SHEET 8 DISPLACEMENT, **CLIMATE AND DURABLE SOLUTIONS**



Climate **Training**





For key concepts and terms please refer to Fact Sheets 1, 2 & 3

Key messages:

- Displacement, including climate-related displacement, ends only once a durable solution has been found, usually in the form of return, local integration or relocation/resettlement.
- Displaced people should be at the centre of finding durable solutions, but national authorities also have responsibilities to facilitate the process.
- There are a number of international standards to guide the process of finding durable solutions, and which also establish criteria for determining when a satisfactory outcome has been reached.
- The IFRC and National Societies have a role to play in supporting durable solutions including through long-term recovery, livelihoods and approaches to Build Back Better and Safer.

What is a durable solution?

Climate-related displacement, as for all situations of displacement, is resolved when 'normalcy' is restored and displaced persons are able to voluntarily find a safe and dignified solution. This may comprise the following options:

- ▶ **Return and reintegration**—whereby the person returns to their place of origin before the crisis.
- ▶ **Local integration**—whereby the person integrates into the local community to which they located following their displacement.
- ▶ **Relocation/resettlement**—whereby the person moves to another location and integrates into that community.

Collectively these options are referred to as durable solutions, and they are considered a right for every person experiencing displacement.

Sources: **UN Guiding Principles for Internal** Displacement (1998) and RCRC Movement Policy on Internal Displacement (2009)

Key principles for durable solutions

The **IASC Framework for Durable Solutions** includes a number of key principles to guide the process of finding durable solutions for internally displaced persons (IDPs). These are as follows:



- ▶ The primary responsibility to provide durable solutions for IDPs and ensure their protection and assistance needs to be assumed by the national authorities.
- ▶ National and local authorities should grant international humanitarian and development actors, in the exercise of their respective mandates, rapid and unimpeded access to assist IDPs in finding a durable solution.
- ▶ The rights, needs and legitimate interests of IDPs should be the primary consideration guiding all policies and decisions relating to internal displacement and durable solutions.
- ▶ All relevant actors need to respect IDPs' rights to make an informed and voluntary decision on what durable solution to pursue.
- ▶ A person opting for local integration or settlement elsewhere in the country in the absence of a prospect of return does not lose the right to return once return becomes feasible.



Key principles for durable solutions

- Under no circumstances should IDPs be encouraged or compelled to return or relocate to areas where their life, safety, liberty or health would be at risk.
- ► IDPs who return, integrate locally or settle elsewhere in the country must not be subject to discrimination, in particular for reasons related to their displacement.
- Similarly, populations and communities that (re-)integrate IDPs and whose needs may be comparable, should not be neglected.
- ▶ IDPs continue to be protected by national and international human rights and, where applicable, international humanitarian law, even after they have achieved a durable solution.

When is a durable solution achieved?

Durable solutions are only achieved when displaced persons "no longer have specific assistance and protection needs that are linked to their displacement and such persons can enjoy their human rights without discrimination resulting from their displacement."

Consequently, achieving a durable solution is often a gradual and complex process, that is not simply attained once a person physically moves to their desired location.

The <u>IASC Framework for Durable Solutions</u> establishes a number of specific criteria for determining when such conditions are met. These are categorised into:

- ► Long-term safety and security
- Enjoyment of an adequate standard of living without discrimination
- Access to livelihoods and employment
- Effective and accessible mechanisms to restore housing, land and property
- Access to personal and other documentation without discrimination
- ► Family reunification
- Participation in public affairs without discrimination
- Access to effective remedies and justice

Source: The IASC Framework for Durable Solutions for Internally Displaced Persons (2010)

Challenges and barriers

Barriers to durable solutions

There can be many barriers preventing displaced persons from finding durable solutions. These are often influenced by the wider local and global circumstances, making durable solutions difficult to attain.

Common barriers

Lack of safety and security



Lack of livelihood opportunities



Conflict and violence



Destruction of place of origin, including local infrastructure, housing and access to services



Changing social, economic or political scenarios: locally, nationally and globally



Further disasters (conflict or climaterelated natural disasters)



Lack of access to, or change of land or property tenure



Lack of personal or legal documentation



Lack of resources and support to rebuild lives



Exacerbated vulnerabilities and discrimination



Lack of acceptance or support by host communities or countries



Lack of legal remedies and freedoms





Challenges and barriers to durable solutions

Challenges in the context of climate change

The slow-onset impacts of climate change, and climate-related disasters, bring some specific challenges for displaced people which need to be overcome in order to ensure that durable solutions may be found.

Barriers to return and reintegration

In disaster situations, it can be assumed that people will immediately return once he disaster has passed. Indeed, return and reintegration are often the preferred solutions to displacement.

