

BROOKINGS



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7 October 2015

Guidance on Protecting People from Disasters and Environmental Change through Planned Relocation



With thanks to all those who participated in the studies, consultations and meetings leading up to the May 2015 Bellagio consultation which drafted this Guidance and to the John D. and Catherine T. MacArthur Foundation for their financial support.

Note that the accompanying Toolbox which provides operational guidance for Planning Relocations is available on the Georgetown, UNHCR and Reliefweb websites:

<https://georgetown.app.box.com/s/lagulcgiunmuzv4c7ogx2ywywypfo4lla1>;

<http://www.unhcr.org/596f1bb47.pdf>;

<http://reliefweb.int/report/world/toolbox-planning-relocations-protect-people-disasters-and-environmental-change>

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Cover photo: Two girls crossing a tiny bamboo bridge, Cox's Bazar, Kutubdia Island. Bangladesh. Even 20 years ago Taplur Char in Kutubdia was a fertile green land. But now nothing grows.

Credit: © UNHCR/Saiful Huq Omi.

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: A fisherman fishing in the Bay of Bengal. Predicted sea-level rises of up to a meter over the next century would flood the homes of millions of people in Bangladesh. **Credit:** © UNHCR/Saiful Huq Omi.

WHY GUIDANCE ON PLANNED RELOCATION?

Disasters displaced an average of 27 million people per year between 2008 and 2013¹—a number which will likely increase as a result of two factors. First, climate change is expected to result in more frequent and intense weather events, sea level rise, and other hazards and environmental changes associated with a warming climate. Second, demographic trends of overall population growth and higher concentrations of people in coastal areas mean that natural hazards will likely affect more people in the future. In this context, moving and settling people in new locations might become an increasingly viable protection option. Many governments are already contemplating and implementing measures to move vulnerable populations out of harm's way. However, the relocation of at-risk populations to protect them from disasters and the impacts of environmental change, including the effects of climate change carries serious risks for those it is intended to benefit, including the disruption of livelihoods and loss of cultural practices.²

Determining when to relocate at-risk populations in order to protect them and to mitigate the consequences of displacement will vary from context to context, depending on the nature of the hazard or environmental change and social, political, and economic factors. Governments may undertake relocation as an anticipatory measure where hazards threaten to render certain areas uninhabitable. Indeed, this type of intervention may be an effective measure to reduce disaster risk, as affirmed by the Sendai Framework for Disaster Risk Reduction 2015–2030.³

1 Michelle Yonetani, *Global Estimates 2014 People Displaced by Disasters* (Norwegian Refugees Council/Internal Displacement Monitoring Centre, 2014), 23, accessed January 26, 2015, <http://www.internal-displacement.org/publications/2014/global-estimates-2014-people-displaced-by-disasters/>.

2 C.B. Field, V.R. Barros, D.J. Dokken, K.J. Mach, M.D. Mastrandrea, T.E. Bilir, M. Chatterjee, K.L. Ebi, Y.O. Estrada, R.C. Genova, B. Girma, E.S. Kissel, A.N. Levy, S. MacCracken, P.R. Mastrandrea, and L.L. White (eds.), *Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part A: Global and Sectoral Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (Cambridge & New York: Cambridge University Press, 2014), 771, accessed January 14, 2015, <https://ipcc-wg2.gov/AR5/report/full-report/>.

3 *The Sendai Framework for Disaster Risk Reduction 2015–2030*, <http://www.preventionweb.net/files/resolutions/N1509743.pdf>

In Fiji, for example, the government is proactively assessing the vulnerabilities of rural communities in anticipation of the possibility that they may need to be moved. In the US, a number of Alaskan indigenous communities have sought government support to move for over a decade because environmental changes exacerbated by the effects of climate change (e.g. loss of sea ice, coastal erosion, melting permafrost) have made it difficult to continue living in their places of origin. In other instances, governments may take reactive measures to relocate people following a large-scale disaster in order to protect them from future harm. For example, following the devastation caused by Typhoon Haiyan in November 2013, the Philippines embarked on an ambitious plan to move 200,000 households—1 million people—to safer areas.

At the same time, in the context of climate change, *planned relocation* may serve as an effective adaptation strategy. The Conference of Parties to the United Nations Framework Convention Climate Change, meeting in Cancún in 2010, encouraged enhanced action and international cooperation on planned relocation as one of three types of human mobility that should be considered within climate change adaptation measures.⁴ While considerable attention has been focused on migration and displacement, there has been less focus on planned relocation as an effective strategy for reducing disaster risk, enhancing resilience, and adapting to climate change. Analogous experience demonstrates that relocating people is a complex endeavor with the strong potential to violate basic rights and leave people much worse off. States faced with situations where planned relocation may be needed lack guidance on the basic principles and rights that apply to this powerful and challenging option.

