and physical security. On the other hand, planned relocation should avoid social disarticulation (i.e. conflicts and social unrest: within families, among families, with authorities, and with host communities); loss of cultural, customary, and spiritual identity and places; loss of traditional knowledge; and secondary movements.
55. Drawing on the lessons from DIDR, disaster risk management and other experiences, this section identifies risks, issues, and tasks to be considered and addressed in any guidance for States and other actors involved in planning and undertaking relocation in the context of disasters and climate change, acknowledging that any guidance will need to be interpreted in the light of specific situations.

## 5.1 NATIONAL LEVEL

### PLANNED RELOCATION WITHIN A STATE IS PRIMARILY THE RESPONSIBILITY OF STATE AUTHORITIES

56. Planned relocation has a bearing on diverse national entities and frameworks, including DRR, disaster management, climate change adaptation, development, land and property, etc. In this respect, roles and responsibilities for planned relocation relate to multiple disciplines, levels of government,

and actors. In carrying out planned relocation, a whole-of-government approach is necessary, although specific actors and/or institutions should be designated to take ownership and lead planned relocation. This requires coordination across different government departments as well as between different governance levels (e.g. local/provincial/national) and the cooperation of various operational agencies. Specific guidance may also be needed on the participation and role of the military.

### EARLY AND COMPREHENSIVE PLANNING

57. In the face of disasters and other impacts of climate change, governments should begin planning for specific relocations before they are needed. Planning involves sufficient preparations including the creation of an enabling regulatory environment and mobilization of adequate funding. Although the planning process for relocation may differ according to the context, in general, the planning process should include:

- a. Devising a legal and scientific basis for determining when relocation is necessary and for carrying out planned relocation to ensure that the process fully protects, respects, and responds to the rights and needs of affected populations and is not carried out for overarching political, economic, or commercial reasons under the pretext of protecting people and limiting their exposure to disasters and climate-related impacts;
- b. Laying the groundwork by raising awareness and beginning national conversations on the need for planned relocation, mobilizing support, and building high-level commitment and leadership;
- c. Allocating or mobilizing sufficient funds;
- d. Conducting risk mapping and settlement planning, consultations, and surveys in order to identify high-risk areas and communities that may need to be relocated;

e. Land mapping to identify potential areas for resettlement and land banking for resettlement;<sup>34</sup>

f. Creating the necessary political, legal, and institutional structures to operationalize, monitor, and evaluate planned relocation (e.g. acquisition of land, transfer of title, zoning, land use, consultation, participation, compensation, restitution and accountability mechanisms). Since civil, political, economic, social, and cultural rights are all affected by planned relocation, domestic laws relating to a wide range of subject areas including land, housing, property, employment, minorities and indigenous peoples, restitution, anti-discrimination, displacement, etc. may be relevant. These domestic laws should comply with international human rights law and other applicable international law norms both in substance and in practice;

g. Framing planned relocation as development and, where relevant, using it as an opportunity to progress development for the relocated and the host communities;

h. Building necessary expertise and capacity.

## INTEGRATING PLANNED RELOCATION INTO NATIONAL STRATEGIES AND PLANS

58. States should integrate planned relocation into disaster risk management, development, and climate change adaptation plans and strategies<sup>35</sup> (including National Adaptation Plans (NAPs)) as well as internal displacement-related frameworks. This could be undertaken by, among other things:

a. Mapping and identifying areas, regions, and communities vulnerable to disasters and other impacts of climate change;

b. Identifying and implementing measures to reduce environmental and community vulnerability and promote resilience to enable communities to adapt in situ;

c. Contingency planning, including alternatives to planned relocation and identifying and preparing possible relocation sites;

d. Using NAPs as a potential vehicle for developing relocation plans. NAPs aim to assess and reduce States' vulnerability to the impacts of climate change. NAPs are intended to be: broad and cross-cutting, cover medium- to long-term needs, integrated in national development plans, and include multiple tools that a State uses in its planning processes;

e. Using development planning, including land use planning, as a vehicle for relocation planning.

## PLANNED RELOCATION AS A LAST RESORT

59. The planning process should be underpinned by the fundamental principle that planned relocation should always be a context-specific measure of last resort, based on consent. It should ideally enhance, but at a minimum restore, the living standards of relocated individuals and communities.<sup>36</sup> Planned relocation should only be implemented when no other means of adaptation are available to enhance the population's resilience and ability to remain in their original settlements, or when adequate alternatives that enable people to rebuild their lives in their communities of origin are unavailable. The process and the structures put in place to implement planned relocation must balance the State's duty to respect human rights and protect people from harm, against individual rights to freedom of movement and the freedom to choose one's residence. Planned relocation that cannot be justified as necessary to safeguard the safety and health of those affected, or by compelling and overriding public interest, may be arbitrary. States are under a particular obligation to protect against displacement of indigenous peoples, minorities, peasants, pastoralists, and other groups with a special dependency on and attachment to their lands.<sup>37</sup>

<sup>34</sup> Land banking is the practice of aggregating parcels of land.