However, for some people, the **option of return may not be possible**, particularly in situations of climate-related displacement. This may be the result of a number of factors including:

- Permanent destruction of their original place of origin, or livelihood opportunities, caused by a disaster event or the impacts of climate change.
- Continuing likelihood of disasters or climate change impacts affecting that area, making the area uninhabitable or the subject of "no build zones".

Even when the area is still habitable, there may be **other barriers** to return including:

- A lack of resources or support to re-establish original homes and livelihoods, in particular to ensure adequate protection against the longterm adverse impacts of climate change or future disasters.
- ► Land grabs or the reclamation of the area for other purposes.
- ► A lack of clear land tenure or documentation to support their claim to the original land.



I'm not allowed to return home - is that legal?

Preventing people from exercising their right to return should **only** be considered when the area has "a high and persistent risk for life and security" for which adaptation and other protective measures are unable to address. Even then, some additional conditions must also be met:

- a) It is provided for by law;
- b) Its only purpose is to protect the lives and health of the affected persons;
- c) The affected persons have been informed of the process and the reasons for the decision;
- d) The affected persons have been consulted during all phases of the relocation, starting from the choice of the site to the construction of housing, services and access to livelihoods, and were given an opportunity to participate in these decisions and their implementation; and
- e) The affected persons are provided with the opportunity for settlement elsewhere in the country in accordance with the following conditions:
 - The proposed sites are not exposed to secondary impacts of the disaster and are safe from recurrent disasters; and
 - At such sites, the affected persons have access to safe and culturally appropriate housing; water, basic health services and education; livelihoods and employment; markets; etc. without discrimination.

Source: <u>IASC Operational Guidelines for the Protection of People in Situations of Natural Disasters</u> (2011). Image: IFRC/Corrie Butler



Challenges and barriers to durable solutions

Barriers to local integration

Successful local integration, whether this is within the original home country or in a new country, requires acceptance by the local community and overcoming any **social**, **cultural and economic barriers**.

Situations where climate-related displacement causes people to move from rural areas to integrate into **cities and other urban locations** creates a particular set of challenges for finding durable solutions:

- Establishment of unplanned urban settlements can increase vulnerabilities to future disasters, including a lack of compliance with building codes and limited availability of essential services and supplies.
- ▶ Unplanned settlements can create friction with the local population and reduce possibilities for acceptance.
- Legally acquiring land and securing property rights can be challenging, particularly in overcrowded cities where land and housing is already in short supply.

Displaced people who have moved to **other countries** may lack access to the same rights and services as citizens, or be subject to stigma and isolation, which may prevent them from successfully integrating.

Barriers to relocation

Although there is no hierarchy of preferred solutions, relocation is a complex process and is considered an option of last resort. The IASC Framework for Durable Solutions advise it should only be considered "where minimum safety cannot be achieved, even if all necessary and reasonable disaster risk reduction measures are taken." There are also a number of conditions for relocation that should be met. These include:

The rights of displaced people to make an informed and voluntary decision, and be included in the planning and management of the process.

- Under no circumstances should people be compelled to relocate to areas where their life, safety, liberty or health would be at risk.
- ► The alternative settlement area provided should offer comparable living conditions, livelihood opportunities and public services as their original location.
- People should not be discriminated against on the basis of their displacement, or on other groups such as race, religion, gender, age, national origin or disability among others.
- ► The needs of communities that receive displaced people should not be neglected, achieved in part through a community-based approach to mitigate potential tensions.
- ▶ Effective monitoring should be put in place to ensure the continued compliance with the conditions of durable solutions.

In the context of climate change and climate-related disasters, the need for relocation is a high possibility because of potential for the original land to be rendered permanently uninhabitable. As such, this option has become an increasing area of focus, not only as a durable solution to end current displacement, but also as a critical preemptive adaptation measure to combat the impacts of climate change (see more on this in Fact Sheet 5).

Relocation as a durable solution is especially challenging in situations not only where the impacts of climate change prevent people from returning to their original locations, but where it threatens the habitability of the entire country, as has been predicted for some Pacific Island nations. In these situations, relocation presents the potential permanent loss of culture, community, language and citizenship and will require a new approach to ensure that solutions can meet the requirements of durability and fully respect human rights.



What can be done?

Guidelines for finding durable solutions

International guidance provides a number of standards and recommendations for durable solutions. While they do not all expressly refer to situations of climate change, it is clear that any **current or anticipated climate risks** should also be high among the priorities for consideration in decisions about return, local integration and resettlements.

Ensuring voluntary and informed choices:

Displaced people should be at the centre of finding the durable solution of their choice. As such they should be provided with all relevant information regarding the situation in their original and potential locations. This should include information about potential risks and hazards, livelihoods and economic opportunities, access to essential services, transport, education, healthcare, protection and legal mechanisms and any assistance packages.

