

Internal displacement in the context of disasters and climate change in Asia and the Pacific: Introduction to the volume

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This is a volume focusing on internal displacement in the context of disasters and climate change in Asia and the Pacific. It is the product of two years of research, coordinated by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law in collaboration with academic partners based in universities and research institutions across the region. The focus on internal displacement in the context of disasters and climate change is justified by the fact that every year, an average of 24 million people are newly internally displaced in the context of natural hazard events worldwide, with more than 75 percent of such displacement taking place in the region (IDMC 2019). As with any form of displacement, displacement in the context of disasters and climate change has significant implications for the enjoyment of human rights.

It therefore follows that the research, commencing on the occasion of the 20th anniversary of the adoption of the 1998 Guiding Principles on Internal Displacement (the Guiding Principles), adopts a human rights-based approach. The Guiding Principles were developed to address a recognized lack of clarity about how states ought to address the challenges presented by internal displacement (UN Commission on Human Rights 1991). A product of extensive academic research and widespread consultation, the Guiding Principles do not create new law, nor do they purport to bind states (Kälin 1998). Rather, they represent a consolidation of international law that is relevant to the situation of internally displaced persons. The key sources include international refugee law, international human rights law and international humanitarian law (Kälin 2008). Paragraph 2 of the Introduction to the Guiding Principles defines internally displaced persons as:

[P]ersons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.

Although the Guiding Principles are thus clearly as applicable to persons displaced in the context of disasters as they are to those displaced in the context of armed conflict, the 20 years that have followed since the adoption of the Guiding Principles have seen an overwhelming focus on the latter, with more limited engagement with how these principles apply when people have to leave their homes in situations triggered by floods, earthquakes, volcanic eruptions, cyclones, and so forth. At the same time, more people are displaced every year by disasters than they are by armed conflict (IDMC 2019). Chapter 2 considers this state of affairs in more detail.

The starting point for this volume is that the Guiding Principles are effective in providing a coherent framework for thinking about the kinds of measures that may be required to prevent and prepare for displacement, protect people during evacuation and throughout displacement and facilitate durable solutions in the context of disasters and climate change, but that, as with conflict-related displacement, these principles need to be integrated into national and sub-national law, policy and practice in order to have an impact. Additionally, the Guiding Principles must be complemented by more detailed standards and guidelines, including from the field of disaster risk reduction and management (DRRM), climate change adaptation (CCA) and sustainable development.

Consequently, the research entailed a consolidation of key standards and guidelines relevant to displacement in the context of disasters and climate change (see Scott 2019a), and also examined national legal and policy frameworks relating to DRRM and CCA in the eight countries that are the focus of this volume.¹ The countries include Cambodia, Thailand, the Philippines, Indonesia, Nepal, Bangladesh, Vanuatu and the Solomon Islands.

Although examination of other sectoral law and policy would have added further depth to the analysis, it was recognised at an early stage in the project that analysing even this narrow set of legal and policy documents relating to DRRM and CCA was already a significant undertaking, and that analysis of other frameworks could form the basis for future projects. Indeed, as noted in the conclusion to this volume, the review of law and policy, together with insights from the case studies described in more detail below, points to a clear research agenda focusing on the intersection of displacement, sustainable development and climate change adaptation, and examining the role of authorities and other actors involved in urban planning, housing policy, environment and sustainable development.

Research results show extensive integration of human rights principles in general, as well as key international standards and guidelines relating to disaster displacement in particular, across legal and policy frameworks in the region, although with variations between countries. At the same time, the research indicates that displacement is not consistently integrated into the legal and policy frameworks relating to DRRM and was even less integrated into legal and policy documents focusing on CCA. Instead, displacement tends to appear in scattered references to elements such as evacuation, reconstruction and planned relocation. Thus, with some exceptions, most of the eight countries considered in this volume do not have a consistent legal and policy framework that addresses the prevention of and preparedness for

displacement, protection during evacuation and throughout displacement, and facilitation of durable solutions. There remains considerable scope for integrating displacement into national level legal and policy frameworks, including through consistent references to key international standards and guidelines.

However, integration of key international standards and guidelines into domestic legal and policy frameworks does not, in itself, guarantee that states will take effective measures to address the issues. Implementation of both international and national level law and policy is a perennial issue, and this research initiative therefore set out to examine the extent to which both international and national level law and policy actually played a role in specific instances of disaster displacement. Identifying examples of good practice at the local level, our research also points to cases where sub-national plans, procedures and practices could be more attuned to displacement risk, and particularly in relation to the differential exposure and vulnerability of people in situations of potential vulnerability, including women, persons with disabilities, people living in informal settlements, amongst others.