<sup>35</sup> Fiji launched its National Climate Change Policy (NCCP) in 2012, however it doesn't specifically mention relocation as an adaptation option. The Fiji National Climate Change Summit in November 2012 decided to develop a relocation guideline as an addendum to the policy.

<sup>36</sup> From the 1930s onwards, the colonial government of the Gilbert and Ellice Islands Colony (now Kiribati and Tuvalu respectively) sought to respond to the scarcity of land and resources on these low-lying atolls by searching for land within the Pacific to which groups of islanders could relocate. There were hundreds of internal relocations, and three cross-border relocations. These experiences in the Pacific show the potentially deep, inter-generational psychological consequences of not always successful planned relocation, which may explain why it is considered an option of last resort in that region.

<sup>37</sup> See Principle 9 of the Guiding Principles on Internal Displacement. For the international legal provisions on which this principle is based, see Annotations to the Guiding Principles, available at: <http://goo.gl/r5i9kv>

## DECIDING TO UNDERTAKE PLANNED RELOCATION

60. How to decide when planned relocation should occur and on what basis are important threshold questions. The notion of uninhabitability and the spectrum of unacceptable and acceptable levels of risk and exposure are themes that should be considered. Answers will vary based on the type of hazard and the extent of risk exposure. Individual, household and community level perceptions, reception and interpretation of risks and exposure will need to be addressed to ensure a smooth process of planned relocation.<sup>38</sup> Decisions should, among other things:

**a.** Explore (and if reasonable, exhaust) potential mitigation and other adaptation options;

**b.** As far as possible, be based on concrete scientific, longitudinal evidence and data, evidence of progressive environmental, socio-economic, and other changes as measured through social, economic and environmental indicators,<sup>39</sup> communities' own assessments of their living conditions, and mathematical and scientific modeling and projections of impacts and vulnerability;

**c.** Draw on existing knowledge (e.g. satellite and social studies, census and demographic data), especially local and community sources;

**d.** Involve multi-stakeholder driven vulnerability and impact assessments, of individuals, communities, and environments;

**e.** Involve local and national authorities, humanitarian, development, and other experts, and affected communities.

61. Indicators that could inform decisions to undertake planned relocation include:

**a.** Imminent danger to the community;

**b.** Repetitive loss of homes and infrastructure and past evacuations (that raise concerns about the utility of rebuilding or making heavy investments in the same location);

**c.** Lack of adaptation options;

**d.** Percentage of homes destroyed or damaged;

**e.** Rate, profiles, and typology of movement out of risk-prone areas;

**f.** Socio-economic indicators pointing to impoverishment owing to growing inability to survive with traditional livelihoods;

**g.** Scientific information regarding predicted sea-level rise, erosion, and flooding;

**h.** Degradation of access to basic needs, (i.e. water, energy, food);

**i.** Disrupted access to services (i.e. education, health care).<sup>40</sup>

## DECISION-MAKING PROCESSES AND MECHANISMS

62. In undertaking planned relocation, transparent, trust-engendering decisions need to be made regarding a range of matters, among them, the threshold questions discussed above, but also, selection of sites, site layout, compensation and restitution, etc. At each decision-making point, questions arise regarding the process for reaching and the consequences of decisions. These should be transparently addressed with contingencies for different possible outcomes. For example:

**a.** Who is the competent decision-maker (e.g. State actors in consultation with relevant communities, affected communities with the support of the State, both)?<sup>41</sup>

**b.** On what basis are decisions made (e.g. by consensus, majority, directive, criteria, etc.)?

**c.** Who is bound by decisions, particularly when they are not made by consensus?

**d.** What role should civil society play?

<sup>38</sup> In Fiji, communities themselves have determined when their habitats are at risk of becoming uninhabitable or no longer habitable because of climate change. They approached the relevant government ministries for advice and support. The tipping point can also be assessed by the government. The government established a vulnerability and assessment tool to determine which communities are in need for relocation. See also Chapter 2. Populations at Risk of Disaster. A Resettlement Guide. Op. Cit., available at: <http://goo.gl/kUqCxc>

<sup>39</sup> In Alaska, indigenous communities have been documenting changes in their environmental and living conditions for decades and the government is assisting them to learn about what is projected to happen.

<sup>40</sup> Robin Bronen, Climate-Induced Community Relocations: Creating an Adaptive Governance Framework Based on Human Rights Doctrine, NYU Review of Law and Social Change vol 35, 2011, pp. 356-406.

<sup>41</sup> In Alaska, the Newtok community voted 3 times to relocate. Communities made the decision that relocation was the only adaptation strategy that could protect them and made all decisions regarding relocation, including where and how relocation will occur.

