

Multi-Sector Community Mitigation Program

Tool 2: **Community Relocation Processes: Practices and Recommendations**

Addressing the issue of relocation of socially vulnerable communities located in high-risk areas requires multiple considerations to ensure sensitive and dignified processes for affected families. The following is a compilation of best practices and recommendations, so that they can be integrated into the development of programmatic guidelines that, in one way or another, integrate relocation initiatives. These come from various academic sources and recognized practices in the field of human rights, mainly from the handbook published by Georgetown University: *Planned Relocations to Protect People from Disasters and Environmental Change* (<https://www.refworld.org/es/pdfid/59a5b36b4.pdf>). Because of the complex nature of the subject, this compilation is not exhaustive, but may serve as a useful guide in establishing procedural guiding principles.

I. **Relocation vs. Permanence**

Relocation of a community should only proceed once it has been explored and confirmed that available mitigation measures would have no effect on protecting the safety and well-being of the families belonging to the community. This means that risk reduction was considered.

- Has an assessment been carried out to identify feasible disaster risk reduction, climate change adaptation and sustainable development measures that could help populations remain on site?
- What were the key recommendations of the assessment?
- Have the results of the assessment been shared with relevant stakeholders?
- Do the relevant populations and authorities have the necessary capacities, resources, technical knowledge, and willingness to implement the assessment recommendations?
- If not, what is needed, and is external support necessary?
- Could disaster risk and climate change impacts be reduced in a sustainable manner by strengthening or rebuilding infrastructure, improving access to certain services, or better managing resources?
- Have previous attempts been made to manage disaster risk or adapt to the effects of climate change and have they been successful?
- If not, what were the constraints and lessons learned from those efforts and how could they be improved?
- Have the potential risks and negative impacts of proposed disaster risk reduction and climate change adaptation measures been considered?

- Are there ongoing or planned risk reduction or adaptation measures that could help reduce or eliminate existing risks?
- Have these measures had positive results?
- If not, what were the constraints and lessons learned from these efforts and how could they be improved?
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- Have these measures had positive results?
- If not, what were the limiting factors and lessons learned from these efforts and how could they be improved?

II. Basic Principles of Relocation:

1. Planned Relocation is carried out for the benefit of Relocated Persons and in a manner that respects and protects their rights and dignity.
2. The State has the primary responsibility to respect, protect and ensure the fulfillment of the human rights of persons within their community environment. This includes the obligation to take preventive as well as remedial measures to uphold these rights and to assist persons whose rights have been violated.
3. The State must have compelling reasons, strong evidence and a sound legal basis for carrying out Planned Relocations.
4. The State must ensure sufficient and sustainable funding for Planned Relocation.
5. Planned Relocation should be used as a measure of last resource, after other risk reduction and/or adaptation options have been considered in a timely and comprehensive manner.
6. Planned Relocation should be carried out within a rights-based framework to protect individual and community civil, political, economic, social, and cultural rights.
7. Relocated Persons and Other Affected Persons should be informed, consulted, and provided with conditions to participate in the decision on Planned Relocation, as well as in decisions on when, where, and how relocation is to be carried out, as appropriate. The willingness, capacity, resilience and empowerment of Relocated Persons should be recognized, promoted and strengthened throughout a Planned Relocation.
9. The specific needs, circumstances and vulnerabilities of Relocated Persons and Other Affected Persons, as appropriate, should be taken into account and addressed in all phases of a Planned Relocation. These specific rights, needs, circumstances and vulnerabilities may relate to:

- a. Demographic and health characteristics;
- b. Socioeconomic characteristics;
- c. Membership in a marginalized group;
- d. Special dependency and/or attachment to land or local resources/opportunities;
- e. Direct and indirect impacts of disasters or environmental changes; or
- f. Previous experiences of displacement.

10. Planned Relocation should provide opportunities and conditions to:

- a. Enable Relocated Persons to improve, or at a minimum restore, their living standards;
- b. Enable the Host Populations to maintain pre-existing living standards, or to achieve the same living standards as the Relocated Persons, whichever is higher; and
- c. Mitigate adverse impacts related to the Planned Relocation that may affect persons living in proximity.

11. Planned Relocation must be conducted in a manner that respects and upholds the principle **of family unity**. Planned Relocation should also be conducted in a manner that respects and maintains the social cohesion of households, the community, as well as kinship ties. This is particularly important in cases where families have developed a community life for decades, strengthening ties of kinship and coexistence.

12. Relocated Persons have the right to choose their place of residence.

III. Guiding Questions – Concerning Relocated Persons

- Is there a clearly demarcated physical area from which people are to be relocated?
- Are the reasons for this delimitation supported by scientific evidence?
- Is there a census of Relocated Persons including relevant demographic, socioeconomic and cultural information?
- Is there an analysis of the population, including its social and family organization, socioeconomic characteristics, social support, and mutual assistance networks among Relocated Persons?
- Is there an understanding of the emotional ties that Relocated People have to their housing, their neighbors, their "community," and the physical environment?

