

# FORCED MIGRATION review

Issue 69  
March 2022

## Climate crisis and displacement: *from commitment to action*



*Plus articles on:  
women, peace  
and security;  
cash transfers  
in Turkey; asylum  
accommodation  
in the UK*



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## Forced Migration Review

(FMR) provides a forum for the regular exchange of practical experience, information and ideas between researchers, refugees and internally displaced people, and those who work with them. It is published in English, Arabic, Spanish and French by the Refugee Studies Centre of the Oxford Department of International Development, University of Oxford.

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## From the Editors

With the latest report from the Intergovernmental Panel on Climate Change sounding the loudest warnings yet, this issue of FMR urges all actors to collaborate in the monumental task of addressing the impacts of the climate crisis on human mobility.

Over recent years, numerous commitments have been made and frameworks for action established but, as one of our lead authors says, “we are yet to change course”. We all know that action is needed urgently, and this issue includes many examples of how to move from commitment to action. The relationship between climate change and displacement has been the focus of several previous FMR issues – FMR 31, 49 and 64 – which you can read on our website at [www.fmreview.org/issues](http://www.fmreview.org/issues).

This issue also includes three ‘general’ articles on other topics: the Women, Peace and Security Index; cash transfers for Syrians in Turkey; and the need for a trauma-informed approach in provision of asylum accommodation centres in the UK.

This magazine and the accompanying *Editors’ briefing* (which provides a summary of the content of the issue, plus a listing of articles with weblinks) are available online at [www.fmreview.org/climate-crisis](http://www.fmreview.org/climate-crisis). Please share it widely, including the Arabic, French and Spanish editions. Follow us on social media (Twitter, Facebook and LinkedIn) to be notified when the other language editions are available.

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Our July 2022 issue will include a major feature on **Knowledge, voice and power** plus a shorter feature on **Social cohesion in protracted displacement**. To receive updates about this and future issues, please sign up for email notifications at [www.fmreview.org/request/alerts](http://www.fmreview.org/request/alerts).

This is the last time that Marion is co-authoring the ‘From the Editors’, as she leaves FMR at the end of March after 28 years. Read her farewell message on page 84. We warmly welcome Olivia Berthon to the team as Deputy Editor!

With best wishes

Alice Philip and Marion Couldrey  
Editors, Forced Migration Review

### Front cover image:

Badsha Mia uses a loudhailer to call out to flood-affected people, including those with disabilities, who need help to evacuate to a safe location. A wheelchair user, Badsha Mia is a member of a community-based Ward Disaster Management Committee and a self-help group of persons with disabilities. The accessible rescue boat was built for use in search and rescue operations. Gaibandha, Bangladesh. See *article pp31–33*. Photo: CDD & CBM



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## Foreword

# Protecting people and the planet: from commitment to action

Ambassador Nazhat Shameem Khan

### *Bula vinaka! Greetings!*

This special edition of *Forced Migration Review* focusing on displacement and planned relocation in the context of climate change could not come at a more appropriate time. We urgently need to translate our commitments into meaningful action. Throughout COP26 in Glasgow, the Fijian government called upon all countries to show more commitment – of political will and financing – towards collective and ambitious action that secures a deal to keep the 1.5 degrees goal alive.

This is an important call for action.

In Fiji we have seen at first hand the effects of climate change, with an increase in the number of tropical cyclones affecting our country and with sea level rises starting to inundate some of our islands and coastal communities. Communities are being displaced or relocated as a result, as you read this.

The Internal Displacement Monitoring Centre's 2021 Global Report on Internal

Displacement estimates that in 2020 alone around 40.5 million new displacements were recorded. Disasters triggered over three times more displacement than conflict and violence. This is a stark reminder of why the imminent threat of climate change must be taken seriously. If the threat is left unchecked, we should anticipate that the global outlook not only for internal but also for cross-border displacement will continue to worsen and it will be more difficult for States to address this trend.

### **Fight for survival**

Fiji made it clear at the international climate negotiations that the Pacific's intention is to 'fight for survival'. We view climate change as an existential threat because of its impact on our culture and traditional way of life, its impact on our ocean and its marine resources and ecosystems, and its impact on our land and on food and water security and, most importantly, on the natural environment that

sustains all human life on this planet.

For low-lying island states facing the reality of submersion if sea levels continue to rise, it would mean a threat to territoriality and perhaps sovereignty, in addition to the threat to lives and livelihoods. For areas affected by desertification, it could mean potential famine and drought. For



In 2016, Cyclone Winston left a trail of destruction, affecting an estimated 350,000 people – over one third of Fiji's population – and in some villages leaving 90% of homes damaged or destroyed.

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areas plagued by frequent forest fires, it might lead to loss of homes and the loss of lives of family and friends. States, the international community, non-governmental organisations and other relevant stakeholders must consider what needs to be done – and done urgently – to promote and protect human rights in the face of these existential threats.

Understanding the human rights dimension is very important. At the UN Human Rights Council in October 2021, the Council adopted a resolution establishing a Special Rapporteur on Climate Change. Fiji was part of the core group that presented this resolution for adoption, recognising climate change as an existential threat with cross-regional, multifaceted impacts.

As the current chair of the Pacific Island Forum, we fully understand that the gravest consequence is the possible extinction of our islands. This underpins our need to understand the challenges around disaster-related displacement and climate-induced human mobility within the Pacific region. We will need further discussion in the Pacific Islands Forum about the intrinsic link between climate change impacts, regional security, and climate-induced human mobility.

### **Beyond political boundaries and local interests**

The work on internal displacement is important and resonates with Fiji's involvement with the Platform on Disaster Displacement. Through the Platform, we work with others to understand displacement and human mobility in the context of disasters and climate change and to explore the actions that are needed to address this issue. Together we need to agree on what can be done collectively as a community of practice to ensure that we transform our commitments into more concrete, tangible actions, and to ensure that we support implementation of integrated and regional approaches, bringing together climate change action, disaster risk reduction and development efforts.

Our conversations about how to address the challenges posed by disaster displacement must extend beyond political boundaries.

In Fiji, we have developed specific guidance on addressing the two distinct processes of planned relocation and climate-induced displacement. In terms of planned relocation, Fiji has completed the relocation of five communities that were severely impacted by both slow-onset and sudden-onset climatic events. In response to the impact of Tropical Cyclone Yasa in 2020, we are now working on relocating two communities (Nabavatu and Cogeia) located in the Province of Bua in Fiji's second largest island which was gravely affected by landslides as a result of heavy rain and flooding.

To ensure that we strengthen our work relating to planned relocation and displacement, Fiji's new Climate Change Act of 2021 provides the legal framework for our whole-of-government approach to addressing these issues. Integral to our approach is our commitment to ensuring that our systems and processes are transparent and inclusive, so that the State upholds and protects the human rights of all affected persons and that no one is left behind.

It is our hope that this special edition of *Forced Migration Review* continues this conversation. Expanding our knowledge around climate-induced displacement and other forms of human mobility is important. As we seek to care for a changing world in a changing climate, and to address the challenges this presents, understanding the specific protection needs and challenges of affected people is vital if we are to have the necessary legal systems and institutional processes in place to provide protection for all. We call on all governments and stakeholders to join us in engaging wholeheartedly and urgently in implementing and stepping up our shared commitments. Given that the climate crisis is already having a significant impact on people's lives, there can be no greater imperative.

### **Ambassador Nazhat Shameem Khan**

Fiji's Permanent Representative to the UN in Geneva; Chief Negotiator for Fiji's Presidency of the United Nations Climate Change Conference (COP 23). For more information please contact [mission@fijiprunog.ch](mailto:mission@fijiprunog.ch) or [aleweniqila@fijiprunog.ch](mailto:aleweniqila@fijiprunog.ch)

# Climate crisis and displacement – from commitment to action

Alexandra Bilak and Walter Kälin

**Significant progress has been made in focusing international attention on the need to address displacement in the context of disasters and the adverse effects of climate change. Despite a wide range of global policy frameworks, however, actions being taken are not yet having a sufficiently deep and far-reaching impact.**

Displacements associated with climate- and weather-related hazards have reached levels unprecedented in modern times. The intensity and frequency of hazards that can trigger displacement are increasing, eroding fragile livelihoods and ecosystems, aggravating existing vulnerability and undermining resilience. Since 2008, an average of 24.5 million new disaster-related internal displacements per year have been recorded globally, with almost 90% of these associated with weather-related hazards such as floods, storms and droughts.<sup>1</sup>

Although the bulk of human mobility in the context of disasters and the adverse effects of climate change occurs within national borders, people may also cross national borders to look for safety abroad. In 2021, for instance, Angolans fleeing drought found refuge in Namibia where, at the request of the government, the Namibia Red Cross Society provided them with assistance.<sup>2</sup> Others moving away from harm, however, may find themselves in a place where their rights are not recognised or protected, potentially trapped in their new location, without assistance and support to return home or to build a new life in a new place.

## Global policy frameworks

Despite its urgency, the issue of displacement associated with climate change has only recently made its way onto the international agenda. While the 1998 Guiding Principles on Internal Displacement refer to disasters, they do not mention climate change. Paragraph 14(f) of the Cancún Framework for Adaptation (adopted in 2010 at COP16) recognised “climate change induced displacement, migration and planned

relocation” as important adaptation challenges and committed States to enhancing coordination and cooperation – but follow-up remained extremely limited.

The breakthrough came in 2015 when, after difficult discussions, governments negotiating the Sendai Framework for Disaster Risk Reduction 2015-2030 accepted several provisions on human mobility. The Framework recognises displacement as a devastating impact of disasters and promotes global and regional cooperation to reduce disaster risk (including displacement risk), enhance preparedness and response, and incorporate the needs of disaster-displaced persons in post-disaster reconstruction. In October, 109 States endorsed the Nansen Initiative Protection Agenda which presents a series of tools to manage and reduce displacement risks and to protect those who are displaced.<sup>3</sup> Finally, COP21 held in Paris in December 2015 instructed the Warsaw International Mechanism for Loss and Damage (WIM) to establish a taskforce to develop recommendations for integrated approaches to avert, minimise and address displacement related to the adverse impacts of climate change. December 2015 also saw the adoption of the 2030 Agenda for Sustainable Development; Sustainable Development Goal 13 – to take urgent action to combat climate change and its impacts – is relevant for climate change-related displacement despite not directly addressing the issue.

The recommendations of the WIM Task Force on Displacement were unanimously endorsed by COP24 in December 2018. In the same month, the UN adopted the Global Compact on Migration (GCM) containing detailed commitments and recommendations

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relevant to preventing and addressing climate change-related displacement.

While none of these instruments is legally binding, they are all highly authoritative. Many governments and some regional organisations have started to implement their commitments and many effective practices are emerging. The degree of consistency across the thematic areas of disaster risk reduction (DRR), climate change policy and migration is also encouraging. However, despite many examples of good practice, action is still insufficient given the scale of the challenges.

### International commitments

Among the commitments made by States and many instances of emerging good practice, four stand out.

#### Investing in enhanced data and knowledge:

Compared with a few years ago, the intersection of climate change and displacement is better understood today. However, we still need to deepen our grasp of not only the drivers, vulnerabilities and risks that lead to displacement, but also what we can concretely do about them. The commitment of States to invest in enhancing data and knowledge is already addressed in paragraph 14(f) of the Cancún Adaptation Framework, albeit in a very general way. The Sendai Framework, the Nansen Protection Agenda and the GCM provide more detailed guidance. The Sendai Framework (para 24) highlights the importance of collecting, analysing, managing and using relevant data on disaster risks and the vulnerability, capacity and exposure of specific locations and populations, and promotes the dissemination and accessibility of such data. It also insists on the relevance of mainstreaming disaster risk data and assessments into local development plans (para 30).

The Nansen Initiative Protection Agenda and other relevant documents, in particular the 2021 Report of the UN Secretary-General's High-Level Panel (HLP) on Internal Displacement, highlight the need for gender-, age- and diversity-disaggregated data. The HLP report found that governments' willingness and capacity

to act are improved if governments own the relevant data and possess the capacity to analyse them. Governmental ownership, however, must not mean that data are monopolised by authorities. Thus the GCM insists (paragraph 18h) on the need for strengthening joint analysis and sharing of information among stakeholders in order to better map, understand, predict and address migration movements.

**Helping people to stay:** Displacement risks can be mitigated through reducing disaster risks, supporting adaptation and strengthening individual and community resilience. The Sendai Framework focuses on investing in structural and non-structural measures reducing disaster-related risks and impacts. Supported by the UN Office for Disaster Risk Reduction's *Words into Action* guidelines<sup>4</sup>, governments around the world have started to include disaster displacement in national DRR policies and planning. Out of 46 countries included in IDMC's 2021 Internal Displacement Index, most acknowledge disaster displacement in their DRR strategies.

However, only 27 national climate policies and adaptation plans recognise the link between displacement and climate change – in contrast to the recommendations of the GCM.<sup>5</sup> These recommendations include minimising the drivers that compel people to leave their country and seek livelihoods elsewhere through irregular migration. The GCM also explicitly calls on States to develop adaptation and resilience strategies relating to disasters and climate change. At a more general level, the Sustainable Development Goals (SDGs) relating to ending poverty, achieving food security and combatting climate change highlight the need to enhance the adaptive capacities of eco-systems and communities. Indicators to measure progress in attaining these goals include the number of countries that have adopted and implemented national and local disaster risk reduction strategies in line with the Sendai Framework.<sup>6</sup> According to the World Bank, concrete climate action and more inclusive development action could substantially reduce levels of displacement. If combined with the full

implementation of the Paris Agreement, achieving the SDGs would therefore be one of the most effective ways to prevent climate-related displacement and migration.

**Helping people to move out of harm's way:** One way of coping with the adverse impacts of climate change is leaving locations where life has or will become impossible, for instance where rising sea levels render low-lying islands or coastal plains uninhabitable. Anticipatory or reactive planned relocation has recently gained traction as a disaster risk reduction and climate change adaptation measure. Fiji developed national guidelines on planned relocation in 2018, which are now being translated into standard operating procedures. In the same year, Vanuatu published a national policy on climate change and disaster-induced displacement, which addresses the issue of planned relocation. Recent studies by the Platform on Disaster Displacement, the UNSW Kaldor Centre for International Refugee Law and the International Organization for Migration identified hundreds of cases of disaster- and climate-related relocation projects, indicating that efforts are underway across all continents.

Enhancing the availability and flexibility of pathways for regular migration across borders is one of the explicit goals to which States committed when they adopted the GCM (Objective 5). Humanitarian visa and temporary protection schemes, or temporary work permits, could be used to admit persons affected by sudden-onset disasters in situations where adaptation in or return to their country of origin may be possible at a later stage, while visa options for permanent residence are a tool for situations where the country of origin has become uninhabitable. Work is underway in the context of the UN Network on Migration to map countries' follow-up to and implementation of the GCM in national policy and practice. Agreements on the free movement of persons have a particularly interesting potential at regional and sub-regional levels. The Intergovernmental Authority on Development (IGAD), for example, recently finalised a

Protocol which makes free movement of persons in the Horn of Africa region explicitly available for persons affected by disasters once it enters into force. In South and Central America, governments have already adopted guidelines on and guides to effective practices to harmonise immigration laws to make domestic practices more consistent and predictable. Meanwhile, in the South Pacific region, discussions on developing a regional human mobility framework have started.

**Protecting the displaced:** States continue to unanimously recognise the UN Guiding Principles as an important international framework for protecting IDPs and the number of countries incorporating them in national laws and policies is growing. The legally binding 2009 Kampala Convention on the assistance and protection of IDPs in Africa explicitly includes people internally displaced in the context of climate change. Overall, however, the 2021 HLP report concluded that "there has been a collective failure to prevent, address and resolve internal displacement".<sup>7</sup> This is particularly true for those displaced during weather- and climate-related disasters as international attention tends to focus on displacement linked to armed conflict.

International commitments to granting persons displaced across borders (in the context of disasters and climate change) the right to be admitted and not sent back – and to ensuring their right to livelihoods, services and other conditions necessary for a life in dignity – remain largely absent, and prospects for progress in the near future are slim. For the time being, this leaves the task of improving this protection to courts and human rights mechanisms. The 2019 decision of the UN Human Rights Committee in the case of *Teitiota v New Zealand* opens up interesting perspectives. While concluding that climate-related conditions do not yet threaten life in Kiribati, the Committee recognised that the right to life may prohibit the deportation of people to countries where adverse impacts of climate change do create life-threatening conditions. The creation of a mandate for a Special Rapporteur on the promotion and



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Floods have damaged and destroyed homes in and around Satkhira district, Bangladesh.

protection of human rights in the context of climate change by the Human Rights Council in October 2021 further highlights the importance of human rights for people affected by the impacts of global heating.

### Conditions for effective action at scale

As this overview and the accompanying articles in this issue of *Forced Migration Review* indicate, we have clearly not reached a stage where action has a sufficiently deep and far-reaching impact. Regarding solutions for IDPs, the High-Level Panel on Internal Displacement has identified a series of elements that must be in place to achieve progress at scale:

**First, country-led action:** Governments must assume their primary responsibility for preventing displacement, protecting and assisting IDPs, and finding solutions to end displacement. This can only be done effectively if governments integrate displacement into national and local development planning and institutionalise a whole-of-government approach to ensure comprehensive, coordinated action by all relevant authorities. At the same time, the international community must create

mechanisms to ensure predictable technical and financial support and provide for peer-to-peer learning opportunities.

### Second, whole-of-society approach:

Communities at risk of displacement, and IDPs and the communities hosting them, must be seen as people with rights, agency and capacity. Their involvement must go beyond being consulted. Community-based planning and action, and systematic involvement of local civil society and private sector capacities, are key to success; this should include drawing on traditional knowledge.

### Third, a UN system that is fit for purpose:

To increase the effectiveness of international support, there needs to be a fundamental shift from a predominantly humanitarian approach to internal displacement to a primarily development-oriented approach. This requires clarifying the responsibilities of development actors and enhancing overall accountability within the UN system. Strong leadership by Resident Coordinators is needed in order to overcome competition among UN agencies, and to ensure collaborative UN action to support governments in preventing, managing and resolving displacement.

**Finally, predictable and accessible financing:** There is a need to significantly scale up financial support for displacement-sensitive climate action, including through improved access for affected countries to the Green Climate Fund and similar financing mechanisms.

These conditions for effective action at scale are relevant beyond the search for durable solutions for IDPs. They are also essential to reducing displacement risk and strengthening the resilience and adaptation capacities of affected communities. They set an agenda for enabling stakeholders to move from international commitments to prevent, manage and resolve internal and transboundary displacement to concrete actions relevant for the millions of people at risk or already displaced in the context of disasters and the adverse effects of climate change.

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## A call to action: a comprehensive approach to human mobility in the context of the climate crisis

António Vitorino

**We are approaching key global milestones in the challenge we face to address the human mobility implications of the climate crisis – with deadlines that we are struggling to meet. We need to act urgently, collectively, inclusively and ambitiously.**

As our planet's temperatures rise, ecosystems are collapsing, species are disappearing, and we are witnessing a growing number of devastating disasters. No society, no community will be unaffected: livelihoods are being depleted, food and water security are being undermined, while inequality, poverty and deprivation are being magnified. We are heading towards a world in which the achievement of the Sustainable Development Goals will become increasingly distant, difficult and costly – and we are yet to change course.

The environmental crisis has profound implications for human mobility. Growing numbers of people will be displaced, many forced to abandon their homes for ever; others will have little choice but to remain in places

that will become ever more dangerous and fragile; well-established migration routes and systems will be disrupted. It is imperative that migration, displacement and immobility become an integral part of climate action.

This will be a complex undertaking, requiring comprehensive solutions that preserve and promote the well-being, security and resilience of people on the move and their communities. It will also require all of us to work together. The international community committed in the Global Compact for Safe, Orderly and Regular Migration (GCM) to address adverse drivers compelling people to leave their homes, while also making available pathways for regular migration, and promoting social cohesion and access to services for migrants. It is time

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to act to put these commitments front and centre in our efforts to promote sustainable development and address climate change.

### **Ensuring that people can move in a safe and dignified manner**

People will continue to move, as they always have – to survive, cope with hardship, and thrive. Throughout human history, population movements have underpinned the prosperity of nations and communities; today, it is impossible to imagine successful adaptation to climate change without migration and mobility, the transfer and investment of remittances, and the circulation of skills and ideas. Ensuring that those who face the worst impacts of the climate crisis will be able to move in a safe and dignified manner will be key to preserving their adaptive capacity.<sup>1</sup>

Doomsday scenarios suggesting large-scale movements of people to high-income countries do not reflect today's reality, nor future outlooks. Population movements linked with environmental factors are, and will remain, primarily short-distance and internal. The impacts of environmental change will, however, translate into more difficult migration decisions, riskier journeys, and more precarious situations for those on the move.

IOM is working with its Member States and multilateral institutions to help ensure that migration governance systems can effectively address these emerging situations. Frameworks and protocols that enable cross-border movements (developed primarily to manage labour migration) are key to facilitating migration in the context of climate change and supporting adaptation and resilience. Regional economic communities throughout Africa, Europe and Latin America are excellent examples of these flexible arrangements. Frameworks to facilitate the free movement of people, such as those in the ECOWAS and IGAD regions, help preserve the resilience of mobile people who will be particularly affected by climate change due to their dependency on natural resources. People moving across borders due to disasters and climate change may be granted access to existing immigration categories, while visa policies and ethical

labour migration schemes can be used to support adaptation, disaster risk reduction (DRR) and post-disaster recovery.

Because migration is primarily internal rather than across borders, we need to remain alert to its local implications. Climate migration will be first and foremost a matter of – largely urban – planning and service provision, and we must support local authorities in integrating climate and migration dimensions in their work. It is through local-level work, particularly in cities, that we will build migrant-inclusive societies, and thereby promote collective well-being and resilience.<sup>2</sup> In Senegal and Côte d'Ivoire, for instance, IOM involves migrants in the design and implementation of nature-based solutions to flood risk and food insecurity in urban and peri-urban areas. These initiatives promote recognition of the skills and protection of the rights of migrant workers in the agricultural sector, while building the resilience of their communities.

It can be a challenge to scale up and disseminate the experience gained from localised approaches but there are already effective ways to exchange information, learn common lessons and mobilise partners and resources. The UN Network on Migration, the Mayors Migration Council, the Task Force on Displacement, the Platform on Disaster Displacement and the Regional Consultative Processes on Migration are examples of relevant networks and forums.

### **Reducing disaster and climate risk**

The Sendai Framework for Disaster Risk Reduction and the Paris Agreement set out clear blueprints to reduce existing and future climate-related risks. Risk reduction and adaptation are central to all development, humanitarian and peace concerns – including as they relate to the governance of migration and the management of displacement. Key frameworks on human mobility, such as the GCM or regional and national migration and displacement policies, have recognised the need to reduce the impacts of hazards. There is today a pressing need for coordinated and all-of society approaches that bring together disaster risk management, climate change



Typhoon Bopha left tens of thousands homeless in the Philippines in 2012.

adaptation and human mobility actors, plus affected communities themselves.

Excellent examples of such work already exist. The Asia-Pacific Working Group on Disaster Displacement has regularly brought together displacement and disaster management institutions to share lessons and mobilise action. Including human mobility practitioners in national coordination bodies, such as the National Platform in Burundi, has facilitated the integration of mobility concerns in DRR planning. Countries such as Vanuatu and Mozambique are now institutionalising this approach by integrating disaster and human mobility-related policies and approaches. IOM, together with its partners in the Capacity for Disaster Reduction Initiative (CADRI), also supports these processes by providing governments with capacity assessments on DRR that specifically account for migration, displacement and planned relocation issues, and that can help prioritise follow-up action.<sup>3</sup>

### Assisting and protecting people on the move

The crises of recent years have shown us that we need to prepare for a world

with heightened humanitarian needs, as communities around the world experience more frequent, more intense, overlapping disasters, that progressively erode people's resilience and leave a limited space for recovery. We know that anticipating and responding to losses and damages in a changing climate will also mean preparing for, and addressing, forced migration and displacement. Internal and cross-border movement – while key to coping and, in some cases, surviving – may place people in life-threatening, undignified situations, undermine their resources and resilience, and increase their likelihood of suffering violence and insecurity and being affected by future hazards.

Preparing for, addressing and resolving displacement will be key to reducing one of the key impacts of hazards and climate change. It will also be essential to avoiding the indirect losses and damages that disasters and climate change produce through displacement and migration: impoverishment, community disruption, tensions and instability, and environmental degradation. To this end, all disaster preparedness, response and recovery activities need to integrate displacement and migration management, protection and durable solutions considerations.<sup>4</sup>

There also needs to be a collective shift towards anticipatory approaches, through use of risk assessments, hazard monitoring and early warning systems that inform preparedness and early action. In its role as Agency Lead (in the Cluster Approach) for assisting people displaced internally following disasters triggered by natural hazards, IOM has been supporting efforts relating to anticipating and monitoring disaster displacement in the Pacific, strengthening warning systems and infrastructure in Nepal and the Philippines, and building capacity (and promoting inclusion of displaced persons) in risk reduction in South Sudan, Bangladesh and Haiti and in West, Southern and Central Africa.

We must continue to build bridges between two sets of actors that have too often worked in isolation: those dealing

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with disaster risk reduction and emergency preparedness, and those dealing with migration and displacement management. And we need to propose new collective approaches that complement traditional humanitarian and durable solutions interventions with greater foresight, coordination and capacity building.

### A collective call for action

We are approaching key global milestones, and deadlines that we have yet to meet. We have set clear development objectives, climate change mitigation and disaster risk reduction targets, and ambitious humanitarian commitments. We have defined roles, responsibilities and timelines for implementation. Now we must act, and act urgently. The cost of climate and environmental inaction looms large over our collective well-being.

As stressed most recently at COP26 in Glasgow, we need investments to decarbonise our economies to avoid further greenhouse gas emissions, and to reduce our footprint on ecosystems and biodiversity. We need predictable, adequate and sustainable funding and assistance to reduce disaster risk and adapt to the negative impacts of climate change. We need clear commitments to address losses and damages brought about by anthropogenic environmental change, in order to support the most vulnerable communities and the people worst affected. And we need to ensure that all these efforts contribute to the creation of more inclusive and just societies.

Ensuring that migration and displacement are fully considered within this range of complex issues and actions may be challenging, but is essential to achieving any progress. The upcoming International Migration Review Forum (IMRF) in May 2022 provides States with an opportunity to put migration at the centre of our reflections and actions. The IMRF will enable us to mobilise a diversity of actors on all facets of this conversation, and to listen to the voices of migrants and displaced persons, who are so neglected in global policy conversations. It will allow us to reflect on the progress we

have achieved against the objectives of the GCM, and to highlight how these efforts support our work to achieve the development and humanitarian goals of the many other frameworks we have committed to. It will prompt us to renew our commitments, and pledge further action on these issues. In order to guide its own efforts, for example, IOM has developed a 10-year strategy to address the migration, environment and climate change nexus, focusing on solutions for people to stay, to move, and to be protected and assisted while on the move.<sup>5</sup>

As we wade more deeply into this crucial decade for our common future, we need to remain alert to the complexity of these issues and promote appropriate responses. We need to ensure migration is safe and dignified; where migrants have adequate access to services and opportunities, they can mobilise resources to support development and resilience across communities and societies. We need to anticipate the mobility outcomes of disasters and environmental degradation; it is essential to build preparedness and recognise in advance the implications of migration and displacement in the context of a changing climate, so that we can reduce negative environmental impacts and protect development. Perhaps, more than anything, we need a new common narrative: one that is not paralysed by fear of people on the move but that fully recognises the rights, capacities and contributions of those most affected by climate change and seeks effective solutions that offer a choice as to whether to stay or move.