This Guidance on Planned Relocation therefore sets out general principles to assist States and other actors faced with the need to undertake “Planned Relocation” (as defined below). The aspiration is that these general principles will be helpful to States and supporting actors in formulating Planned Relocation laws, policies, plans, and programmes. This Guidance will be accompanied by a set of Operational Guidelines, to be developed in 2015-2016 which will include specific measures and examples of good practices to assist States in translating these general principles into concrete laws, policies, plans, and programmes. As part of this process, this Guidance will also be open for a second phase of comments from October 2015 and may be amended and rereleased during the second quarter of 2016.

About this Guidance

This Guidance was developed in a consultative process through a series of meetings between 2011 and 2015⁵ which brought together representatives of States, international organizations, and experts from a wide range of disciplines and experiences. Indeed, the issue of Planned Relocation is a complicated one where expertise from different fields is needed, including disaster risk reduction, development, humanitarian response, human rights, climate change, migration, environmental studies, and law.

To support the development of this Guidance, a number of studies and background documents were commissioned,⁶ including an analysis of 30 different frameworks relevant to the issue, ranging from the World Bank’s *Operational Policy on Involuntary Resettlement* to the *Guiding Principles on Internal Displacement*.

4 UN Framework Convention on Climate Change, 16th meeting of Conference of Parties, Cancun, 2010, article 14(f). http://unfccc.int/meetings/cancun_nov_2010/meeting/6266/php/view/decisions.php

It is also likely that Planned Relocation may be necessary due to measures undertaken both to mitigate and to adapt to the effects of climate change.

5 UNHCR, *Summary of Deliberations on Climate Change and Displacement: report of an expert consultation*, Bellagio, February 2011.

<http://www.unhcr.org/4da2b5e19.html>, *Planned Relocations, Disasters and Climate Change: Consolidating Good Practices and Preparing for the Future*, Sanremo, March 2014. <http://www.unhcr.org/53c4d6f99.pdf>

6 These resources are available at: <http://www.brookings.edu/about/projects/idp/planned-relocations>

In the course of the background work, the issue of terminology repeatedly came up. This Guidance, intended to appeal to the broadest possible constituency, uses the widely-recognized term “disaster” (rather than “natural disaster”), understanding that disasters are the result of natural hazards which are often exacerbated by human action (such as deforestation and mining). To avoid confusion with work in different fields, neither the term resettlement nor displacement is used. The term “planned relocation”, although used in the Cancún Adaptation Framework, is itself open to various interpretations (particularly in translation.) Thus, a common definition of Planned Relocation, recommended in the course of expert meetings, provided a starting point for the development of this Guidance:

“**Planned Relocation**” is defined as: a planned process in which persons or groups of persons move or are assisted to move away from their homes or places of temporary residence, are settled in a new location, *and* provided with the conditions for rebuilding their lives. Planned Relocation is carried out under the authority of the State, takes place within national borders, and is undertaken to protect people from risks and impacts related to disasters and environmental change, including the effects of climate change. Such Planned Relocation may be carried out at the individual, household, and/or community levels.

Planned Relocation as a process

Planned Relocation is a process comprised of certain identifiable phases. The first step—and a prerequisite to undertaking Planned Relocation—is to determine whether it is necessary. This decision should be based on scientific evidence. Work in other areas⁷ affirms the principle that Planned Relocation should be avoided wherever possible and its extent minimized when it cannot be avoided. Once the decision in favor of Planned Relocation is made, analytical studies and assessments are needed, followed by an intensive participatory process of formulating the necessary plans. Next, preparations must be made for the physical move, including, in some cases, acquisition of land and provision of infrastructure. There must also be focused work with the affected persons: those who may take part in Planned Relocation, those in host communities, and others likely to be adversely affected by the Planned Relocation. The physical move is then carried out, followed by a transitional period during which time the livelihoods and standards of living of relocated persons are restored and any adverse impacts on other groups are mitigated. In the final stage of a successful Planned Relocation, relocated persons are incorporated into all aspects of life in the new setting and no longer have needs or vulnerabilities stemming from the Planned Relocation. This is usually a long process, but careful planning and adequate resources can limit its duration.