## CONSENT, CHOICE, CONSULTATION AND PARTICIPATION

63. Planned relocation should only occur with the free and informed consent of concerned communities and the individuals within them.<sup>42</sup> Access to accurate, up-to-date, complete, relevant and culturally sensitive information is essential.<sup>43</sup> If consent cannot be obtained, relocation should take place only if: (a) it meets the minimum standards under international law;<sup>44</sup> and (b) appropriate procedures are established by national law/regulation, including public inquiries where appropriate, that provide the opportunity for effective representation of the communities and individuals within them. Lessons learned from evacuations indicate that people should not be evacuated against their will unless it is: (a) provided for by law; (b) absolutely necessary under the circumstances to respond to a serious and imminent threat to their life or health, and less intrusive measures would be insufficient to avert that threat; and (c) to the extent possible, carried out after the persons concerned have been informed and consulted.<sup>45</sup> This guidance may inform the formulation of safeguards for planned relocation.

64. 'Consent' is not the same as consultation and participation. These are necessary precursors to informed consent. Consultation refers broadly to the process of soliciting and listening to the opinions and perceptions of affected populations. Participation implies a deeper engagement that may include control over decision-making. Both form part of a process in which key stakeholders influence and share control over initiatives and decisions that affect them. Culturally appropriate consultative, participatory structures need to be in place to enable all sectors of a community to make informed choices and to communicate these in a transparent process. These structures should, among other things:

- a. Involve all affected stakeholders, including individuals and communities to be relocated, new host communities, and those who remain in situ;
- b. Involve all factions within stakeholder groups, including minorities and those who have limited access to decision-making processes (which in some communities may mean the elderly, women and children);
- c. Ensure effective consultation with, and participation of, stakeholders at every step of the planned relocation process, including the decision to relocate, site selection, timing and modalities of relocation;
- d. Ensure stakeholders are able to propose alternatives, including different relocation options;
- e. Be attuned to, and accommodate, social, cultural and political contexts, hierarchies, and power structures and age, gender, and diversity aspects among stakeholders.

## INFORMATION AND AWARENESS-RAISING AMONG COMMUNITIES

65. Even if procedural requirements are fulfilled and despite overwhelming evidence of risks and exposure, communities or individuals within those communities may not consent to be relocated. Uncertainty associated with the process and concerns regarding choice of site, livelihood options, loss of social networks, trauma, and distrust of authorities, among other things, influence such decisions. In some contexts, lack of understanding of risks and exposure lead to what may be regarded as 'illogical' choices. In other contexts, cultural values and traditions may also lead to decisions that could be interpreted as 'illogical'.<sup>46</sup> Notwithstanding the challenges associat-

<sup>42</sup> International Labour Organisation's Convention on Indigenous and Tribal Peoples in Independent Countries - 169/1989 refers to the principle of free and informed consent in the context of relocation of indigenous peoples from their land in its article 6, available at: <http://goo.gl/1rh0g>; UN Draft Declaration on the Rights of IPs (UNDD) (Sub-Commission resolution 1994/45, annex) explicitly recognizes the principle of 'Free prior and informed consent' in its articles 1, 12, 20, 27 and 30, available at: <http://goo.gl/TP1Ub>

<sup>43</sup> In Fiji, in order for the government to consider a community for relocation, overwhelming consent needs to be shown by its permanent residents. A community consent letter is circulated around the community so an indication of the level of support can be established. A preliminary assessment form about the community is also filled by a representative of the community. The preliminary assessment form and the consent letter is presented to the National Relocation Taskforce Committee (NRTC) at its bi-monthly meetings. Based on the urgency for relocation as presented in the assessment form, the NRTC will mobilize its technical team to conduct a thorough survey and assessment of the community and to verify the information in the preliminary assessment form. The relocating community and the host community (if any) should participate in the planning and implementation of the relocation plan. NCCP consult with civil society partners, relevant government arms and academics.

<sup>44</sup> As summarized in Principles 6-9 of the Guiding Principles on Internal Displacement.

<sup>45</sup> IASC Operational Guidelines on the Protection of Persons in Situations of Natural Disasters (The Brookings – Bern Project on Internal Displacement, January 2011), Principle A.1.4. See also Principles 6-8 of the Guiding Principles on Internal Displacement outlining this and other procedural guarantees in order for any relocation not to be considered arbitrary.

<sup>46</sup> There could be some situations where indigenous people are so attached to their land that they may be unwilling to move even if they are conscious of an imminent threat and despite the fact that their living conditions could potentially be enhanced by relocation. In Viet Nam, when people refuse to be relocated they forfeit assistance from the government in case of a disaster or imminent threat.

ed with conveying risks to populations in the face of uncertainty, efforts to educate relevant constituencies, through tailored and sensitive programs, should be included in NAPs. Contingencies for community or individual decisions outside the preferences of authorities should be anticipated and addressed in a rights-respecting manner.