Ensuring participation in planning and management: Displaced people should be full participants in the planning and management of durable solutions, which includes consideration of the impact of climate change. This includes participation in needs assessments and decision making on all aspects, as well as engagement

with any communities already living in identified areas. Consideration should be given to the establishment of coordination mechanisms, which may focus on an area-based recovery process, or a specific displacement strategy where appropriate.

Ensuring access to assistance: National and international organisations have an important role to play in assisting with durable solutions in a safely and manner. Authorities may not arbitrarily deny access to such assistance, particularly in situations where they are unable or unwilling to provide assistance themselves.

Ensuring effective monitoring: Transparent monitoring systems should be set up to ensure that conditions on the ground comply with the principles and standards for durable solutions, and should offer displaced people and other affected populations an effective complaints mechanism to immediately address any concerns.

Participation of all: Durable solutions should be accessible to all, regardless of age, gender, disability or other factors. This should be ensured at every step of the process, and be addressed through communication channels, risk and needs assessments, and planning and decision making.

Source: <u>IASC Framework on Durable Solutions</u>

Pacific: Finding durable solutions when whole nations are at risk

"Atoll countries like Kiribati and Tuvalu face an additional risk of becoming completely uninhabitable because of rising sea levels. If sea levels reach a certain point, the whole population will have to resettle in some other country or countries...Still, even in those extreme cases, outmigration is likely to be a gradual process rather than a one-off event. And [...] the vast majority of those Tuvaluans who are considering migration do not give climate change as their reason for leaving, but predominantly economic concerns.

While much of the literature on climate change and the Pacific focuses on the possibility of islands, particularly low-lying atolls, which may become submerged by the ocean, in fact it is likely that areas—and countries—will become uninhabitable long before they are submerged."

Source: Ferris E. et. al (2011)
On the Front Line of Climate Change
and Displacement Learning from
and with Pacific Island Countries





What can be done?

Special considerations for cross-border displacement

Situations where displaced people have crossed international borders raise additional considerations for durable solutions. Most commonly, international displacement in disaster situations is temporary, but where it does occur the following recommendations have been made:

- ▶ Developing criteria and mechanisms, preferably at a bilateral or (sub-)regional level, to determine when return from abroad in disaster contexts may take place and how to facilitate the return, including necessary exit procedures and travel.
- ▶ Ensuring cooperation between countries of origin and receiving countries and, where relevant, with international organizations, to ensure that returnees are received with respect for their safety, dignity, and human rights, and under conditions that allow them to find lasting solutions to their displacement.
- Alternatively, allowing cross-border disasterdisplaced persons to apply for renewed or permanent residency, or resettlement to a third country when conditions causing the displacement persist for an extended period of time or become permanent.
- Developing measures to support sustained cultural and familial ties when return to the country of origin is not possible.
- Ensuring information of, consultation with and participation by affected persons or groups of persons, including host communities, in finding lasting solutions.
- ▶ Integrating interventions aimed at finding lasting solutions for cross-border disaster-displaced persons into general development plans through resilience-building measures and recovery/ reconstruction support at all relevant levels.

Source: The Nansen Initiative (2015) The Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change

Durable Solutions in Practice: Handbook

(2017) developed by the Global Cluster for Early Recovery provides a practical methodology for a bottom-up approach to durable solutions planning in post-conflict or post-disaster settings.

Part 1: describes the five-step methodology for area-based and context-specific durable solutions planning.

Part 2: provides practical guidance and fieldbased practices on how to address general obstacles to achieving durable solutions, structured around the eight criteria of the IASC Framework on Durable Solutions for Internally Displaced Persons.

Annexes: examples of tools for durable solutions planning.

Role of IFRC and National Societies

[The Movement] must promote durable solutions based on voluntary, safe and dignified choices for the people affected.

Source: RCRC Movement Policy on Internal Displacement (2009)

The **RCRC Movement Policy on Internal**

Displacement (2009) adopts the approach of the IASC Guiding Principles on Internal Displacement, including the durable solutions of return and reintegration, local integration and relocation.

The policy reiterates the prerogative of displaced people to independently seek sustainable means of improving their situation; and that national authorities are responsible for the facilitation of voluntarily durable solutions in safety and with dignity.

National Societies are encouraged to "ask their authorities and public services about arrangements made and see if there is any way in which they might assist the groups concerned." However, the policy also encourages caution and to fully assess the risks to avoid supporting activities that may cause harm.





Role of IFRC and National Societies

Depending on the circumstances, the policy indicates a number of relevant activities conducted by the Movement to support durable solutions, including:

- ► Activities to strengthen the ability of the local branch of the National Society to provide adequate services.
- ▶ Return kits containing food and hygiene items.
- ► Help in resuming livelihoods and income generation.
- Shelter materials.
- ▶ Means to rebuild social networks.
- ► Restoring family links.
- Activities aimed at enhancing community development.
- Protection work aimed at ensuring full respect for the letter and spirit of the relevant law and the rights of the individual.