Different actions are needed by States and supporting actors at each stage of the process to minimize potential adverse consequences. While this Guidance focuses on the obligations of States, it is important to recognize that individuals, households, and communities have responsibilities as well. They may be primary agents initiating Planned Relocation, and should be provided with the latitude to take charge of decisions and the process. Ultimately, the outcomes of Planned Relocation are likely to depend on the extent to which those who are affected by it actively engage in all aspects of the process and perceive that they have been sufficiently involved and controlled the process.

⁷ See for example the *Guiding Principles on Internal Displacement*, 1998, <http://www.brookings.edu/~media/Projects/idp/GPEnglish.pdf> and the World Bank’s *Operational Policy on Involuntary Resettlement 4.12*, <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/0,,contentMDK:20064610~menuPK:64701637~pagePK:64709096~piPK:64709108~theSitePK:502184,00.html>

Different contexts of Planned Relocation

Planned Relocation may be necessary in a wide variety of contexts and States, communities, households, and individuals will need to grapple with the difficult issue of identifying a ‘risk threshold’ beyond which it is no longer considered safe for people to remain in place and where Planned Relocation may become necessary. Contexts vary, local level ecosystem changes affect people differently, and individuals, households, and communities have different levels of risk tolerance. The use of Planned Relocation must be considered in its specific context, whether undertaken after a disaster or before environmental conditions worsen. Differences in scale may also be important; there may be situations where only a few families may need to be moved, while other cases might affect hundreds of thousands of people. The needs of those to be relocated will likely differ. For example, as environmental conditions deteriorate, those with the means to move may do so on their own, leaving behind those who are more vulnerable.

An Enabling Environment

The political and social setting in which decisions on Planned Relocation are made is a factor that cannot be over-emphasized.⁸ For example, when there is good governance, people are more likely to trust the State when it makes such life-altering decisions and believe that protections are in place to prevent Planned Relocation being used as a pretext for land-grabbing, economic exploitation, or other reasons. In countries and communities with well-functioning mechanisms for public participation, accountability, complaints, and redress, these can be used to hold authorities responsible for problems in planning or implementing Planned Relocation.

Planned Relocation is a challenging undertaking for States, regardless of their level of economic development. It is also important to note that successful implementation of Planned Relocation is expensive and international financial support will be needed in many cases. However, it is usually less expensive than assisting people in rebuilding their life after a disaster has occurred. Planned Relocation is likely to be needed in urban as well as rural areas. In some cases, Planned Relocation will be initiated by persons or groups of persons and will reflect their level of risk tolerance. In other cases, States will decide that people must be moved for their safety and protection, even though they may oppose Planned Relocation. In all types of Planned Relocation, distinctions between ‘forced’ versus ‘voluntary’ movement are somewhat artificial. Arguably, all those who participate in Planned Relocation are being compelled to move by forces beyond their control—disasters and environmental change, including the effects of climate change.⁹

Planned Relocation: a crosscutting issue

The planning and implementation of Planned Relocation needs to draw on expertise in a number of areas, such as disaster risk management, development, human rights, protection, humanitarian response, migration, and climate change adaptation. Effective and sustainable Planned Relocation will require the input of those working in different disciplines including social scientists, economists, urban planners, natural scientists, and legal experts, among others.

Finally, the development of this Guidance is taking place at a time when multiple global initiatives offer opportunities for creative thinking, including the outcome document of the Sendai Conference on Disaster Risk

⁸ There may be cases, for example, where non-state actors, such as corporations, that control parts of territory may seek to relocate communities after disasters and this guidance may also be useful to them.

⁹ This differs from relocations carried out in order to implement development projects where relocation is a precondition for the implementation of the project but is not primarily intended to benefit those who are being relocated.

Reduction, the Global Consultation on the Nansen Initiative’s Protection Agenda, sustainable development goals (SDGs), upcoming negotiations of the UN Framework Convention on Climate Change, Habitat III, and the World Humanitarian Summit—all of which may offer insights to be incorporated into this Guidance.¹⁰

10 See note 2 re the Sendai conference. For background on the Nansen Initiative, see: www.nanseninitiative.org; For an overview and update on discussions around the sustainable development goals, see: <https://sustainabledevelopment.un.org/topics/sustainabledevelopmentgoals> ; for more information on upcoming negotiations under the UN Framework Convention on Climate Change, see http://unfccc.int/meetings/unfccc_calendar/items/2655.php?year=2015; For an overview of the World Humanitarian Summit, see <https://www.worldhumanitariansummit.org/>



Kutubdia in Bangladesh is affected by rapid erosion and is shrinking radically. It has halved in size in 20 years, to about 100 square kilometers. **Credit:** © UNHCR/Saiful Huq Omi.