## HUMAN RIGHTS-BASED FRAMEWORK

66. Planned relocation should be carried out within a human rights-based framework that safeguards civil, political, cultural, social, and economic rights of individuals and communities. Guidance on planned relocation should clearly articulate the rights of affected populations, host populations, and those who remain in situ; the responsibilities of authorities and other relevant actors; and how rights and responsibilities should be put into effect in practice. Decisions on relocation must be taken by competent authorities mandated by law and effected in full respect for rights.<sup>47</sup> Safeguards are necessary to ensure rights are respected. Voting rights take on particular relevance due to the risk of disenfranchisement. The right to self-determination is particularly important for indigenous communities. Equality of treatment and the principle of non-discrimination should underpin all actions. Access to remedies for any unlawful relocation is an essential component of a rights-respecting planned relocation.

## IDENTITY AND CULTURE

67. Planned relocation not only involves complex logistical considerations, but also profound challenges and anxieties relating to personal and community identity, social coherence, and culture, which may be inter-generational. Learning from DIDR and other historical experiences, the loss of place constitutes a disruption of social geometry.<sup>48</sup> As noted above, States have a particular obligation to avoid the displacement of indigenous persons, pastoralists, minorities, and other communities with a special attachment to their lands.<sup>49</sup> In planning for sustainable relocation, these considerations should be borne in mind with efforts made to understand and strengthen community attachments and conceptions of identity, including through respect for traditional

ways of life.<sup>50</sup> Planned relocation should seek to support and at a minimum not impede, affected people in the process of reconstituting social geometry so as to enable them to answer three primary questions: Who are we? Where are we? How do we relate to one another?

## VULNERABILITY

68. Moving communities in the context of disasters and other impacts of climate change may precipitate vulnerability rather than diminish it. The record of DIDR speaks to this challenge. Relevant steps and decisions within the planned relocation process should be attuned and responsive to differential vulnerabilities that manifest more severely within communities during the process. Individuals and communities with prior exposure to disasters or other impacts of climate change are not necessarily less vulnerable. They may have a false sense of capacity or immunity to risk. Those who have failed to migrate from high-risk areas are often the most vulnerable. Addressing the different levels of vulnerability of people to different stressors should build upon local knowledge and existing strategies.<sup>51</sup>

## HOST COMMUNITIES AND THOSE WHO REMAIN IN SITU

69. The rights, dignity, and needs of host communities, populations that remain in situ, neighbors of displaced people, and those who choose not to relocate should be respected, protected, and accommodated whenever possible. While the protection of rights is important, it is a necessary but insufficient condition for ensuring social cohesion, which is critical for the success of planned relocation. Planned relocation has the potential to exacerbate underlying tensions in communities and spark frictions and conflicts, thereby unsettling the social geometry in both relocation sites and places of origin. Effective consultation, participation, and information management with these constituencies can temper or allay these outcomes. Ensuring host communities perceive benefits from the process of planned relocation are equally relevant.

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<sup>47</sup> Principle 7, Guiding Principles on Internal Displacement enumerates a number of the required safeguards for any decision for the displacement of people.

<sup>48</sup> Christopher McDowell, *Understanding Impoverishment, The Consequences of Development-Induced Displacement*, 1996.

<sup>49</sup> Principle 9, Guiding Principles on Internal Displacement.

<sup>50</sup> In Fiji, the NRTC role is to ensure that relocated communities should be assisted in their efforts to improve their livelihoods and standard of living or at least to restore them and ensure that relocation planning, preparation, and implementation activities should be conceived and executed as sustainable development programs.

<sup>51</sup> Fiji developed a vulnerability and adaptation assessment tool.

## LAND AND LIVELIHOODS

70. Land is a central component of planned relocation and its role is multi-dimensional. On the one hand, the exposure of land to disasters and other impacts of climate change influences needs, prompting, in some cases, the designation of high-risk or no-build zones and creating the impetus for planned relocation. On the other hand, suitable land, with low levels of exposure to disasters and with the potential to generate sustainable livelihoods, is integral to producing successful outcomes. Standards for determining the suitability or appropriateness of land for planned relocation are lacking.<sup>52</sup>

71. While planned relocation from rural-to-rural settings will continue to occur, cities and urban settings now house the majority of the world's population. As the urbanization trend accelerates in the coming decades, more and more rural-to-urban and urban-to-urban planned relocations are likely.<sup>53</sup> In urban settings, and more generally, given the increasing scarcity of land and the inability to acquire land due to customary land tenure arrangements or strict zoning, opportunities for the wholesale relocation of communities to an empty single piece of land will continue to dwindle. Communities may become divided or dispersed. These realities also mean prevailing forms of livelihood generation may need to be adapted or abandoned. In this context, when undertaking planned relocation, factors that States should consider and/or address include:

**a.** The regulation of land for planned relocation from the perspective of disaster risk management, climate change adaptation and rural and urban planning;<sup>54</sup>

**b.** The governance of tenure of land, fisheries, forests, and other resources, with due regard for the rights of the 'landless' and those without title;<sup>55</sup>

**c.** Legislative allocation or 'land banking' for future use, including for evacuations and resettlement, to ensure land is not expropriated for other purposes;

**d.** Legislative restrictions on building, settling, and relocating in/to high-risk areas

**e.** Selection of accessible sites, ideally close to places of origin, with conditions amenable to generating a life of dignity, (including suitable livelihoods, the provision of services, etc.) so as to minimize abandonment and secondary movements;<sup>56</sup>

**f.** Safeguards to ensure land/housing allocated through the relocation process promotes resilience;<sup>57</sup>

**g.** Alternative options such as social housing, formalization of informal settlements, compensation or 'buy-outs', mortgage schemes in the face of land and/or property shortages;

**h.** Strategies for alternative and non-traditional skills and livelihood generation;

**i.** Appropriate and gender-sensitive mechanisms to quantify those 'affected' and enable them to 'benefit' from allocation of land, housing, and property;

**j.** (Re) creation of communal and public spaces and other means to create the social geometry necessary for sustainable outcomes.

