

Preventing Internal Displacement when Disasters and Armed Conflict Cross Paths: Challenges and opportunities

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Internal displacement has multiple causes. It is generally acknowledged that it can be the outcome of armed conflict or generalized violence. It is also accepted that disasters, both natural and man-made, can drive displacement. A scenario that is far more complex - and which has hardly been studied - arises when war (or generalized violence) and disasters occur simultaneously. This brief paper addresses the challenge of prevention in this context.

To do so, it begins by presenting the scenarios where the conjunction of these two factors occurs; secondly, it analyzes how existing prevention and resilience-building mechanisms complement one another, despite belonging to three different legal regimes; thirdly, it introduces certain mechanisms and best practices that are currently being implemented to prevent multi-cause internal displacement and finally, it draws some brief conclusions.

1. Scenarios where displacement is brought about by the coincidence of disasters, armed conflict /or generalized violence.

Internal displacement is often triggered by two or more factors; however, the interaction among these different expelling factors can vary substantially. Tamara Wood presents three scenarios where situations involving armed conflict or generalized violence combine with natural or man-made catastrophes to force migration,¹ a proposal that has been duly adopted in this paper due to its clarity of purpose. These scenarios are:

1. Armed conflict (or generalized violence) and disasters exist side-by-side. In this scenario, two different forced-displacement drivers occur simultaneously in the same geographical area, but there is no direct link between them. This is the case of the Lake Chad basin, where the jihadist terrorist organization Boko Haram and a protracted drought are expelling the local population and there is no relationship between them.² In this context, the presence of just one of these factors would suffice to cause displacement; their combination just goes to make things far worse.
2. Armed conflict (or generalized violence) and disasters interact. In this context, the occurrence of a disaster triggers tensions related to the access to water, food and other scarce resources. These tensions evolve into conflicts, leading to forced displacement. Sub-Saharan Africa offers multiple examples of this kind of interaction. A shift in the rainfall pattern of the Karamoja region of Uganda, for instance, has caused a scarcity of pasture, an essential resource in a region that is home mainly to pastoralist groups. This situation has exacerbated inter-tribal tensions, resulting in forced displacement.³

It is important to note that the relationship between the two drivers is not always simple and straightforward. An initial disaster-induced displacement may lead to tension between the

1 Wood, Tamara, (2015) "Human vs 'natural' causes of displacement: the relationship between conflict and disaster as drivers of movement", Nansen Initiative Perspectives blog, 27 May 2015 , available at <http://disaster-displacement.org/staff-member/human-vs-natural-causes-of-displacement-the-relationship-between-conflict-and-disaster-as-drivers-of-movement>

2 Internal Displacement Monitoring Centre, (2018) Global Report on Internal Displacement, Geneva: IDMC, p.21

3 Harris, Katie, David Keen, and Tom Mitchell (2013). When Disasters and Conflicts Collide: Improving Links between Disaster Resilience and Conflict Prevention. London: Overseas Development Institute, p.31

host community and the new arrivals. When poverty and a lack of state presence cohabit, such clashes can easily lead to violence and a second displacement.⁴

3. Armed conflict (or generalized violence) and disasters impact sequentially. In this scenario, people displaced due to conflict or generalized violence face a second uprooting process due to a natural or man-made disaster. Since internally-displaced persons are often forced to settle in areas exposed to high risks, this is a very common situation. In 2019, for instance, displacement caused by floods in the White Nile basin affected people already expelled by armed conflict.⁵ Similar situations have occurred in Cameroon,⁶ Syria⁷ and Yemen.⁸ IDP returnees are also exposed to disaster-induced displacement since public return plans and policies do not usually incorporate a risk reduction approach. This was the case in 2014 in Bosnia & Herzegovina, when massive floods forced tens of thousands of returnees to relocate once again.⁹

2. Mechanisms for preventing displacement caused by conflict or generalized violence and instruments to avert disaster-induced displacement. Complementarities and possible incompatibilities.

According to international instruments - such as the Deng Principles¹⁰ and the Kampala Convention¹¹ - situations of conflict or generalized violence, as well as disasters, are drivers of internal displacement, yet not every national public policy governing the matter includes them all in its particular definition of forced displacement.¹² There is, in fact, a trend towards excluding catastrophes as a cause of these kinds of movements, focusing instead on assistance and protection only for those expelled by war or violence.¹³

Although there are exceptions, such as the case of Uganda, whose public policy enshrines the IDP's international definition,¹⁴ most States' responses to disaster-induced displacement have been crafted according to the premises of the Disaster Risk Reduction (DRR) regime¹⁵ and, to a

4 Abel, Guy J. Brottrager, Michael, Crespo Cuaresmar, Jesus Crespo Cuaresma, and Muttarak Raya (2019), "Climate, conflict and forced migration", *Global Environmental Change* 54 (2019), 239-249. Idea, Tobias, Brzoska, Michael, Dongesc, Johnatan, and Schleussne Carl-Friedrich "Multi-method evidence for when and how climate-related disasters contribute to armed conflict risk, *Global Environmental Change*

5 IDMC (2020) *Global Report on Internal Displacement*, Geneva: IDMC, p. 27.

6 *Ibid.*, p. 17-18.