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# Addressing the politics of the climate–migration–conflict link

Rachel Furlow

**Understanding the role of national governments is crucial to designing more effective policy and programmatic interventions to address the causes of resource scarcity and displacement.**

Researchers and policymakers have long claimed a direct link between climate change, migration and conflict. However, policy and programme strategies based on this link have neglected the important role of national governments in creating the conditions for natural resource scarcity that are exacerbated by climate change.<sup>1</sup> In both the cases of Yemen and Darfur, where environmental changes have been cited as key push factors behind migration and conflict, climate change was a necessary but not sufficient condition to explain forced displacement and conflict. Rather, it was the policies and actions – or inactions – of the Yemeni and Sudanese governments that were critical factors in creating the conditions for scarcity that led to prolonged displacement.

Climate change is often framed as a ‘push’ factor or threat multiplier for increased migration and conflict. One prominent theory linking environmental changes to migration and conflict posits that there is a constantly declining pool of natural resources available to a growing population and that environmental shocks caused by climate change could create instability and spark migration or local competition over resources. This creates particular vulnerabilities for segments of the population that directly rely on resources for subsistence, but also for those who use resources indirectly to generate livelihoods. Relatedly, some researchers and policymakers have claimed that migration flows caused by environmental changes may also exacerbate tensions and spark conflict between ‘climate migrants’ and host populations over political, social or ideological issues, in addition to perceived competition over resources.

However, these theories are often oversimplified to the point of erasing the political dimension of how climate change may impact migration and conflict. Recent literature has shown that the type and strength of government institutions are often more important than a country’s level of natural resources or vulnerability to climate shocks when understanding resource-related displacement and conflict.<sup>2</sup> This article takes the examples of Yemen and Darfur to illustrate how the role of the national government is critical to mitigating – or exacerbating – climate-related migration and conflict.

## Yemen

More than half of Yemen’s population did not have access to clean water even prior to the current conflict, and groundwater – critical to sustaining agricultural livelihoods – is being depleted more quickly than it is being replaced. Prolonged desertification has led large segments of the rural population to migrate to urban areas, doubling the population of cities over the past 15 years. Now, between 70–80% of all rural conflicts in Yemen are over land or water. In urban areas, competition over land between internally displaced people (IDPs) and the host community has deepened political divisions in the current civil war as many IDPs migrate from the North to the South, which has exacerbated the perception of northerners taking resources from the South. However, although climate change was a necessary condition to spark migration and conflict, weak central governance combined with elite capture of resources was what exacerbated the scarcity of resources and left the population at risk of climate-related conflict.

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In the 1990s, Yemen's national government – with the help of UNDP – established the High Water Council to address water scarcity, but the Council was ineffective because of rivalries with other ministries and the inability of the central government to enforce regulations beyond urban centres.<sup>3</sup> Later attempts at resource management, such as the National Water Resources Authority and the National Water Sector Strategy Investment Program (both championed and funded by the World Bank and other international donors), also focused primarily on technocratic solutions and failed to address the political aspects of resource management. The national government has also been plagued by competing political interests that prevented the proper implementation of climate mitigation policies. For example, from 1990 until the outbreak of the civil war, Yemen's government relied heavily on providing patronage to its political power base, part of which was composed of large agricultural landowners who opposed most resource conservation and land use policies, resulting in the over-exploitation of agricultural land with water-intensive crops.

The combination of weak implementation authority of the central government and the competing political interests of elites ensured that the policies intended to mitigate the effects of climate change through resource management were ineffective. This led to scarcity for much of the population and created the conditions for vulnerability to many of the climate shocks occurring today.

### Darfur

Earlier arguments for the direct link between climate, migration and conflict in Darfur emphasised the decrease in rainfall and desertification prior to 2003 that drove increased migration and sparked conflict over land and resources.<sup>4</sup> According to this argument, the drought sparked mass migration of segments of the population that relied on agriculture or adjacent sectors for their livelihoods towards South Darfur, where the drought had been less severe, and that this increased social tensions among the groups. This resulted

in a rise in low-intensity, localised conflict among communities over resources, which eventually escalated into civil war.

Research has since highlighted the role of governance and resource politics to challenge this direct climate–migration–conflict link. Due in large part to the colonial foundations of the Sudanese State, Sudan maintained deep social divisions that determined much of the resource allocation and created long-standing tensions between Khartoum (as Sudan's 'core') and Darfur (as part of Sudan's 'periphery'). Sudan's central government has since garnered political loyalty through the distribution of land and resources, which almost never went to Darfur. The central government and its political and economic elites also sought control over agricultural and mineral resources to sustain their spending patterns, which resulted in over-reliance on unsustainable land use practices and – with the support of the International Monetary Fund and the World Bank – large farms that directly increased their vulnerability to environmental changes.<sup>5</sup> This exacerbated migration flows out of unusable agricultural areas and stoked ethnic tensions, specifically between Arab and non-Arab groups. Furthermore, when localised disputes over resources occurred as a result of drought and famine, the traditional dispute mechanisms in Darfur were absent because of the central State's deliberate restructuring of the local administration, eliminating its traditional institutions of governance. Conflicts that would normally be easily resolved continue to fester.

### Applying the lessons

What do these conclusions mean for policymakers and practitioners looking to address climate-related migration flows and conflict? By viewing climate migration and conflict as a result of government actions – or inactions – and policies, rather as a result solely of climate change, it becomes critical to focus on the political economy of climate change mitigation and adaptation.

However, initiatives such as the Sendai Framework for Disaster Risk Reduction and the Platform on Disaster Displacement remain

focused on how international coalitions of States and States themselves should be the primary actors in addressing the effects of climate change by emphasising the need to 'build national capacity' for climate mitigation and adaptation. As demonstrated in both Darfur and Yemen, this approach is often ineffective when States themselves are creating the conditions for vulnerability to climate shocks. The World Bank, the IMF and numerous international State donors have previously implemented capacity-building programmes to support climate adaptation in both Sudan and Yemen, all of which failed because they did not take into account the country's political interests and structure.

Donors should instead focus programming on 'second-order' climate resilience strategies, such as strengthening dispute resolution mechanisms and developing local land use policies. Rebuilding local dispute resolution mechanisms that have been eroded by central government is critical to de-escalating tensions that result from increased migration and conflict over resources and/or heightened identity-based rivalries. This can also be supported by working with local community leaders to develop land use strategies that can be tailored to the local context. In Tanzania, for example, where environmental changes and weak land management practices have led to migration and conflict, the Sustainable Rangelands Management Project has worked with villages to develop land rights for shared grazing lands, which has reduced conflict.<sup>6</sup>

For international frameworks that do focus on the State as the primary actor for climate mitigation and adaptation, it is critical to conduct a country analysis that examines how political interests influence government ministries, what the government's political base of support is, and the level of influence the national government has over local authorities. Furthermore, donors should be willing to be creative in terms of which government agencies are the lead implementers in the climate change response. Although environmental or resource ministries may seem like the most competent agencies, they can often

be heavily influenced by specific economic or political actors, as seen in Yemen.

These recommendations provide a starting point for how to address climate mitigation and adaptation in contexts where the national government actively creates the conditions for climate vulnerability. The response ultimately requires significant reliance on traditional development and peacebuilding strategies to address the consequences, plus close coordination with policymakers and international organisations to demonstrate to national governments that effective climate mitigation is, in fact, in their political interest.

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## Where will we go if this lake dries up? A case-study from the Sahel

Maria Stavropoulou and Andrew Harper

**Much like its Sahelian neighbours, Mauritania faces a daunting array of challenges triggered by the impacts of climate change. There is much that can be achieved if stakeholders commit to swift and comprehensive action in response.**

The climate crisis in the Sahel is real. Hotter temperatures, unpredictable rains, floods, drought and desertification increasingly threaten already vulnerable countries and communities. These changes are also fuelling inter-communal tensions.

People whose subsistence depended on fishing in Lake Faguibine in Mali, for instance, had to abandon their homelands and livelihoods a few years ago because the lake had dried up. They moved southwards but met hostility from herding communities, who were themselves already struggling to access dwindling water and pasture for their livestock. In these remote areas of the country, the State is hardly present; it is unable to help mediate between communities under pressure and maintain the peace. Inter-community conflict has flared and the increased presence of non-State armed groups has added to increasing insecurity.

*‘I’m worried the lake will dry out soon. I don’t know what we will do.’* Yahya Koronio Kona<sup>1</sup>

Many Malian fisherfolk used to cross the border to the region of Hodh Chargui in Mauritania for several months a year, and had been doing so for decades. In the last few years, they have gradually set up new homes close to the lakes, and have no intention of returning to Mali in the immediate future. But here too the local communities – for whom the lake is a vital water source for their cattle – have become worried. As tensions have risen, the regional and local authorities have intervened and led mediation efforts, restoring – at least temporarily – the peaceful co-existence between the populations. Lack of rain, however, is now exacerbating the situation. Locals fear the lake will lose its fish. Over-fishing has already resulted in the loss of

most of the migratory birds that used to visit. The ecosystem is dangerously out of balance.

Mauritania is a generous host to refugees and has been so for decades. But the combination of climate change-linked stress on natural resources, continuing insecurity in neighbouring Mali, and the impact of new arrivals on already fragile ecosystems is stretching local coping capacities.

### Addressing environmental impacts and needs

Solutions will be found only if everyone recognises how high the stakes are, not only in this corner of Mauritania but also in the broader region. The approaches proposed here for Mauritania are certainly relevant for many other contexts and countries.

Increased awareness of and respect for local regulations that promote sustainable fishing practices will need to be accompanied by support to refugees and host communities to develop additional or alternative means of subsistence. Local communities and refugees will need to work together to address and reconcile their concerns and protect the land, lake and livelihoods on which they all depend. The regional and local authorities also need support and additional capacity to maintain peace and security and to boost economic development, and Mauritania’s Ministry of Environment and Durable Development will need additional capacity in order to fully implement its initiatives to preserve and restore the lakes.

Part of the solution may lie with the African Union-led Great Green Wall initiative<sup>2</sup> that focuses on the restoration and sustainable management of land across the Sahelian belt. As an integrated sustainable development project – including, and going well beyond,

the planting of trees – it promises to help improve the lives of thousands of people.

Both displaced and host communities need to strengthen cooperation to protect the environment through shared care and governance of its precious resources. In addition to developing and maintaining green belts there will need to be a focus on reforestation and developing special zones to meet the timber needs of the population, sustainable energy and energy alternatives to charcoal to limit deforestation and greenhouse gas emissions, and the adaptation of routes for pastoralists and their livestock.

To strengthen communities' food security, productive and sustainable fishing, agriculture and livestock production needs to be supported; this should include enhancing access to veterinary services, fishery experts and pest management, and promoting market gardening. Water management is increasingly critical, and requires improved water storage systems, agreements on access to water sources, and promotion of efficient irrigation techniques. And communities' capacity to market their products will also need to be improved, such as through the establishment of cooperatives, and training in financial education and business management.

Furthermore, shared governance mechanisms would need to be created and maintained, and mediation mechanisms developed; a sense of common purpose can offer peace dividends that go well

beyond the shared governance of natural resources. Education for school pupils about the environment would be essential to ensuring that future generations understand the issues at stake.

Rapidly scaled-up and accessible support – including additional finance, technical assistance and capacity strengthening for local and national institutions – from the international community is, however, a necessary precursor for such progress in the most climate-vulnerable countries and communities. Joint programming for multi-year assistance by donors and partners must be based on listening carefully to the needs of people on the frontline of the climate crisis, together with a willingness to adjust and re-prioritise contributions accordingly. This should not be an exercise in 'greenwashing' of previous loans and commitments. Displaced and host communities, supported by regional and local authorities, are already playing an essential role but this local action must be enabled and urgently supported. There is no time to waste.

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## Lessons from drought response in Afghanistan

Shahrazad Amoli and Evan Jones

**Failure to anticipate drought and to coordinate an effective, recovery-focused response contributed to the protracted displacement of hundreds of thousands of people in Afghanistan. In the face of climate crisis impacts, ensuring preparedness and early action will be key.**

In 2018 Afghanistan experienced a severe drought that had a direct impact on more than two-thirds of the country's population of 38 million. The drought resulted in failed harvests, empty groundwater reserves, and a spike in food insecurity in 22 out of 34 provinces.<sup>1</sup> Subsequently, it led to mass

internal displacement with approximately 371,000 Afghans forced to leave their homes and seek refuge in other parts of the country. In Afghanistan's western region alone, the drought triggered the displacement of more than 170,000 people.<sup>2</sup> Four years later, and in the midst of a second drought, many of these

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internally displaced persons (IDPs) have still not been able to access 'durable solutions', unable to return to their places of origin or to integrate within local communities.

In locations such as Shahrak-e-Sabz, an informal settlement on the outskirts of Herat City, more than 12,000 families remain displaced, with many still in dire need of basic assistance because they cannot access sustainable livelihoods, and therefore are unable to build their resilience.<sup>3</sup> Forced to flee their homes as a result of the drought (and other threats such as conflict and limited access to medical facilities), they have few prospects of being able to return home in the near future. Issues such as access to livelihoods and water, the availability of safe and arable farmland, and insecurity continue to present challenges and result in tens of thousands of IDPs living indefinitely in a state of limbo. In some cases they are turning to negative coping mechanisms including selling personal possessions and even selling their children, usually girls. Herat's informal settlements are a stark reminder of the need for development and humanitarian stakeholders to work hand-in-hand through all stages of climate-induced displacement if long-term solutions to displacement are to be achieved.

Learning the lessons from climate emergencies in countries like Afghanistan is essential to strengthening responses both in Afghanistan and elsewhere. By 2040, it is estimated that 700 million people worldwide will experience drought for six months or longer, resulting in harsh conditions that will undoubtedly contribute to the forced movement of people – either internally or across national boundaries. Without understanding what has (and has not) worked in different contexts, climate-displaced communities will largely remain unable to access durable solutions.

### **The need for comprehensive early action**

Prior to Afghanistan's official declaration of drought in April 2018, the country had already been experiencing an 18-month dry spell. However, early warning signals were not communicated in a timely manner

by the relevant actors (the Afghanistan National Disaster Management Authority, ANDMA, in particular), despite strong indicators that this dry spell would evolve into a drought. With no clear strategy in place for how to mitigate slow-onset drought conditions, ANDMA's response failed to catalyse early action either by the government or by other key humanitarian actors.

In contrast, the Famine Early Warning System Network and the NGO iMMAP did produce a series of detailed reports during the initial drought onset period. However, dissemination was limited, and the reports were not translated into Dari or Pashto. As such, the impending drought and the potential humanitarian impacts – including large-scale displacement – were not fully understood across the wider humanitarian community, and hence the need for preparedness measures was not foreseen.<sup>4</sup> This resulted in a failure by decision-makers and humanitarian actors to implement collaborative and cohesive development and resiliency interventions during the initial drought onset. In essence, the humanitarian community missed a unique opportunity to provide crucial support in drought-affected areas, leading to people eventually being forced to leave.

A further failure was the slow speed with which the country's revised Humanitarian Response Plan (HRP) was published. This document is critical when it comes to addressing humanitarian needs, especially in the areas of information sharing, NGO planning, and resource mobilisation. Despite there having been a dry spell for over a year, it was only in May 2018 – one month after the drought had officially been declared – that Afghanistan's HRP was revised to reflect the humanitarian needs. By this stage, however, it was too late to adequately address these urgent needs and to seek the necessary financial support; this led to gaps in humanitarian service provision and further exacerbated displacement push factors.

The HRP was indeed able to address a raft of basic humanitarian needs for hundreds of thousands of drought-affected people. However, as budgets had already



Danish Refugee Council / Aref Karimi

### The humanitarian-development-peace nexus

In the context of Afghanistan, there is a multitude of international organisations and national and international NGOs implementing a range of humanitarian and development programmes. However, despite the fact that the humanitarian-development-peace 'nexus' – an approach that champions coherence among development, humanitarian and peace-related actors – has been a core operating principle for donors, NGOs and crisis-affected States since the 2016

Shahrak Sabz, an informal settlement for Afghan IDPs displaced due to conflict and drought.

been established and donors were not able to exercise much flexibility, the HRP could not be used successfully as a tool to build the recovery and resilience measures needed to reduce dependency on humanitarian aid, nor was it able to reach all at-risk communities. As a result, community resilience was undermined, humanitarian support was broadly insufficient, and large numbers of people were left in a position where they had no choice but to leave their homes.

It is evident that Afghanistan's drought response in 2018 could have been more effective. During the drought onset period in 2018, regardless of the absence of the government's official drought declaration, the humanitarian community could have better assessed and articulated the needs, and could have pushed for greater engagement through the donor community. For example, earlier, resilience-related interventions such as the distribution of fodder and drought-resistant seedlings or support for alternative livelihoods could have yielded significant results.

World Humanitarian Summit, stakeholders engaged in the Afghanistan drought response did not capitalise on the advantages offered by a strategic nexus response.

The 2018 drought response is credited with saving more than 3.5 million lives through the provision of immediate life-saving support.<sup>5</sup> But the same humanitarian response also failed to create durable solutions for displaced communities, thereby perpetuating dependency on humanitarian services. Furthermore, the response also fell short in its integration of peacebuilding initiatives, including those related to issues such as management of water resources, and other resource-related conflicts. This reflects the overall lack of coherence and connectivity between humanitarian, development and peace actors in Afghanistan during the initial stages of the crisis.

Looking back, it is clear that in the early stages of the drought response, the humanitarian community focused their efforts on immediate assistance to drought-affected populations who had been displaced.

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The need for long-term recovery interventions was recognised but was not an immediate priority for key stakeholders, nor was the funding available to support any long-term recovery interventions. This fundamental gap was the result of unclear decision-making and communication between UN bodies and international NGOs during initial meetings, as well as lack of clarity at meetings of the Inter-Cluster Coordination Team (ICCT) and Humanitarian Country Team (HCT) as to how best to coordinate across sectors and mandates. Furthermore, the response also highlighted a more general lack of integration of Disaster Risk Reduction (DRR) and climate change-related provisions within the humanitarian system itself. In future, both the ICCT and HCT would benefit from ensuring the inclusion of resilience-related thinking and action at the cluster level and in their respective strategies. This would not only formally recognise the significance of longer-term interventions but would also support the embedding of development-specific key performance indicators that reflect and support resilience programming.

In July 2018, after a significant spike in the number of displaced persons in Afghanistan's western region, eight international NGOs issued a joint press release outlining the need for early recovery and resilience building in places of origin.<sup>6</sup> Whilst laudable, the move came several months too late as large-scale displacement had already commenced and at that stage could not be halted. Perhaps the lateness of this approach was why donor governments also failed to support the much-needed funding needed to transition from humanitarian to development interventions.

The drought response in Afghanistan provides numerous lessons for other States. Importantly, it is worth noting that, irrespective of the country's political context or the existing humanitarian architecture in place, humanitarian assistance cannot be delivered in a vacuum. Instead, the government, private sector and civil society must employ responses that straddle the humanitarian, development and peace nexus. Only by delivering urgent life-saving support in tandem with long-term

development programmes (that include preventive measures) will countries enable changes that can help people find their way out of poverty and a long-term solution to their displacement.

Given Afghanistan's topography, its primarily agrarian-based society, and its susceptibility to ongoing climate shocks such as drought and flooding, it is essential that climate change remains firmly lodged on the agenda of governments, civil society and international actors. In the context of the acute and deteriorating humanitarian situation inside the country and with the current governing capacity and infrastructure being unpredictable and fragile, climate events such as drought will only serve to compound existing challenges and vulnerabilities. All actors need to collaborate to ensure strengthened humanitarian and development responses in the face of emergency or slow-onset disasters. This is especially important given the current political situation in Afghanistan, where donor engagement in Afghanistan is at a crossroads regarding the allocation of resources. Without the necessary financial and technical support, there is a very real risk that tens of millions of Afghans will suffer even further, and will be unable to access any hope of long-term solutions.

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## Conflict, climate change and the shrinking mobility space in the Central Sahel

Giulio Morello and Joelle Rizk

**Climate risks, conflict and increasingly unfavourable policy frameworks have disrupted mobility-based resilience strategies in the Central Sahel and limited the benefits of regional and global commitments on migration, climate displacement and disaster risk reduction.**

The Central Sahel is one of the most conflict-affected regions in Africa, and one of the most vulnerable regions to climate risks globally.<sup>1</sup> It is characterised by porous borders, seasonal and international migration, communities that share border areas, and large areas and peripheries governed by non-State actors. The region has a long tradition of internal and cross-border mobility. In the Central Sahel, mobility in the form of seasonal migration and transhumance has historically been a key strategy to cope with a harsh natural environment, enabling people to diversify livelihoods and be more resilient.

Local populations have limited capacities to cope with temperature increases exceeding global averages, extreme rainfall variation, catastrophic cycles of drought and floods, and an estimated degradation of 65% of cultivatable land across the region.<sup>2</sup> Their livelihoods depend largely on direct access to water, pastures and other natural resources, as well as rainfed agriculture. Conflict and insecurity have further diminished local capacities to resort to traditional resilience strategies (including mobility) and have triggered large-scale displacement. This is especially visible in Burkina Faso, where the number of internally displaced persons (IDPs) has increased more than ten-fold between 2018 and 2021 to over a million, making its displacement crisis one of the fastest-growing in the world. People relying on mobility, such as IDPs, refugees, migrants in transit and transhumant pastoralists, have been directly affected or targeted by violence and attacks. The risks of kidnapping, extortion, looting and physical and sexual violence have rendered migration routes and transhumant corridors often too dangerous.

Mobility-based resilience strategies may no longer be possible for communities affected by climate risks and armed conflict. For example, conflict and militarisation of borders may limit mobility choices along transhumance routes or to traditional areas of seasonal or labour migration, and land degradation and poor natural resources management may hinder access to traditional forms of livelihoods. In these cases, mobility is no longer the cornerstone of local communities' resilience but a reactive mechanism to preserve their short-term functioning. In the most extreme cases, forced displacement becomes the main form of mobility.

In addition, mobility-based resilience strategies depend to a significant extent on the possibility to maintain, reinforce or establish social capital bonds in hosting sites and destination areas. As such, policy narratives that reinforce securitisation, scarcity of natural resources, the stigmatisation of mobile population groups and containment of movements inevitably contribute to weakening social capital and increase tension in host communities. Social cohesion is an important part of these bonds. This explains why, whenever possible, IDPs and migrants in the Central Sahel tend to group together by community of origin. When social and inter-communal relationships break down, displaced persons and migrants will not be able to access services and opportunities in destination/hosting areas, may be forced to live in peri-urban 'ghettos', and tensions may emerge over natural resources, land and other assets and services. Specific groups may be discriminated or targeted. In the worst cases, mobility options may all but shrink or disappear, as inter-

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communal relations may deteriorate to the extent that moving would be too risky.

### **The fractured policy framework**

The policy framework in the Central Sahel has often oscillated between the promotion of mobility rights and the protection of borders and sedentary agriculture. Over the past decade the region has shifted towards stricter border management practices to curb irregular migration and securitise border regions. These tendencies create fractures that make it difficult for global commitments on climate displacement to materialise. The securitisation policies introduced, for example, hinder the application of the Freedom of Movement frameworks established under the Economic Community of West African States (ECOWAS), including their ability to provide limited forms of protection in situations of cross-border disaster displacement.

In the Central Sahel, climate and mobility frameworks are still poorly integrated and leave large numbers of displaced populations and migrants without protections beyond those afforded by human rights law. For instance, in the context of the UN Framework Convention on Climate Change, only Burkina Faso and Mali have included a discussion of mobility in their National Adaptation Programmes of Action (NAPA). In addition, although there is growing convergence between internal displacement and disaster risk reduction frameworks, there is room for this to be strengthened further. The Kampala Convention mandates States to “take measures to protect and assist persons who have been internally displaced due to natural or human made disasters, including climate change”; it also makes specific provisions for early warning mechanisms and reparations and covers situations of preventive displacement. However, the Central Sahel States are proving slow to implement their obligations after ratification, leaving protection gaps unaddressed.<sup>3</sup>

In general, there seems to be a disconnect between the progressive rights-based approaches emerging at the continental and regional level, especially following the 2009

African Union Resolution on Climate Change and Human Rights, and the domestic policies adopted by individual States, with the latter tending to prioritise the need to reassert State control over porous borders. These fractures make it complex for domestic policy frameworks to operationalise the emerging objectives and principles on climate-related mobility established by new instruments, such as the two Global Compacts.<sup>4</sup>

### **The Liptako-Gourma border region: from transhumance to displacement**

The Liptako-Gourma triangle extends across the borders of Mali, Burkina Faso and Niger. In this region, transhumant mobility has been visibly impacted by the combined effects of conflict and climate change, and by an unfavourable policy framework. Herders’ movements are constrained by high levels of insecurity, encroachments on transhumant corridors and pastoral land, environmental degradation and a policy bias favouring sedentary communities.

As herders move longer distances to access increasingly scarce water and pastures, they come into contact with sedentary populations with which they have no past history of mediation and exchange, triggering tensions over access to natural resources. In addition, transhumant routes are also becoming more dangerous due to conflict and militarisation of borders. Security has now become the main, if not the only, criterion informing the choice of transhumant routes. Therefore, transhumant mobility – the main resilience strategy in the Central Sahel harsh environment – may no longer be viable. A report by the International Committee of the Red Cross (ICRC) showed how insecurity forced Malian pastoralists to assemble around few water points, where they had to compete with other groups for access to resources and thereby entered a spiral of vulnerability that led them to undersell their livestock and eventually end up displaced in urban areas.<sup>5</sup>

Pastoralist transhumance is also threatened by an unfavourable policy environment. In Burkina Faso, Mali and Niger, legal protection for pastoralists has been eroded by decentralisation processes

and state fragility, triggering inter-communal tensions between mobile pastoralist and settled farmers. These tensions are generally resolved in favour of sedentary communities, as statutory laws, customary authorities and local governance structures (such as village development councils) are biased in favour of agricultural interests and tend to perceive pastoralists as outsiders.