72. Lessons learned from housing, land, and property concerns associated with conflict and other situations provide a wealth of guidance for addressing land concerns in the context of planned relocation. These lessons suggest, among other things, that:

<sup>52</sup> In Alaska there is no institutional mechanism to identify the steps communities need to take in order to orchestrate their relocation. As a consequence, the communities of Shishmaref and Kivalina have voted to relocate and voted to relocate to specific locations, but government actors have later determined that these sites are vulnerable to thawing permafrost so they have not supported the relocation to the locations chosen by these communities. But see "Populations at Risk of Disaster. A Resettlement Guide." Op. Cit., pg. 103 for some criteria including: compliance with existing land use plans, safety, location, property titles, soil quality, accessibility, social service centers, access to public services, land value, and compatibility of the host and resettled populations.

<sup>53</sup> For example, in the period 2001-2007, 650,000 inner Mongolia pastoralists were relocated in villages because of desertification.

<sup>54</sup> In Fiji, the NRTC consults with potentially relocated communities in acquiring land for relocation of communities and must consider the safety and environmental integrity of the new site. In particular, NRTC must ensure that the land chosen for relocation is not vulnerable in order to minimize potential future relocation.

<sup>55</sup> From the Norwegian Refugee Council Pakistan's experience, after the October 2005 earthquake in Pakistan and in 2010-11, after the disastrous flood in Pakistan the legal needs were mainly related to land and property dispute resolution to obtain documents and reconstruction and personal injury compensation. Land ownership in Pakistan is evident through legal and registered titles.

<sup>56</sup> In Vanuatu the Tegua Community was relocated with all their basic needs provided such as supply of water tanks to substituted for ground wells. By promoting self-reliance and fostering resiliency of the community, the chances that people migrate to urban centers are directly reduced. In Alaska, the Newtok Traditional Council identified 6 potential relocation sites and evaluated habitability and acquired land for relocation in 2003.

<sup>57</sup> For example, in some cases, quick sales for cash can lead to repeat vulnerability.

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**a.** Actions and policies need to be grounded in thorough knowledge and understanding of land and property dynamics prevalent in areas of planned relocation. For example, multiple forms of land and property frameworks (traditional/customary, collective and individual, private and social, formal and informal, local versus national, etc.) may co-exist; there may be a disconnect between the formal State land tenure laws and the way land and property relations are actually managed on the ground; and informal land tenure arrangements and/or existing cadastres and land title registries may not be reliable, etc.;

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**b.** Macro-level policy setting needs to be accompanied by micro-level political engagement, since land and property relations are highly contextual and often highly politicized;

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**c.** The feasibility of action should be ascertained from the outset, with policies grounded in a realistic assessment of institutional capacities.<sup>58</sup>

73. Among the multiple sources of potentially valuable guidance on land, housing, and property are: the FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Insecurity, the United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons, and guidance on evictions.<sup>59</sup>

## COMPENSATION AND RESTITUTION

74. Experience from DIDR, in particular, indicates that cash-based compensation schemes alone have rarely prevented impoverishment risks and impacts. In-kind compensation, however, entails less risk and such compensation remains one indispensable means of making reparations for what has been lost. Certain forms of compensation schemes can fail relocated communities, thereby compounding vulnerability. For example, when compensation is provided

in the form of ‘cash for land’, safeguards need to be put in place to avoid the sudden and concomitant infusion of money into the market from pricing out relocated communities. Compensation schemes that do not adequately consider gender, age, and diversity issues are likely to disadvantage women, orphaned children, and other groups with specific needs. A major challenge is lack of financial capacity and political will to fully compensate relocated communities for lost assets. Factors to consider when establishing compensation schemes, include:

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**a.** Ensuring they are attuned to gender and other dimensions (such as fair valuation, ownership, and divorce systems) to limit inequitable allocation of benefits;

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**b.** Providing alternatives to cash-based compensation (such as real estate, socio-economic and legal assistance);

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**c.** Creating transparent, equitable systems to ascertain and register people with claims to compensation or restitution and safeguards to limit scope for fraud and corruption.