7 *Ibid.*, p. 30.

8 *Ibid.*

9 Turner, Wesli (2015), "The compound effects of conflict and disaster displacement in Bosnia and Herzegovina", *Forced Migration Review*, 50.

10 Doc. UN E/CN.4/1998/53/Add.2, 11 February, 1998, par. 2 and Principle 6.

11 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, adopted by the Special Summit of the Union Kampala, Uganda 23rd October 2009.

12 MacGuire, Daniel (2018) "The Relationship between National Normative Frameworks on Internal Displacement and the Reduction of Displacement", *International Journal of Refugee Law*, Vol 30, No 2, p. 274.

13 Bradley, Megan and Cohen, Roberta, (2010) "Disasters and Displacement: Gaps in Protection", *Journal of International Humanitarian Legal Studies*, vol. 1

14 Uganda-Office of the Prime Minister Department of Disaster Preparedness and Refugees, (2004) *National Policy for Internal Displaced People*, p. x.

15 The main DRR international instruments are the Hyogo Framework for Action 2005-2015 and the Sendai Framework for Disaster Risk Reduction 2015-2030; both having soft law nature. The former only considers displacement as a risk factor (par 4.ii.i). On the contrary, the later recognizes displacement as a major global consequence of disasters

lesser degree, those of the Climate Change regime,¹⁶ rather than being designed and implemented subject to the legal framework corresponding to forced internal displacement. There are cases, such as Colombia's, where forced displacement occupies a very modest spot in the national DRR policy.¹⁷ On the other hand, the Philippines¹⁸ and the Pacific island states¹⁹ have crafted complex DRR responses to specifically address forced displacement.

At this point, a question arises as to the complementarity and possible incompatibilities among the three legal regimes dealing with forced internal displacement. Since this brief paper is focused on prevention, the question will be addressed exclusively from a prevention perspective. Theoretically, this issue has a relatively easy solution, since in principle the three legal frameworks are perfectly compatible. As Elizabeth Ferris emphatically states, displacement prevention is always a human rights concern.²⁰ The essential obligation of any State to grant determined basic rights to its entire population demands the adoption of effective and adequate measures to avert arbitrary expulsion. This has been underscored by the jurisprudence of both the Inter-American Court of Human Rights²¹ and the European Court of Human Rights.²² Therefore, the purpose of every law, public policy or national strategy dealing with forced internal displacement - regardless of its cause - must be the prevention of its occurrence.

According to the above premise, the mechanisms for preventing internal displacement included in every domestic public policy - be they structured based on the Deng Principles, the DRR guidelines or the Climate Change provisions - must complement one another, since their overriding purpose is, after all, none other than the protection of human rights. In practice, however, such complementarity is not always achieved, and there are three main obstacles that must usually be overcome.

First of all, prevention has an almost insignificant role in the legal framework governing internal displacement. Neither international instruments nor domestic public policies include enough dispositions on the matter; therefore, there are not many examples of actual prevention mechanisms.²³ Secondly, most of the national DRR strategies are lacking a truly human rights approach and, as a consequence, despite including a set of prevention measures, they are not necessarily focused on protecting the rights of the people at risk or affected by disasters.²⁴ Finally, national responses

and includes several dispositions regarding its prevention.

16 Forced displacement is included in some instruments of the Climate Change international regime, such as the Cancun Adaptation Framework.

17 Sánchez-Mojica Beatriz E, and Rubiano Sebastián (2018), *Territorios en transformación, derechos en movimiento. Cambio ambiental y movilidad humana en Colombia*, Bogotá: Universidad de los Andes.

18 Bermudez, Reina, Temprosa, Francis Tom, and Gonzalez Benson, Odessa. "A disaster approach to displacement: IDPs in the Philippines", (2018) *Forced Migration Review*, 58.