In 2019, the Movement Council of Delegates adopted a **Resolution on Strengthening implementation of the Movement Policy on Internal Displacement: Ten years on** (2019). This resolution requests:

"all the components of the Movement improve their coordinated response in support of voluntary, safe and dignified choices for IDPs by engaging with the authorities on the full spectrum of durable solutions (return, local integration and resettlement in another part of the country), in line with IDPs' rights and driven by their priorities and intentions, taking into account the perspectives of host communities and residents of potential areas of integration, return or resettlement, and by increasing the Movement's capacity to support people's efforts to rebuild their lives, including through more effective coordination and cooperation with development organizations."

Strengthening IFRC Responses to Internal Displacement in Disasters: Challenges and Opportunities (2019)

This report includes a number of recommendations on durable solutions:

- Support National Societies to develop a more comprehensive understanding of the Framework for Durable Solutions and to identify any potential underlying causes which may cause further displacement in future.
- ▶ Provide guidance and support to National Societies on engaging with authorities on durable solutions and further clarity on how to adhere to Fundamental Principles and exercise their auxiliary role in complex political environments.
- ▶ Use the existing tools and programme approaches of cash, recovery and livelihoods programmes, resilience and disaster risk reduction, promotion of social cohesion, protection and advocacy to target and address issues arising from the implementation of durable solutions.
- ▶ Document and scale up work on housing, land and property issues to ensure equitable access to assistance and prevent further displacement.

Case studies

Kenya: Supporting return from urban displacement

In response to drought in Kenya that displaced rural populations to urban centres, Kenya Red Cross Society with IFRC launched an appeal to support the immediate needs of 1 million drought affected people. In areas where there have been substantial rainfall, activities were aimed at supporting IDPs to return to their place of origin through cash transfers, livelihood, WASH and health activities.

Source: IFRC (2019) <u>Strengthening IFRC Responses</u> to Internal Displacement in Disasters: Challenges and Opportunities



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Case studies

Nepal: Building Back Better and Safer

Following the 2015 earthquakes in Nepal, the IFRC, ICRC and 30 National Red Cross and Red Crescent Societies conducted recovery programmes from April 2015 to October 2019. This prioritised families who were displaced and focused on the provision of integrated services including: durable shelter solutions; restoration of livelihoods; safe water, sanitation and hygiene promotion; increased access to health services; and rehabilitation of critical infrastructure including schools and hospitals. After five years, the approach transitioned to long-term community-based programmes and strengthening preparedness for future crises. This included utilising a 'build back better and safer' approach, complemented with awareness training using the Participatory Approaches for Safer Shelter Awareness (PASSA), masonry training and technical assistance to promote a culture of resilient and durable housing and settlement.

Source: IFRC 2020 Disasters and Displacement in a Changing Climate: Case Studies, Asia Pacific National Societies in Action.

Maldives: Supporting relocation

The IFRC and National Societies supported the Government of the Maldives in the permanent relocation of 4,000 people in response to the 2004 tsunami. The entire population of Kandholhudhoo was displaced and living with host families across five islands, for four years whilst the new community was built on Dhuvaafaru, a safer and neighbouring island. The new community included approximately 600 houses, schools, a health centre, roads, water, sewage and electrical systems.

Source: IFRC (2018) <u>Disasters and Displacement</u> in a Changing Climate: The Role of Asia Pacific National Societies

Indonesia: Durable solutions through community engagement

Following the 2018 earthquakes in Sulawesi, liquefaction and the declaration by the Government of 'red zones' permanently prevented many people from returning to their homes, prompting efforts to identify suitable land and construction of housing. For its part, Palang Merah Indonesia (PMI) shifted its focus to supporting more resilient communities, including: training people to build better, stronger homes; providing permanent safe water sources; rebuilding health centres; and helping affected people restore their incomes by providing livestock or boats.

Among the recommendations include:

- ▶ Taking durable solutions into consideration during the early stages of a response, with a long-term multi-year horizon to support a more nuanced approach, especially in complex settings. This can also help identify risks of prolonged or protracted displacement early, as well as any possible regulatory or other barriers to durable solutions.
- Community Engagement and Accountability (CEA) can and should play a central role. Affected communities including both displaced and host communities—can play a central role in decision-making connected to recovery, including on durable solutions to displacement.

Source: IFRC (2020) Disasters and Displacement in a Changing Climate: Case Studies, Asia Pacific National Societies in Action. Image: Kathy Mueller/IFRC. Selengen village, North Lombok, Indonesia November 2018





References and further reading

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