## MONITORING AND EVALUATION

75. Independent, short- and long-term, durable, quantitative and qualitative monitoring and evaluations systems are necessary to assess the outcomes of planned relocation. Outcomes should be assessed using social, economic, and human rights indicators, keeping in mind that community priorities, values, and notions of success may not correlate with those of authorities and experts. Monitoring and evaluation mechanisms and indicators of success should pay heed to these intricacies as well as the circumstances of vulnerable groups in both relocated and host communities. Complexities pertinent to rural and urban settings should also be understood and captured.

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<sup>58</sup> Since 1993, participating communities to the Federal Emergency Management Agency (FEMA) of the United States have purchased more than 20,000 properties to prevent future damages. FEMA encourages all homeowners in affected communities to be sure they get all the information they need about buyouts so they can make the best decision for their families and their communities. Acquisition or buyout projects are administered by the states and local communities. The community may sponsor an application on behalf of individual property owners, and submit that application to the state. States prioritize projects that best fit their mitigation, recovery, and long term risk reduction goals and submit those projects to FEMA for review and funding and mitigation programs with input from the communities. Property acquisition is one of many forms of hazard mitigation, but it is the most permanent form. It removes people from harm's way forever. In a property acquisition project, the community buys private property, acquires title to it, and then clears it. By law, that property, which is now public property, must forever remain open space land. The community can use it to create public parks, wildlife refuges, etc. but it cannot sell it to private individuals nor develop it. Property acquisitions work the same way as any other real estate transaction, communities may offer homeowners who agree to participate in a buyout project up to the fair market value of the home before the disaster struck. A licensed appraiser hired by the community determines the fair market value. Buyouts are strictly voluntary. No homeowners are ever forced to relinquish their property. The property owner can use the proceeds to relocate outside of a high hazard area. More information available at: <http://goo.gl/FWsgq8>

<sup>59</sup> The FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Insecurity are available at <http://goo.gl/BkNLS>; the United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons, and guidance on evictions are available at <http://goo.gl/50Ua>

## ACCOUNTABILITY AND REMEDIES

76. Documentation and monitoring of implementation is a necessary precursor to enforcement, accountability, and remedies.<sup>60</sup> These, in turn, are integral to building trust in processes and institutions associated with planned relocation and preventing the potential for fraud and corruption. When creating an enabling environment to carry out planned relocation, States should also consider and establish mechanisms throughout the planned relocation process that enable decision-makers and other relevant actors to be held accountable. Where rights have been violated, complaint mechanisms, access to justice, and effective remedies are necessary.

## FUNDING

77. For planned relocation to produce successful outcomes, adequate and sustained funding is essential at all stages of the process: from risk assessment, vulnerability mapping, and the collection of primary data, through to extended monitoring and evaluation.<sup>61</sup> Potential options for accessing funds include the Adaptation Fund and the Green Climate Fund under the climate finance regimes for relocation plans that are part of States' adaptation strategies (i.e. NAPs) as well as for climate change mitigation and adaptation projects with a relocation component. Other potential options for funding are respective government ministries through their existing funds,<sup>62</sup> development agencies, development banks, and the private sector. In providing funding for undertaking planned relocation, the risk that governments may relocate populations primarily due to the availability of funding should be appraised.<sup>63</sup>

## RESEARCH, TRAINING, AND INSTITUTION AND CAPACITY BUILDING

78. With some notable exceptions, few States have institutions with the expertise and capacity to train new generations of multidisciplinary experts to boost national capacity to initiate, design, plan for, and successfully implement multi-year planned relocation programs. National and international capacity for undertaking or supporting planned relocation need to be strengthened. This can be done by, among other things:

a. Building and training a community of resettlement or planned relocation specialists, by institutionalizing the training function through the creation of specific centers (e.g. China Nanjing Institute, World Bank training program in different regions (Asia, Africa, Latin America and the Caribbean), India Council of Social Development training program), and through incorporation of the subject matter in existing academic and professional institutions and programs (e.g. encourage universities to introduce the topic into their syllabi; incorporate relocation training in emergency management programs studying and analyzing disasters);

b. Encouraging funders to fund the secondment of relocation advisers and specialists to governments; organizing government-to-government exchanges; and training experts from States impacted by disasters and climate change, conditional on return to the home State;

c. Creating an academic journal focused on planned relocation;

d. Building national and regional networks of specialists and advisors (such as the Latin American Resettlement Network) to create expertise, share experience and disseminate knowledge;

e. Establishing a website repository of guidance, best practices, etc., and making this resource known to international, national, and local actors.

## 5.2 INTERNATIONAL AND REGIONAL LEVELS

79. International, regional, and civil society actors, as well as regional (or industry) specific coordinating bodies, such as the Pacific Islands Forum, the IASC, United Nations Country Teams, the United Nations Disaster Assessment and Coordination (UNDAC), etc. have a supporting role to play in the context of planned relocation made necessary by disasters and the other impacts of climate change.

80. At the regional and international levels, there is a need for cross-pollination of ideas, action, and responsibility. The specialist expertise of actors and institutions across the areas of development, disaster risk man-

<sup>60</sup> In Alaska, communities documented environmental changes since 1983 and understood the impact on community habitability.