- Is there an understanding of the practices and customs of Relocated Persons in relation to issues such as the use of physical and common space, community leadership and cultural values?
- Is there an understanding of the demand for and use of resources (e.g. water, electricity and telecommunications) and services (e.g. solid waste disposal and wastewater)?
- Is there an inventory of the productive activities, sources of income and income levels of Relocated Persons and other Affected Persons?
- Is there an inventory of existing social services available to people in the area from which a Planned Relocation is to be conducted? For example, is there an inventory of schools and health centers and analysis of health-related practices?
- Is there an inventory of the causes of morbidity and mortality?
- Is there information on the potential impacts on cultural objects, traditions, and heritage of the relocation of people from a given area?
- Is there an understanding of the potential political impact of relocating people from one particular area to another?

IV. Guiding Questions Regarding Constructions and Infrastructures in the Place of Origin


- Is there an inventory of structures built, whether for housing or for economic activities, including private, public, or communal structures?
- Is there an appraisal of the value of land, or of parcels of land and existing buildings, including common spaces?
- Is there a land tenure study that identifies the land rights of inhabitants, including, for example, patrilineal or matrilineal inheritance systems?
- Is there a land registry?
- Is there an inventory of existing utility infrastructure in the relevant physical area (e.g., water, energy, transportation, sanitation, communications, public safety)?
- Is there an inventory of the infrastructure used for community purposes (e.g. recreational, sporting, religious or social activities and an analysis of these practices)?

V. Guiding Questions - Regarding the Host Population

- Is there an analysis of the relationship between the Relocated Persons and the Host Populations with respect to the historical nature of the interactions, as well as the similarities and differences in their social, cultural, political, and economic characteristics and structures?
- Is there information on the likely environmental impact of the Planned Relocation on the Host Populations, in terms of water, land, energy and pollution? In infrastructure, resources, and public and social services?

VI. Key recommendations for the organization of meetings with Relocated Persons

1. Community meetings should be held only for important milestones.
2. Frequent meetings should be avoided to prevent deterioration of community relations and loss of interest.
3. Community meetings should be held at different points in the Planned Relocation process.
4. Meetings should be held to launch the Planned Relocation plan to:
 - a. Introduce the team of professionals;
 - b. Inform the community of the activities and studies to be undertaken in preparation of the Relocation Plan, the objective of each activity, the type of information to be collected and its purpose, the anticipated schedule for information collection, the alternatives to be explored, and the schedule of upcoming meetings and issues to be discussed; and
 - c. Establish channels of communication through which information can be obtained and provided (e.g., agree on the approach to implementing the other mechanisms discussed below).
5. Meetings should be held after completion of the census and socioeconomic survey to:
 - a. Present and validate the results of the census and socioeconomic survey; and
 - b. Establish the closing date of the census.

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- A photograph of a residential area with a pond in the foreground. In the background, there are several multi-story apartment buildings under a clear blue sky. The water in the pond reflects the buildings and the sky.
6. Meetings should be held when relocation alternatives have been identified, in order to:
 - a. Present the different alternatives, their advantages and disadvantages, and the rights and obligations in relation to each;
 - b. Reach agreement on how to obtain more detailed information on each alternative (e.g., site visits, etc.);
 - c. Establish the time frame in which communities will have to choose between the alternatives offered; and
 - d. Define the types of participation, depending on the alternative selected.
 7. Finally, meetings should be held during the preparation and implementation of the plan to provide information on:
 - a. The progress and status of the different activities;
 - b. Budget execution; and
 - c. Problems encountered and possible solutions.

VII. Essential requirements regarding consultation and participation

1. Have traditional and non-traditional community leaders been given the opportunity to be involved and participate throughout the Planned Relocation process?
2. Have sufficient efforts been made to empower and enable the community to make informed decisions at all stages of the process?
3. Have secure and accessible feedback and grievance mechanisms been developed?
4. Have measures been taken to ensure that Relocated and Other Affected Persons have the time and space to meet and consult with each other?
5. Have participatory and consultation processes been designed to minimize unrealistic expectations?
6. Has thought been given to the possibility that consultation with those affected by Planned Relocations may challenge established political and institutional structures, including traditional leadership?

7. What mechanisms are in place to deliver title deeds to Relocated Persons, including, where applicable, to the heirs of deceased persons?
8. What mechanisms are in place to provide financial assistance to landless displaced persons to support them in securing land tenure or lease rights?
9. What mechanisms exist or need to be put in place to ensure that Relocated Persons are able to maintain their customary relationships?
10. What mechanisms exist or need to be in place to ensure that Relocated People can re-establish customary and cultural norms, rituals and traditions and maintain cultural, spiritual knowledge, cultural artifacts, and heritage?
11. How are traditional relationships, including traditional business partners, used to support the relocation process?
12. Can you provide support to Relocated People while they are awaiting physical relocation?
13. In what ways can they support the re-establishment of livelihoods?

VIII. Land / Structures / Unoccupied Residences

- The community should be aware of and have confidence in the plans to be put in place once families are relocated. What mechanisms are in place to ensure that vacated land, structures and/or dwellings are not treated or used illegally or create future risks?
- The community should be informed of community, municipal and state plans to prevent other persons/families from occupying the land, structures and dwellings they vacate, and be involved in considerations such as: conversion to a park or other public purpose.
- **INDISPENSABLE** - What mechanisms will you adopt to prevent future development in the vacated areas to assure families that their relocation is not based in any interest other than safeguarding their safety and well-being?