In sum, the research that is presented in this volume addresses two questions. First, it enquires into the extent to which key international standards and guidelines relating to displacement in the context of disasters and climate change are integrated into domestic legal and policy frameworks. Second, and more in focus in this volume, it asks about how these frameworks contribute towards the prevention of and preparedness for displacement, protecting people during evacuation and throughout displacement, and facilitating durable solutions in particular sub-national contexts. The compilation of eight case studies contributes new insight into the phenomenon of displacement in the context of disasters and climate change and the role of law and policy in addressing this challenge.

Internal displacement in the context of disasters and climate change

This volume is concerned with displacement in the context of disasters *and* climate change. However, these two phenomena are not of the same order. Climate change is a term used to describe “a change in the state of the climate that can be identified (e.g., by using statistical tests) by changes in the mean and/or the variability of its properties and that persists for an extended period, typically decades or longer” (IPCC 2018). One consequence of climate change is that some natural hazard events, such as floods, heatwaves and droughts, are becoming more frequent and intense in some parts of the world (IPCC 2018). Other consequences of climate change include rising sea levels and associated salination of soil and freshwater resources, as well as changes in seasonal rainfall and temperatures. Not only does climate change contribute to making hazard events and processes more frequent and intense; it also contributes in direct and indirect ways towards increasing exposure and vulnerability (IPCC 2014).

Thus, climate change can be understood as an amplifier of natural hazards (IPCC 2018). The phenomenon itself is one step removed from the human impacts. A human rights-based approach to displacement in the context of disasters and climate change is concerned with the human experience of displacement, and the connection such displacement has to certain drivers of displacement. Cyclones, floods, rising sea levels and so forth, are all drivers of displacement, as are economic, political, social and historical drivers. Climate change, as the Foresight report (Government Office for Science 2011) made clear, amplifies these drivers in myriad ways. Focusing on disasters helps to bring attention closer to the human factors that are in play when people are displaced in the context of disasters and climate change.

However, as discussed further in the conclusion to this volume, additional research avenues have opened up that would explore, for instance, the impacts of climate change adaptation measures as a cause of displacement.

Although slower onset processes such as drought, changes in seasonal rainfall and temperature, ocean acidification, and sea level rise also have direct human rights implications, the relationship between these phenomena and displacement is more difficult to trace than the displacement that arises in the context of more sudden-onset disasters associated floods, cyclones, and other hazards. For the latter, the Internal Displacement Monitoring Centre has developed a robust methodology for measuring the scale of displacement (IDMC 2020a). For the former, methodologies that can accurately trace the role played by slower onset processes in individual decisions to move are still being developed (IDMC 2020b). The UN Special Rapporteur on the human rights of internally displaced persons, Cecilia Jimenez-Damary, will make displacement in the context of slower onset disasters the focus of her 2020 address to the UN General Assembly (UN OHCHR 2020). This, too, opens an avenue for further research, as discussed in the conclusion to this volume.

Consequently, the case studies that make up the core of this volume all focus on displacement in the context of more sudden-onset hazard events, whilst remaining keenly aware of the direct and indirect role that climate change is playing in global, regional and national displacement dynamics. This focus brings the role of disaster risk reduction and management authorities, as well as a legal and policy frameworks that regulate their conduct, more into focus than the role of other relevant actors and frameworks.

However, whether a particular hazard event relates to climate change or not is of little consequence for affected individuals. Thus, in selecting case studies for this volume, authors did not limit themselves to consideration of climate-related hazards alone, and some contributors identified geophysical events, including earthquakes and volcanic eruptions, as appropriate cases in which to explore the role of law and policy in preventing and preparing for displacement, protecting people during evacuation and throughout displacement and facilitating durable solutions.

Displacement in the context of disasters and climate change in Asia and the Pacific

Asia and the Pacific is a region highly exposed to a range of natural hazards, with risk increasing as a consequence of climate change. Hazards are clustered around four disaster hotspots. These are around countries in the transboundary river basins of South and mainland Southeast Asia, which are flood- and drought-prone; countries in the so called ‘Ring of Fire’ in North and East Asia and archipelagic Southeast Asia where the occurrence of earthquakes, landslides, tsunamis, and typhoons is frequent; the Small Island Developing States in the Pacific, which experience tropical cyclones, El Niño events, earthquakes, and landslides; and the sand and dust-storm corridors in South, Southwest, and Central Asia, which are also affected by floods and drought (UNESCAP 2019).

Climate change and extreme weather events have rendered the disaster riskscape in Asia and the Pacific more complex and uncertain, making disaster forecasting and disaster risk reduction difficult, as historical information cannot easily be used as a basis for analysis and actions (UNESCAP 2019).