<sup>61</sup> In Fiji the Vunidogoloa Village was identified for relocation in 2010 after the events of Tropical Cyclone Thomas. The total cost of the project was estimated at \$978,229.

<sup>62</sup> In Senegal, 2000 families were relocated owing to the Dakar floods in 2009, US\$ 100 million were invested from the national budget.

<sup>63</sup> In Fiji, the National Climate Change Coordinating Committee (NCCCC) makes recommendations on how to fund the relocation: 1) through respective government ministries using their existing funds; 2) the project should be presented to Cabinet in order to identify source of funds 3) the NCCCC then seeks additional funding from other sources, such as regional development banks.

agement, environment, climate change, and humanitarian assistance and human rights is needed. The end goal should be a holistic appraisal of the needs of particular States and communities, which necessarily requires information sharing and coordination.

81. In supporting States with planned relocation, other States, regional bodies, international and regional organizations, development banks, funders and funding mechanisms, non-governmental organizations, researchers, and other experts can undertake, individually or through partnership and collaboration, and as relevant, a range of actions, including:
- a.** Developing or assisting with the compilation of normative and operational guidance and conveying comparative lessons;
  - b.** Raising awareness, strategically positioning the issue on political agendas, and mobilizing relevant constituencies and actors;
  - c.** Building capacity through national, regional, and international institutionalization of the issue and training;
  - d.** Providing technical assistance, guidance, and advice to States on, among other things, creating an enabling environment for planned relocation, including enacting or integrating a legal basis for undertaking planned relocation;
  - e.** Advising and assisting with planning and implementing relocation;
  - f.** Monitoring and evaluating experiences, researching, documenting, and compiling case studies of successes, failures, and lessons learned, producing knowledge and assisting and supporting local researchers to do the same;
  - g.** Developing repositories for sharing information;
  - h.** Raising funds for States to undertake planned relocation and assisting States to raise funds;
  - i.** Supporting, assisting, and protecting the rights of affected communities.



## 6. EXISTING GUIDANCE

82. As with other forms of disaster and climate change-related mobility, guidance on and implementation of, planned relocation, should be underpinned by fundamental principles of humanity, human dignity, and human rights and supported by international cooperation. Guidance must also be underpinned by the principle of non-discrimination, consent, empowerment, and participation and partnership, and reflective of age, gender and diversity.
83. The 2011 Nansen Principles on Climate Change and Displacement set out overarching principles to guide responses to the urgent and complex challenges raised by mobility in the context of climate change and other environmental hazards. These principles are pertinent to planned relocation made necessary by disasters and other impacts of climate change.
84. The Peninsula Principles, developed by experts as through consultation with a number of States, spell out a series of obligations for States to uphold the rights of those who are relocated internally because of the impacts of climate change.<sup>64</sup>
85. The policies on involuntary resettlement formulated by all major development banks (such as the World Bank, the International Finance Corporation, and the regional development banks), as well as the experience accumulated during their application in tens of thousands of development projects, provide important lessons relevant to the current context. They should be employed selectively in formulating future policies on planned relocation made necessary by disasters and other impacts of climate change.
86. Aspects of the UN Guiding Principles on Internal Displacement and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), which pertain to internal displacement, may be relevant to planned relocation. Guiding Principles 7(1) and 7(3) articulate a number of procedural guarantees. Guiding Principles 6-9 are also relevant, as are Guiding Principles 28-30 regarding durable solutions. The Kampala Convention addresses the protection of internally displaced persons (IDPs) in the context of climate change; explicitly refers to relocation in its definition of ‘internal displacement’; and sets out obligations of States parties relating to relocation. Internal displacement is defined to include the “involuntary or forced ... relocation of persons or groups of persons....”. Further analysis is needed on circumstances under which planned relocation may fall outside these frameworks (i.e. where planned relocation is not regarded as a form of displacement). The notion of choice and consent may inform this analysis. Research on the extent to which governments are relocating populations in line with these frameworks is limited.<sup>65</sup>
87. A UNHCR-commissioned study articulating a set of preliminary understandings for planned relocation of populations, drawn from the UN Guiding Principles on Internal Displacement, the World Bank’s OP/BP 4.12 and the IASC Operational Guidelines on Protection of Persons in Situations of Natural Disasters, identifies key considerations and actions to uphold the rights of those relocated in the context of climate change.<sup>66</sup>
88. Beyond these and the other guidelines and tools referred to throughout this document, an array of normative and operational frameworks, policies, guidelines and tools, as well as institutional and State practice, are pertinent to planned relocation in general and to specific aspects such as risk assessments, planning, participation and consultation, housing, land, and property, disaster risk reduction, climate change adaptation, funding, and many other themes.

<sup>64</sup> Representatives from Australia, New Zealand, Alaska, Bangladesh, Netherlands, Switzerland, UK, Germany, Egypt, Tunisia and the US.