I.

SCOPE AND PURPOSE

This section describes the intended audience for, scope of, and definitions used in the Guidance.

1. This Guidance seeks to assist States, communities, and other actors in protecting people through Planned Relocation from the impacts of disasters¹¹ and environmental change, including the effects of climate change.
2. For the purposes of this Guidance, the term:
 - a. “Planned Relocation” is defined as: a planned process in which persons or groups of persons move or are assisted to move away from their homes or places of temporary residence, are settled in a new location, **and** provided with the conditions for rebuilding their lives. Planned Relocation is carried out under the authority of the State, takes place within national borders, and is undertaken to protect people from risks and impacts related to disasters and environmental change, including the effects of climate change.¹² Such Planned Relocation may be carried out at the individual, household, and/or community levels.¹³
 - b. “State” means national, local, and/or other levels of authority, including relevant institutions, as applicable, in the country in which Planned Relocation is undertaken.

11 A disaster has been defined by the Inter Agency Standing Committee as: “the consequences of events triggered by natural hazards that overwhelm local response capacity and seriously affect the social and economic development of a region.”

12 This definition was recommended at expert meetings held in Washington, DC, United States, in February 2015, and Bellagio, Italy, in May 2015. Portions of this Guidance on Planned Relocation may also be applicable to planned relocations across international borders. However, the complexities of carrying out such planned relocations were not considered or addressed in preparing this Guidance. These aspects may be considered and addressed within the framework of the Nansen Initiative on Disaster-Induced Cross Border Displacement. More about the Nansen Initiative can be found here: <http://www.nanseninitiative.org/>.

13 Planned Relocation involves many of the activities that development actors associate with the term “resettlement” in the context of development-induced displacement and resettlement. In some countries, particularly countries in Latin America, the term “preventive resettlement” is used to capture situations that are referred to in this document as Planned Relocation.

- c. “Relocated Persons” means persons or groups of persons who take part in a Planned Relocation, or who have agreed to take part in a Planned Relocation, or both, as relevant.
 - d. “Host Populations” means persons or groups of persons living in areas in which Relocated Persons settle or, it is proposed they settle, or both, as relevant.
 - e. “Persons Who Choose Not to Take Part in Planned Relocation” means persons or groups of persons who are eligible to take part in a Planned Relocation and who choose not to do so.
 - f. “Persons Who Live in Close Proximity” means persons or groups of persons living in and around areas from which Relocated Persons originate and whose lives are adversely affected by a Planned Relocation.
 - g. “Other Affected Persons” encompasses Host Populations, Persons Who Choose Not to Take Part in Planned Relocation, and Persons Who Live in Close Proximity.
3. The term “disasters and environmental change” is used throughout the subsequent sections of this Guidance to refer to “disasters and impacts of environmental change, including the effects of climate change.”
 4. Planned Relocation may be appropriate in at least two types of situations:¹⁴
 - a. In *anticipation of* disasters and environmental change; and/or
 - b. In *response to* disasters and environmental change.¹⁵

¹⁴ This Guidance on Planned Relocation may also be useful in situations in which planned relocation occurs as a consequence of disaster risk reduction or climate change adaptation measures.

¹⁵ In some cases, clearly demarcating between Planned Relocations that are, or have been, carried out pursuant to situations arising under paragraphs 4(a) or 4(b) may not be possible. In other cases, a combination of both types of situations may prompt Planned Relocation.

II.

OVERARCHING PRINCIPLES

This section sets out overarching principles that should underpin Planned Relocation. They are intended to inform and apply, as relevant, to each of the subsequent sections of the Guidance.