Even when legal frameworks protect pastoralists' access to natural resources, this is usually subject to agricultural requirements. For example, in Burkina Faso, transhumant pastoralism was regulated by Law 2009-034 and enshrined as a fundamental right for the first time in the country's history. However, implementation challenges, the introduction of compulsory transhumance certificates and the confinement of herds' movement to predetermined spaces have constrained the mobility of pastoralists. In Mali, the Pastoralist Charter (2001) gave priority rights to sedentary communities over pastoralists from other areas when it comes to accessing natural resources and water, making it difficult for mobile herders to sustain their livelihoods. Niger has adopted decidedly more favourable policies, protecting pastoral mobility as a fundamental right and granting pastoralists priority access to resources in home areas (Ordinance No. 2010-029, 2010 Water Code and 1993 Rural Code). However, implementation has been slow and ineffective; the Ordinance is often contravened by local authorities and private actors, and institutional capacities are weak.

### Protecting the mobility space

In the current context, it is essential to support the ability of persons and communities to resort to mobility as a means to cope with the combined impacts of conflict and climate change. To this end, we draw the following conclusions, with recommendations.

The current disconnect within the policy framework affecting the mobility space in the Central Sahel makes it difficult for States and regional institutions to operationalise global commitments. The example of transhumant mobility shows how inconsistent policy commitments and practices can increase

the vulnerabilities of mobile populations confronted with conflict and climate risks. States should take urgent measures to prevent the ongoing obstruction of existing mobility-based resilience and adaptation strategies.

As border securitisation and militarisation in the Central Sahel are increasingly shrinking the mobility space, populations that depend on cross-border mobility are exposed to protection risks and threats to their fundamental rights. It is therefore essential that States and other actors involved in border management integrate a rights-based approach and adopt more actionable practices, reflecting the realities of cross-border mobility within the region and ensuring that the mobility space is protected.

Considering the weak presence of States, especially in frontier areas, and existing challenges implementing policy objectives and global commitments, it is important for donors and implementing actors to reinforce community-based adaptation models in areas of natural resources management and traditional mechanisms governing access to natural resources and dispute resolutions.

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1. For the purpose of this article, 'Central Sahel' encompasses Burkina Faso, Mali and Niger. These countries are all part of G5 Sahel and ECOWAS Member States.
2. OHCHR (2018) *The Slow onset effects of climate change and human rights protection for cross-border migrants* [bit.ly/OHCHR-slow-onset-2018](https://bit.ly/OHCHR-slow-onset-2018)
3. Weerasinghe S (2021) *Bridging the Divide in Approaches to Conflict and Disaster Displacement: Norms, Institutions and Coordination in Afghanistan, Colombia, the Niger, the Philippines and Somalia*, IOM/ UNHCR [bit.ly/IOM-UNHCR-bridging-the-divide-2021](https://bit.ly/IOM-UNHCR-bridging-the-divide-2021)
4. The Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees.
5. ICRC (2020) *When Rain Turns to Dust: Understanding And Responding To The Combined Impact Of Armed Conflicts And The Climate And Environment Crisis On People's Lives* <https://shop.icrc.org/when-rain-turns-to-dust-pdf-en.html>

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## Developing partnerships in the IGAD region

Lena Brenn, Noora Mäkelä, Eleonora Panizza, Ahmed Amdihun and Roberto Rudari

### How can partnerships and innovative approaches enhance policy coherence and effective policymaking in the IGAD region in the context of disasters and climate change?

Across the African continent, the adverse effects of climate change have intensified the frequency and severity of sudden and slow-onset hazards. In particular, the Intergovernmental Authority on Development (IGAD)<sup>1</sup> region is considered one of the most vulnerable to climate variability and change. It is home to more than 230 million people whose livelihoods and income are predominantly linked to agriculture, and more than two-thirds of the region is arid or semi-arid. The IGAD region is one of the most diverse regions in the world, including areas of economic growth and investment on the one hand, and areas prone to conflict, political instability, humanitarian crises and disasters on the other. It regularly faces a wide range of natural hazards, which lead to various forms of human mobility.

As recognised in the Global Compact for Migration (GCM), no country can address the challenges and opportunities of human mobility on its own, nor can it be addressed by any single policy sector alone. This is particularly true in view of the diversity and complexity underpinning the movement of people in disaster and climate change contexts. Risks and protection needs faced by these groups can be addressed through a number of measures and tools, including regular pathways for migration, integrated approaches to disaster risk reduction (DRR), climate change adaptation and resilience-building, measures to support decent work and livelihoods, and migration as an adaptation strategy.

To this end, a number of UN agencies and partners established a Joint Programme<sup>2</sup> in February 2021 (funded under the Migration Multi-Partner Trust Fund<sup>3</sup>) to improve regional and national migration governance in the context of the adverse impacts of climate change and environmental degradation. This partnership aims to

contribute to implementing relevant international instruments<sup>4</sup> and presents a unique opportunity to bring together the shared expertise and experience of different State and non-State actors in the IGAD region.

### Working across silos: partnerships and collaboration

There is a wide range of instruments and policies at the regional and national levels that are relevant to human mobility and climate change. These include regional and national policies on migration, climate change, DRR, humanitarian assistance and protection, human rights, development, labour, and urban planning.<sup>5</sup> There is a clear need to facilitate policy coherence, policy dialogues and concrete action across these different policy areas, including through adequate financial, technical and capacity-enhancement support. The Programme's multi-stakeholder approach addresses all these goals and the pathways to achieving them.

The Programme implements interventions within existing IGAD structures<sup>6</sup> at the regional, national and local levels. Partners work closely with national and local governments, and engage civil society, private sector and local communities affected or at risk of being affected by disasters, environmental degradation and climate change. The aim is to pursue whole-of-government, whole-of-society, people-centred approaches. The Programme also complements other initiatives related to human mobility in disaster and climate change contexts in the region.

The Programme has four interrelated areas of focus which are linked to four specific regional needs.<sup>7</sup> One aspect of the Programme's work supports the inclusion of human mobility considerations across different policy areas, building on the findings and recommendations of a mapping

exercise<sup>8</sup> on how human mobility is currently addressed in regional and national policies on DRR, climate change and development. The findings were discussed at a regional meeting in September 2021, and the discussion will continue at the local level in Kenya and Somalia to ensure that the recommendations are workable, realistic and community-owned.

The IGAD Free Movement of Persons Protocol (adopted in June 2021 by the IGAD Council of Ministers) reflects another area of focus which has also seen early success. Article 16 of the Protocol calls on Member States to facilitate entry and stay for people who are moving in anticipation of, during or in the aftermath of a disaster. This is the first time a Free Movement Protocol specifically addresses the needs of people affected by disasters. It provides a significant opportunity because it not only facilitates the entry and stay for those who are moving during or after a disaster but also allows those at risk of displacement to move pre-emptively. In addition, their stay will be extended as long as return to the country of origin is not possible or reasonable.

To advance the implementation of the Protocol and specifically Article 16, the Programme supports Member States' preparedness capacity, operational response, and regional and bilateral cooperation in cross-border disaster displacement. This will be implemented through developing Standard Operating Procedures (SOPs) which will be tested in cross-border areas potentially affected by disaster displacement.

Furthermore, the local solutions provided by the Programme promote labour mobility and the development of local labour markets in climate change and disaster-prone areas. They also increase knowledge on cross-border movements, international protection and migrants' rights and help enable sustainable development, a green economy and regular migration pathways.

### **Innovative approaches: risk modelling**

To support policy-making processes, evidence is key. The Joint Programme is developing innovative solutions to addressing data gaps, and risk modelling is one of them.

Here a key challenge is to capture the complex relationship between vulnerability to disasters and to displacement, which is still poorly represented in academic research despite the increasing attention given to the concept in policy circles. The Programme aims to address this complexity by broadening the approach for assessing the level of disaster displacement risk.

Commonly, this is assessed by considering the type of hazard (for example, flood or cyclone), exposure to the hazard, and the level of people's vulnerability (which is mainly linked to physical characteristics of the housing sector). Through the Programme, technical partners are now applying a new risk model methodology that captures additional characteristics, such as livelihoods, to provide a more accurate picture of realities on the ground. A more holistic representation of vulnerability, including socio-economic elements, will help identify effective strategies to reduce vulnerability and, by extension, to reduce the number of people at risk of being forcibly displaced.

For example, people who depend on the primary sector of the economy (farming, herding, fishing, etc) – especially for subsistence – are at higher risk of displacement in case of sudden-onset disasters, because of the relatively greater impact on their livelihoods. This diversity in vulnerability is often not represented in current predictive models, mainly because of a lack of conceptual clarity on how 'vulnerability' can be captured but also due to the lack of disaggregated and local data. Interventions in this area typically focus on reducing the possible impacts of hazards on physical infrastructure (for example, disaster-proofing homes) and largely ignore interventions in other policy areas, such as access to labour markets and regular migration pathways.

The new methodology for modelling risk aims to provide a more comprehensive vulnerability assessment, considering three interlinked components in assessing the impact of disasters: 1) direct impact on properties and people, 2) direct impact on livelihoods and 3) indirect impact on critical

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facilities, services and livelihoods. The first element, already included in traditional disaster displacement risk models, provides an estimate of the number of people who need to leave their homes or places of habitual residence, disaggregated by age, sex and income. The second element goes beyond traditional risk models. It measures the direct impact of a disaster on people's sources of livelihood in terms of physical and economic loss (for example, the number of hectares damaged and animals lost). Thirdly, indirect impacts are considered (for example, longer-term impacts of prolonged lack of access to essential services), given that migration decisions also depend on access to sufficient food, potable water, and educational and health facilities.

The results of this more comprehensive assessment are integrated into disaster displacement risk profiles and incorporated into policymaking in order to define specific, localised and effective strategies for reducing people's vulnerability.

### Early lessons and good practices

By bringing together the shared expertise and capacity of different partners under one governance structure, the Joint Programme can alleviate common coordination challenges and improve the quality of interventions. Although the engagement of different partners is highly beneficial, it has been acknowledged that planning and preparatory efforts take additional time. However, this can be mitigated with careful planning and by developing efficient processes throughout the implementation. The team has set up a monitoring, evaluation and learning system, and closely follows up on the process to ensure that activities are relevant, timely and lead to the intended results and success. Finally, it should be noted that many of the Programme components could be easily replicated or scaled up in other locations facing similar challenges, bearing in mind that all interventions must be tailored to the local context and realities.

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1. IGAD is one of the eight Regional Economic Communities (RECs) of the African Union, comprising Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda.
2. Joint Programme: Addressing Drivers and Facilitating Safe, Orderly and Regular Migration in the Context of Disasters and Climate Change in the IGAD Region [bit.ly/Joint-Programme-IGAD](https://bit.ly/Joint-Programme-IGAD)  
Partners include IOM, the International Labour Organization (ILO), the Platform on Disaster Displacement (PDD), UNHCR, and the IGAD Secretariat including the IGAD Climate Prediction and Application Centre.
3. The MPTF is the first and only UN inter-agency pooled funding instrument focusing on migration. It was called for by Member States through the adoption of the GCM (A/RES/73/195) in 2019. More information at [www.migrationnetwork.un.org](http://www.migrationnetwork.un.org) and <https://mptf.undp.org/factsheet/fund/MIG00>
4. Notably the GCM, the Sustainable Development Goals, the 2015 Paris Climate Change Agreement under the UNFCCC and the Sendai Framework for Disaster Risk Reduction 2015–2030. It also takes forward the implementation of the African Union 3 Year Implementation Plan of Action for the GCM in Africa 2020–2022 and the IGAD Protocol on Free Movement of Persons adopted by IGAD Member States in June 2021.
5. See IOM (2014) *IOM Outlook on Migration, Environment and Climate Change* [bit.ly/IOM-MECC-outlook-2014](https://bit.ly/IOM-MECC-outlook-2014); and The Nansen Initiative (2015) *Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change. Volume I* <https://disasterdisplacement.org/the-platform/the-context>
6. Such as the National Coordination Mechanisms on Migration (NCM), the Regional Consultative Process on Migration (RCP), the Greater Horn of Africa Climate Outlook Forum (GHACOF) and the Technical Working Groups on DRR and Climate Change.
7. 1) generate data to better map, understand, predict and address migration movements and the risk of displacement; 2) include disasters, the adverse effects of climate change and environmental degradation in national and regional migration and mobility policies, as part of climate change and disaster preparedness strategies; 3) strengthen preparedness and response capacity and coordination, through regional, sub-regional and bilateral cooperation; and 4) support implementation of regional and national human mobility frameworks to enhance availability and flexibility of pathways for regular migration, and for those displaced in the context of disasters, the adverse effects of climate change and environmental degradation – particularly for female migrants.
8. [bit.ly/Nyandiko-Freeman-2020-IGAD](https://bit.ly/Nyandiko-Freeman-2020-IGAD)

# Disaster relief and displacement: the quest for policy coherence

David James Cantor

**How can we make better use of existing disaster response frameworks to respond to the mobility-related impact of disasters? Taking the Americas as a case-study offers a window onto this and related questions.**

We know that national and regional immigration frameworks are important for facilitating the admission and stay for disaster-affected persons in regions such as the Americas.<sup>1</sup> But that is to look at the issue from one policy perspective only: immigration law. What about the frameworks that specifically govern disaster response and relief? How do they address displacement and other mobility-related impacts of disasters? And how can we promote coherence between the distinct policy arenas of regulating immigration and responding to disasters?

## DRM frameworks and movement within a country

'Disaster risk management' (DRM) is an umbrella term that covers civil defence, disaster measures, disaster risk reduction, disaster preparedness and response, and emergency response. At the global level, key DRM concepts are articulated not by a legal treaty but by non-binding policy frameworks, such as the 2005 UN Hyogo Framework and UN 2015 Sendai Framework, as well as the Red Cross and Red Crescent Movement's 2007 Guidelines for Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance. DRM frameworks are, however, well established in law (as well as policy) at the regional and national levels. In these features, the DRM field is similar to the immigration field.

As a point of contrast, in DRM frameworks most of the provisions that pertain to mobility are oriented towards internal displacement, rather than the cross-border movements with which immigration law is fundamentally concerned. Indeed, the majority of mobility-related provisions in national DRM frameworks appear to address the issue of

'evacuations' as a particular form of internal displacement.<sup>2</sup> Yet the concept of evacuations is not understood in uniform terms globally. For instance, whereas most countries consider evacuations as a preventative or relief measure undertaken at the hands of the State,<sup>3</sup> a few countries see it as also covering the spontaneous displacement of people threatened by a disaster.<sup>4</sup>

It is crucial that DRM frameworks should not limit themselves only to narrowly defined concepts of evacuation but should also address the wider displacement impacts of disasters within a country. To this end, the 2015 Sendai Framework, with a view to "ensuring rapid and effective response to disasters and related displacement", not only calls for conducting evacuation exercises but also usefully points to the need to establish area-based support systems for people displaced by a disaster, including access to safe shelter and relief supplies. Likewise, the Red Cross and Red Crescent 2007 Guidelines point out that 'displaced persons' may be a particularly vulnerable group with special needs in the context of disasters. However, at least in the Americas, it appears that relatively few national DRM frameworks directly engage with this wider set of displacement-related concerns.

In general, DRM frameworks offer a good starting point for responding to internal displacement in disaster contexts. Displacement in these situations is so closely tied to other impacts of a disaster that creating a new framework for dealing with disaster-driven internal displacement or IDPs separate from the established DRM framework runs the risk of policy duplication or fragmentation. Nor does the terminology of internal displacement or IDPs need to

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be directly adopted by the DRM field. But the content of IDP protection standards is important, and DRM laws and policies should be updated to properly recognise and address displacement-related impacts of disasters. The 1998 UN Guiding Principles on Internal Displacement offer a crucial point of reference on the range of potential needs and rights standards involved.

### DRM frameworks and cross-border mobility

DRM frameworks can also play a crucial role in cross-border mobility contexts. As they do not normally discriminate between nationals and non-nationals, migrants who find themselves caught up in a disaster can often access disaster assistance in that country purely on the basis of need (and the 2016 MICIC guidelines<sup>5</sup> advocate that this approach should usually be followed). Even so, DRM law and policy at the national level are sometimes unclear as to whether irregular or undocumented migrants are eligible for such assistance but, given the emergency context and the rights at stake, the DRM principle of privileging need should prevail over immigration law concerns about status. Many countries also need to ensure that the specific needs of migrants are better included in national disaster response planning.

What is less well understood within this field is whether DRM frameworks may provide a basis for legal entry or stay to people fleeing from disaster conditions in another country. Certainly, concerns about the cross-border movement of people are integral to international DRM frameworks. However, in most DRM frameworks the provisions relating to cross-border movement aim principally to facilitate the movement of relief personnel into the disaster-affected

State, rather than facilitating the flight or evacuation of people from that territory.<sup>6</sup>

These international instruments recognise that the granting of special measures relating to visa and entry requirements for relief personnel can be subject to such State interests as national security and public order. However, they equally emphasise that any measures to protect these State interests should, in the words of the 2007 Red Cross and Red Crescent Movement Guidelines, “be tailored to the exigencies of the specific disaster and consistent with the humanitarian imperative of addressing the needs of

affected communities”.

In other words, in the disaster context, a pertinent principle is that States should seek to ensure compatibility of their immigration controls with disaster relief requirements.

Indeed, over the past decade, this DRM principle has begun to influence policy relating to the movement of people in the other direction, that is, people fleeing from the disaster-affected State to seek admission or

stay in another country. Specifically, in recent years, several regional DRM forums have recognised the need for DRM frameworks to take practical steps to respond to this kind of cross-border displacement. For instance, the 2014–19 Plan of the Central American regional disaster coordination entity, CEPREDENAC, directs it to promote “mechanisms that guarantee the international protection of migrants in cases of disasters”. Likewise, CDEMA, the regional disaster coordination entity for the Caribbean Community (CARICOM), proposes the adoption of “arrangements for the receipt of displaced persons from [disaster-] affected States” at the regional level and in national policies.

Of course, DRM frameworks do not generally supersede immigration law in regulating the sphere of immigration control.



Weeks of torrential rains in Venezuela in December 2021 triggered serious flooding and landslides in the Federal District of Caracas, affecting over 600,000 people.

However, as a matter of legal and policy coherence, immigration frameworks – when applied to disaster contexts – should pursue compatibility with the prevailing emergency imperative of disaster relief by facilitating not only relief assistance but also, where necessary, the admission of disaster-affected persons. Moreover, given the emphasis in international DRM frameworks on cooperation between the disaster-affected State and other States, these frameworks offer a basis for further developing joint practical responses to cross-border mobility in disaster contexts. For instance, several countries in the Americas have bilateral accords with their neighbours that establish mechanisms and policies to help their respective disaster response systems jointly manage cross-border displacement in the context of disasters (for example, Colombia–Ecuador, Ecuador–Peru, Costa Rica–Panama).

### Conclusions

DRM law and policy have an important role to play in shaping the response to mobility in the context of disasters. For a disaster-affected State, DRM offers an existing architecture of rules and mechanisms to facilitate evacuation measures and build a response to other mobility-related impacts of the disaster (including on migrants caught up in a disaster). A standalone IDP law or policy may not be required, so long as the national DRM framework adequately addresses these impacts. Meanwhile, countries like Colombia which already have a standalone law or policy for conflict-affected IDPs will need to ensure that the DRM and IDP frameworks are coordinated.<sup>7</sup>

For cross-border mobility in disaster situations, DRM frameworks play a slightly different role. Immigration frameworks retain primacy in determining questions of admission and stay for non-nationals. But the pursuit of legal and policy coherence also implies that, when disaster strikes in another State in the region, national immigration frameworks in other States should be developed and applied taking account of the emergency imperative of disaster relief that underpins DRM law and policy. Of course,

for cross-border migrants who are affected by a disaster in the country in which they find themselves, DRM principles should retain primacy in the national disaster response.

Finally, the importance of cooperation between States on disaster response underpins international DRM frameworks and should be promoted in all of these scenarios. Other States have a right to offer assistance to a disaster-affected State, including assistance in dealing with the internal displacement aspects of that situation. Inter-State cooperative arrangements to temporarily admit or grant stay to persons who need to be evacuated from the disaster-affected State or who have fled the effects of the disaster there should also be considered. At least in the Americas, as the examples outlined here indicate, States appear to be interested in making better use of existing DRM law and policy frameworks to respond to mobility-related impacts of disasters. For the benefit of all, this is a trend to be encouraged in DRM forums in the Americas and in other regions.

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1. Cantor D J (2015) 'Disasters, Displacement and a New Framework in the Americas', *Forced Migration Review* issue 49 [www.fmreview.org/climatechange-disasters/cantor](http://www.fmreview.org/climatechange-disasters/cantor)

2. This appears to be part of a wider trend in DRM strategies too. See Yonetani M (2018) 'Mapping the Baseline: To What Extent Are Displacement and Other Forms of Human Mobility Integrated into National and Regional Disaster Risk Reduction Strategies?', Platform on Disaster Displacement <https://disasterdisplacement.org/portfolio-item/drrmapping>

3. For example, Costa Rica Ley No. 8488 of 2005, Article 30.a

4. For example, Mexico Ley General de Protección Civil de 2012, reformed in 2017, Article 2.XIX

5. Migrants in Countries in Crisis (MICIC) Guidelines [bit.ly/MICIC-guidelines](http://bit.ly/MICIC-guidelines)

6. For example, the 2016 International Law Commission Articles on the Protection of Persons in the Event of Disasters and the 2007 Red Cross and Red Crescent Movement Guidelines, and in regional treaties such as the 1991 Inter-American Convention to Facilitate Disaster Assistance and the 1991 Agreement establishing the Caribbean Disaster Emergency Response Agency.

7. For analysis of DRM frameworks in countries where internal displacement is driven by both conflict and disasters, see Weerasinghe S (2021) 'Bridging the Divide in Approaches to Conflict and Disaster Displacement: Norms, Institutions and Coordination in Afghanistan, Colombia, the Niger, the Philippines and Somalia', IOM/UNHCR [bit.ly/IOM-UNHCR-bridging-the-divide-2021](http://bit.ly/IOM-UNHCR-bridging-the-divide-2021)

## Promising practices of disability inclusion in addressing disaster displacement

Yusra Uzair, Louisa Yasukawa and Nazmul Bari

**Persons with disabilities are disproportionately affected by climate change and disaster displacement but promising examples of more inclusive planning and responses are emerging.**

As our understanding of displacement in a changing climate continues to grow, so too does our awareness that its effects are not evenly felt. An estimated one billion people – 15% of the globe’s population – are living with a disability. The social, economic and political inequalities that they experience heighten their exposure and vulnerability to the effects of climate change and disaster displacement. They face unique challenges before, during and after being displaced, as they are often excluded from evacuation processes and encounter barriers in accessing support. For example, according to a representative of persons with disabilities in the Somalian city of Beledweyne, which is regularly affected by flood displacement:

*“Floods affect people with disabilities the most in this town. Almost 30% of people with disabilities crawl to reach their destination. [There are] no vehicles to transport them, there are no wheelchairs that can withstand the water, and people are not well informed of their needs.”<sup>1</sup>*

The limited availability of data on persons with disabilities compounds these challenges and makes it difficult to assess the inclusivity of preparedness activities and responses to displacement.

### The Sendai Framework

The Sendai Framework for Disaster Risk Reduction 2015–2030 was the first international disaster risk reduction (DRR) agreement to make significant reference to disability. It emphasised the need to empower persons with disabilities to play a leading role in the assessment, design and implementation of DRR measures. It encourages stakeholders to uphold the principles of universal design,<sup>2</sup> ensure disaster information

is accessible, and collect data that is disaggregated by gender, age and disability.

A total of 187 States adopted the Sendai Framework, and its provisions on disability have been incorporated into regional frameworks, declarations and national laws in countries such as Japan and Indonesia.<sup>3</sup> Despite these strong commitments, however, implementation has been slow. A review of implementation in Europe, for instance, found that commitments on disability inclusion had yet to be translated into inclusive accessible practices.<sup>4</sup> Similar assessments at the global level have also highlighted the need for increased efforts to build governments’ capacity to collect data disaggregated by disability.<sup>5</sup>

But there are signs of progress. The Disability-inclusive Disaster Risk Reduction Network (DiDRRN) – a consortium of like-minded organisations of persons with disabilities (OPDs) and ‘mainstream’ and disability-focused development and relief organisations – aims to secure the meaningful participation of persons with disabilities in DRR policy and practice in line with Sendai Framework commitments.<sup>6</sup> It has achieved several milestones in the Asia-Pacific region, including training over 1,300 persons with disabilities in inclusive DRR-related skills, sensitising over 6,600 DRR stakeholders on risk and disability, and enhancing the leadership of 26 OPDs in DRR engagement. DiDRRN also produces practical and accessible resources on disability-disaggregated data collection. Promising examples from Bangladesh and the Philippines demonstrate how national and local actors are taking steps to reduce displacement-related risks and strengthen preparedness.

### Building community resilience in Bangladesh

In Bangladesh, one of the most disaster-prone countries in the world, the Centre for Disability in Development (CDD) led a project in 2019 to raise awareness and preparedness in the Baharchora Union locality that has experienced five major cyclones in the last 15 years.<sup>7</sup> CDD collaborated with local authorities and community members to facilitate a series of disaster simulation exercises that promoted inclusion of persons with disabilities in local disaster risk management (DRM) activities. Going through critical procedures – including risk assessment, accessible early warning systems and evacuation protocols – provided an opportunity for participants to identify most-at-risk groups, and to better delegate responsibilities in emergency situations to ensure no one is left behind.

In other cases, disability-inclusive community resilience requires comprehensive interventions to address the needs of persons with disabilities before a disaster strikes. CDD, international NGO CBM and local NGO Gana Unnayan Kendra worked together to develop a programme in the flood-prone Gaibandha District to strengthen local capacity and put persons with disabilities and their representative self-help groups at the centre of DRR.<sup>8</sup> Community-based disability-inclusive DRR action plans were prepared with the meaningful participation of persons with disabilities. Persons with disabilities received assistive devices and therapeutic services, which supported their participation in the DRR process.

Households of persons with disabilities who were most at risk received livelihood support, which enabled them to use part of their income to fortify their houses against floods. Local flood shelters were made accessible, and an accessible rescue boat was built for use by all community members, including those with disabilities, in order to evacuate safely. The Gaibandha model recommends five interlinked interventions to build resilient and inclusive communities, such as advocating with the local government for inclusive

DRM. Community-based approaches that enable persons with disabilities to engage and participate in planning processes demonstrate long-term effectiveness in changing perceptions about disability.

### Enhancing evacuation processes and data collection in the Philippines

The Philippines' National Disaster Risk Reduction and Management Plan (2020–2030) emphasises that the needs of persons with disabilities must be met, and their capacity and knowledge recognised and strengthened. In practice, efforts have been made to enhance the inclusivity of evacuation processes, particularly at the local government level.

The Cebu Disability-inclusive Disaster Risk Reduction Network, for example, leads a team of persons with disabilities in training public servants on how to mainstream inclusion into disaster preparedness.<sup>9</sup> In addition to teaching government officials the essentials of sign language, trainers outline simple solutions that can be taken to enhance accessibility. This includes adding a flashing light to early warning alarms to assist visually impaired persons, making evacuation routes accessible to persons with reduced mobility, and ensuring disaster information is available in audio or large text format. In addition, they conduct accessibility audits in buildings around the province.