19 For instance, Vanatu has approved in 2018 a National Policy on Climate Change and Disasters-Induced Displacement, available at http://www.iom.int/sites/default/files/press_release/file/iom-vanuatu-policy-climate-change-disaster-induced-displacement-2018.pdf

20 Ferris, Elizabeth, (2014) "How Can International Human Rights Law Protect Us from Disasters?", Brookings- LS, available at <http://reliefweb.int/report/world/how-can-international-human-rights-law-protect-us-disasters>

21 Interamerican Court of Human Rights, *Chitay Nech y otros vs. Guatemala*. Excepciones, sentencia de 25 de mayo de 2010. Serie C No. 212149, *Defensor de Derechos Humanos y otros Vs. Guatemala*, sentencia de 28 de agosto de 2014. Serie C No. 2831 and *Carvajal Carvajal y otros Vs. Colombia*, sentencia de 13 de marzo de 2018, among others.

22 European Court of Human Rights, *Öneryildiz v. Turkey*, App. 48939/99 (30 November 2004) and *Budayeva and Others v. Russia* App. 15339/02, 21166/02, 20058/02, 11673/02 and 15343/02 (20 March 2008).

23 Schrepfer, Nina (2012) "Addressing Internal Displacement through National Laws and Policies: A Plea for a Promising Means of Protection" *International Journal of Refugee Law* Vol. 24 No. 4 p. 667–691. MacGuire Op. Cit.

24 See, among others, Badley and Cohen, Op. Cit., Ferris, Op. Cit. Ginnetti, Justin, and Schrepfer, Nina, (2012) "Predicting disasters and protecting rights", *Forced Migration Review*, 41

to disaster-induced displacement or forced internal migration caused by conflict or generalized violence have been formulated and implemented as completely independent public policies. As a result, there are no mechanisms available to facilitate joint and coordinated action or even the slightest complementarity among them. Latin American public policies offer plenty of examples of this last problem.²⁵

3. Prevention mechanisms and resilience-building in the context of displacement produced by situations where disasters and conflict and violence cross paths.

Despite the fact that public policies dealing jointly with displacement induced by disaster and by conflict and violence are very few and far between, it is possible to conceive of prevention and resilience-building mechanisms that can be both adequate and effective for scenarios in which these two drivers are present. Without pretending to be exhaustive, the following paragraphs examine some of these measures.

National DRR strategies and public policies provide certain mechanisms and best practices that serve to avoid having an initial disaster-induced displacement evolve into the second or even the third, scenario described above in the first section of this paper. The first is the inclusion in the registration systems and official databases of displacement caused by catastrophes. Keeping systematic and detailed records of this kind of mobilization provides authorities with valuable information for understanding both its triggers and patterns, knowledge that is vital for the efficient adoption of future prevention measures.²⁶ Detailed information on the IDPs' customary routes and destinations facilitates actions oriented towards assisting and protecting both these people and their prospective host communities, thus averting tensions between the local population and newcomers that can well lead to a new displacement. The Philippines' system of registration and monitoring is an interesting model to be followed in this regard.²⁷

A second mechanism involves the implementation of early disaster-warning systems, as well as evacuation and temporary shelter protocols. Early-warning systems allow both authorities and communities to diminish the impact of natural or man-made hazards, in turn reducing the likelihood of forced displacement. Even if displacement eventually becomes unavoidable, an early-warning system is crucial for operating an organized evacuation process that protects the rights of those who are forced to flee. This process and the subsequent setting-up of temporary shelters in application of adequate protocols, averts forced recruitment among IDPs in situations of conflict and generalized violence. It also helps to prevent tension among the IDPs themselves once they are located in their temporary residences, as well as between this population and the host community. This, and the implementation of effective conflict resolution strategies, will avert conflicts that can easily lead to new forced displacements. The Operational Guidelines on the Protection of Persons in Situations of Natural Disasters of the Inter-Agency Standing Committee (IASC)²⁸ should be mentioned here, since they set forth valuable principles and recommendations for con-

25 Sánchez-Mojica, Beatriz Eugenia, (2018) "Pájaros a punto de volar La respuesta a la movilidad humana vinculada a desastres ambientales y cambio climático en América Latina" en *Refugiados Ambientais*, Jubilut, Liliana et al(Eds.), Boa Vista: EDUFRR.

