The event focused on the impact of displacement in the context of climate change and disaster displacement on housing, land and property rights in different contexts and regions. This session aimed to raise further awareness of how these interconnected issues directly impact displacement-affected people and have not yet received enough consideration in international responses and policymaking.

Setting the Stage

Climate change and related disasters (both sudden and slow onset) are projected to increase in the coming years, forcing more people to flee their homes because of floods, tropical storms, droughts, and sea level rise, among other natural hazards. Many can find refuge within their own country, but some are forced to cross international borders. With disaster displacement and other displacement in the context of climate change, significant housing, land and property (HLP) protection challenges arise. The impacts of climate change worsen the situation and prospects for displacement-affected people, preventing durable solutions, limiting access to natural resources, restricting livelihoods, and exacerbating conflicts. For NRC as an agency that focuses on displacement, the climate crisis is one of our greatest challenges both as a cause of new displacements and because of the challenges it presents to the already displaced population during displacement and in their pursuit of durable solutions.

In this context, the importance of adequately addressing HLP rights has not yet received the attention it requires. HLP rights are about having a home, free from the fear of forced eviction; a place that offers shelter, safety and the ability to secure a livelihood. It includes the full spectrum of rights to housing, land and property held according to statutory or customary law or informally. Land rights are rights held to both land and natural resources. HLP rights are held by owners, tenants, cooperative dwellers, customary land tenure owners and users, and informal sector dwellers.
without secure tenure. These rights are intrinsically related to environmental rights, which imply access to the unspoiled natural resources that enable survival, including land, shelter, food, water and air. While the Sendai Framework refers to poor land management as a driver of disaster risk and calls for land use policy revisions, the significance of HLP in relation to climate change and disaster risk reduction go well beyond such aspects. With the impacts of the climate crisis on displaced people, significant additional HLP protection challenges arise.

The Event

As part of Humanitarian Network and Partnerships Week 2022 in Geneva, this event brought together speakers and participants working in different contexts to exchange views, experiences, and practices in association with HLP, disaster displacement, and climate change. This included perspectives from East and Southern Africa and the Pacific.

Jim Robinson, Co-ordinator, Global HLP AoR – NRC

In situations where both disasters and conflict are drivers of displacement, addressing HLP rights is essential to virtually all forms of humanitarian programming—from building shelters and infrastructure to supporting sustainable livelihoods, demining activities, and providing adequate water, sanitation, and health programming.

When the issue of HLP rights is misunderstood or ignored by humanitarian actors, serious protection concerns emerge that can lead to further conflict, violence, dispossession, and displacement.

However, if addressed in a clear, thoughtful, and systematic way, HLP-based programming can prevent additional harm, improve trust within and between communities, enhance the capacity of governance institutions, and lead to sustainable solutions to displacement.

Nina M Birkeland, Senior Advisor on Disaster Displacement and Climate Change – NRC

Platform on Disaster Displacement (former Nansen Initiative) (2016 onwards) is a State-led initiative working towards better protection for people displaced across borders in the context of disasters and climate change. The Nansen Initiative sought to improve the protection of people displaced across borders due to disasters and the impact of climate change.

“The Climate Crisis, Displacement, and HLP Rights: Responding to New Protection Imperatives”

Having received funding from the Government of Liechtenstein, the NRC launched a new policy project on Climate change, disaster displacement and HLP (from here referred to as the ‘project’). Through this project NRC will consolidate and expand on its existing support and engagement with the Platform on Disaster Displacement, and the Global Protection Cluster (GPC), particularly the HLP Area of Responsibility (AoR), which it leads. As a advisory committee member of PDD and co-chair of the GPC Strategic Advisory Group, NRC will share the learning from this project and further influence this policy and coordination mechanism.

Through this collaborative approach with the GPC, NRC aims to contribute to addressing the knowledge and protection gap on the intersection of climate change, displacement and HLP (in conflict and disaster settings). The project is one of the first of its kind, supporting the inclusion of impacts of the climate crisis, disaster displacement and related protection concerns into the GPC’s work on HLP rights.

The Global Protection Cluster launched the GPC Guidance on Preparedness for Protection in the context of Climate Change and Disasters, and the GPC Toolkit on Preparedness for Protection in the Context of Climate Change and Disasters in 2022.

In line with the Sendai Framework, the NRC, in collaboration with Platform on Disaster Displacement, UN Office on Disaster Risk Reduction, and German Federal Foreign Office
formulated the [Words into Action tools that includes a guide, checklist, and e-learning platform](#) to assist DRR policy makers and practitioners in responding to disaster displacement.

It is noted that there is a gap in humanitarian tools and processes responding to climate change and disaster regarding protection of HLP rights.

**The Presentations**

**Hugo Reichenberger, Senior Protection Cluster Coordinator, Maputo, Mozambique, UNHCR**

The increasing frequency and intensity of cyclones washing onto Mozambique’s shores have increased housing insecurity and homelessness, and causes for secondary degrees of conflict.