Efforts have also been made to encourage more systematic collection of data on persons with disabilities. Launched in 2018, the Inclusive Data Management System (IDMS) is designed to identify persons with disabilities and collect data on their needs, vulnerabilities and capacities before, during and after disasters.<sup>10</sup> The objective is to support the establishment of a comprehensive data management system at the municipal or city level and enhance systems to address the specific needs of persons with disabilities in all phases of DRR.

### Key challenges and ways forward

During consultations with practitioners working with persons with disabilities displaced by disasters in Ethiopia, Nepal and Somalia, they highlighted several challenges

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that are hindering effective implementation of commitments on disability. Chief among them is the common misconception that disability-inclusive DRR is complex and resource-intensive, which means it is less likely to be prioritised. The examples from Bangladesh and the Philippines demonstrate, however, that improving accessibility often does not require novel or complex approaches; many of the solutions are simple but just require early action. As noted by a practitioner from Nepal:

*"We have to focus more on preparedness... so we have enough time to think about accessibility, safety and security, and other issues persons with disabilities may face."*

In addition to reducing the risk of death or injury, addressing issues of accessibility before the emergency response phase will also be more efficient and less costly in the long term. The principle of addressing the needs of people with disabilities at design stage is relevant across the board and across the different stages of displacement; it should be incorporated into WASH, education and health facilities in disaster settings so that persons with disabilities can continue to access services throughout their displacement.

At the same time, practitioners noted the tendency of government and humanitarian actors to see persons with disabilities as a homogenous group – but the risks, needs and experiences of persons with disabilities are diverse. It is therefore essential to adopt an intersectional approach and understand how someone's gender, age, ethnicity, type of disability, socioeconomic status and other characteristics affect the way they are impacted by displacement. Expanding the collection of data



Badsha Mia, a wheelchair user and member of a community-based Ward Disaster Management Committee, participates in a consultation to develop a community risk assessment map, Bangladesh.

disaggregated by disability can assist in better understanding their diverse needs and in implementing appropriate interventions.

Finally, practitioners emphasised that meaningful participation and consultation of persons with disabilities in planning and decision-making on displacement are still widely lacking. The examples from Bangladesh and the Philippines highlight the key role persons with disabilities can play in reducing displacement-related risks, including through training and advocacy projects. Empowering communities to lead DRR activities and climate adaptation strategies by helping to raise awareness about disability as a complex and dynamic concept also contributes to fighting the stigma and misconceptions faced by persons with disabilities.

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## The role of forecast-based financing

Lisa Thalheimer, Eddie Jjemba and Ezekiel Simperingham

**Anticipatory approaches such as forecast-based financing can help to minimise the humanitarian impacts of disaster displacement.**

Can forecast-based financing reduce the humanitarian impacts of disaster displacement? This was the focus of a study recently conducted by the Red Cross/ Red Crescent Climate Centre (RCCC), together with the International Federation of Red Cross and Red Crescent Societies (IFRC) and the School of Geography and the Environment at Oxford University. The study found that anticipatory action (supported by forecast-based financing) can indeed be integrated into existing disaster preparedness to minimise the humanitarian impacts of displacement.<sup>1</sup> This article addresses the opportunities, challenges and limitations associated with using forecast-based financing (FbF) to support early humanitarian action in the context of disaster displacement.

### Disaster displacement and forecast-based financing

Disaster displacement varies across countries, communities and regions depending on the type of natural hazard involved (sudden or slow-onset, weather-related or geophysical), the level of exposure and, critically, the levels of resilience at the individual, household and community level. Disaster displacement can take many forms – ranging from short-term evacuation to organised centres or makeshift settlements, to more permanent

movement to cities and urban areas, and in some cases across borders. The humanitarian impacts also vary widely. Humanitarian needs may include emergency shelter, food, clean water, health care, psychosocial support and protection, as well as longer-term support to recover from disasters and rebuild lives and livelihoods. In some cases, there is also the need to support durable solutions, particularly where return to areas impacted by disasters is not possible.

Anticipatory action means acting prior to the onset of predictable hazards in order to reduce their impact and associated human suffering and loss. FbF is a specific finance mechanism to support anticipatory humanitarian action. Based on scientific forecasts and risk analysis, FbF automatically releases funds for humanitarian actions agreed in advance. For early actions to be implemented quickly and efficiently before a disaster hits, FbF automatically allocates funds when a specific forecast threshold (trigger) is reached. The key to this is the 'early action protocol' (EAP), which defines the most important tasks and responsibilities – including the specific forecast triggers, humanitarian early action and funding allocation. EAPs have been developed and approved for various natural hazards at country level, including cyclones,

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floods, extreme winter conditions, and volcanic ashfall; other protocols are under development for drought and heatwaves.<sup>2</sup>

### Stocktaking

An important starting point in reducing the humanitarian impacts of disaster displacement is to take stock of a) the context-specific factors that prompt displacement in the first place and b) who would be particularly at risk of displacement. Stocktaking can be organised across the phases of disaster displacement: the risk of disaster displacement, arbitrary displacement, preparedness and response to disaster displacement, and durable solutions for displaced communities. It is important to recognise that people's vulnerability may be influenced by factors including urbanisation, population growth, development, governance and, in many cases, discrimination and marginalisation. Those who face the highest risk of displacement are: people who are already marginalised or face discrimination and exclusion; those living in informal settlements and with insecure tenure; and migrants, refugees and those affected by conflict and disasters.

A central principle in this approach is supporting people to stay in their homes, so long as their safety, physical integrity and dignity are not jeopardised and so long as staying is in accordance with their wishes. Initiatives to protect people from displacement may take the form of longer-term investment in disaster risk reduction, resilience-building initiatives, and climate change adaptation. This may also take the form of 'building back better' initiatives in the aftermath and recovery phase of disaster response.

Where the risk of disaster displacement cannot be further mitigated, disaster preparedness initiatives in the context of disaster displacement may also include identification of adequate, accessible and safe evacuation sites in order to facilitate early warnings. These initiatives can be complemented by practical advice to reduce displacement-related risks, such as the need to carry legal documents,

secure productive assets left behind, and bring essential medication.

For individuals and communities who are displaced, it is essential that steps should be taken to move towards a durable solution as quickly as circumstances allow. Action to support durable solutions can even be taken prior to displacement occurring, as part of preparedness activities. However, barriers to durable solutions and the potential for protracted displacement could be identified early in the process of risk analysis. In the context of typhoons in the Philippines, early humanitarian actions supported by FbF include strengthening and protecting shelters and housing. The EAP also identifies the need to strengthen livelihoods and minimise the loss of income in advance of typhoons. Identified early actions include the early harvesting of matured crops and the evacuation of livestock and assets. These early actions are designed to minimise the loss of livelihoods and to motivate the community to leave areas at risk of flooding or landslide. Authorities might also consider cash-for-work initiatives to help mobilise people to implement early action plans by providing payment for these activities.<sup>3</sup> In Mongolia, where pastoralists face impacts from recurring *dzud* (severe winters), early humanitarian actions are designed to protect vulnerable livelihoods through reducing livestock mortality and include the distribution of livestock nutrition kits and unconditional cash transfers. Cash is provided for vulnerable persons to give them freedom in prioritising items needed in order to survive the hazard. Many recipients choose to use this cash for hay and fodder or medicine.<sup>4</sup>

### The road ahead

Although FbF projects are already supporting several anticipatory humanitarian actions in the context of disaster displacement, more can be done. By incorporating anticipatory action into disaster preparedness and risk reduction, practitioners and humanitarian aid workers can build their capacity to bridge the divide between need and early action engagement. IFRC and RCCC anticipatory action approaches are being implemented

in disaster contexts across the globe, mostly focused on extreme events linked to weather-related hazards, and from these we have been able to draw a number of lessons relating to the different phases of disaster displacement:

**Analysis of displacement risks:** It is important to acknowledge that an absence of information and data on displacement does not mean there are no risks. Such an absence can reflect a lack of recognition of displacement considerations in disaster risk management, or the fact that cross-border displacement may be taking place outside formal channels. Communities may not feel comfortable discussing cross-border displacement, and in many cases there would be no official records. The perspectives of people who have previously been displaced should inform the development of anticipatory actions.

**Protection against arbitrary displacement:** Many initiatives to protect against arbitrary displacement will fall outside the scope of FbF, including longer-term resilience building, disaster risk reduction measures and climate change adaptation. However, FbF addresses risks that have not been managed as part of these longer-term processes – specifically between a forecast and potential disaster displacement. Examples include early actions to strengthen shelters and protect livelihoods, and to build awareness of mitigation and adaptation possibilities as alternatives to displacement.

**Preparedness and response to displacement:** Promoting risk knowledge and awareness of early warning mechanisms should be implemented across more FbF initiatives. Initiatives to enhance the knowledge of risk can also include practical advice for communities in case of displacement. Evacuation centres need to be safe, dignified places, accessible to all. Host communities' perspectives should be included.

**Durable solutions:** Many initiatives to support durable solutions for individuals and communities displaced by disasters

will be outside of the scope of FbF. However, a strong analysis of the factors that influence prolonged displacement, including specific barriers to durable solutions, should form an important part of the risk and impact analysis phase. These can include permanent loss of land as a result of specific hazards such as erosion of riverbanks, or post-disaster land grabs. Where it is not possible for FbF to address these factors, cooperation, partnerships and dialogue with actors who could contribute to durable solutions should be encouraged. Vulnerable communities, decision-makers and humanitarian organisations should be engaged from the beginning of discussions.

By making progress in line with these recommendations, practitioners can begin to overcome longstanding challenges in providing humanitarian aid in contexts of disaster displacement through better preparedness and targeted early action which addresses the needs of all those living in vulnerable communities.

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# Disaster displacement and risk reduction strategies in IGAD

Nicodemus Nyandiko

**Analysis of IGAD Member States' DRR strategies, plans and frameworks indicates uneven reference to displacement risks and associated protection needs.**

Displacement as a result of disasters has been a recurring and growing problem in the IGAD region.<sup>1</sup> In 2020, the region witnessed approximately 2.3 million persons newly forcibly displaced by disasters: an average of 100,000 disaster-displaced persons per month. When properly designed and implemented, disaster risk reduction (DRR) strategies should address the risk of displacement and, if it occurs, support the protection of and provision of durable solutions for displaced persons.

Disaster risk reduction strategies designed in line with the Sendai Framework for Disaster Risk Reduction (for 2015–2030) form an essential pillar for reducing risk and building a society's resilience in the face of disaster and climate change risks. They should also clarify the roles and responsibilities of the wide range of stakeholders involved in disaster risk management.

Target E of the Sendai Framework required countries to substantially increase the number of local and national DRR strategies and plans by 2020, with a ten-point scale used to assess the quality of their strategies and plans. Analysis shows that all eight IGAD Member States have developed or are updating their DRR strategies, plans and related frameworks in line with the Sendai Framework. Kenya, Somalia and Uganda have updated their DRR frameworks. Sudan, Ethiopia, South Sudan and Djibouti are revising their plans while the progress Eritrea is making is unclear. Somalia, South Sudan and Sudan's strategies have more references to displacement and human mobility with documentation on how to manage displacement if it were to occur, while Kenya, Djibouti and Uganda policy frameworks make less reference to displacement and protection

of the displaced. The contrast between the frameworks' incorporation of displacement issues can be seen in the following examples:

**Kenya's** National Disaster Risk Management Policy of 2017 provides mechanisms for proactive management of risk through mitigation, preparedness and early response to crises. The policy refers to providing resources for disaster risk management and to allocating roles and responsibilities to various stakeholders but there is no reference to how this relates to displaced populations. The policy lists various disasters which lead to socio-economic losses but does not mention disaster displacement. Generally, the policy fails to articulate clear measures with reference to displacement, reducing displacement risk, and protecting those displaced by disasters. There is no mention of human mobility or evacuation measures.

**Somalia** is in final stages of finalising its National Disaster Management policy. The draft policy explicitly states that "preventing further displacement and dealing with those already displaced" in the context of the country's multi-faceted crisis of protracted displacement is the biggest challenges in rebuilding Somalia. The policy makes it clear that "for all IDPs, it is essential for the State to provide them access to, and replacement of, personal and other documentation, and effective remedies for displacement-related violations". This is in line with Somalia's 2016 Disaster Management Establishment Law, which gives the Prime Minister's office the responsibility for protection for all those displaced by disasters. The policy further makes provision for the evacuation of vulnerable populations in anticipation of a disaster and for their inclusion in recovery programmes. State governments are obligated

to “ensure that relevant official records with respect to land titles, ownership and tenancy rights to properties, and ownership of bank accounts etc., are retrieved or reconstructed, if these were destroyed, as these will be crucial to individual household’s recovery”. The draft policy further notes that the process of building resilience to future disasters must also incorporate existing IDPs, who are often vulnerable to secondary displacement. Thus, the policy makes extensive references to migration, human mobility and displacement and measures to protect those displaced by disasters.

In **South Sudan**, the country’s Ministry of Humanitarian Affairs and Disaster Management is finalising the country’s Disaster Risk Management Strategic Plan that gives some indication of its approach to disaster risk reduction and management. The policy notes that “Migration and internal displacement of populations have escalated due to... disasters, climate change, extreme weather events and competition for livelihood opportunities” and that rising temperatures have triggered changes in the pattern of movement for pastoralists. It details the particular vulnerability of those already displaced, both internally and across borders, pointing out that the likelihood of additional displacement is “very high”, because of conflict and natural disasters in the region. Thus, the framework makes wide-ranging references to displacement and protection in context of disasters.

**Uganda** has two frameworks guiding the country’s DRR efforts: its National Disaster Preparedness and Management Policy of 2010 and its National Disaster Strategic Plan of 2018-2022. The frameworks provide for an institutional coordination arrangement and funding strategy but make no specific reference to disaster displacement. Uganda is developing an accompanying DRM Bill on disaster risk reduction which includes some important provisions relating to disaster displacement, such as conducting risk profiles and identifying disaster-prone areas. Specifically, it states that the government “will assist affected persons to resettle elsewhere under a voluntary arrangement”.

## Conclusions and recommendations

This analysis shows that there continues to be a need for further reform of the development of DRR frameworks to ensure that both the risk of displacement and the protection needs of the displaced are adequately addressed. The diversity in use and application of displacement concepts across these countries appears to reflect varying levels of understanding, and suggests a need to build awareness at policy- and decision-making levels. With the exception of Somalia’s policy, there is inadequate consideration of internal or cross-border displacement and protection needs of displaced people.

Countries should make use of the *Words into Action* (WiA) guidelines on disaster displacement and their associated checklist to ensure displacement risks and protection of displaced populations are more fully integrated.<sup>2</sup> Countries such as Kenya and Uganda that have already developed their strategies but with limited integration of displacement may decide to develop an accompanying Annex to their framework to better integrate displacement in the context of disasters. Comprehensive risk assessment and systems for data collection for monitoring displacement should be reflected in the policy documents. Inclusion of measures relating to awareness raising, early warning systems, disaster preparedness and evacuations would help reduce the risk of disaster displacement.

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## Adaptation obligations and adaptive mobility

Lauren Nishimura

**Integrating relevant human rights duties into an understanding of adaptation obligations can provide a much-needed way to address gaps in current protection frameworks for people who move in the context of climate change.**

The link between climate change and increased human mobility is widely recognised, as are the gaps in legal protection for people who move in the context of climate change. Current protection frameworks tend to rely on a specific category of person, apply only after people have moved or crossed State borders, and focus on forced migration or displacement. They do not, for example, apply neatly to movement associated with slow-onset events or environmental degradation. But there is another source of legal tools for addressing these gaps: the climate change regime, which includes the UN Framework Convention on Climate Change (UNFCCC), the Paris Agreement and the Conference of the Parties.

The UNFCCC and the Paris Agreement are widely ratified, and they contain a set of obligations on adaptation – what will be referred to here as adaptation obligations. These, in turn, offer a basis for addressing gaps in protection because they can help to guide and shape States' adaptation efforts (including on mobility), empower some of the most vulnerable people to help shape these efforts, and secure international support. However, adaptation obligations need clarifying and to be made concrete, and this can be accomplished through an interpretation that integrates human rights law.

### Adaptation obligations

Three types of obligations related to adaptation can be found in the climate change regime: obligations to act on adaptation, through planning and implementation; to assist in adaptation, financially and technologically; and to cooperate.<sup>1</sup> These adaptation obligations are broad and ambiguous, in part by design as their breadth allows for a range of activities

and also leaves room for interpretation. Yet, although States can determine what activities they deem appropriate, they must still take action to satisfy these obligations. Much of the work on adaptation within the regime has focused on planning, including through National Adaptation Programmes of Action (NAPAs) and National Adaptation Plans (NAPs), but the need to move to implementation is increasingly urgent.

The rule on treaty interpretation provides a means to clarify adaptation obligations. Under international law, a treaty must be interpreted in accordance with the ordinary meaning of its terms in their context (the context being the treaty's preamble, text and any annexes) and in light of its object and purpose. In addition, interpretation must take into account "any relevant rules of international law applicable in the relations between the parties".<sup>2</sup> This is also known as the principle of systemic integration. Together, these elements are the basis for interpreting adaptation obligations in light of human rights law.<sup>3</sup>

The preamble of the Paris Agreement, for example, includes recognition that "Parties should, when taking action to address climate change, respect, promote, and consider their respective obligations on human rights," including the rights of migrants. This language does not in itself create any legal obligations. However, it is a part of the context for interpretive purposes and can therefore help add meaning to the Agreement's terms. Interpretation also requires other elements of the rule to be considered. The evolving objectives of climate treaties and text of Article 7 of the Paris Agreement – its article on adaptation – bolster the need to include human rights. For example, the Agreement aims to enhance the implementation of the UNFCCC, in part



Community members in Sirajganj district in Bangladesh have worked to protect their land against river erosion, which has displaced many people several times.

through “increasing the ability to adapt” to climate change. Article 7 elaborates on the purposes of adaptation, including it being a key component of responses to “protect people, livelihoods and ecosystems”. This aligns adaptation with the protective purposes of human rights law, establishing its general importance and relevance.

It is the relevance of human rights law that necessitates its systemic integration into the interpretation of adaptation obligations. Climate impacts affect a multitude of rights, both in the immediate and longer term. Yet they occur in a context that includes geographical risks; socio-economic, cultural and political conditions; and community and individual vulnerabilities and preferences. Thus the rights most relevant to interpretation will vary, and the implementation of adaptation obligations can and should be tailored to the place and time.

Finally, the operative principles of the climate change regime also guide the interpretation and implementation of obligations. These principles are set out in Article 3 of the UNFCCC and include the precautionary principle, which calls for preventive action to avoid serious or irreversible harm and does not allow uncertainty as a reason not to act. When read alongside the integration of human rights, it reinforces the need to

act to avert or mitigate the foreseeable harm caused by climate change. Such an interpretation of adaptation obligations is the legal basis for adaptive mobility: a proactive approach to mobility that can help prevent or mitigate displacement, address the underlying conditions that contribute to vulnerability, and ensure people do not move to more fragile areas.

### Adaptive mobility

When the positive duties associated with relevant human rights are integrated into an interpretation of adaptation obligations, they can help shape what must be considered and included in adaptation plans and policies. This interpretive process can lead to a requirement for States to take proactive, anticipatory action to ensure enjoyment of rights. In some circumstances, such action will include measures to facilitate migration or relocation as a form of adaptation. For example, when climate impacts put access to potable water or food at significant risk, positive duties to ensure access to a minimum essential level of the rights to water or food are relevant. Accordingly, an interpretation that integrates rights requires States to undertake adaptation measures to ensure access to basic resources. These can include measures that allow people to stay in place as long as possible, through changes to

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infrastructure and policies and the provision of resources. When these measures become insufficient, and resources and rights are no longer accessible, then people will need to move. How this mobility is undertaken is critical to the experiences of those affected.

Adaptive mobility requires planning and action to address foreseeable risks. Its basis in human rights puts people at the centre, and bolsters arguments that action must be taken preventively to ensure access to critical rights and resources. Likewise, integrating duties that flow from procedural rights – that is, access to information and participation – can translate into adaptation obligations to provide affected persons with information and the opportunity to participate meaningfully in decision-making. This is particularly important for any planned relocation, which is more likely to lead to better outcomes when affected persons are involved.

Adequate support and funding are necessary for implementing adaptive mobility. Within the climate change regime, the principle of “common but differentiated responsibilities and respective capabilities” puts the onus on “developed country Parties” to “take the lead” on climate action. And while differentiation between Parties’ obligations shifted in the Paris Agreement (for example, with the creation of Nationally Determined Contributions and the expectation that **all** Parties set emission reduction goals), for adaptation it remains largely intact. Developed countries are required to assist developing country Parties in their adaptation efforts. Support must be “continuous and enhanced”, as specified in Article 7 of the Paris Agreement, and, at a minimum, include financial resources.

### Examples

The successful implementation of adaptation obligations – which have been clarified through the integration of human rights duties – would need: adequate time and preparation to ensure continued access to rights; participation of those affected before, during and after movement; monitoring of adaptation processes and measures; and

sufficient funding, support and access to resources. Some illustrative examples follow, along with suggestions of other ways forward.

**Policies that seek to prevent, reduce or minimise harm from climate-related displacement:** Bangladesh, for example, has developed a national strategy to manage disaster and climate-induced displacement. It identifies human rights as critical to such management, and suggests actions to reduce people’s vulnerability, including security of tenure, improved urban infrastructure and conditions, and when necessary, resettling displaced people to safer locations.<sup>4</sup>

**Guidelines for and implementation of rights-based planned relocation:** Fiji, for example, has developed planned relocation guidelines which describe a ‘pre-emptive’ approach to all stages of the relocation process and are explicitly linked to the Paris Agreement and human rights instruments.<sup>5</sup>

**Coordination of cross-border mobility:** This could occur through admittance into another State, expansion of visas, labour migration programmes or free movement agreements. These kinds of visas, programmes and agreements exist, and could: offer access to international territory; permit entry, stay and work; and allow for permanent or regularised status. However, they would need to be modified to ensure rights are protected and bureaucratic hurdles are reduced.

**Integrating rights and mobility into adaptation planning:** NAPs and other adaptation planning are a first step in facilitating adaptive mobility and accessing financing and assistance. They enable States to integrate adaptation into domestic planning and consider mobility as an adaptation strategy.

**Support for adaptive mobility and migrants:** A wide range of measures could provide such support, including facilitating transfer of remittances, assistance with securing land, and financial, technical or technological support.

## Conclusion

An anticipatory approach grounded in existing legal obligations provides a much-needed way to address gaps in current protection frameworks. Such an approach argues that rights should be rooted in State measures on, and support for, adaptation. This is accomplished by integrating relevant human rights and their positive duties into an interpretation of adaptation obligations. In certain circumstances, this will require States to enable adaptive mobility. Furthermore, because these obligations can compel action before people are forced to move, they offer a means to prevent displacement and precarious migration, and thereby to better

ensure that those who are most vulnerable are able to live in safety and with dignity.

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1. See, for example, UNFCCC Articles 4(1)(b), 4(1)(e); 4(3), 4(4), 4(5); Paris Agreement Articles 7.9; 7.13, 9.1, 9.3.
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## Climate resilience in Rwanda: evaluating refugees' and host populations' vulnerability to risk

Nfamara K Dampha, Colette Salemi, Wendy Rappeport, Stephen Polasky and Amare Gebreegziabher

**In Rwanda, refugees in camps and host populations often face high risks of climate-related hazards. Recent research assesses the potential of climate risk reduction strategies to reduce injury and loss of life, improve public health and well-being, and protect livelihoods.**

Floods and landslides are two of the deadliest hazards in Rwanda, causing injury, damage to public goods, and destruction of productive land, all of which have long-term economic impacts.<sup>1</sup> All too often the communities at the highest risk of climate-related hazards are those that also have the lowest resilience. Many of the world's refugee camps have limited capacity to adapt to socioeconomic, environmental and climate change impacts.

The majority of the approximately 127,000 camp residents in Rwanda, and their host communities, lack access to sustainable livelihoods which has a detrimental impact on their resilience. Protracted displacement may make certain groups of refugees in camps especially vulnerable to climate risks. UNHCR's policy on alternatives to camps promotes avoiding encampment entirely and pursuing alternative hosting modalities,<sup>2</sup> but the encampment approach is likely to remain for some time. We

must therefore evaluate ways to reduce encamped populations' vulnerability.

In Rwanda, constraints on land availability have resulted in refugee camps being located in remote communities and in areas more likely to experience extreme weather events. The problems are further exacerbated by population density and the increasing local need for productive land. Moving refugee populations out of an established site to a new site is costly and disruptive, and is only undertaken when the government and UNHCR deem it necessary to protect the safety and/or security of refugees and their hosts. Camps in higher-risk areas urgently need risk reduction measures to help communities become more resilient to climate shocks.

### Data, tools and methodologies

In an internal study by the authors,<sup>3</sup> we used geographic information system (GIS)

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data to model flood risk for Rwanda and then evaluated this to determine the flood risk for each refugee camp.<sup>4</sup> A similar study examined landslide susceptibility in Rwanda.<sup>5</sup> We also used data on climate-related disaster damage published by MINEMA, the Ministry in Charge of Emergency Management, to help validate our flood and landslide risk models.

When assessing the risk of climate-related hazards in camp-hosting areas, it is also essential to consider the resilience of the host community. Planners can draw on household datasets that provide local information on household location to evaluate the host community's capacity to cope with risks. For example, we used the 2020 Demographic and Health Surveys (DHS) for Rwanda to assess poverty levels within a 15-km radius of each camp. Examining the distribution of the poorest 20% of Rwandan households, we found disproportionately high numbers residing in the areas around Mahama and Mugombwa camps.<sup>6</sup>

### Strengthening resilience to climate shocks

Strengthening community resilience requires looking at climate hazards and local topographic conditions simultaneously. Building climate resilience is best done by designing and implementing solutions in an integrated manner, using hard infrastructure measures and 'nature-based' solutions as well as governance solutions and community-based practices.<sup>7</sup> Climate and disaster risk reduction investments additionally offer pro-poor development benefits.

**Nature-based solutions:** As Rwanda strives to follow a 'green development' pathway, nature-based solutions – also known as green infrastructure solutions – could be adopted in the refugee-hosting districts to enhance development for climate resilience. Nature-based solutions are defined as "sustainable planning, design, environmental management and engineering practices that weave natural features or processes into the built environment to promote adaptation and resilience".<sup>8</sup> Such solutions have been proven not only to contribute to climate change mitigation but also to reduce flood

and landslide risks, prevent soil erosion, improve water quality, protect wetlands, and add recreational space in urban landscapes.

In Rwanda this may entail providing rainwater harvesting systems, restoring natural drainage paths, removing debris in floodways, restoring wetlands, protecting watersheds and protected forest areas, and introducing drought-resistant crop varieties. In flood-prone locations in Kigali and in other refugee-hosting districts (Gatsibo, Karongi, Nyamagabe, Gisagara, Kirehe and formerly Gicumbi), nature-based solutions can help store floodwater, reduce runoff, filter pollutants and allow water to seep into the ground. Other benefits of nature-based solutions may include reducing urban heat and air pollution, improving health and mental well-being, promoting liveability in the urban landscape, and strengthening biodiversity and species richness.