5. Planned Relocation is undertaken for the benefit of Relocated Persons and in a manner that respects and protects their rights and dignity.
6. States bear the primary responsibility under international law to respect, protect, and fulfill the human rights of people within their territory or subject to their jurisdiction. This includes the obligation to take preventive as well as remedial action to uphold such rights and to assist those whose rights have been violated. States also have responsibilities to prevent and reduce disaster risk and exposure to it, and to address the negative impacts of environmental change, including climate change. In some cases, these responsibilities may require Planned Relocation in order to protect persons or groups of persons.
7. States must have compelling reasons, robust evidence, and a sound legal basis for undertaking Planned Relocation. A sound legal basis means, at a minimum, that Planned Relocation is undertaken in accordance with national legislation and States' international obligations, such as obligations to safeguard the right to life and/or to ensure people are not subjected to inhuman, degrading, or discriminatory treatment.
8. States should ensure sufficient and sustainable funds for Planned Relocation.
9. Persons or groups of persons at risk of, or affected by, disasters and environmental change should have the right to request Planned Relocation, as well as the right to challenge Planned Relocation before a court of law.
10. Planned Relocation should be used as a measure of last resort, after other risk reduction and/or adaptation options have been considered in a timely manner and reasonably exhausted.
11. Planned Relocation should be carried out within a rights-based framework that safeguards both individual and collective civil, political, economic, social, and cultural rights of Relocated Persons and Other Affected

Persons throughout all phases. The rights to self-determination, preservation of identity and culture, and control of land and resources are important, particularly for indigenous communities.

12. Relocated Persons and Other Affected Persons should be informed, consulted, and enabled to participate in decisions on whether, when, where, and how a Planned Relocation is to occur, as appropriate.
13. The agency, resilience, and empowerment of Relocated Persons should be recognized, promoted, and enhanced throughout a Planned Relocation.
14. The specific needs, circumstances, and vulnerabilities of Relocated Persons and Other Affected Persons, as applicable, should be taken into consideration and addressed in all phases of a Planned Relocation. Similarly, the specific rights of Relocated Persons, as applicable, shall be taken into consideration and addressed in all phases of a Planned Relocation. These specific rights, needs, circumstances, and vulnerabilities, may be linked, *inter alia*, to:
 - a. demographic and health characteristics;
 - b. socio-economic characteristics;
 - c. membership of a marginalized group;
 - d. special dependency on, and/or attachment to, land or local/localized resources/opportunities;
 - e. direct and indirect impacts of disasters or environmental change; or
 - f. prior experiences of displacement.
15. Planned Relocation should provide opportunities and conditions to:
 - a. enable Relocated Persons to improve, or, at a minimum restore, their living standards;
 - b. enable Host Populations to maintain their pre-existing living standards, or to attain the same living standards as Relocated Persons, whichever is higher; and
 - c. mitigate adverse impacts related to the Planned Relocation that may affect Persons Who Live in Close Proximity.
16. Planned Relocation shall be carried out in a manner that respects and upholds the principle of family unity. Planned Relocation should also be carried out in a manner that respects and maintains household, community, and social cohesion as well as kinship ties.
17. Relocated Persons shall:
 - a. enjoy, in full equality, the same rights and freedoms under international and domestic law as other similarly situated persons in their country;
 - b. not be discriminated against in the enjoyment of any rights and freedoms on the grounds that they have taken, or will take, part in a Planned Relocation; and
 - c. have the right to freedom of movement and the right to choose their place of residence.

18. Nothing in this Guidance shall be interpreted in such a way as to diminish or detract from:
 - a. any rights that may apply to individuals, and/or groups, including Relocated Persons and Other Affected Persons; or
 - b. more extensive obligations that may apply to States or others undertaking Planned Relocation under international, regional, or domestic laws.



III.

LEGAL AND POLICY FRAMEWORK

This section discusses, in broad terms, the legal and policy framework necessary for carrying out Planned Relocation under the authority of the State.

19. States should adopt a comprehensive legal and policy framework for undertaking Planned Relocation that is consistent with international law. This may require the State to adopt and/or amend pertinent laws, policies, strategies, and plans to address all phases of a Planned Relocation.
20. A Planned Relocation should be undertaken in accordance with the State's legal and policy framework.
21. The legal and policy framework should, *inter alia*:
 - a. provide a legal basis, in national law, for undertaking Planned Relocation;
 - b. articulate a national policy for undertaking Planned Relocation;
 - c. establish an institutional framework for undertaking Planned Relocation;
 - d. identify, define, and authorize roles and responsibilities at each relevant level of government, including at the national, sub-national and local levels;
 - e. provide accountability mechanisms for Planned Relocation, acknowledging that ultimate responsibility and accountability for a Planned Relocation should rest with designated and competent State authorities;
 - f. define and explain the criteria for making decisions throughout a Planned Relocation, including the foundational decision to initiate a Planned Relocation;
 - g. define actions that persons or groups of persons should take to initiate a Planned Relocation and receive technical assistance from the State;
 - h. provide Relocated Persons and Other Affected Persons access to impartial and equitable grievance, review, conflict resolution, and redress mechanisms throughout a Planned Relocation;
 - i. provide for timely, sufficient, and sustainable funding for Planned Relocation; and
 - j. ensure Planned Relocation is incorporated into other intersecting and crosscutting issues and activities, including development and land-use frameworks and plans.