26 Ginnetti, Justin, and Schrepfer, Nina, Op. Cit.

27 IDMC (2020), Op. Cit. p. 83-84.

28 IASC (2011) IASC Operational Guidelines on the Protection of Persons in Situations of Natural disasters, The Brookings – Bern Project on Internal Displacement, available at http://www.ohchr.org/Documents/Issues/IDPersons/OperationalGuidelines_IDP.pdf

ducting evacuations and providing temporary shelter for IDPs. The early-warning and evacuation protocols of China, Fiji, Japan and the Philippines have also been identified as good practices that should also be taken into account.²⁹

Thirdly, urban planning has been constantly referred to as a potent mechanism for preventing disasters and displacement,³⁰ and its importance grows in a multi-cause internal displacement scenario, since IDPs – either due to disasters or to conflict or violence - seek shelter in city centers, settling in areas where they are over-exposed to risk.³¹ Only an adequate public urban planning policy that includes strict compliance mechanisms can prevent such a situation. The development of preventive resettlement programs is closely associated with urban planning, but the approach has to contemplate human rights and both the IDPs and the host communities must actively participate in the drafting.³² Given its complexity and the challenges it represents, relocation must always be the last option,³³ yet it is possible to find some successful experiences and Latin America provides some interesting examples.³⁴

We have mentioned the prevention and resilience-building mechanisms provided by the DRR legal regime; now it is time to present some that are included in the legal frameworks governing internal displacement. Two of these can be found in the Colombian response to forced displacement due to armed conflict. On the one hand, there are local and national instruments for identifying and preventing situations that entail a risk of displacement.³⁵ These mechanisms can be used to detect and resolve conflicts between the people displaced by disasters and their host communities, averting further forced displacements. On the other hand, this public policy provides IDPs who have also been dispossessed of their lands, with the opportunity to apply for a replacement of the properties they were forced to abandon, if they are located in areas that are highly exposed to disaster risk.³⁶ This measure grants these people a parcel of land in similar conditions to those of their original property, thus preventing a new displacement due to natural or man-made catastrophes.

This brief paper could not end without mentioning the disaster prevention strategies that have been developed in the Rohingya refugee camps located in Bangladesh. While not being, *per se*, an internal displacement, it nevertheless provides two lessons that must be taken into account. The first is that there is a positive correlation between the skills of those who have been uprooted in developing prevention and preparedness strategies to cope with disasters, and their educational level.³⁷ Therefore, guaranteeing displaced people access to education is an effective tactic for improving their resilience. The second is related to the joint efforts of the Government of Bangladesh and the Bangladesh Red Crescent Society, which have revealed the importance of crafting coor-

29 IDMC, (2020), Op. Cit., p. 39.

30 Sendai Framework, 27(d); 30(f); 47(d), UN Office for Disaster Risk Reduction (2019) Disaster Displacement: How to Reduce Risk, Address impacts and Strengthen Resilience, Geneva: UNDRR

31 See footnote 4.

32 See, among others, Brookings, Georgetown University and UNHCR, (2015) Guidance on Protecting People from Disasters and Environmental Change Through Planned Relocation, available at http://www.brookings.edu/wp-content/uploads/2016/06/GUIDANCE_PLANNED-RELOCATION_14-OCT-2015.pdf

33 Serje, Margarita and Anzellini, Stefano, (2011) Los dilemas del reasentamiento: Debates y experiencias de la mesa nacional de diálogos sobre reasentamiento de población, Bogotá: Universidad de los Andes.

34 Correa, Elena (Comp) (2011), Preventive Resettlement of Populations at Risk of Disaster: Experiences from Latin America, Washington: International Bank for Reconstruction and Development

35 Republic of Colombia, Law 1448/ 2011, art. 73.c and Decree 4802/ 2011 art. 19.

36 Republic of Colombia, Law 1448/2011 art. 97.a

37 Zaman, Shamrita, et al, (2020) “ Disaster risk reduction in conflict contexts: Lessons learned from the lived experiences of Rohingya refugees in Cox’s Bazar, Bangladesh”, International Journal of Disaster Risk Reductionk, 50.

dination mechanisms and strategies linking both the diverse national and international agencies responsible for attending to people displaced by generalized violence, and those institutions in charge of DDR policies.³⁸ This is an effective way of building bridges between public policies that are usually separated, and it has proven useful for preventing disaster-induced displacement in the refugee camps.

4. Conclusion

Multi-caused displacement is a phenomenon that affects a significant portion of IDPs around the world, yet neither academics nor governments appear to be paying it enough attention. To date, the general trend among States has been to develop two different responses; one for disaster-induced displacement and another for forced internal migration triggered by armed conflict and generalized violence. These responses have often been designed and implemented according to very different principles and even rationales. Although they are crafted as independent public policies one must not forget that no matter triggers it, forced displacement is always a human rights issue. Therefore, prevention mechanisms included in both responses must complement one another, there is simply no other option. As this brief paper has shown, it is nevertheless a feasible goal.

38 International Federation of Red Cross and Red Crescent Societies DRR in Action Case Study. Preparing and reducing risks of disasters to displaced communities, available at http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2018/06/CaseStudy17_Bangladesh_Cox-Bazar-Final.pdf