**Hard infrastructure solutions:** In Rwanda's refugee-hosting districts, structural measures may include building floodways, deepening canals, creating reservoirs and establishing public infrastructure. For instance, well-constructed public buildings such as schools could temporarily accommodate disaster victims. Additionally, building reservoirs, canals and rainwater harvesting systems can reduce stormwater damage, store water to intensify irrigated agriculture, and meet the domestic water needs of the population.

**Governance-based solutions:** Governance-based solutions include investment in climate financing and establishing appropriate regulations, policies and plans. These are essential to the implementation of climate change adaptation and disaster risk reduction strategies, and need to be supported by local, national and international stakeholders such as local NGOs, community leaders, civil society, MINEMA, UNHCR and others. Governance support and political will are reflected in the Rwandan government's plans and programmes. Additional governance-based solutions to be considered may include a) increased financing for building community capacities to withstand the impacts of

climate change, b) including refugee and host community data when conducting rapid and detailed disaster impact assessments, c) strengthening local and national early warning systems, and d) conducting detailed resilience planning processes, including cost estimates, systematic and evidence-based studies, and community participation.

**Community-based solutions:** Climate risk reduction strategies should involve community participation from project design and planning to implementation, monitoring and evaluation. Where feasible, local groups could launch public dialogue and community awareness campaigns to foster information exchange at the grassroots level. These may include community hazard-mapping workshops, where detailed contingency plans could be prepared for various refugee-hosting districts. All local stakeholders, including refugees, should participate in community-driven landscape restoration, biodiversity conservation, and climate change mitigation efforts. For instance, community-based associations with refugee membership could introduce afforestation or reforestation projects.

### Risk reduction and refugee camps

As the impacts of global warming intensify, refugees residing in camps will become more vulnerable. In Rwanda's refugee-hosting districts, we recommend that concerned agencies conduct detailed assessments of hard infrastructure and soft (nature-based) infrastructure solutions with an eye to reducing flood risk, minimising landslides and increasing agricultural productivity.

Although we recognise the myriad of competing factors that determine the sites of refugee camps (including political considerations, land availability and proximity to the border), site planners should examine the overall vulnerability of such locations to natural and climate-induced hazards. When debating prospective sites, satellite imagery, geospatial tools and decision analysis methods can help host governments and UNHCR to factor in empirical evidence of site exposure

to risk. Local, tailored investments in resilience building could enhance the well-being of refugees and hosts alike.

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## Quantifying displacement in urban disaster contexts

Nando Lewis and Nikki Herwanger

**Disaster risk reduction and humanitarian programming activities to assist displaced populations are more effective when informed by timely, accurate data. There is, however, a significant data gap in the context of urban displacement.**

Even the most stringent data collection exercises, such as national censuses, are subject to error. In humanitarian data collection exercises certain locations, types of location or population categories tend to be prioritised for assessment, reflecting government and stakeholder data needs and their ability to provide assistance, their financial and logistical constraints, and operational<sup>1</sup> definitions of locations and populations. These factors can impact what data are collected in urban disaster contexts and the potential implications for affected populations.

The main aspects involved in collecting data on the numbers, demographics and needs of displaced populations include geofencing (deciding where to conduct an assessment); definitions (of locations and population categories); tools (such as questionnaires); people (enumerators, key informants, operational partners); and logistics. Data collection is often done in partnership with governments and focuses on addressing the information needs of stakeholders responding to the crises.

Interviews with data collection practitioners in four disaster contexts across three countries provide insights into the differences in outcomes introduced by how displacement data are collected in urban areas.<sup>2</sup> The interviews were conducted with International Organization for Migration (IOM) Displacement Tracking Matrix (DTM) staff who worked on data collection for the 2020 hurricanes Eta and Iota in Honduras, the 2018 earthquake in West Nusa Tenggara and the 2018 earthquake and tsunami in Central Sulawesi, Indonesia, and the 2019 earthquake in Mindanao, the Philippines.<sup>3</sup>

Interviews with DTM staff from the three case-study countries revealed that a) operational decisions related to geofencing

and b) definitions of displacement sites had the most substantial impact on the findings of data collection. In urban disaster contexts, interviewees highlighted five main types of displacement location: 1) large formal sites/evacuation centres; 2) large informal sites; 3) smaller informal sites on public land or a host family's property; 4) staying inside the home of a host family; and 5) leaving the affected area entirely. Operational constraints and decisions influence which of these types of displacement locations are targeted most for further humanitarian assessment. The urban context itself influences which of these types of locations hold the most displaced persons. For example, interview responses from Indonesia and the Philippines suggested that where there is a limited number of open areas available for establishing larger formal and informal sites for displaced people, this results in the creation of many smaller sites. In this context, an operational decision to prioritise locations for assessment based on size or location type may result in substantial data gaps.

### Impact of operational decisions

In Honduras and Indonesia, baseline data on displacement locations were only available for the larger sites. In Honduras, attempts to overcome the limited availability of baseline data included combining it with information on the severity of destruction in each municipality and the feasibility of visiting it to help determine where to target data collection activities. This resulted in a focus on larger sites only. In Indonesia, it was decided that a road-by-road sweep of the entire affected area would be the most effective option for identifying displacement locations. In one area, West Nusa Tenggara, many people had set up tents in their

neighbours', friends' or family's back yards. The data collection team decided to define a location as a site if at least four families were present, and over 3000 such sites were identified. However, this information was too granular for most responders, who filtered out the smaller sites due to the logistical challenges of providing assistance to such a high volume of small sites. As a result, the type of locations that received assistance in both Honduras and Indonesia was very similar, despite differences in data collection approaches. In Indonesia, the limited use made of the granular data in West Nusa Tenggara led to the definition of a site being increased to ten families for the Central Sulawesi response. The situation in the Philippines was very different; here, government partners had information on locations including both large sites and host families and were able to provide assistance to both types of location.

Resource limitations and priorities for delivering assistance to populations in the affected areas meant data on populations who had left the affected area were not collected. Urban migrant populations often live in informal settlements and have insecure employment. When an already mobile population faces a slow- or rapid-onset hazard event, returning to their area of origin or family home may represent a more appealing prospect than moving to a large displacement site. Although it is possible to establish estimates for population flows to locations outside a disaster-affected area, as was done by DTM during the volcanic eruption in the Democratic Republic of the Congo in May 2021, many data collection activities fail to include these locations.

### Potential implications

Even in the Philippines, where information was available for both large sites and displaced persons staying with host families, interviewees reported that assistance was first provided to large sites, and then to other displaced persons, and that this was a widespread practice across different contexts. The prioritisation of larger sites over smaller and host community sites creates both a data

and response gap that can have substantial detrimental impacts on affected populations.

Even though the needs of displaced persons staying with host families/communities are less understood than those of persons staying in large sites, existing evidence suggests that their presence creates financial and other burdens on host families, indicating that targeted assistance is vital not just for those who are displaced but also for their hosts.<sup>4</sup> Data on the needs of both host families and the displaced persons staying with them are needed in order to better understand the impacts involved.

### The benefits of improving data collection

The most tangible benefit of increasing coverage by collecting data on smaller sites in Indonesia related to the transition phase from emergency to recovery. In Central Sulawesi, the displacement data were used to support government decision-makers in determining the need for transitional shelters during the recovery process. In the Philippines, IOM is complementing the assistance provided by the government to displacement sites by supporting activities to improve the detail of collected data. This combination of greater coverage and detail has encouraged proactive engagement between government and humanitarian organisations to develop a post-disaster recovery framework which recognises the need for programming on the transition stage between emergency and recovery.

Beyond these immediate benefits there are several longer-term benefits of improving the coverage and detail of urban displacement data in disaster contexts. One such benefit is the utility of the data for innovative response mechanisms aiming to pre-empt disasters and their impacts. The UN Office for the Coordination of Humanitarian Affairs has facilitated the piloting of anticipatory action response systems which mobilise existing data for target areas in order to develop predictive models that trigger humanitarian action (including anticipatory financing) prior to the onset of a disaster. A key element of this modelling is the availability of accurate and comprehensive historical data. Data

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gaps and biases affect the efficacy of these models and systems, impairing efforts to develop solutions which could reduce the impact of disasters and improve stakeholders' ability to assist affected populations.

This is also evident in the increasing interest in the responsible application of other advanced data analysis methods including machine learning and artificial intelligence. A detailed understanding of the data gaps and biases in existing urban displacement data is fundamental for the ethical use of these techniques in ways that can have useful outcomes for displaced persons or the resilience of populations at risk from natural hazard events. If displacement data in urban disaster contexts continue to focus predominantly on certain sites or groups of affected persons, the introduction of advanced data analysis techniques could reinforce or even perpetuate the limitations in current data collection practices.<sup>5</sup> The impacts of these issues in humanitarian contexts are, as ever, borne by the affected populations themselves.

## Conclusion

In urban disaster displacement contexts, the operational decisions based on logistical, financial and other constraints influence which displaced populations are counted versus which are not. Operational decisions tend to focus on populations displaced in large sites rather than those in small sites or staying with host families or who leave the affected area entirely. The implications of this include potentially substantial underestimations of the displaced population, as well as pushing the burden of assisting displaced populations onto host communities, and thereby reducing their own resilience to future natural hazard events. Data collection practitioners, governments and humanitarian and development responders would benefit from further research into how the needs of displaced persons staying in different types of location differ, and a more evidence-based understanding of whether current assumptions underpinning the prioritisation of assessments and assistance are accurate.

Twenty-four years after the adoption of the Guiding Principles on Internal Displacement

in 1998, barriers faced in their implementation still prohibit stakeholders' full adherence to the standards. Principle 18, outlining the right to an adequate standard of living and safe access to essential services for all IDPs, cannot truly be enacted unless all displaced persons and their needs are identified in data collection exercises and responders are properly equipped to deliver assistance in all locations. Global commitments to data-driven action, such as the UN Secretary-General's Data Strategy 2020–22 where Priority 2 is climate action, also require actors to overcome operational barriers if commitments are to achieve their full expected impact on the ground. Stakeholders engaged in responding in urban contexts require institutional and financial support in order to prioritise identifying and addressing the needs of displaced populations in less visible and less accessible locations. In contrast to conflict contexts where relationships with authorities and increased security concerns can prohibit effective data collection or response provision regardless of the resources available, in urban disaster contexts the limitations to effective intervention can be overcome by assistance providers themselves, if given adequate support.

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# Mapping of planned relocation cases: a foundation for evidence-based policy and practice

Erica Bower, Sanjula Weerasinghe and Daria Mokhnacheva

**A recent global mapping exercise on planned relocation offers opportunities to build insights essential for guiding policy and practice.**

Planned relocation – the permanent movement of whole communities to destination sites out of harm’s way – is recognised as a measure to reduce exposure to floods, sea level rise and other hazards, including those intensified by climate change. Over the last decade, international policy development has recognised the importance of planned relocation; these include the UN Framework Convention on Climate Change’s 2010 Cancun Adaptation Framework, the Sendai Framework for Disaster Risk Reduction 2015–2030, the Nansen Initiative’s 2015 Protection Agenda, and the 2018 Global Compact for Migration.

However, relocations have serious repercussions for peoples’ livelihoods, cultures and security, and are therefore usually considered to be a measure of last resort. Knowing how planned relocation cases have been undertaken in the past, including their adverse outcomes, is essential in order for policymakers, practitioners and communities to be able to develop future approaches that mitigate harms and promote pathways to dignified and durable solutions.

Until recently, however, understanding of the scale, location and characteristics of planned relocation cases related to natural hazards was limited or piecemeal. Insights were often drawn from comparisons with development-related resettlement, which may differ, and lessons were often generalised from a small number of well-documented cases, such as Vunidogoloa in Fiji, the Carteret Islands in Papua New Guinea, and Alaskan Native villages in the United States of America. But where else have planned relocations been initiated, and what can we learn from global comparison?

## Mapping exercise: key findings

The Platform on Disaster Displacement (PDD), the Kaldor Centre for International Refugee Law, the International Organization for Migration (IOM) and the German Development Agency (GIZ) have recently collaborated on a global mapping exercise. This resulted in two reports, *Leaving Place, Restoring Home I and II*, a database of over 400 planned relocation cases, and additional snapshot and case-study reports.<sup>1</sup> This mapping highlighted key insights about where, why, when and how planned relocation has been undertaken, with implications that may be of interest to practitioners.

Planned relocation is a global phenomenon, with cases identified in 78 countries and across all inhabited continents. Approximately 40% of all cases identified were in Asia, followed by 38% in the Americas. Around 10% of cases were in Africa, 9% were in the Pacific, and only a few identified in Europe and the Middle East. Once each continent’s total population is considered, however, the Pacific emerges as the region with highest relative numbers of cases. This geographic distribution of planned relocation cases roughly parallels the regional breakdown of disaster displacement estimates,<sup>2</sup> underscoring how planned relocation can be a strategy either to avert or to respond to displacement. Importantly, the distribution also aligns with hazard hotspots, including hazards made more intense and frequent by climate change. It is critical, therefore, for vulnerable countries and communities to better understand disaster risks, consider diverse *in situ* adaptation options, and begin to plan for relocation in advance if necessary.

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While cases were identified across the globe, there was considerable regional variation in how planned relocations were carried out.<sup>3</sup> For instance, a snapshot of relocation cases in the Pacific highlighted the role of customary norms around land tenure underpinning relocation of indigenous communities, and the role of non-State supporting actors in this region. In Asia, a larger proportion of cases were initiated after disaster displacement occurred in urban rather than in rural areas, and were more often initiated by government actors.

Across contexts, flooding was the most common hazard driving planned relocation decisions. Other hazards included tsunamis, storms, erosion, earthquakes, landslides, droughts and sea level rise. However, most planned relocation cases occur in circumstances where multiple hazards overlap simultaneously or sequentially. For example, although the 2004 Indian Ocean tsunami immediately precipitated the relocation of displaced persons from Kandholhudoo to Dhuvaafaru Island in the Maldives, the community had already experienced floods and land degradation prior to the tsunami and had anticipated that these hazards would intensify in the context of sea level rise.<sup>4</sup>

It is rarely a single event that triggers a decision to relocate but rather multiple hazard impacts and risks across time. Typically, relocations are classified as either 'proactive' in anticipation of a future risk or 'reactive' in response to a past or present impact, but in practice most cases fall somewhere along this continuum. In addition, planned relocation can take place before or after disaster displacement, with varying possibilities for return to place of origin in the interim. For policymakers and practitioners, this underscores the importance of multi-hazard risk assessment, consideration of where disaster displacement has occurred as a potential indicator for where relocation may be necessary in the future, and scrutiny of potential for return and interim transitional arrangements when planning a relocation.

Decisions to undertake planned relocation are often affected by other political, social,

economic or demographic drivers. Members of the Gardi Sugdub community in Panama, for example, initiated planned relocation to a mainland site due to demographic challenges of overcrowding on the small island, alongside their desire for less exposure to sea level rise.<sup>5</sup> Scrutinising decision making and implementation processes can help both to better understand the non-environmental drivers influencing decisions, and to guard against misuse of the risk reduction or climate adaptation narrative to greenwash other covert motives, such as 'land grabs'.

In some cases, relocation involves multiple sites of origin or destination, and this may have important implications for practitioners; for instance, planned relocation cases with multiple origin sites require consideration of complex integration dynamics and inclusive participatory mechanisms, while cases with multiple destination sites may require consideration of community disintegration and loss of collective identity.<sup>6</sup>

Many relocations with single origin and destination sites involve relatively small populations, take place in rural areas, and span surprisingly short distances, often less than two kilometres. While some cases take less than a year between initiation and the physical move, others take decades. A range of actors initiated and supported these processes, including community members themselves, government agencies, and national and international organisations. Diverse challenges were identified across cases, including limited inclusivity of participation mechanisms, lack of livelihoods opportunities and ongoing hazard exposure in destination sites, poor quality of housing and infrastructure, limited access to services, and loss of community cohesion and cultural heritage. Information about long-term community needs and outcomes is often lacking, underscoring the importance of strengthened longitudinal monitoring and evaluation in relocation processes.

While this inquiry did not systematically review national planned relocation policies, it did help to identify examples of national normative developments and legislation to guide relocation processes. The Government

of Fiji, for instance, has finalised National Guidelines on Planned Relocation, while the Government of Vanuatu's National Policy on Climate Change and Disaster-Induced Displacement includes substantive sections on addressing planned relocations.<sup>7</sup> This mapping further illustrated how, even if few countries appear to have comprehensive frameworks to guide planned relocation, relevant provisions may exist under other national sectoral policies and legislation. Further research could help identify such provisions and domestic policy gaps.

### Future opportunities

As these initial insights demonstrate, a database on hazard-related planned relocation cases offers opportunities to build insights essential for guiding policy and practice. While every case is unique and context specific, comparing characteristics across a subset of cases can uncover insights to inform local, national or regional governance of planned relocation. For instance, research focused only on cases initiated in the context of a common hazard such as floods might find that such cases are more typically initiated after – as opposed to before – disaster displacement and in circumstances where options for return to a site of origin while waiting for new site development are limited, thus requiring transitional housing and services.

Further research may draw on cases identified in this database for assessment of outcomes, which was largely beyond the scope of these descriptive mapping exercises. Critically, a lot of data points are needed before one can draw any definitive associations, let alone causal relationships, between decisions made during the relocation process and more positive outcomes for relocated persons.

In addition to generating comparative insights for governance at national or regional scales, such a database may be helpful for community members or supporting actors currently engaged in an intended relocation. They may, for instance, search for cases initiated on a similar timeline, located in a similar region, or facing a

similar combination of hazards – and then reach out to build partnerships and share challenges and lessons learned. Ensuring that affected populations, local governments and local civil society organisations are meaningfully engaged in monitoring and evaluating the relocation process, and sharing lessons learned with other communities, is essential. Creating opportunities for such exchange of insights between relocating communities may be an important role for national or regional practitioners.

This research underscores how important insights can be gained from a global comparative approach, for instance how most relocation cases a) fall on a continuum between proactive and reactive extremes, b) occur in the context of multiple hazards and socioeconomic and political motivations, and c) follow complex spatial patterns with many origins or destination sites. Each of these observations challenges the conventional wisdom and dominant assumptions in the field of planned relocation and may be useful to shape future action of practitioners and policymakers, and ultimately ensure relocations minimise risk and protect people from harm.

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## Putting principles into practice: lessons from Fiji on planned relocations

Liam Moore

**Fiji's Relocation Guidelines draw on the country's experience in planning relocations, and offer guidance to other States facing similar challenges.**

In November 2020, Prime Minister Frank Bainimarama officially opened the newly relocated village of Narikoso on the island of Ono, Fiji. The project saw seven households moved to storm-resilient housing on higher ground to avoid recurrent inundation from rising sea levels and storm surges. Narikoso is just one of 48 villages that the government has identified as requiring partial or full relocation due to climate-related circumstances, and there are over 800 other communities likely to be at risk of future harm or displacement.

Fiji's experience in physically relocating communities has informed the development of two new sets of guidelines – on planned relocations (2018)<sup>1</sup> and displacement in the context of climate change and disasters (2019)<sup>2</sup>. With many States around the world looking to develop similar policies, it is important to learn from early adopters like Fiji to see what should be replicated and the issues that need addressing. While relocations are framed as an option of last resort, the process of identifying at-risk communities and engaging with them can be an important part of mitigating risk factors, allowing communities to stay where they are for longer, or to find more durable solutions after they move.

These two guidelines now shape the governance of relocations and climate mobilities throughout Fiji. The goal of these documents was not to set out

standard operating procedures, which are provided in a separate document, but to establish overarching principles to guide key actors in the relocation process. Fiji has drawn on existing international frameworks to develop these. An early draft of the relocation guidelines showed the intent to provide guidance consistent with the 1998 UN Guiding Principles on Internal Displacement.<sup>3</sup> The final version removes direct reference to the Guiding Principles but retains their meaning. The importance of principles contained within the Sustainable Development Goals, the Sendai Framework for Disaster Risk Reduction, the UN Framework Convention on Climate Change (UNFCCC) and multiple human rights conventions are also noted.

Importantly, Fiji's guidelines were designed as living documents that encourage an iterative learning process, where improvements are constantly made to the relocation process. Learning from and adapting practices to be context-specific will be important for any actor engaging with communities who may need to move. To achieve durable solutions, planning for potential relocations needs to take into account the needs of affected communities, as well as the capacity of governing actors and the specifics of the local context.

It must be noted that without the political will to pursue and implement policies around



Fiji Red Cross Society / Vainava Tito

Volunteers from the Fiji Red Cross work in local communities in Ra province after Cyclone Winston hit Fiji in February 2016.

climate mobilities, nothing is likely to happen. This is not just the will to do something, but the will to draw on existing laws, principles and norms to follow emerging standards of best practice. While the ideas in Fiji's guidelines are not unique, the way in which they weave together existing laws, norms, standards and principles and apply them to this emerging issue area is unique. This is what other actors will be able to look to as they model their own responses.

### Learning from Fiji's experience

Three key factors feature prominently in Fiji's relocations to date: having somewhere to move to; having the active participation of those affected; and being willing and able to fund these projects.

Firstly, the durability of solutions is likely to depend on having a suitable relocation site. That suitability may in turn depend on issues such as: whether traditional owners are able to maintain connections to their ancestral lands by moving short distances; if communities can stay together in new locations; whether residents can afford to move; and whether host communities are willing to receive those who move. In the

Narikoso relocation, the community had to be separated. Only seven households fit on the new site, with the rest of the community slated to move to an adjacent site in the future.<sup>4</sup> Such separations of close-knit communities make it less likely that truly durable solutions will be found.

The second point is the importance of active participation. For relocations to have the best chance of success, people need to have control over the decision-making processes that affect them.<sup>5</sup> Fiji's completed relocations have reported varying levels of engagement and satisfaction with the outcomes. While the Vunidogoloa relocation process was originally promoted as participatory, community members subsequently raised concerns that decisions were often made between contractors and the government without consulting them. The relocation of Narikoso began before the new Relocation Guidelines were introduced, and experienced similar issues initially. Communication between officials and the community reportedly improved as the project progressed; whether this reaches the threshold of full participation, however, remains to be seen.

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A recurring issue within these processes is the exclusion of women from discussions. In Vunidogoloa, the finished houses did not include kitchens. In post-relocation interviews, women in the community noted that they had not been consulted and had to go along with what the men had agreed to. Consent and active participation need to fully reflect the community in question, including vulnerable, marginalised and other overlooked voices.

Planning for and deciding when particularly vulnerable areas may become uninhabitable is extremely difficult for both communities and authorities. In each case of relocation, the tension between the State's obligation to protect and prevent citizens from coming to harm, and the people's right to choose when and how they leave their homes must be navigated. Effective early engagement that includes preventive measures is likely to prevent communities from being displaced before all options to stay have been exhausted.

The third challenge is that ambitious policies like these are expensive. The Narikoso relocation was only able to be completed after European Union funding, funnelled through the German Development Fund, was acquired, providing €700,000 of the estimated €808,750 required for the relocation. Although the final figures remain unclear, the government is known to have spent around three times more on the project than was initially budgeted, while the community also had to significantly increase its own contribution to ensure the relocation was completed.<sup>6</sup> In response to the funding problem, Fiji instituted a Climate Relocation and Displaced Peoples Trust Fund in 2019, financed partly through their Environment and Climate Adaptation Levy and partly through voluntary contributions from donor States, like New Zealand. Whether this model is able to fund the large volume of relocations and preventive works the government has identified remains to be seen.

The trust fund approach seems to be getting more support internationally than alternative plans, such as those proposed by Vanuatu. Vanuatu favours using processes

like the UNFCCC's Warsaw Loss and Damage mechanism, which focuses on polluters paying reparations for damage caused. However, Vanuatu has faced international resistance to this, particularly because States with higher historical emissions would have to admit fault for driving the climate crisis. Setting aside which model is more appropriate, if funds like Fiji's can enable relocations to commence now and ensure the protection of communities into the future, then it will demonstrate a solution that other States may copy.

Even if all three of these factors are addressed, each relocation will need to be tailored to the community in question, with long-term, post-relocation support included. In short, people need to be given every opportunity to make the own choices about whether, where and when they move. Government actors also need to be willing and able to plan, fund and complete these projects in line with guiding principles. Ensuring relocations meet these ambitious standards is not easy; however, if they are not met, there is every likelihood that people will not find durable solutions and will face recurrent or protracted forms of displacement.

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## Towards greater transparency and accountability in decision-making for planned relocation

Rachel Harrington-Abrams

**Governments need to be more transparent in terms of reporting on their relocation planning and implementation in order to ensure responsible decision-making and effective monitoring.**

Decisions around adaptation governance occur within a complex network of international and domestic actors and influences. National government officials are the primary conduits, usually with responsibility for choosing, funding and implementing adaptation policy, including relocation programmes. Yet, at the national level, there is a lack of transparency around how governments decide to use, support or delay relocation, and what factors or stakeholders help define the outcomes of these decisions. Low levels of accountability can lead to poor decision making and negative outcomes. There are also few incentives to ensure that affected communities have input in choosing which adaptive response is most appropriate.

Governments receive technical guidance on best practices for adaptation from UN bodies like the Adaptation Committee and from UN agencies such as UNHCR and IOM, and financial support for implementation from development banks such as the World Bank and Green Climate Fund. However, the existing multilateral adaptation frameworks that shape these interactions lack explicit goals. Adaptation planning is treated differently from mitigation, particularly around reporting requirements. For example, all UN Framework Convention on Climate Change (UNFCCC) Member States are expected to submit adaptation plans, but these submissions are not required or monitored in the same way as Nationally Determined Contributions – which focus mainly on mitigation. The absence of clear targets such as a Global Goal on Adaptation or detailed reporting requirements means that the accountability and transparency of adaptation planning

can suffer, the impact of collaboration across multiple levels of governance is unclear, and groups affected by relocation or other adaptation policies have no protection or representation in long-term planning.

### Reporting failures: the accountability problem

To enhance accountability it is imperative – at a minimum – to improve baseline reporting of adaptation planning. A global dataset of climate-related relocations from the Platform on Disaster Displacement (PDD)<sup>1</sup> includes over 400 identified cases from across 74 countries. Cross-referencing this data with national adaptation planning documents submitted to the UNFCCC reveals notable accountability gaps when it comes to reporting relocation plans. Of the 197 countries party to the UNFCCC, 102 countries have submitted reports on adaptation planning either through National Adaptation Programmes of Action (NAPAs) for Least Developed Countries, National Adaptation Plans for developing countries, or Adaptation Communications for all countries. Fifty out of 102 countries mention relocation, resettlement or retreat in their plans; 28 of these 50 have existing relocation programmes documented in the PDD data. Yet 37 of the remaining 46 countries from the PDD data have submitted no adaptation reporting, while nine have relocations occurring but have not acknowledged them in their adaptation plans.<sup>2</sup>

These reporting gaps highlight the further support needed for adaptation planning, as well as the differences in expectations of accountability between adaptation and mitigation. The lack of quantifiable adaptation metrics and clear

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measures of success may contribute to this misalignment.