Climate displaced people in Cox's Bazar, Bangladesh.
Once they lose their land to the sea, they come to Cox's Bazar empty handed. **Credit:** © UNHCR/Saiful Huq Omi.

IV.

INSTITUTIONAL FRAMEWORK

This section discusses, in broad terms, the institutional framework necessary for carrying out Planned Relocation.

22. States should establish an institutional framework for undertaking Planned Relocation that is consistent with the State's legal and policy framework (Section III).
23. A Planned Relocation should be undertaken within the parameters of the State's institutional framework.
24. The institutional framework should incorporate pertinent ministries, departments, and institutions at the national level, and other applicable levels of government, including the sub-national and local levels, as well as:
 - a. Relocated Persons;
 - b. Other Affected Persons; and
 - c. other actors, as applicable.
25. The institutional framework should establish coordination mechanisms across national ministries/ departments and institutions, and other relevant levels of government. These coordination mechanisms should ensure the participation of Relocated Persons, Other Affected Persons, and other actors, as applicable.
26. States will normally need, and should accept, support and assistance from other actors throughout a Planned Relocation. Such actors may include other states; regional bodies; inter-governmental organizations; international, regional, national, sub-national, and local non-governmental organizations; development banks; funders/funding mechanisms; community leaders; the private sector; and other experts.

27. The institutional framework should:

- a. provide overall direction for and oversight of the planning and implementation of Planned Relocation;
- b. ensure timely and sufficient financial, human, and other necessary resources to undertake a Planned Relocation; and
- c. establish structures and mechanisms for:
 - i. planning and implementing Planned Relocation, including at the local level;
 - ii. conducting on-going internal (State actors) and independent (non-State actors) monitoring and evaluation of a Planned Relocation, its outcomes, and impacts over time;
 - iii. providing technical assistance to persons or groups of persons, where such actors initiate a Planned Relocation;
 - iv. lodging, assessing, and reviewing grievances and for conflict resolution and redress;
 - v. ensuring public participation, including of Relocated Persons and Other Affected Persons, throughout a Planned Relocation;
 - vi. periodically conducting mapping, assessments, and monitoring of areas that may pose risks to persons and groups of persons on account of disasters and environmental changes, to enable an appraisal of potential responses, including Planned Relocation; and
 - vii. ensuring that lessons from past and on-going Planned Relocations, including from monitoring and evaluation, are identified, documented, incorporated, and made publicly available, so that they inform new Planned Relocations and inform and drive necessary changes to legal, policy, and institutional frameworks.

V.

ASSESSING THE NEED FOR PLANNED RELOCATION

This section sets out steps to be taken to determine if there is a need for a Planned Relocation.

28. The decision to undertake a Planned Relocation should be based on clear and transparent factors to be determined: (i) by the State with the participation of persons and groups of persons located within a given geographic area(s) being considered for Planned Relocation; or (ii) by persons and groups of persons located within a given geographic area(s) being considered for Planned Relocation, with the involvement of the State. In either case, the factors upon which a decision to undertake a Planned Relocation is based, should include, *inter alia*:
 - a. existing and anticipated levels of risk for persons, groups of persons, activities, and assets in a given geographic area(s), which are assessed through sound scientific evidence and other sources of relevant knowledge, including local, community, and indigenous sources;
 - b. the vulnerability and resilience of persons and groups of persons within the relevant geographic area(s);
 - c. the availability of feasible risk reduction and adaptation measures, including *in situ* options;
 - d. the threshold of risk acceptable to persons or groups of persons who may potentially become Relocated Persons;
 - e. the availability of feasible options for Planned Relocation; and
 - f. the expected direct and indirect socio-economic and environmental costs of, and risks involved in, a Planned Relocation itself.
29. Persons or groups of persons at risk of, or affected by, disasters and environmental change should have the right to request the State to undertake an assessment of existing and anticipated levels of risk for a given geographic area(s), as well as for persons or groups of persons, activities, and assets therein.
30. Persons or groups of persons at risk of, or affected by, disasters and environmental change should have the right to undertake assessments of risk, monitor such risks, and integrate these sources of knowledge into State-based structures and mechanisms noted in paragraphs 27(c)(vi) and 28(a).



Flooding in Chihaquelane, Mozambique. Credit: © International Organization for Migration/Andrew Lind.