<sup>65</sup> In Mozambique, resettlement of flood victims consists in guarantees to the displaced persons of safety areas in high lands, to rebuild their definitive houses and restart their socio-cultural and economic lives. The actions of Pursuing and Rescuing the victims of the floods, the reception of displaced persons in the accommodation centers and the process of resettling and integrating the population in safety zones, coordinated by the Government (INGC), are executed under accordance to the international humanitarian laws, the UN Guide Principles and the Kampala Convention, particularly the recommendations on principles 3, 5, 6, 8, 14.

<sup>66</sup> E. Ferris, Protection and Planned Relocations in the Context of Climate Change, available at: <http://goo.gl/1QDXp>



# 7. MOVING FORWARD AND NEXT STEPS

## CONSOLIDATION OF PRINCIPLES REGARDING PLANNED RELOCATION IN THE CONTEXT OF DISASTERS AND OTHER IMPACTS OF CLIMATE CHANGE

89. 90. While many principles pertinent to planned relocation are found in a wide range of existing guidance and practice, a document(s) synthesizing and explaining applicable principles through different phases of the process—from planning, assessments, and decisions to undertake relocation, to consultation and participation, selection of site, and establishment, reconstruction, and restoration of assets, livelihoods, and communities—would be useful to assist States and actors supporting them to undertake planned relocation in a manner that upholds humanity, human dignity and human rights of affected populations. Important groundwork has been laid with the Peninsula Principles on Climate Displacement within States. Building on all existing relevant work, a reference document(s) could set out principles and standards for undertaking planned relocation. This document(s), in turn, could be used as a framework for developing context-specific strategies, policies, legislation, programs, and activities and for clarifying needs, roles, responsibilities, and rights of affected communities, States, and other actors. This reference document(s) needs to balance the tension between specificity and generality, bearing in mind that planned relocation is context-specific—environmentally, geographically, historically, economically, and politically.

## DEVELOPMENT OF OPERATIONAL GUIDANCE

90. Especially needed are practical tools—‘how to’ and technical guides—and action plans to assist national and local authorities and actors supporting them to implement guidance on undertaking planned relocation. These tools and plans should cover the breadth of issues States need to examine and address throughout the planned relocation process.

## STRATEGIES TO OBTAIN FUNDS

91. Strategies and a framework for obtaining funds to undertake planned relocation should also be developed. Funding should be contingent on compliance with specific factors, and there should be accountability for non-compliance with the criteria upon which funding is obtained (similar to models developed by the World Bank and regional development banks). The extent to and manner in which the Adaptation Fund and the Green Climate Fund are potential options for funding should be examined.

## EVACUATIONS

92. In light of the MEND Guide, additional efforts to produce overarching guidance on evacuations as a form of planned relocation do not appear to be necessary. The MEND guidance could be drawn upon, as relevant, and any efforts with regard to evacuations could focus on supporting existing initiatives.

## OPTIONS FOR CARRYING OUT EFFORTS

93. Options for carrying out these efforts which are not mutually exclusive, include:

a. Constituting an inter-disciplinary and inter-agency expert group;

b. Incorporating efforts into the Nansen Initiative consultative process (while recognizing that the Nansen Initiative focuses on cross-border movements);

c. Coordinating efforts with action being undertaken under climate change deliberations and adaptation frameworks and DRR frameworks, including the Hyogo Framework for Action.

## NEXT STEPS

94. Immediate next steps towards preparation of guidance and operational tools include the following:

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**a.** Compiling international, regional and national laws, policies and other normative and expert guidance explicitly on or relevant to planned relocation and on specific topics pertinent to the process;

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**b.** Compiling existing operational guidance on planned relocation and on topics pertinent to the planned relocation process;

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**c.** Compiling lessons learned and best practices from planned relocation in the context of disasters and DIDR;

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**d.** Compiling lessons learned from refugee resettlement and integration, and integration of IDPs;

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**e.** Ascertaining and compiling guidance from national laws and experience on planned relocation, including both best practices and approaches that failed;

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**f.** Compiling a list of on-going and/or anticipated relocation projects (with the potential aim of systematically flagging these in project submissions to the Adaptation Fund/Green Climate Fund);

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**g.** Compiling a list of potential sources of funding for undertaking planned relocation, including planning, implementation and monitoring and evaluation.

95. UNHCR, the Brookings Institution and ISIM will continue their cooperation to move the discussion forward on the issue of planned relocation in the context of disasters and climate change.



DISASTERS  
CLIMATE CHANGE AND  
DISPLACEMENT



**EVIDENCE  
FOR ACTION**

This is a multi-partner project funded by the European Commission (EC) whose overall aim is to address a legal gap regarding cross-border displacement in the context of disasters. The project brings together the expertise of three distinct partners (UNHCR, NRC/IDMC and the Nansen Initiative) seeking to:

- 1 › **increase the understanding** of States and relevant actors in the international community about displacement related to disasters and climate change;
- 2 › **equip them to plan for and manage** internal relocations of populations in a protection sensitive manner; and
- 3 › **provide States and other relevant actors tools and guidance** to protect persons who cross international borders owing to disasters, including those linked to climate change.



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