### The need for transparency

Understanding which factors shape decision-making for interventions like planned relocation can be critical where context, risk drivers and timing can mean the difference between success or failure. When the rationale behind the decision is opaque, this can raise questions around the incentives, appropriateness and acceptability of the policy. Without greater clarity on which stakeholders are involved in decision-making and how, it is difficult to ascertain the degree of involvement of affected communities in decisions and planning (an important factor for success). Unpacking the legal and financial options available to decision-makers equally provides important context to how these policies materialise.

Gathering data on where and how these policies are being used is essential to understanding how relocation is collectively and practically being applied as adaptation. Among the places where relocation has been used in response or anticipation of climate risks, some communities have led local initiatives to relocate from vulnerable areas, but have lacked political and financial support from regional or national government. Elsewhere, some national governments have established top-down policy frameworks for relocation and then initiated programmes (sometimes ad hoc) under this structure.

The Fijian government has initiated a novel top-down approach which could potentially improve transparency in decision processes around relocation. Fiji's Planned Relocation Framework – supported by a Climate Relocation and Displaced Peoples

Trust partly funded by the Norwegian government – is the first of its kind to establish a set of mandates to follow for better protection and attention to the well-being of populations experiencing relocation.<sup>3</sup> Governments facing risks of comparable magnitude may move to establish similar frameworks as part of their adaptation planning. While this is a valuable first step in transparency, such open-ended guidelines and funding still require accountability regarding the actual relocation decisions, the level of community input, and how the availability (or lack) of funds may affect which policy response is chosen.

As governments move through the stages of commitment, to policy choice, and then to actual implementation, transparency and accountability through reporting are vital to ensuring responsible decision-making around which policies are chosen and why, particularly when stronger measures like planned relocation are deemed necessary. Failing to address these structural issues will impede effective collaboration on adaptation planning and can lead to poor decision-making and negative outcomes from relocation.

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2. 'Developing' and 'developed' countries have previously had different pathways for adaptation reporting. These numbers are regularly updated as new documentation is submitted.

3. See article by Liam Moore in this issue.

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## Evacuations: a form of disaster displacement?

Jane McAdam

The role that evacuations play in displacement needs to be better understood, given the very large numbers of people affected each year.

Displacement linked to the impacts of disasters and climate change is at a record high. In 2020, there were nearly 31 million internal displacements due to disasters; by the end of 2020, some seven million remained displaced.<sup>1</sup> Much of this movement was the result of government-led evacuations. In such situations, evacuations are an emergency mechanism to move people out of harm's way. As a major component of national and local disaster risk reduction strategies, they can help save lives. However, evacuations can also be a form of arbitrary displacement, uprooting people for prolonged periods and resulting in violations of their rights.

In the past few years, wildfires in Australia, the United States of America and Greece have resulted in unprecedented numbers of evacuations. In 2020, Cyclone Amphan triggered close to five million evacuations across Bangladesh, India, Myanmar and Bhutan. As contemporary crises exacerbate situations, more people are likely to be trapped or displaced by the impacts of disasters, climate change, conflict and other causes of humanitarian emergencies.

### Lack of data and understanding

It is very difficult to quantify the precise numbers of evacuees globally. Many people are not included in the data gathered because they do not make their way to evacuation centres but instead shelter with family and friends. Although the Internal Displacement Monitoring Centre (IDMC) has developed proxy indicators for evacuations, it readily acknowledges that its estimates are imprecise and conservative. The number of displacements (based on proxies such as household size in affected areas) are counted rather than people, since the same people may be displaced multiple times. Furthermore, such data does not

distinguish between pre-emptive evacuations and displacement in response to disasters.<sup>2</sup>

The implications of all this are stark. Without accurate information, authorities and communities cannot adequately plan, prepare or respond to disasters, or ensure that evacuation plans are well devised. Where disaster responses take place under multiple jurisdictions (for example, led by both national and local authorities), gaps, overlaps and confusion may arise. International guidelines have not addressed these issues in any depth, noting only that there is a need for cooperation where multiple actors are involved.

Indeed, this speaks to a deeper problem: despite being so widespread, evacuations remain understudied, conceptually imprecise and fragmented in both scholarship and practice.<sup>3</sup> In the forced migration literature, for instance, they are often mentioned as an afterthought to displacement, migration and planned relocations. This is curious – and problematic – given the very large numbers of people affected each year.

Arguably, this blind spot stems partly from the fact that evacuations are often viewed as a positive intervention, whereas displacement is generally seen as negative. Conceived within a 'rescue' paradigm, they are commonly regarded as a temporary and proactive measure to move people to safety in the face of an imminent threat, rather than as a sign of risk and vulnerability. While IDMC, for instance, acknowledges that evacuations are a form of displacement, it also observes that because evacuations can reduce the number of lives lost when disaster strikes, this demonstrates that "not all displacement is negative".<sup>4</sup> This is despite the Guiding Principles on Internal Displacement stating that evacuations from disasters will be arbitrary "unless the safety and health of those affected requires their evacuation" (Principle 6(2)(d)). In other words, an evacuation that is justifiable in the face

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of imminent harm may become unlawful if people are displaced for longer than is necessary, and have their rights restricted.

### Addressing protection needs

The fact that governments may carry out evacuations with the best of intentions does not exonerate them from their obligations to safeguard human rights more generally, particularly when displacement becomes prolonged. Standards reflected in human rights law, the Sendai Framework for Disaster Risk Reduction, the *MEND Guide*<sup>5</sup> and other guidance are directly relevant but not always reflected in domestic laws and policies. Furthermore, the range of actors involved at the operational level can result in fragmented responses on the ground. This, in turn, may (inadvertently) hinder access to accurate information, relevant authorities, basic necessities, and safe and accessible evacuation routes.

By better understanding the role of evacuations, it is possible to identify and address gaps in planning that overlook protection needs – particularly for groups that may find themselves in vulnerable situations. For instance, a global survey in 2013 of 5,717 people with disabilities found that only 20.6% thought they could evacuate immediately without difficulty in a sudden-onset disaster. With sufficient time to leave, that percentage nearly doubled but 58% still felt that they would have some, or a lot of, difficulty in evacuating.<sup>6</sup> Similarly, logistical issues may complicate evacuations for children who may, for example, be too young to evacuate on foot.

While it is commonly assumed that evacuations are short-lived and evacuees return home quickly, there is mounting evidence that large numbers of people end up displaced for long periods of time. This can lead to gaps in national responses that either fail to appreciate the scale of displacement, or to identify it at all. In practice, this may mean insufficient support for those who are displaced and a lack of accountability by the relevant authorities.

Prolonged displacement can also create economic and social disruption, affecting the long-term prosperity, stability and security of

individuals and communities. For instance, in the aftermath of Australia's 2019–20 summer wildfires, temporary housing for 65,000 evacuees cost A\$60–72 million for one year, and each day of lost work cost A\$705 per person.<sup>7</sup> Such costs are magnified across the Asia-Pacific region, which accounted for 80% of disaster displacement in the past decade<sup>8</sup> – much of which comprised evacuations. The UN Office for Disaster Risk Reduction has estimated that each dollar spent on preparation could yield a 60-fold return,<sup>9</sup> with a compounding effect over time. Fine-tuning evacuation responses is part of disaster preparedness under the Sendai Framework, and ensuring that evacuees can return home or relocate safely is crucial to economic and social recovery.

For evacuations to be a truly protective mechanism in crises, it is essential for national, regional and international policymakers to view evacuations as a potential form of displacement, and to have good data at hand. This in turn will enable the development of clearer legal frameworks about whom to evacuate, for how long, and according to what human rights standards.

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# Human mobility, rights and international protection: responding to the climate crisis

Madeline Garlick and Isabelle Michal

**UNHCR discusses the range of options for international legal protection in the context of cross-border displacement triggered by the impacts of climate change. It also underscores the need for a broader approach to addressing human mobility.**

Conflict, violence, resource scarcity, environmental degradation, and sudden- and slow-onset events combine to create highly challenging situations that demand collaboration from sectors and actors across policy areas and society. These scenarios are particularly complex where, in moving towards safer areas and better livelihoods, people cross international borders and seek international protection in neighbouring countries. What provisions are there in international refugee and other applicable law to provide international protection, where this is needed? What strategies and approaches could enable a more effective response to human mobility<sup>1</sup>, in line with human rights and international law and in ways that avoid protection gaps?

## Assessing provisions and options for international legal protection

In October 2020, UNHCR issued its *Legal considerations regarding claims for international protection made in the context of the adverse effects of climate change and disasters*, providing guidance for States and other stakeholders.<sup>2</sup>

These recall that people compelled to cross international borders in such contexts may, in some cases, fall within the refugee definition under the 1951 Convention Relating to the Status of Refugees, the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, or the 1984 Cartagena Declaration on Refugees in the Americas. Where a State is unwilling or unable to provide protection, the victims of violence may have a well-founded fear of being persecuted – grounds for international refugee protection under the 1951 Convention.

Furthermore, where government structures and institutions are weak, natural

hazards may interact with conflict and lead to risks of harm, including famine, for populations relying on natural resources for their livelihoods. UNHCR's legal considerations note that in such situations, a well-founded fear of persecution may arise under the 1951 Convention for groups or individuals denied access to assistance based on discrimination linked to ethnicity, caste, social group or political opinion. Adverse effects of climate change may also heighten political or religious tensions and social and ethnic divisions, resulting in persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion.

The legal considerations highlight that beyond situations where the 1951 Convention applies, people affected by climate change and disasters living in Africa or the Americas may also be refugees under the broader refugee definition in the 1969 OAU Convention and the 1984 Cartagena Declaration. This is notably when climate change and disasters result in events or circumstances “seriously disturbing public order”, compelling people to seek refuge across borders.<sup>3</sup> In general, following a disaster, the State must be able to demonstrate ability and willingness to address the impact of the disaster and offer aid to stabilise the situation as soon as possible. If not, and where public order breaks down as a result, affected people may be compelled to leave and seek protection in another country, where they may be refugees under these regional instruments.<sup>4</sup>

UNHCR's legal considerations also state that international protection may also be needed based on human rights law, including the principle of *non-refoulement*. If a person has been displaced in the context of climate change or disasters and faces a real risk of

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UNHCR / Xavier Bourgois

The region of Minawao in Cameroon faces critical deforestation. Nigerian refugees are working with UNHCR, and its partners Land Life Company and LWF, to plant 20,000 trees.

being subjected to serious harm upon return, that person may be protected from removal under the principle of *non-refoulement*. In 2020, the UN Human Rights Committee recognised, in the landmark case of *Teitiota v New Zealand*,<sup>5</sup> that the adverse effects of climate change and disasters can pose a serious threat to the enjoyment of the right to life, for example, because of scarcity of habitable land or lack of potable water. This reasoning may prove particularly significant in countries which are not signatories to regional or international refugee instruments, but where human rights law provides the basis for an obligation to grant international protection.

Acknowledging that international refugee law will only be relevant in limited situations of climate change and disasters, UNHCR's legal considerations nevertheless highlight the need for asylum authorities to carefully examine its application wherever a person claims international protection in such contexts. This is particularly so when underlying stressors such as conflict, violence, discrimination or other tensions are prevalent in the country of origin. For displaced people who are not eligible for refugee status,

complementary forms of international protection under human rights law may be relevant. UNHCR's guidance has also highlighted the potential value of temporary protection and stay arrangements,<sup>6</sup> including to ensure access to safety immediately after a disaster, when affected States may struggle to respond and their citizens may be compelled to seek shelter abroad.

UNHCR's legal considerations do not purport to expand the criteria for international protection but rather to provide guidance on the correct interpretation of international law in contemporary conditions. They do not refer to 'climate refugees', a term that does not appear in international instruments and which could create the misleading impression that a new legal category or obligations are proposed. They aim to provide the foundation for further work to underpin comprehensive guidance in future, addressing other legal questions and factual scenarios, including through research on displacement patterns, state practice and jurisprudence.

Additional research is needed, including on how climate change, environmental degradation and disasters impact public

order and result in displacement. This would aid the interpretation and application of the regional refugee criteria in the OAU Convention and the Cartagena Declaration. Different risk paradigms that may emerge in the context of climate change, environmental degradation and disaster need to be examined from human rights angles, including ways in which distinct groups and individuals' rights are affected and how this might give rise to international protection needs. Analysis is also needed of how inequality, inter-communal tensions and discrimination related to 1951 Convention grounds arise. Furthermore, discrimination in risk mitigation, adaptation and support to affected communities merits additional research. Assessment of whether and how these phenomena emerge in asylum claims, and how authorities approach them, will inform the development of further guidance for decision-makers as well as of broader policies and law.

### **Wider forms of human mobility, climate change and disaster**

Beyond those in need of international protection, many people move when confronted with adverse conditions linked to climate change, when these affect their livelihoods or their access to rights in far-reaching and irreversible ways. Some may be admitted to other countries temporarily or on discretionary grounds, but many will not. Those moving across borders in such cases may lack guarantees of treatment that reflects international standards or a secure right to stay in safe conditions. Addressing such people's needs, and assisting States affected by these population movements, requires a broader set of policy and practical responses and tools, complementing and consistent with legal approaches. State and non-State actors, including UNHCR, civil society and academics, can contribute to discussions at national, regional and international levels, building on work already under way in various forums.

This wider approach to human mobility would potentially include measures to strengthen preparedness in

affected communities, build resilience, mitigate risk and enable adaptation. While these alone will not address all vulnerabilities or needs, they can help strengthen communities and individuals and reduce or prevent pressure to move.

Planned relocation, based on human rights principles, is receiving increasing attention as a potential means to move people out of harm's way and to proactively avoid displacement.<sup>7</sup> Centred on the interests, and involving full participation, of communities to be relocated, planned relocation is undertaken when other options have been exhausted. Guidance and toolkits<sup>8</sup> developed by UNHCR and partners draw on State and community experiences, and aim to support the further development of national and local planned relocation strategies.

More opportunities are also needed for people to migrate as a means of adaptation. Such migration implies voluntary movement, or at least a degree of choice. In this context, people can use regular migration pathways, such as labour or study visa programmes, or where specific visa categories or pathways are available for groups in precarious situations or impacted by disaster or climate change. Migration as an adaptation strategy can also help prevent displacement from occurring. The Global Compact on Safe, Orderly and Regular Migration (GCM) envisages regular migration pathways and other ways to assist people moving in the context of climate change, environmental degradation and disaster. UNHCR is working with partners in the UN Network on Migration – the body mandated to support States in GCM implementation – to advance thinking and action on migration with the aim of reducing the risk of displacement and denial of human rights.

The Platform on Disaster Displacement (PDD) also plays an instrumental role in highlighting needs, supporting knowledge development and promoting policy coherence around disaster displacement. Implementation of the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change (the Protection Agenda) is at the core

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of its work. With a dedicated working group addressing climate change, PDD is ideally placed to facilitate further examination of effective ways to address the spectrum of human mobility challenges linked to climate change and disaster, including displacement as well as migratory movements, internal planned relocation, and support to resilience, risk mitigation and adaptation.

Within the institutional framework supporting implementation of the UN Framework Convention on Climate Change (UNFCCC), the Task Force on Displacement is part of the Warsaw International Mechanism on Loss and Damage.<sup>9</sup> The Task Force has issued recommendations (endorsed by UNFCCC parties in 2018) on integrated approaches to avert, minimise and address the adverse impacts of climate change. The Task Force's work builds on key policy frameworks and forums, including the Global Compact on Refugees (GCR), the GCM, the Sendai Framework on Disaster Risk Reduction and the PDD.

To support further research and dialogue on displacement in the context of wider human mobility, UNHCR co-organised a workshop series in 2021 on 'Developing a Research and Policy Agenda for Addressing Displacement and Migration in the Context of Disasters and Climate Change in Africa'. This identified research priorities on displacement and migration linked to disasters and climate change in Africa. The series also aimed to open up opportunities for regional researchers and to amplify the voices of affected.<sup>10</sup>

### The way forward

A key challenge lies in converting the many words and commitments on paper into action and positive outcomes for affected people's lives. While the legal and factual distinctions between displacement and migration need to be acknowledged, practical linkages emerge in the context of climate change and disaster. Coordinated responses are needed to ensure that the human rights of all are respected regardless of status and that – in accordance with the Sustainable Development Goals – no-one is left behind.

Developing integrated approaches to human mobility requires States, UN agencies, international and national non-governmental bodies and other stakeholders to work together. The discussion is taking place in a swiftly evolving and increasingly securitised context. Actors need to bring to bear their respective mandates, expertise and experience in responding to displacement. Anticipating the need to implement concrete measures to address mobility in localised as well as broader contexts, they must address capacity needs, limited resources and operational and political constraints. In the words of the Least Developed Countries at COP26, "it is not just future generations at risk" – the challenge is here and now.

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1. Human mobility is an overarching umbrella term that refers to three forms of population movement: i) Displacement – the primarily forced movement of persons; ii) Migration – the primarily voluntary movement of persons, iii) Planned relocation – process of settling persons or communities to a new location (See UNFCCC Decision 1/CP.16 Cancun Climate Change Adaptation Framework Paragraph 14f)
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9. [bit.ly/UNFCCC-task-force-loss-damage](http://bit.ly/UNFCCC-task-force-loss-damage)
10. [bit.ly/Kaldor-workshop-series-concept](http://bit.ly/Kaldor-workshop-series-concept)

# The role of free movement agreements in addressing climate mobility

Tamara Wood

**Free movement agreements present opportunities for those who move in the context of disasters and climate change. More work is required, however, to make free movement accessible in practice to affected communities.**

Regional agreements for the free movement of persons between States offer a potential mechanism for those moving across international borders in the context of disasters and climate change to access safety and pursue alternative livelihoods. Unlike other, more limited frameworks for cross-border mobility – such as labour migration or refugee protection – which depend on satisfaction of specific eligibility criteria, free movement agreements generally provide much broader access to cross-border movement for citizens of countries in a particular region (or sub-region).

Until recently, however, free movement agreements have not been developed with the particular needs of ‘climate migrants’ in mind. Rather, they are intended as a tool for advancing regional integration and economic development. The importance of States’ political and economic interests within regional free movement agreements means such agreements usually do not address the predicament or challenges faced by communities impacted by disasters, climate change and environmental degradation. In practice, access to free movement may involve onerous documentation requirements or be subject to individual States’ restrictive migration policies. Free movement may even be suspended in situations involving large-scale displacement, such as following a disaster.

In East Africa, the Intergovernmental Authority on Development (IGAD) is pioneering a more progressive approach to free movement. In 2020, it adopted a new IGAD Free Movement Protocol that includes specific provisions ensuring entry and stay for people moving in the context of disasters and climate change. The IGAD Free Movement

Protocol provides pause for thought about what might be possible elsewhere. Could regional free movement agreements in other regions be further developed or implemented to enhance opportunities for climate change-affected communities to access safety and secure their future livelihoods?

## Opportunities

Regional agreements for the free movement of persons have a number of key benefits when it comes to facilitating cross-border mobility in the context of disasters and climate change. In addition to broad eligibility criteria, they provide employment, trade and business opportunities for those who move. They could therefore facilitate long-term access to alternative income streams and more sustainable livelihoods for disaster and climate change-affected people.

Flexible rules regarding entry and stay under free movement agreements may facilitate ‘circular’ migration across borders, allowing people to move back and forth between neighbouring countries as circumstances require. This can allow some people to remain at home, while others pursue alternative employment and livelihood opportunities.

Circular or temporary migration can create new livelihood opportunities, support economic development, and build resilience to future hazards by allowing migrants to send back remittances and return home with newly acquired knowledge, technology and skills.<sup>1</sup> This is another advantage of free movement agreements over humanitarian or international protection visas or mechanisms, which are usually ‘one way’ whereby returning to one’s country of origin brings an end to

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lawful status in the destination country and can create difficulties for future re-entry.

In the Caribbean region, free movement agreements have been used during the hurricane season to grant short-term stay, document waivers and access to foreign labour markets to those displaced.<sup>2</sup> In West Africa, where climate change is impacting traditional patterns of movement, workers and pastoralists frequently use free movement arrangements to access water, grazing lands and alternative livelihoods.<sup>3</sup>

The 2020 IGAD Free Movement Protocol provides a promising example of what might be possible with more dedicated efforts to make free movement accessible for those who move in the context of disasters and climate change. While the impact of the protocol in practice is yet to be seen, its adoption alone is a significant achievement in a region facing large-scale movement caused by intersecting hazards, including drought, flooding, violence and conflict.

Specific provisions to facilitate disaster or climate change mobility could be incorporated into free movement agreements elsewhere, either by amending existing agreements or by concluding additional, supplementary agreements or protocols. At a 2019 stakeholder workshop on the role of free movement agreements in addressing disaster displacement in Africa, representatives from several West African governments proposed the idea of developing an additional protocol to the Economic Community of West African States (ECOWAS) free movement protocols.<sup>4</sup>

Specific disaster or climate-related provisions in regional agreements provide a sound basis for further cooperation between States, at the regional and/or bilateral levels, to address the needs of those who move. However, they are not the only way of making free movement more accessible and useful to climate change-affected communities. In many parts of the world, regional agreements may be supported by smaller-scale arrangements, such as bilateral agreements for the relaxation of documentation requirements for movements of border area populations between two or three States. These provide flexibility for States to adopt more targeted

cross-border arrangements that cater to the dynamics of disasters and climate change movement in particular regions or for particular populations. Unilateral action by States is also important. National legislation providing priority access to free movement arrangements following disaster, or waivers of procedural requirements for climate change-affected populations, could have a significant positive impact in practice.

### Challenges

There are clear opportunities for further developing and supplementing regional free movement agreements to make them more accessible to people who move in the context of climate change. However, the origins of free movement agreements in economic development and market liberalisation pose formidable barriers to the widespread adoption of free movement as a solution to humanitarian concerns such as climate-related human mobility.

Because free movement agreements are not developed for protection purposes, human rights guarantees for those who move may be limited or non-existent. For example, free movement agreements may not include protection against forcible return for those at risk of serious harm at home. Free movement agreements may even be suspended in certain situations – for example, for reasons of national security, public order or even refugee influx.<sup>5</sup> In theory, the human rights of those who move are protected under other applicable international, regional or national frameworks, and irrespective of their inclusion (or not) in free movement agreements. In practice, however, the application of human rights standards to vulnerable migrants is often poorly understood.<sup>6</sup> Where they are limited, or absent, within free movement agreements, this could further undermine appropriate standards of treatment for those who move.

Free movement agreements also do not take into account the practical challenges that those moving in the context of disasters and climate change may face, particularly those who are forcibly displaced. The burden of meeting documentation and financial requirements – including travel

documents, permit fees or proof of onward travel – may exclude those most vulnerable to disasters and climate change. For the millions of people worldwide who live without any legal proof of their identity, just obtaining a passport or other valid travel document will be extremely difficult.

Finally, and fundamentally, free movement agreements leave individual States with considerable discretion to limit or shape their commitments to facilitating entry and stay for citizens of neighbouring States. In practice, the implementation of free movement agreements is frequently hampered by insufficient political will, domestic security and other concerns, and economic disparities among States.

### Ways forward

Free movement agreements are not a panacea – they present both opportunities and challenges. Indeed, more needs to be known about the potential, as well as the limitations, of different types of free movement agreements for addressing climate-related human mobility, as well as how disaster- and climate change-affected communities are already using such agreements to pursue

safety and more sustainable livelihoods.<sup>7</sup> With a combination of efforts at the regional, bilateral and national levels, however, free movement could provide better and more lasting solutions for communities affected by disasters and climate change.

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1. Nansen Initiative (2015) *Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change*, p9 [bit.ly/Protection-Agenda-Vol1](https://bit.ly/Protection-Agenda-Vol1)

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7. For example, see Research Agenda for Advancing Law and Policy Responses to Displacement and Migration in the Context of Disasters and Climate Change in Africa (2021) esp 3.2.3; see box p74 for more details and visit <https://disasterdisplacement.org/portfolio-item/research-agenda>

## Internal displacement in Asia and the Pacific: a human rights-based approach to law, policy and practice

Matthew Scott

**Adopting a human rights-based approach to examining law, policy and practice relating to displacement in the context of disasters and climate change highlights gaps between international and national standards, and realities on the ground.**

People living in Asia and the Pacific face displacement in the context of floods, typhoons, tsunamis, sea level rise, volcanic eruptions, earthquakes, wildfires and other hazards. More people are newly displaced in this region than in the rest of the world combined. It therefore follows that a) displacement should feature prominently in legal and policy frameworks relating to disaster risk reduction and climate change

adaptation, and b) robust measures should be in place to protect people from displacement, protect people during evacuation and throughout displacement, and facilitate durable solutions to displacement.

Research led by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law examined law, policy and practice relating to displacement in the context of disasters and climate change in ten countries

across the region. We worked with academic partners in each country to examine how displacement was addressed in national legal and policy frameworks, and what prevention, preparedness, response and recovery looked like in particular situations of displacement. The ten countries comprise Bangladesh, Cambodia, China, Indonesia, Myanmar, Nepal, the Philippines, the Solomon Islands, Thailand and Vanuatu. Academic partners in each country designed and implemented the empirical research.

### How displacement is addressed in law and policy

Our review of law and policy in these ten countries revealed some variety in the manner in which displacement was addressed but also a number of similarities. We found that Vanuatu and Bangladesh had developed specific policy documents that promote a multi-level, multi-stakeholder, multi-sectoral approach to displacement in the context of disasters and climate change. These documents identified measures to prevent and prepare for displacement, protect people during evacuation and throughout displacement, and facilitate durable solutions. They expressly adopted a human rights-based approach, reflecting international standards and guidelines like the Guiding Principles on Internal Displacement and addressing – in a practical manner – questions around governance systems and structures, participation and access to information, non-discrimination and equality, and attention to substantive rights. These documents stand out among the countries' national legal and policy responses, which tended to address displacement within more general disaster risk reduction and climate change adaptation documents in a less systematic manner and with less focus on human rights.

More commonly, States tended to address displacement in an ad hoc manner within a number of legal and policy documents. Occasionally reference was made to human rights treaties as well as to international standards, such as the Sphere standards, the IASC Operational Guidelines and the Guiding Principles on Internal

Displacement. Participation and access to information featured prominently, as did non-discrimination. Not being grounded in international standards, however, language in these documents tended to be somewhat vague, with reference to 'vulnerable groups' and participation of 'the community'. We noted in our reports on the national legal and policy framework for each country how the adoption of a human rights-based approach would support a more systematic integration of international standards and guidelines.<sup>1</sup>

We further recognised that, apart from the examples from Bangladesh and Vanuatu, few legal and policy frameworks addressed the question of durable solutions to displacement in any detail. Similarly, specific measures to protect people from displacement risk were rarely developed, and could only be inferred from more general measures relating to disaster risk reduction and climate change adaptation. Importantly, the distinctive examples from Bangladesh and Vanuatu had not yet been implemented at the time of the research, which prevented any evaluation of the added value that such systematic integration of international standards could bring to the reality of displacement in the context of disasters and climate change.