VI.

PLANNING AND IMPLEMENTING PLANNED RELOCATION

This section describes specific issues relating to the planning and implementation of a Planned Relocation. It is organized by specific sub-themes.

Planning

31. The State should prepare a comprehensive plan for undertaking a Planned Relocation, which accords with the State's legal and policy framework (section III) and its institutional framework (section IV).
32. The plan should be:
 - a. developed with the participation of persons and groups of persons who may potentially become Relocated Persons and Other Affected Persons, as applicable;
 - b. based on the assessment described in paragraph 28;
 - c. tailored to the specific time and context of the situation being addressed including the particular characteristics of Relocated Persons;
 - d. developed in a manner that allows activities related to the Planned Relocation to be conceived and executed within a sustainable development framework; and
 - e. developed with the input of experts from relevant disciplines.¹⁶

¹⁶ For example, planned relocation is relevant to disaster risk management, climate change mitigation and adaptation, internal displacement, development, land and property, urban planning, etc. in which different disciplines are engaged.

33. The plan and any related policies, including external policies such as those of financing institutions, should be publicly available.
34. The plan should:
 - a. identify persons in need of Planned Relocation, and on the basis of their particular needs, vulnerabilities, and other characteristics, articulate options that specifically address these factors and protect their rights and dignity;
 - b. provide persons and groups of persons who may potentially become Relocated Persons with a sufficient period of time to make informed decisions about whether to take part in the Planned Relocation;
 - c. provide persons or groups of persons who may potentially become Relocated Persons with the opportunity to propose alternative options and require these options to be duly considered;
 - d. have the capacity and flexibility to accommodate persons or groups of persons who may choose not to participate in the Planned Relocation, in a manner that protects their rights and dignity;
 - e. specify the phases of the Planned Relocation and applicable timelines;
 - f. ensure sufficient and sustainable funding for all phases of the Planned Relocation;
 - g. identify potential, suitable, settlement sites;
 - h. be sufficiently flexible to accommodate changing needs, circumstances, and requests from Relocated Persons that may arise during the Planned Relocation;
 - i. include measures to protect Relocated Persons and ensure a dignified standard of living pending and during the physical relocation process in accordance with, *inter alia*, paragraphs 36-41 below;
 - j. allow Relocated Persons to take charge of their decisions regarding the Planned Relocation to the maximum extent desired and practicable;
 - k. identify Other Affected Persons; and
 - l. include measures to prevent or mitigate, to the extent feasible, any adverse direct or indirect civil, political, economic, social, cultural, and other impacts on Relocated Persons and Other Affected Persons.

Information, Consultation, and Participation

35. States should:
 - a. establish information dissemination, consultation, and participation mechanisms that enable Relocated Persons and Other Affected Populations, as applicable, to be involved in, contribute to, have ownership of, and make informed choices about, each stage of the Planned Relocation;

- b. assess and accommodate constraints that may inhibit persons and groups of persons, within the broader category of Relocated Persons and Other Affected Persons, to access and engage with information dissemination, consultation, and participation mechanisms; and
- c. provide Relocated Persons and Other Affected Persons, as applicable, with access to timely, comprehensive, up-to-date, and accurate information throughout the Planned Relocation, in a language they understand.

Measures Pending and During Physical Relocation

- 36. States should ensure that Relocated Persons are able to maintain a dignified standard of living while awaiting physical relocation to a settlement site. This may mean providing and ensuring, as needed, safe access to, *inter alia*, safe shelter, suitable livelihoods, transportation, as well as basic infrastructure and services (including education and health).
- 37. States should prepare and have in place evacuation plans for Relocated Persons (and Persons Who Choose Not to Take Part in Planned Relocation), including while they are awaiting physical relocation to a settlement site.
- 38. The physical relocation of persons should be scheduled in a manner that minimizes disruptions to the daily lives of Relocated Persons and Host Populations.
- 39. States should provide timely and advance notice to Relocated Persons and Other Affected Persons, as applicable, of the timing and details of a physical relocation to settlement sites.
- 40. States should ensure, as needed, the safe, dignified, and timely physical relocation of Relocated Persons and their belongings and assets to settlement sites. This may require particular attention to rights, needs, circumstances, and vulnerabilities, as well as anticipating and addressing risks linked with the movement itself.
- 41. Except in circumstances of exceptional risk, physical relocation to settlement sites should only occur once such sites are capable of sustaining a dignified standard of living for Relocated Persons. This means, at a minimum, that, safe housing, suitable livelihoods, transportation, as well as basic infrastructure and services (including education and health) are available and accessible.