The Protection cluster in Mozambique: the Protection Cluster works in both conflict induced displacement in northern Mozambique and climate-induced displacement in central Mozambique, where cyclones hit annually. Support for Disaster Risk Reduction remains on a needs basis and – especially – strengthening the various protection components within cyclone response. Loss of documentation of IDPs during displacement increases their insecurity.

Women and children are often dispossessed of their familial land after the death of the male representative. Discriminatory customs in matters related to land tenure are prevalent.

**Evelyn Aero – Magero, Regional Adviser, Information Counseling and Legal Assistance (ICLA), HLP AoR Coordinator, Somalia, NRC**

In Somalia, Climate Change exacerbates the complexity of HLP rights; for example, loss of tenure documents and damage to boundaries have implications (post displacement) for land tenure security for persons displaced due to climate change.

It is also an effect multiplier which increases the risks of HLP violations, multiplying the probability and intensity of extreme weather events and environmental hazards rather than directly creating them.

Although widely understood to be a result of these convergent HLP crises, in Somalia, land grabs are also triggered by environmental issues such as drought, floods etc.

**Gender:** the impacts of climate change affect women and men differently. Women are often responsible for gathering and producing food and collecting water – this has implications for the enjoyment of HLP rights.

**Daniel Fitzpatrick, Professor, Faculty of Law, Monash University, Pacific**

Types of displacement in the South Pacific:

- Movement within the customary territory
- Movement to other customary territory
- Movement to alienated land (rural/urban)

Movement across customary territories can give rise to friction and conflict. Conflicting claims of land ownership and housing security in the context of climate-induced displacement are already a lived reality.

Migration to alienated land, especially urban hotspots, often creates informal slum settlements as migrants are not able to afford formal land rights documents.

In response to disaster displacement, HLP issues need to be mainstreamed into all stages of disaster risk management – pre-displacement, during, and post-disaster. Mainstreaming should not only include training and toolkits but also incorporation into needs assessments.

HLP issues receive little mention in Pacific climate and disaster management plans. The close relationship between HLP rights and human mobility (displacement, relocation and migration) highlights the downsides of insufficient attention to HLP issues.
Discussion

Jamal Browne - Durable Solutions Officer (Housing, Land and Property), Division of Resilience and Solutions, UNHCR

Highlighting the linkage between disaster risk and tenure, he emphasized the importance of government-led initiatives that address insecure tenure as part of national disaster risk reduction efforts. Referencing previous research, he highlighted the sense of ownership and personal responsibility that comes with property that an individual considers to be securely theirs, and how this translates into a natural inclination to maintain the safety and integrity of that property.

He further outlined that addressing challenges related to security of tenure demands the commitment of government to addressing and policy, legal-regulatory or institutional gaps that create uncertainty and bottlenecks within the process towards obtaining formal documentation of land rights. Summary and Action Points

The event served as an useful platform for introducing the interlinkages between disaster displacement, climate change, and matters related to HLP. The versatility of the panel in terms of regional contexts and background facilitated a conversation around these matters within national contexts while also mapping similarities amongst them. Furthermore, the event highlighted the intersectional nuances that occupy this thematic; gender, labour, land laws, relocation, and indigenous rights.

The organisers agreed to open a mailing list for all interested parties to sign on to through which we can communicate further on Climate Change, Displacement and HLP related resources as they are developed under the project, inform about conferences and events and establish networks of communication and knowledge sharing.

Recommendations by Presenters

• Focus on prevention & preparedness – integrating HLP response with early action activities. Mobilise financial resources for HLP in context of climate change

• Addressing issues around HLP, displacement and climate change are costly, complex and dynamic, with long-term implications. Therefore, it is essential to continually identify, gather and analyse the best available evidence.

• Focus on urban informal settlements: incorporate HLP standards into tenure upgrade mechanisms. As has been evident in multiple national scenarios, displacement associated with climate often leads to urban migration which increases prevalence of informal settlement and tenure insecurity.

• The procedures for community consultation and community land boundary setting should be harmonized. The temporary or permanent settlement of mobile communities on other communal lands often leads to loss of social cohesion, strife, and communal conflict.

• Procedures should also be clarified for the permanently relocated communities to become a legal entity capable, for example, of opening a bank account and receiving funds to which it is entitled (either because of contracts with outside investors, or via the percentage of mining, forestry, and tourism-related fees it is entitled to under those corresponding laws.

Links to other relevant information:

• [https://www.nrc.no/resources/guidelines/disaster-displacement-how-to-reduce-risk-address-impacts-and-strengthen-resilience/](https://www.nrc.no/resources/guidelines/disaster-displacement-how-to-reduce-risk-address-impacts-and-strengthen-resilience/)


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