### Challenges in practice

Through case-studies examining particular situations of displacement, we saw clearly the gap between international and even national standards, and realities on the ground.<sup>2</sup> In some cases, such as in the Philippines municipality of Dulag in the context of the Typhoon Haiyan, responsible actors at the local level were well aware of the standards they should achieve (for instance in relation to preventing gender-based violence in evacuation centres, or even guaranteeing the minimum core of rights to food, shelter and health), but they lacked resources. International human rights law emphasises that authorities have a duty to fulfil the minimum core of economic, social and cultural rights even in disasters; however, hearing about the challenges faced by local actors – who were themselves also affected in the disaster – highlights the

importance of budget allocation for disaster risk reduction and climate change adaptation.

In other contexts, we found that a commitment to building back better can actually act as an impediment to durable solutions. In Nepal, indigenous Tamang people displaced in the 2015 earthquakes remained displaced in 2018, in part because of obstacles to satisfying requirements for safe building construction.

Persons with disabilities were often overlooked in practice, even when national legal and policy frameworks expressly integrated the Convention on the Rights of Persons with Disabilities into the disaster risk reduction context. This was evident in our case-studies on evacuation from Mt Sinabung in Indonesia and flood-related displacement in Fulchharri administrative region (*upazila*) in Bangladesh.

Importantly, we do not suggest that an expressly human rights-based approach is a prerequisite to addressing displacement in the context of disasters and climate change. However, the approach does help to identify gaps that could result in harm. In Hat Yai municipality in Thailand, for instance, the authorities did not adopt a human rights-based approach but instead combined engineering solutions to flood risk with community-based initiatives around early warning plus the creation of 'mentor houses' where private individuals enter into an agreement with the local authority to provide emergency shelter (close to home) for people in the event of an evacuation. The hard infrastructure initiatives helped protect the residents of Hat Yai but entailed some potential for development-related displacement. Part of the flood risk reduction strategy entailed adjusting the shape and size of the Khlong Ror 1 canal, and this process included an element of compulsory land acquisition, with people forced to leave. No environmental impact assessment or follow-up studies were conducted. Our research also identified the potential for creating further disaster risks as flood waters diverted away from the municipality threatened to impact smaller communities downstream. Additionally,

whilst potentially quite innovative, the mentor house approach warrants further examination, given that the arrangements rely on private individuals: how can the State ensure protection from exploitation and gender-based violence? Our review of international standards and guidelines did not identify specific guidelines relating to protection from gender-based violence outside camp settings. Under international human rights law, the State remains responsible for protecting people within its jurisdiction even when immediate services (such as shelter) are delivered by private actors. This is an area for further research.

Finally, a number of case-studies revealed the particular challenges faced by people living in informal settlements. In the Solomon Islands, for instance, the 2014 flood in the capital city Honiara displaced people who were living informally on the river banks near the centre of town. A relocation process was initiated but issues relating to security of tenure and access to labour, education and adequate housing were unresolved and many people returned to the river banks.

### Recommendations

In the examples provided above, national and local authorities responded to situations of internal disaster-related displacement in ways that were not always aligned with international human rights standards, and at times in a manner that did not reflect domestic legal obligations, for instance in relation to the rights of persons with disabilities and the rights of women. However, our research took place at a time when many countries were taking active steps to integrate a human rights-based approach to disaster displacement into national and sub-national law, policy and practice. Our research did not demonstrate a positive correlation between the existence of national law and policy aligned with international human rights standards, on the one hand, and the protection of people from and during displacement, on the other. Rather, the examples drawn from the case-studies show how human rights were adversely impacted in particular

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displacement contexts. A more systematic integration into national and sub-national law and policy of rights-based measures ought to contribute to better outcomes on the ground. However, additional practical measures are also required. In our submission to the UN High-Level Panel on Internal Displacement,<sup>3</sup> we highlighted the need to:

- Promote and facilitate research examining displacement in the context of disasters and climate change, prioritising support for academics working in countries which have high levels of exposure and vulnerability and ensure such research is carried out in a manner that is inclusive of diverse voices and sources of knowledge.
  - Promote technical cooperation supporting the systematic integration of displacement considerations into national and sub-national legal and policy frameworks.
  - Promote capacity-strengthening initiatives focusing on human rights-based approaches to disaster risk reduction, climate change adaptation and land use planning.
  - Identify, develop, promote and disseminate effective practices for ensuring the meaningful and effective participation of different groups of people displaced and at risk of being displaced in the context of disasters and climate change in decisions and processes that affect their lives.
- Promote a human rights-based approach to data (incorporating, for instance, principles such as self-identification, participation, privacy and transparency).<sup>4</sup>
  - Integrate displacement considerations into university courses on disaster risk reduction, climate change adaptation, sustainable development, land use planning and other related fields.
  - Encourage and support national human rights institutions to address issues relating to internal displacement.
  - Encourage regional and international human rights monitoring procedures to systematically address internal displacement

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1. The tool, plus national law and policy reports for each of the ten countries in the study and other materials produced during the research programme, can be accessed at <https://rwi.lu.se/disaster-displacement/>

2. Scott M and Salamanca S (Eds) *Climate Change, Disasters and Internal Displacement in Asia and the Pacific: A Human Rights-Based Approach* (Routledge 2021)

3. [bit.ly/HLP-APANDD-submission](https://bit.ly/HLP-APANDD-submission)

4. See UN OHCHR (2018) *A Human Rights-Based Approach to Data: Leaving No One Behind in The 2030 Agenda for Sustainable Development* [bit.ly/OHCHR-approach-to-data-2018](https://bit.ly/OHCHR-approach-to-data-2018)

## Climate change as a human rights issue: the role of National Inquiries in the Philippines

Reinna S Bermudez and Tamara Ligaya J Damary

**The Commission on Human Rights of the Philippines undertook a series of National Inquiries to investigate the effects of climate change on the enjoyment of human rights. The Commission identified a range of obstacles and opportunities but faces constraints in gaining State and non-State compliance with its recommendations.**

With the increasing importance of human rights protection in the context of climate change and climate-induced disasters, National Human Rights Institutions (NHRIs) can play a role in investigating and monitoring human rights issues. In

the Philippines, this role is performed by the independent Commission on Human Rights of the Philippines (CHRP).

The CHRP undertook a National Inquiry on Climate Change to investigate the effect of climate change on human rights, with



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Fisherfolk from Bantayan Island in the Philippines are dependent on natural resources for their livelihoods, and feel the effects of climate change more than others.

Greenpeace acting as principal petitioner on behalf of communities affected by climate change.<sup>1</sup> The Inquiry gathered testimonies from affected communities, looking at how climate-related changes were affecting their housing and land, access to livelihoods and natural resources, and overall enjoyment of human rights. These changes include sea level rise and increased land and ocean temperatures, as well as devastating events such as Typhoon Haiyan in 2013. In addition, the CHRP also conducted a National Inquiry on the Situation of Human Rights of Internally Displaced Persons.

Through such Inquiries, the CHRP identified climate change as contributing to increased exposure of affected communities to human rights abuses – that is, creating another layer of vulnerability for persons whose human rights are at risk of being violated, or are already unprotected.<sup>2</sup> These Inquiries aim to engage policymakers in responding to climate-related human rights issues and finding ways to prevent or address climate-induced displacement. Testimonies are gathered from local community members, civil society and advocacy groups, and these testimonies, together with input from academic experts, form the basis for questions posed to policymakers during the Inquiry. Inquiry hearings are conducted with parties providing information under oath, where any unsubstantiated statement can be grounds for filing perjury charges.

National Inquiries are also significant in that they are mandated to monitor State compliance with international human rights obligations, and to make recommendations to the Congress on measures to improve human rights protection and promotion. In the context of climate-related displacements, the CHRP was able to invite and question government actors (also under oath) on the key issues relating to climate-induced displacement – lack of preparedness, limited mechanisms to address impacts at the local level, and the involvement of big private business, among others.

Laws have still not caught up with the reality of the threat posed by climate change to the enjoyment of human rights. Climate change mitigation and adaptation have been mainstreamed through the Climate Change Act of 2009 and the Disaster Risk Reduction and Management Law of 2010 but a close reading of the law shows that the legislation focuses on structural and organisational efficiency rather than on substantive aspects such as improvement of quality of living of affected communities, and meaningful participation of communities in decision-making. There has been no introduction of human rights standards, such as compliance with international conventions. Another key issue that the CHRP must address is the difficulty in following through the implementation of its key recommendations. The CHRP does not have prosecutorial powers, which therefore limits its ability to enforce cooperation with its recommendations.

While the CHRP is mandated to investigate the impact of climate change on the enjoyment of human rights, NHRIs' mandates do not usually cover the actions of private business; they can make recommendations to major businesses but cannot demand compliance. The relationship between business and human rights is still an evolving aspect of the human rights regime.

Faced with such challenges, the CHRP still effects its mandate through new and existing partnerships with civil society organisations, non-governmental organisations, academia,

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and even international non-governmental and inter-government organisations. Environmental civil society organisations provide expertise on the scientific aspects of climate change, while on-the-ground service delivery groups help organise communities in addressing climate change impacts at the local level. The participation of these groups helps the CHRP with its advocacy with the government, as well as in presenting the issue in international platforms such as the Global Alliance of NHRIs, the Asia Pacific Forum and the Southeast Asia NHRI Forum. Over the past five years, such forums have expressed interest not only in supporting advocacy efforts relating to human rights protection in the context of climate-related disasters, but also in incorporating activity which investigates climate-related human rights abuses within their own climate-focused programmes.

Legislative advocacy is also crucial in further cementing mechanisms for accountability to help compel the government to include climate change as a human rights issue. A review of existing legal frameworks is needed. The inclusion of CHRP as an

observer in climate change mitigation and adaptation structures within the government could prove helpful in the inclusion of a human rights-based approach to climate response. A separate legal framework for the protection of IDPs, including those displaced by climate-related impacts, must also be given serious consideration.

Much remains to be done but National Inquiries into climate-related displacement and human rights can provide a good first step towards a stronger legal protection environment for affected communities.

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## Applying refugee law in Africa and Latin America: disasters, climate change and public order

Cleo Hansen-Lohrey

**When the effects of climate change and disasters seriously disturb public order in Africa or Latin America, those forced to flee across borders may be refugees. More work needs to be done, however, to help decision-makers apply regional refugee definitions in this context.**

Africa and Latin America have expanded on the definition of a 'refugee' from that used in the 1951 Convention Relating to the Status of Refugees to include people who have fled certain events, including events or circumstances that seriously disturb public order. These expanded definitions are found in the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and the 1984 Cartagena Declaration on Refugees in Latin America.<sup>1</sup>

As a result, asylum seekers who have been compelled to leave their countries

due to a serious disturbance to public order will be legally entitled to refugee protection in 48 African countries and 14 Latin American countries. The question is: can a serious disturbance to public order occur in connection to climate change and disasters, for the purposes of the expanded refugee definitions?

Some States have already applied the expanded refugee definitions in Africa and Latin America to people displaced in the context of climate change and disasters. Where this has occurred, it has been on the

basis of the disaster's impact on public order. For example, Somalis fleeing drought, food insecurity, famine and violence in 2011–2012 were recognised as refugees in Kenya under Africa's expanded refugee definition. In Latin America, Mexico applied the Cartagena refugee definition to some Haitians affected by the 2010 earthquake. Other States have been reluctant to do so, however, on the basis that protection under Africa and Latin America's regional refugee instruments is only available to those fleeing 'human-made', as opposed to 'natural', events. This approach mistakenly assumes that the causes of a person's flight can be neatly identified and categorised using such labels. In recent times, there has been increased recognition that environmental disasters are not 'natural' but are the combined effect of natural hazards and human elements which cause a "serious disruption of the functioning of a community or a society at any scale".<sup>2</sup>

The effects of climate change and disasters can have wide-ranging impacts on a society, including through destruction to land and livelihoods, public infrastructure, and health and education facilities. Often, there will be consequences for food security and the physical safety of people. Such impacts can cause chaos, confusion, and reduced internal security and stability generally. The adverse effects of climate change and disasters can compound existing vulnerabilities and factors such as poor governance, socio-economic inequality, internal tensions and scarce natural resources – all factors which undermine public order.<sup>3</sup>

When people move across borders and seek asylum, it is the responsibility of States and, where relevant, UNHCR to decide who is a refugee. At present, however, a lack of case law and practical guidance on the regional refugee definitions impedes their use by decision-makers. Given the lack of guidance on the meaning of 'public order' and how it might be seriously disturbed in the context of climate change and disasters, more work needs to be done to help decision-makers determine when people are entitled to protection in such circumstances.

In 2020, UNHCR published its first official guidance on the application of refugee law in the context of disasters and climate change in *Legal considerations regarding claims for international protection made in the context of the adverse effects of climate change and disasters*, in which it emphasised that people fleeing in the context of climate change and disasters may be refugees under both the African and Latin American expanded refugee definitions.

UNHCR's guidance makes an important contribution to the interpretation of the two regional refugee definitions by confirming the agency's view that serious disturbances to public order may occur in connection with the effects of climate change and disasters. However, questions remain. In what circumstances will a serious disturbance to public order exist as a matter of fact? How should a decision-maker determine the existence of a serious disturbance to public order? And what evidence will be sufficient to establish this?

### The need for practical guidance

Practical and principled guidance for decision-makers is needed to ensure that the effective implementation of these regional instruments can be fully realised and in a way that reflects the changing circumstances in which people are in need of protection.<sup>4</sup> Such guidance should include two key things:

#### 1. Public order indicators

In order to understand when climate change and disasters might seriously disturb public order, it is first necessary to have a clear understanding of what public order means for the purposes of the regional refugee definitions, and how it can be measured and assessed in practice.<sup>5</sup> These questions are complicated by the fact that the meaning of the term 'public order' in African and Latin American refugee law remains ambiguous, with a divergence of views on whether public order should be interpreted narrowly (as 'law and order', for example) or broadly (to include concepts such as moral and social order).

While the full scope of the concept of public order remains uncertain, the term is accepted as fundamentally relating to

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the stability and security of a State and society. It would be impossible to compile an accurate and comprehensive list of all the situations that may give rise to a public order disturbance in all countries. However, it is possible to identify common 'indicia' of public order that can be used to measure how public order/disorder manifests.

Public order indicia – that is, particular facts or evidence that, when present, indicate that public order is being upheld – could be used by decision-makers to weigh up the circumstances in a particular country or region in making an overall assessment of whether public order has ultimately been disturbed, and whether that disturbance can be classified as serious.

The term public order is a technical one, found in legal instruments, and the indicia of public order must therefore be identified through the application of established legal interpretation principles. Preliminary research suggests that, at a minimum, such indicia could be grouped into two main, but interlinked, categories: the effective operation of, and respect for, the rule of law; and respect for human rights, dignity and fundamental freedoms of people. Importantly, any public order indicia must be clear and capable of consistent, practical application in different circumstances on the basis of objective evidence.

## 2. Case-studies

Practice-oriented case-studies would apply the identified public order indicia to events that have occurred in the context of climate change and disasters. These case-studies could provide guidance to judges and decision-makers when assessing whether a person has fled a serious disturbance to public order and could also be used by practitioners and legal advocates to support refugee applications. A number of recent climate-related events and disasters could form the basis for these case-studies, such as the following two examples. In 2021, severe flooding in South Sudan affected over 800,000 in a country whose people are already experiencing severe hunger from the combined effects of recurring conflict,

drought and floods. In November 2020, heavy rains, storm surges and landslides caused by Hurricanes Eta and Iota had massive impacts on food insecurity, public health, public infrastructure and people's livelihoods in a number of Central American countries that are already experiencing significant internal violence.

## Conclusion

The development of public order indicia and case-studies would promote two crucial aims. The first is to provide greater clarity and certainty to States, decision-makers and legal practitioners on when a person who moves across borders in the context of climate change and disasters will be a refugee (and therefore entitled to refugee protection) and when they will not be a refugee. The second aim is to ensure that refugee law in both Africa and Latin America remains relevant to current and emerging causes of displacement, and therefore continues to be effective in fulfilling the purpose of the refugee protection regimes in both regions.

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1. Africa [www.refworld.org/docid/3ae6b36018.html](http://www.refworld.org/docid/3ae6b36018.html); Cartagena [www.refworld.org/docid/3ae6b36ec.html](http://www.refworld.org/docid/3ae6b36ec.html)  
While the Cartagena Declaration is a non-binding instrument, the following countries have directly or indirectly incorporated the public order ground into their domestic law: Argentina, Bolivia, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Paraguay and Uruguay. Belize and Peru have incorporated the wording of the public order ground in Africa's expanded refugee definition. Brazil has not directly adopted Cartagena's public order ground in its domestic legislation but has implemented it in its domestic practice.
2. UN Office for Disaster Risk Reduction [www.undrr.org/terminology/disaster](http://www.undrr.org/terminology/disaster)
3. UNHCR (2020) *Legal Considerations Regarding Claims for International Protection Made in the Context of the Adverse Effects of Climate Change and Disasters* [2] [www.refworld.org/docid/5f75f2734.html](http://www.refworld.org/docid/5f75f2734.html)
4. As recognised in a Research Agenda for Advancing Law and Policy Responses to Displacement and Migration in the Context of Disasters and Climate Change (outcome document of a workshop series held in 2021; see box p74 for more details and visit: <https://disasterdisplacement.org/portfolio-item/research-agenda>)
5. This is the subject of the author's doctoral thesis. See also Wood T and Hansen-Lohrey C (2021) 'Disasters, Climate Change and Public Order: A Principled Application of Regional Refugee Definitions', RLI Blog on Refugee Law and Forced Migration (24 May 2021) [bit.ly/RLI-blog-disasters-public-order-2021-05-24](http://bit.ly/RLI-blog-disasters-public-order-2021-05-24)

## The High-Level Panel on Internal Displacement: a vision for the future on climate change and disasters?

Jerome Elie

The High-Level Panel on Internal Displacement's recent report considers the impact of disasters and the adverse effects of climate change on internal displacement, and calls for immediate action and better forward planning. Some commentators, while acknowledging the groundwork done by the Panel, question whether the report goes far enough.

The High-Level Panel on Internal Displacement was established by the UN Secretary-General in 2019 to identify concrete recommendations on how better to prevent, respond and achieve solutions to the global internal displacement crisis.<sup>1</sup> It was tasked to help advance "collaboration between humanitarian, development, and where appropriate climate change adaptation, disaster risk reduction and peace actors", and received inputs from consultations on disaster displacement in specific regions<sup>2</sup> and from bodies such as the Platform on Disaster Displacement (PDD) and the Climate, Migration and Displacement Platform (CMDP).<sup>3</sup>

On 29 September 2021, the Panel published its report, *Shining a Light on Internal Displacement: A Vision for the Future*.<sup>4</sup> The report highlights the devastating impact of disasters and climate change, and aims to generate political momentum and provide guidance to address internal displacement challenges. It notably underlines that "many of the countries most at risk from the impacts of climate change are among the least responsible for the emissions that drive them" (p41). The Panel concluded that the global internal displacement crisis is compounded by the concurrent global climate crisis, and that disasters and climate change trends present the international community with urgent displacement challenges as well as a pressing need to plan for the future.

### Prevention, solutions or both?

However, despite the twin challenges of immediate urgency and planning for the future, the Panel's dedicated recommendations are almost all to be found

in the chapter on Strengthening Prevention. Recognising that the Panel's focus was on solutions and that it has therefore "not addressed prevention in as great a depth", the report primarily considers the effects of disasters and climate change through analysing steps that should "urgently be taken to prevent and mitigate risks of displacement" (p41), rather than considering how to mobilise solutions to existing and sometimes protracted situations linked to environmental factors.

Such an approach has elicited some misgivings among civil society and content experts. While saluting the work of the Panel, some consider that the report fails to frame the topic as an issue of climate justice, or that climate change may have been treated in a "superficial way"<sup>5</sup> in the report, representing a missed opportunity to help bridge protection gaps. Others have expressed worries that this framing could "reinforce the mistaken notion that it [disaster displacement] is rarely if ever protracted and that it requires less political will and fewer sustained investments in durable solutions than displacement triggered by conflict and violence". It may also consign the issue to the realm of technical solutions rather than highlighting the need to better integrate it into larger national planning, policy processes and multilateral frameworks.<sup>6</sup>

It may be worth bearing in mind that the report is built around the concept of interconnectedness and the need to work simultaneously towards prevention, response and durable solutions. As such, its focus on prevention does not necessarily imply a strict compartmentalisation and disregard for protection and solutions. The central chapter

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on 'The Imperative for Durable Solutions' does include references to disasters and climate change, particularly in discussing the need for more coherent and coordinated actions. The prevention chapter itself also pays attention to the interconnection between prevention and solutions. For example, pointing to gaps and insufficiency in climate financing (relating to coverage, quantity, mechanisms and opportunities), the report urges greater funding to be directed to displacement-sensitive climate adaptation interventions. Denouncing the lack of financial investment in prevention, the Panel called for more investment in evidence-based anticipatory tools such as forecast-based financing. Similarly, while discussing the need to strengthen investment and support for early warning and community-based prevention mechanisms, the report highlights that where "no alternatives exist, States should facilitate migration out of areas at high risk or undertake planned relocation with the consent and participation of affected communities" (pp44-46).

### **Completing the Panel's work: catalysing action to achieve solutions**

Nevertheless, the report could have examined more attentively the programmatic steps needed at various levels for providing protection and durable solutions in displacement contexts linked to disasters and climate change. Further exploration of how the Panel's recommendations on solutions may connect to the specificities of displacement situations linked to disasters and climate change would have been extremely useful. Indeed, the report may inadvertently imply that solutions programming is mainly a concern in situations linked to conflict and violence, whereas recently published resources point to the need to include considerations on climate change and disasters in comprehensive displacement solutions planning. The Bangladesh National Strategy on Internal Displacement, for example, highlights how each of the three durable solutions presents specific sets of constraints, dynamics, opportunities and

planning parameters in situations of internal displacement linked to climate change and disasters. UNHCR is also engaging with this level of programmatic complexity.<sup>7</sup>

Without doubt, a lot more could have been said about how the mechanisms proposed by the Panel could have a positive impact. Most obviously, given the comments made above, there should have been a clearer link between the recommended Global Fund for Internal Displacement Solutions and forecast-based financing. Similarly, the report could have better delineated the role of the proposed high-level UN official function when it comes to displacement linked to disaster and climate change.<sup>8</sup> The same goes for most of the recommendations and principles outlined in the report's main chapter, such as the need to find new ways of generating and sustaining political will, both nationally and internationally, and the Panel's call to substantially increase opportunities for peer-to-peer exchange and learning (including through improved data and evidence sharing) between States.

Planning for solutions in the context of disaster- and climate-related displacement may be one of the main thematic areas where further work needs to be done to present a 'Vision for the Future' that is clearly fit for purpose and fit for the defining challenges of our times. However, it is important to note that the report and its recommendations did not set out to provide all the answers at once. There is still room to add recommendations, flesh out details and incorporate further perspectives. In particular, following the release of the report, UN Secretary-General António Guterres launched a process to develop an Action Agenda on Internal Displacement.<sup>9</sup> This Action Agenda aims to detail UN commitments to prevent and find durable solutions to internal displacement, while ensuring assistance and protection for those displaced. Taking the High-Level Panel's report as a starting point, this Action Agenda should also connect with the Secretary-General's priorities, particularly his Common Agenda. This Action Agenda may pay enhanced attention to situations of displacement linked to

climate change and disasters. It may help clarify the role of UN institutions and build their capacities in this realm, while listing concrete undertakings, collaborations and planning to foster solutions. As such, the Action Agenda could also generate momentum for other stakeholders' engagement on displacement related to disasters and climate change, particularly the engagement of States and civil society.

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2. For example, see Pacific Regional Consultation on Internal Displacement: Pacific perspectives and practices on climate change and disaster displacement, 11 February 2021 [bit.ly/Pacific-regional-consultation-2021](https://bit.ly/Pacific-regional-consultation-2021)
3. Platform on Disaster Displacement (2020) *Internal Displacement in the Context of Disasters and the Adverse Effects of Climate Change: Submission to the High-Level Panel on Internal Displacement* [bit.ly/PDD-HLP-submission-2020](https://bit.ly/PDD-HLP-submission-2020); Climate, Migration and Displacement Platform (2020) *Addressing the Impact of Climate Change on Internally Displaced People: Submission to the High-Level Panel on Internal Displacement* [bit.ly/CMDP-HLP-submission-2020](https://bit.ly/CMDP-HLP-submission-2020)
4. [www.internaldisplacement-panel.org](http://www.internaldisplacement-panel.org)
5. See: Aycock B, Jacobs C and Mosneaga A (October 2021) 'Justice or Charity? Climate Change in the UN High-Level Panel on Internal Displacement Report', *Researching Internal Displacement* [bit.ly/Aycock-Jacobs-Mosneaga-justice-or-charity-2021](https://bit.ly/Aycock-Jacobs-Mosneaga-justice-or-charity-2021); Tweet by Kayly Ober, Refugees International, 29 September 2021 <https://twitter.com/KaylyOber/status/1443232318697709579?s=20>
6. Internal Displacement Monitoring Centre (2021) *Building on the momentum: IDMC's commitment to carry forward recommendations by the UN Secretary-General's High-Level Panel on Internal Displacement*, p5 [bit.ly/IDMC-momentum-2021](https://bit.ly/IDMC-momentum-2021)
7. UNHCR (2021) *Practical Guidance for UNHCR Staff on IDP Protection in the Context of Disasters and the Adverse Effects of Climate Change* [www.unhcr.org/617170734.pdf](http://www.unhcr.org/617170734.pdf)
8. While the Panel's report had suggested the creation of a Special Representative of the Secretary-General (SRSG), further developments suggest instead the possible nomination of a Special Adviser on Solutions to Internal Displacement.
9. [bit.ly/SG-action-agenda-internal-displacement-draft](https://bit.ly/SG-action-agenda-internal-displacement-draft)

## Research Agenda on Climate Mobility in Africa

More than 200 researchers, practitioners and policy experts working in Africa and beyond came together in 2021 to develop a **Research Agenda for Advancing Law and Policy Responses to Displacement and Migration in the Context of Disasters and Climate Change in Africa**. A Virtual Workshop Series was organised by the Kaldor Centre for International Refugee Law (UNSW), the Platform on Disaster Displacement, the International Organization for Migration, UNHCR, the Intergovernmental Authority on Development (IGAD), the Centre for Human Rights of the University of Pretoria, and the University of Nairobi.

The resulting Research Agenda presents 15 proposals for research, providing a guide for researchers, research institutions and funding bodies wishing to support the development and implementation of evidence-based law and policy responses.