Providing Conditions for Rebuilding Lives through Livelihood Restoration and Other Services

- 42. States should provide the necessary conditions to enable Relocated Persons to:
 - a. build a sustainable life of dignity in their place(s) of settlement; and

- b. retain their rights, including those related to freedom of movement and political participation.
43. States should provide adequate support, resources, and services to Relocated Persons to address and mitigate risks of impoverishment, including those stemming from, for example, landlessness, joblessness, homelessness, marginalization, food insecurity, morbidity and mortality, loss of access to common property and services, and social and cultural disarticulation.
 44. States should ensure at a minimum the restoration, but ideally the improvement, of livelihoods of Relocated Persons as both a matter of right and as an essential component in preventing impoverishment. To the extent practicable, Relocated Persons should be supported to maintain their traditional or previous livelihoods where desired. If this is not possible, Relocated Persons should be provided with opportunities to acquire new skills and livelihoods that are suitable to, and feasible in, the settlement site, recognizing that Planned Relocations may offer Relocated Persons the opportunity to pursue new livelihoods.
 45. States should anticipate potential adverse impacts of Planned Relocation on Other Affected Persons and provide necessary support to prevent or minimize such impacts and to prevent and resolve potential conflicts.
 46. States should support businesses and other entities engaged in productive activities related to the restoration of livelihoods to mitigate adverse consequences of Planned Relocation for Relocated Persons and Other Affected Persons.

Land and Compensation

47. State resources, including but not limited to compensation, services, and/or financial assistance, should be used to support Relocated Persons and to minimize any adverse consequences on Other Affected Persons in a Planned Relocation. Where compensation is provided, eligibility criteria for such compensation should be equitable and should address barriers that may otherwise limit the ability of particular persons or groups of persons to receive fair compensation. These criteria should be made publicly available and/or shared in advance with Relocated Persons.
48. If States acquire title to land vacated by Relocated Persons, such persons or groups of persons should have the right to equitable compensation for their land and any other relinquished assets related to that land. In determining equitable compensation in this context, specific and careful attention should be taken to address the particular needs of persons or groups of persons with informal land rights, customary land rights, occupancy rights, rights of customary usage, or other forms of specific attachment to land as well as those who are landless, or unlawful occupants.
49. If States have not acquired title to land vacated by Relocated Persons, States should, to the extent practicable, protect vacated land and property against destruction, contamination, arbitrary or illegal appropriation, occupation, or unauthorized use.
50. States should ensure that land vacated in a Planned Relocation is used in a manner that does not create future risks and in specific, feasible, and compelling cases, enables Relocated Persons to retain access to that land and its resources, to continue their pre-existing livelihoods, and to maintain spiritual and cultural practices, for as long as practicable.

Monitoring and Evaluation

51. For a Planned Relocation, monitoring and evaluation activities should be carried out in accordance with the framework established under paragraph 27(c)(ii).
52. At the outset of a Planned Relocation, States, together with Relocated Persons and Host Populations, as applicable, should collect relevant baseline data and develop indicators and benchmarks against which to assess the Planned Relocation through on-going monitoring and evaluation activities. These indicators and benchmarks should be formulated in line with ensuring the goals of paragraph 57.
53. The findings from on-going monitoring and evaluation activities for a Planned Relocation should be shared, in a timely manner, with Relocated Persons and Other Affected Persons as applicable.
54. Where new information comes to light through on-going monitoring and evaluation, States should use such information to make changes to a Planned Relocation plan and its implementation to improve potential outcomes for Relocated Persons and Other Affected Persons, as applicable.
55. Monitoring activities and evaluation of results should inform any revisions to a State's legal and policy and institutional frameworks for undertaking Planned Relocation.
56. Monitoring and evaluation mechanisms, and the indicators developed in accordance with paragraph 52, should provide the basis of assessing when the State's oversight of, involvement in, and authority over a Planned Relocation can be considered to have ended.



Philippines floods, November 2009. Credit: © UNHCR/Josep Zapater.

VII.

WHEN DOES PLANNED RELOCATION END?

57. A Planned Relocation can be considered to have ended when Relocated Persons no longer have needs or vulnerabilities related to the Planned Relocation and can enjoy their rights at least at the same level as pre-Planned Relocation or before the impacts of disasters and environmental change affected the enjoyment of such rights, and at a level that is at least equal to that of Host Populations.^A