### The Research Agenda includes specific proposals to:

- map integration of disaster displacement and human mobility in African States' climate change and **disaster risk reduction** laws and policies
- map norms and provisions relating to **planned relocation** in Africa
- develop key **metrics and indicators** for monitoring and reporting disaster displacement against disaster risk reduction objectives

and, focusing on the context of disasters and climate change, to:

- analyse the application of regional **refugee law**
- Assess the impacts of displacement and migration on **urban communities**
- analyse the dynamics of **immobility**
- assess the implementation of **free movement** of persons agreements

The Research Agenda recommends that research should be **people-centred**, by prioritising the needs and perspectives of affected communities, and should promote **research integrity** and **diversification of knowledge production**.

**To access the Research Agenda** and find out how to support its implementation, visit the Climate Mobility Africa Research Network (CMARN) at [www.cmarnetwork.com](http://www.cmarnetwork.com).

# The Women, Peace and Security Index: a new perspective on forced displacement

Jeni Klugman, Jocelyn Kelly and Elena Ortiz

**A new index captures deficits in inclusion, justice and security experienced by displaced women.**

To better understand the experiences of displaced women, a new index was developed to assess their access to inclusion, justice and security in five Sub-Saharan African countries characterised by high levels of displacement: Ethiopia, Nigeria, Somalia, South Sudan and Sudan. It follows the methodology of the global Women, Peace and Security (WPS) Index, published by the Georgetown Institute of Women, Peace and Security and the Peace Research Institute of Oslo, which scores and ranks 170 countries around the world in terms of women's status and opportunities.

In the forced displacement version of the WPS Index published in 2021,<sup>1</sup> the inclusion dimension considers women's schooling, employment, mobile phone access and financial inclusion (the last by measuring the proportion of women with access to a mobile money account or bank account). The justice dimension captures women's possession of legal identification, legal protection, and ability to move freely. The security dimension takes into account community safety (measured as the proportion of women who do not feel safe walking alone in their neighbourhood at night) and rates of current intimate partner violence (IPV). Most data come from high-frequency surveys carried out by the World Bank that cover internally displaced persons' (IDP) communities, while the data on IPV and legal discrimination were drawn from other published sources.<sup>2</sup>

## Displaced women generally do worse

In all five countries, WPS Index scores for displaced women are worse than for non-displaced, host country women, with an average disadvantage of about 24%. Displaced women's disadvantage was greatest in South Sudan, where their score stood about 42% below that of host country women. In

Ethiopia, the gap was also pronounced, with a 33% disparity. In this country, the rate of financial inclusion among displaced women was minimal, at around 2%, the lowest in our five-country sample and around 25 times less than the rate of host country men and women.

The countries with the greatest disparities between host country and displaced women – Ethiopia, South Sudan and Sudan – are also the countries with the widest multidimensional poverty gaps between host country and displaced populations.<sup>3</sup> Early marriage, lack of physical safety and lack of legal identification were the largest contributors to poverty in households headed by displaced women.

We found the smallest gap in WPS Index scores in Somalia, where displaced women were about 9% worse off than host country women. Both groups had the same low rates of access to legal identification (14%), for example. Displaced and non-displaced women in Somalia also had similar rates of employment, mobility and community safety.

## Wide disparities on the security dimension

Displacement compounds women's insecurity. In all five countries, levels of current IPV were higher among displaced women than among women in the host population. In Somalia, 36% of displaced women experienced IPV compared with 26% of host country women; in South Sudan, 47% of displaced women had experienced IPV in the previous year – nearly double the national average and quadruple the global average. These results are consistent with accumulating evidence – from Colombia to the Democratic Republic of the Congo, Liberia and Mali – documenting how displacement and instability significantly increase the risk of IPV.<sup>4</sup>



UNHCR / Anadine Iyiradi

A Somali refugee client visits the microfinance office in Melkadida refugee camp in Ethiopia to withdraw money from her account.

In Nigeria and Somalia, displaced and host country women had similarly high levels of ‘perceived safety’, with only 5–8% reporting feeling unsafe in their neighbourhood at night. This contrasts with Ethiopia, where about 1 in 4 displaced women felt unsafe in their neighbourhood, more than double the rates for displaced men, host country men and host country women, suggesting that gender inequality and displacement intersect to threaten women’s safety. By contrast, displaced women in South Sudan were less likely to feel unsafe than host country women, though rates were extremely high for both groups at 78% and 86% respectively. The somewhat higher sense of safety among displaced women may be due to residence in camps, which could provide protection and security amid the ongoing conflict.

### Gaps between laws on paper and implementation in practice

Results from the justice dimension reveal that the five countries generally have good laws on

paper protecting IDPs and refugees. Refugees can legally work in the private sector in all five countries and all these countries, except Sudan, have ratified the Kampala Agreement protecting IDP rights. But in Ethiopia, only about 1 in 5 refugee women felt free to move where they chose, compared with 94% of displaced women in Nigeria and 86% of those in Somalia. Ethiopia’s low score on mobility contrasts with a relatively high score on legal protection, suggesting gaps between protection in principle and rights in practice.

### Gender gaps compound disadvantages

Among the displaced, gender gaps were greatest for employment. Across all five countries, employment rates for displaced men were at least 90% higher than for displaced women. Labour markets around the world remain highly segregated by gender, with women more concentrated in unskilled and low-paid sectors. Other obstacles such as language barriers, lower literacy rates, unpaid care responsibilities and gender norms

that limit women's mobility can compound constraints on the economic opportunities of displaced women. Comparisons between displaced women and host country men exposed even starker gaps, highlighting the cumulative effects of displacement and gender inequality. Even though displaced women are permitted to work in all five countries in our analysis, many faced discriminatory norms and regulatory barriers. These impediments affect the economy at large. Recent estimates suggest that if employment and earnings gender gaps were closed in the top 30 refugee-hosting countries, refugee women could generate \$1.4 trillion a year in global GDP.<sup>5</sup>

### Policy implications

The WPS Index results underline the additional challenges that displaced women face compared with their host country counterparts. Humanitarian and development programmes should seek to understand and address the intersectionality of gender and displacement in order to close gaps in status and opportunities. There are several direct policy implications:

**Need to promote economic opportunities, with attention to earnings:** First, it is essential to expand access to education, and to publicly funded technical and vocational training, which could include occupations not traditionally occupied by women as well as skills that enable displaced women to run their own business. Second, a full range of sexual and reproductive health services is needed to help enable women to determine whether and when to have children. Third, access to affordable childcare services is critical in camps and host community neighbourhoods. Addressing discriminatory norms is also essential; attention needs to be paid to help women to know their ownership rights and to navigate the process of independently owning property.<sup>6</sup>

**Social protection programmes – going beyond the household level:** Given that displaced households often face higher risks of poverty,<sup>7</sup> greater coherence and collaboration between humanitarian

assistance and government social protection programmes, including with direct cash transfers, can strengthen transitions from crisis to greater stability and new opportunities. In practice, however, refugees may lack awareness of social protection programmes or be excluded from eligibility. Cash transfers can be especially beneficial to displaced women by increasing their agency and ability to participate in household decision-making. Social protection programmes with design features that respond to women's care responsibilities, and which address barriers to women's economic opportunities and offset risks of IPV, are especially important. Flexibility in the amounts and duration of cash transfers is important, and different cash delivery mechanisms are needed to give beneficiaries a range of options. More evidence is needed about the combinations of support and services that best complement cash transfers to reduced GBV risks.

### Addressing heightened risk of IPV:

Limited research has been conducted on what works to prevent and address GBV in emergency programming, in part because of issues of safety and privacy. The types of interventions that have been introduced in displacement settings include creating safe spaces, livelihood programming and training, providing psychosocial support and home visits, community mobilisation, and/or provision of cash transfers and vouchers. COVID-19 has led to some innovative approaches; in Jordan, for example, designated phone booths have been transformed into safe spaces where survivors of abuse can discreetly call GBV case-workers.<sup>8</sup> More generally, however, governments have rarely introduced policies and interventions designed to reduce the risk of violence against displaced women and girls. And where policies were in place, resources may be inadequate.

**Importance of data and measurement, and listening to displaced people:** Agencies collecting survey data need to recognise the importance of including displaced

populations in population-wide and household-based data collection, especially in countries where there are significant numbers of displaced people. Large samples with representation of key groups are needed to underpin research on social and economic characteristics, and longitudinal data would enable tracking of trends and better understanding of drivers. Finally, but not least, it is critical that we learn from the qualitative information emerging from displaced groups, including from the voices of displaced women – and especially those facing multiple, intersecting disadvantages.

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## Cash transfers: learning from the EU programme in Turkey

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**Following concerns over the targeting method used to select recipients of cash assistance in Turkey, other possible methods of targeting were tested in order to compare their relative advantages.**

The EU's Emergency Social Safety Net (ESSN) programme was introduced in Turkey in November 2016 to provide cash transfers to improve living standards for refugees who do not live in camps. It supports around 1.8 million refugees with a monthly average payment of 155 Turkish Lira (currently around 10.5 euros) per family member and quarterly top-ups depending on family size. The ESSN is the largest humanitarian programme in the history of the EU and is currently planned to continue until early 2023.<sup>1</sup>

Various targeting mechanisms are used for providing cash assistance to refugees globally, including; blanket targeting (that

is, provided to all), geographic targeting, community-based targeting, self-targeting (where the programme is designed in such a way that only those who need assistance will choose to participate), proxy means testing (using observable characteristics of the household or its members to estimate their income when other income data are unavailable or unreliable), categorical targeting (selecting individuals belonging to a certain category of people) and using a scorecard approach. Among the humanitarian cash transfer programmes funded by the EU, proxy means testing is used in cash assistance programmes in Iraq and Lebanon,

categorical targeting is used in Turkey, and something approaching a blanket targeting approach is used in Greece.

Since its launch in 2016, the ESSN programme has used categorical targeting based on demographic criteria. To be considered for ESSN assistance, household members must be registered with either international or temporary protection status and have their address registered with the Directorate of Population and Citizenship Affairs. From May 2017, to be eligible for the assistance a household had to satisfy at least one of the following demographic criteria: (i) having at least four children, (ii) having a dependency ratio of at least 1.5, (iii) having at least one disabled individual, (iv) having a single parent or elderly head of household and (v) being a single-female household. When a household fulfils at least one of these criteria, all members of the household receive a per-person benefit, which is loaded onto a single bank card for the household. With these demographic criteria in place, the ESSN's coverage has remained below 50% of the refugee applicants for the programme.

### Problems with targeting in a humanitarian setting

Initially, the refugee population in Turkey was generally poor with fairly uniform levels of assets and welfare. Country-wide baseline data collected in May 2017 found that 80% of the ESSN applicant refugee population had per capita expenditure levels below the minimum expenditure basket (a poverty line determined by programme implementers).<sup>2</sup> The welfare levels of households were also fragile and unstable over time.

This high incidence of poverty, similar initial welfare levels and a high degree of flux presented significant challenges to targeting. The ESSN Mid-term Review<sup>3</sup> showed that while the targeting of the ESSN was slightly prioritising poorer families (pro-poor) in May 2017, with a quarter of the benefits reaching the bottom quintile of the refugee applicant population, by December 2018 the targeting was almost uniform across the quintiles. The evaluation also reported criticisms by refugees, including ESSN beneficiaries,

about the targeting criteria. Among the 63 refugees who attended the focus group discussions conducted for the evaluation, 52 of them stated that the transfers needed to cover all Syrian refugees regardless of eligibility criteria. Frustration with the criteria continued through the following years, as evidenced by public comments such as these, in 2019 and 2020, on the ESSN Facebook page:

*When will you accept four-member families? Others are getting the aid and we do not. Having two children does not mean we do not have rent and bills to pay. We are not able to cover these expenses. It is not fair.*

*All families should be beneficiaries, regardless of the number of children. These criteria must be abolished.*

### Alternative targeting options

UNHCR and WFP state that targeting may not be appropriate in some cases<sup>4</sup> such as (i) in the immediate aftermath of a crisis that affects most of the population, where needs are very high and the population is more homogeneous (when targeting may create additional tensions), (ii) in a situation where targeting is not methodologically or practically feasible due to limitations in capacity or time, or when there is a lack of available data or access restrictions, or (iii) in a situation where the cost of targeting is higher than providing assistance to everyone.

The ESSN mid-term evaluation by WFP simulated the changes in poverty rates under different targeting scenarios. These simulations suggested that a more universal approach to targeting could have marginally improved the refugee poverty headcount (percentage of those under the poverty line) while being easier to implement – and would have been perceived as more equitable. In the simulated data, the poverty rate of the overall refugee population prior to receiving cash assistance was calculated as 76%. Distributing the transfer to households using the initial ESSN demographic targeting criteria was simulated to reduce the poverty rate to 69%. Distributing the transfer to all refugee applicants while keeping the total cost the same (that is, by reducing the

amount of cash transferred) resulted in a simulated poverty rate of 70%, whereas distributing the transfer to all refugees was found to result in a poverty rate of 71%.

The Mid-Term Evaluation of the Facility for Refugees in Turkey also tested alternative targeting scenarios, based on targeting the cash transfer universally to (i) all children, (ii) the elderly, (iii) women living alone and (iv) disabled individuals with a medical report. The report found that the impact of such a universal transfer (in terms of reducing poverty headcount) would have been much enhanced. The simulated change in coverage based on a simple revision of the eligibility criteria results in a tremendous increase in coverage from 48% of the refugee population living in a household receiving transfers to 91%.<sup>5</sup> The total cash transfer cost increased by 14% in this scenario, assuming that all eligible families would apply for the grant. When the top quintile (20%) of refugee applicants was excluded from the programme in this simulation, this approach was completely cost-neutral when compared with the current version of the targeting criteria. This 'almost universal' approach – excluding only the top quintile and including all children, elderly and disabled in the programme – would result in a lower poverty headcount rate of 47%, compared with the original approach which resulted in a 50% poverty headcount rate, while the coverage increased from 48% to 78%.

The ESSN programme offers important lessons for donors and programme implementers. What we learned from the ESSN targeting experience is that a blanket approach that covers the majority of refugee households with a per capita grant for dependents (children, elderly, disabled) may have performed better as a targeting strategy. The coverage of refugees would have been higher, and the poverty headcount ratio would have been reduced more than with the current version of targeting, at a similar (or slightly higher) cost. Hence targeting efforts using PMT scores should focus on 'targeting out' the top of the distribution and providing an almost universal grant for the dependent family members for the

rest of the distribution, rather than trying to target the poorest refugee households.

Given the experience in Turkey, adopting such an almost universal approach to targeting in other countries may be operationally less costly and socially more acceptable within the refugee community. This approach would reduce the high stakes associated with the programme, and reduce social tensions between the beneficiary and non-beneficiary groups. As the benefit level per refugee household would be lower (and the working-age members of the households would be excluded from the grant), it is likely that the social tensions with those in the host community who benefit from social assistance would also be avoided.

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1. The ESSN was managed by the World Food Programme until 2020 and subsequently by IFRC, supported by the Ministry of Family and Social Services (MoFSS), the Turkish Red Crescent and Halkbank. See DG ECHO 'The Emergency Social Safety Net (ESSN): Offering a lifeline to vulnerable refugees in Turkey' [https://ec.europa.eu/echo/essn\\_en](https://ec.europa.eu/echo/essn_en). Most recently, 'C-ESSN' took over a share of the caseload in July 2021. As of December 2021, the ESSN caseload was around 1.5 million individuals, while C-ESSN covered 363,464 individuals.

2. World Food Programme (2018) 'Evaluation of the DG ECHO funded Emergency Social Safety Net (ESSN) in Turkey, November 2016–February 2018 Volume 1: Final Evaluation Report – Turkey' [bit.ly/ESSN-evaluation-Turkey-Vol1-2018](https://bit.ly/ESSN-evaluation-Turkey-Vol1-2018)

3. World Food Programme (2020) 'ESSN Mid-Term Review 2018/2019, February 2020 – Turkey' [bit.ly/ESSN-mid-term-review-Turkey-2020](https://bit.ly/ESSN-mid-term-review-Turkey-2020)

4. UNHCR and WFP (2020) Joint Guidance: Targeting of Assistance to Meet Basic Needs [bit.ly/UNHCR-IOM-joint-guidance-basic-needs](https://bit.ly/UNHCR-IOM-joint-guidance-basic-needs)

5. EU Directorate-General for Neighbourhood and Enlargement Negotiations (2021) 'Strategic Mid-Term Evaluation of the Facility for Refugees in Turkey (2016-2019/20)' [bit.ly/mid-term-evaluation-facility-Turkey-2021](https://bit.ly/mid-term-evaluation-facility-Turkey-2021)

## Can the UK develop accommodation centres in a trauma-informed way?

Jennifer Blair, David Bolt, Jane Hunt, Cornelius Katona and Jill O'Leary

**Medical assessments provide evidence of the negative impact of the UK's accommodation centres on the health of asylum seekers. A trauma-informed approach should underpin the government's future strategy in this area.**

Although there was a drop in the number of new asylum claims in 2020 and 2021 in the UK, since 2020 there has been a rise in the use of institutional forms of contingency asylum accommodation. This is due to backlogs in decision-making, the suspension of evictions from asylum housing during the pandemic, and resource issues with securing accommodation for asylum seekers being 'dispersed' to other parts of the country. The number of asylum seekers housed in hotels reached approximately 10,000 in mid-2020, and in September 2020 the government approved the use of two disused army barracks, Penally Camp and Napier Barracks, as accommodation for hundreds of male asylum seekers.

The use of and conditions within these disused military barracks have been severely criticised by the UK courts, inspectorates, the Welsh Assembly, medical organisations and the British Red Cross.<sup>1</sup> An outbreak of COVID-19 at Napier barracks in January 2021 saw at least 197 confirmed cases among a population of 380. Napier and Penally (the latter having since been shut down) are situated in relatively remote locations. While residents were permitted to go outside the camps (subject to Covid restrictions), for the most part they did not have the means to do so.

In March 2021, the government's New Plan for Immigration included a proposal to end the use of hotels as asylum accommodation, claiming that these are a 'pull factor' for migrants, and instead creating "reception centres to provide basic accommodation and process claims" as part of a tougher approach that will "discourage asylum claims via illegal routes".

In August 2021, the government issued a tender for "accommodation centres" for asylum seekers "for periods up to six months" and stated that the continued use of barracks accommodation would "inform the final design of how accommodation centres will operate", meaning that using barracks as contingency accommodation would be a model for future housing.<sup>2</sup>

### Harm to health

In 2020–21, clinicians from the Helen Bamber Foundation undertook medical assessments<sup>3</sup> of six people accommodated in Penally Camp and two accommodated at Napier Barracks, who had been referred due to concerns about their welfare.<sup>4</sup> All of the people assessed showed evidence of worsening mental health. Five were experiencing a worsening in Post-Traumatic Stress Disorder symptoms and all presented with clinical symptoms of depression. Those assessed included a domestic abuse survivor who was experiencing suicidal thoughts for the first time in his life, and a Syrian war survivor who had no history of mental illness prior to being placed in the camps. Those who were assessed said the accommodation sites were like prisons; in some cases this triggered a trauma response, particularly from those with a related history of torture in a military camp. Sleeplessness, lack of privacy, and uncertainty about how to access medical care or being denied medical care (including being triaged by non-clinically qualified staff) were frequently reported. Uncertainty about how long the people assessed would be on the site was also documented as decreasing their ability to cope with the accommodation conditions.

These findings are consistent with the medical assessments of 15 people accommodated at Napier Barracks undertaken by clinicians from Doctors of the World in 2020 and early 2021. Doctors of the World recorded significant barriers to accessing health care, with one nurse provided for 390 people and mental health referrals being rejected by mainstream mental health services. Forrest Medico-Legal Report Services, which assessed 17 people in Penally Camp, reported similar findings.

The findings of a literature review of the impact of this kind of institutional accommodation on health<sup>5</sup> indicated that, even after accounting for pre-existing health vulnerabilities, this kind of institutional accommodation “is itself associated with poorer mental health outcomes”. The review highlighted factors such as those emerging from the assessments, mentioned above, plus others such as isolation, lack of freedoms, lack of access to cooking facilities, and reduced access to legal, professional and specialist assistance.

### Trauma-informed support

People seeking asylum have often experienced traumatic life events. Trauma symptoms can be severe and long-term and can have a substantial impact on people’s ability to participate effectively and safely in an asylum determination process.

In the UK, people who are identified as potential victims of modern slavery can access the NGO-operated ‘safe house’ system run through the National Referral Mechanism. Safe house accommodation is provided as part of an individualised Recovery Needs Assessment where a support worker creates and updates a person-centred recovery plan, informed by a trauma-informed Code of Conduct.<sup>6</sup> We are also aware of examples of good practice in some asylum accommodation, but this depends on arrangements between local doctors’ surgeries and local authorities rather than reflecting a national standard.

Refugee populations will have needs that are to some extent distinct from those of victims of modern slavery. However,

a trauma-informed service for asylum seekers and refugees could embed a focus on ‘recovery’, trauma-informed training, early identification mechanisms and wrap-around support to prioritise recovery needs, moving away from a focus on destitution management where only the most basic shelter, food and hygiene needs are addressed. This alternative model of an accommodation centre has not yet been fully tested in the UK but was explored by the UK Refugee Council in 2002. In 2022 these issues were looked at in a UNHCR-evaluated pilot on alternatives to detention, which emphasised the importance of ‘connectedness’ in asylum recovery services,<sup>7</sup> and we understand that a similar model is currently being developed in Ireland.

### Avoiding failures in protection

If the UK government follows the model of Penally Camp and Napier Barracks, the new accommodation centres risk becoming sites of social exclusion with a preoccupation with limiting destitution rather than restoring dignity. Generalised standards designed only to manage destitution levels are unlikely to meet the needs of particularly vulnerable people or allow for identification of groups of particularly vulnerable people.

Penally Camp and Napier Barracks were opened in haste, without proper planning or consultation with the local authorities and bodies whose support and services would have been key to the successful running of such large-scale asylum accommodation sites. This was to the detriment of the residents and to the protection of their rights, compounded by poor communication about why they were allocated to this accommodation and how long they would have to stay. To avoid a repetition of these issues with any new accommodation centres, the UK government must ensure that: plans have been thoroughly tested with all relevant parties, in particular with local health and specialist services; the operation of the centres is closely monitored; and residents’ individual needs are met, including in terms of information regarding progress on their asylum claims and access to legal support.

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Furthermore, it is important that the people affected are consulted and involved in each stage of the process. People being housed in asylum accommodation may already have survived human rights abuses linked to accommodation, such as unlawful appropriation of property, involuntary resettlement and deprivations of liberty. There are several human rights standards relevant to the provision of accommodation in general but no international consensus on the standards that should be applied to reception centres. From a human rights perspective, any minimum standards relating to institutional asylum accommodation may need to focus on establishing safeguards to prevent serious breaches of fundamental rights. The UN has formulated Standard Minimum Rules for the Treatment of Prisoners (known as the Nelson Mandela Rules), while the UN Bangkok Rules provide similar measures specifically addressing the treatment of women offenders and prisoners. The risks that these rules address – including abuses of power, mistreatment between prisoners (such as bullying, assault or exploitation), and public health and welfare risks – can arise in asylum accommodation and particularly in those reception centres which may be more like, or experienced as more like, imprisonment.

Given the unpopularity of such accommodation centres (among civil society as well as those housed within them), and the serious challenges the centres present in relation to human rights and access to legal and welfare services, a new approach is called for. It is important that evidence that arises through research, litigation, inspections and individual and professional testimony is presented to elected representatives and that

international connections are built in order to share information and good practice.

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1. *NB and others v the Secretary of State for the Home Department, with Liberty and JWCI intervening* [2021] EWHC 1489(Admin); HMIP and ICIBI (2021) *An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks* (November 2020 – March 2021) [bit.ly/HMIP-report-Penally-Napier-2021](https://bit.ly/HMIP-report-Penally-Napier-2021)

2. Letter from Home Secretary to Home Affairs Select Committee, 27 August 2021 [bit.ly/UK-HomeSec-27082021](https://bit.ly/UK-HomeSec-27082021)

3. These assessments took place via digital forms of communication due to the pandemic.

4. Doctors of the World, Forrest Medico Legal Report Services, the Helen Bamber Foundation and Freedom from Torture (February 2021) 'Asylum Accommodation: clinical harm caused by the use of barracks as housing for asylum seekers', Joint evidence to HASC [bit.ly/barracks-submission-HASC-2021](https://bit.ly/barracks-submission-HASC-2021); see also Casalotti S, Jones D R and Arnold F W (2021) 'Health consequences of current arrangements for accommodation of migrants in army barracks: a preliminary survey' <https://committees.parliament.uk/writtenevidence/22980/html/>

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6. See Witkin R and Robjant K (2022) *Trauma-Informed Code of Conduct For all Professionals working with Survivors of Human Trafficking and Slavery* [bit.ly/HBF-Trauma-Code-Conduct-2nd-Edition](https://bit.ly/HBF-Trauma-Code-Conduct-2nd-Edition)

7. UNHCR (2022) *Evaluation of 'Action Access', an Alternatives to Detention Pilot* [www.unhcr.org/uk/61ee5cc54.pdf](https://www.unhcr.org/uk/61ee5cc54.pdf).

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# Farewell message from Marion Couldrey

I was once told by a refugee – who was frustrated that FMR couldn't support his asylum claim – that I only had a job because of people like him. And he was right. And I have tried to remember that throughout my 28 years as Editor with FMR.

I've also been aware that every £, \$ and € given by donors to support FMR is money that could have been spent on programmes more directly helping people who have been forced to leave their homes. And yet those donors consider funds for FMR as money well spent, and I've had the privilege of receiving 28 years' worth of appreciative feedback from readers, and examples of FMR's impact both direct and indirect.

So as I leave FMR, I would like to thank all those readers, authors and donors (and my FMR colleagues over the years) who have collaborated to make FMR a valuable, accessible tool for knowledge exchange and learning and inspiration to help improve policy and practice for displaced people. To those of you whose lives as displaced people have been discussed and analysed in the pages of FMR, I hope we have been respectful and of some use.

So much has changed over these 28 years.

When the magazine was launched in 1987 at the instigation of the Refugee Studies Centre's founder, Barbara Harrell-Bond, the field of refugee studies was still young. We used to receive far more article submissions from practitioners than from researchers but that trend has reversed in recent years. The size and look of the magazine have changed over the years but what has not changed is, sadly, the need for such a forum.

Over the years, we have sought to cover topical issues (especially country-focused, such as Burma, Iraq, DRC, Afghanistan, Syria), issues of emerging importance (for example, climate change, urban displacement, technology) and those issues which merit greater attention than they tend to receive (such as disability, HIV-AIDS, local communities). With each issue I have learned much... sometimes more than I wanted to know about inhumanity but more often about resilience and innovation and determination and compassion.

I'm leaving FMR at a time when the number of people fleeing Ukraine is rising rapidly, with the world's response offering interesting comparisons with responses to other large movements of people fleeing war and horror. Perhaps the subject of a future issue of FMR? I won't be Editor, but I'd be very interested to read that issue...

Thank you for being part of the far-flung community that reads, supports and uses FMR. I'm proud to have been a part of it.

**Marion Couldrey**  
**FMR Editor, 1993–2022**



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