The 1.5°C report, published by the Intergovernmental Panel on Climate Change (IPCC) in 2018, offers a sobering reminder on the state of our climate. The report confirmed that, by 2017, global temperature had risen by 1°C relative to pre-industrial levels (1850-1900), primarily as a result of human activities, and an increase of 1.5°C can be expected by 2040 if current trends continue (IPCC 2018).

A 1°C temperature change has been shown to have already had critical impacts on organisms and ecosystems, and on human systems and well-being. Increases of 2°C, or 4°C, which can be expected before 2100 if rapid actions are not taken now to reduce greenhouse gas emissions, will have increasingly dramatic impacts. Coral reefs will be decimated by rising temperatures and ocean acidification. Heatwaves will be more frequent, especially affecting poor and marginalised communities in cities. Coastal cities and many Small Island Development States will see more flooding. Climate change will also push more people especially in Asia and Africa into poverty (IPCC 2018). Beyond 2°C, planetary thresholds will be breached and become irreversible and the Earth System will be tipped over into a situation known as “hothouse earth”, leading to “serious challenges for the viability of human societies” (Steffen et al. 2018, p. 5).

This is the context in which disaster-displacement takes place. The phenomenon is not monolithic. Some people are displaced for short periods, spending a few nights in a local evacuation centre. Others have been displaced for years, with durable solutions seemingly out of reach. Some countries, such as the Philippines and Indonesia, experience high levels of displacement every year, whereas for other countries, numbers vary significantly from year to year (IDMC 2020c).

Floods, storms and earthquakes feature prominently among the drivers of displacement in the region, and worldwide these three hazards accounted for 50, 34 and 12 percent respectively of all people displaced by disasters in the period between 2008-2018 (IDMC 2019). During this period, 1,831 disasters are recorded as having taken place in Asia and the Pacific, affecting more than 1.5 billion people (CRED and Guha-Sapir 2020). The fact that 210 million or 15 percent of those people affected by disasters in the region were displaced in that context (IDMC 2019) highlights how significant the issue is, even if, at the national level, displacement figures often do not exceed even one percent of the population.

That 210 million people were displaced by disasters in the region between 2008-2018 does not mean that these were all different individuals. Rather, displacement risk, like disaster risk generally, disproportionately affects people living in exposed and vulnerable social conditions (see the next section below for discussion). Consequently, many people will have been displaced multiple times during this period, as pointed out in a number of the case studies in the volume, including in the Indonesia and Bangladesh chapters. This is because displacement risk is also closely tied to levels of social and economic development, as further demonstrated by accounts of reduced displacement risk in the Cambodia and Thailand chapters of this volume.

Recognising the social dimension of displacement risk, our research is grounded in a political ecological understanding of disasters, as further developed below.

Framing the issue: Merging human rights and political ecology in the study of disaster displacement

From the outset of this research initiative, researchers agreed on a set of principles that would inform the way each of the case studies was undertaken. We agreed that this study would not focus exclusively on legal and policy frameworks, but needed to engage with the dynamics of disaster displacement in particular localities. The idea of combining an examination of law and policy with an engagement with lived experience invited us to consider our perceptions of the social context in which disasters unfold. Central to this set of discussion was the view that disasters are not natural. Against the centuries old paradigm that posits ‘natural disasters’ as the nearly unavoidable, indiscriminate consequence of the forces of nature, this political ecological understanding of disasters as social processes embedded in and reflecting existing dynamics of power and discrimination resonated clearly with the human rights principles that frame the study.

A political ecological approach to disasters understands that disasters happen when natural hazard events interact with vulnerable and exposed social conditions (Wisner et al. 2004). Decisions about where settlements are located, how buildings are constructed, how water is managed, and so forth play significant roles in determining the human impact of natural hazard events, including associated displacement. Equally, the impact of disasters is not the consequence of random chance. Rather, disasters have a differential impact across race, gender, class, age and other divides. The now classic articulation of this perspective by Wisner et al. (2004) explains:

The crucial point about understanding why disasters happen is that it is not only natural events that cause them. They are also the product of social,

political and economic environments... where people live and work, and in what kind of buildings, their level of hazard protection, preparedness, information, wealth and health have nothing to do with nature as such, but are attributes of society. So people's exposure to risk differs according to their class (which affects their income, how they live and where), whether they are male or female, what their ethnicity is, what age group they belong to, whether they are disabled or not, their immigration status, and so forth (p. 6).

Understanding disasters as deeply social processes (see also Bankoff 2003; Cedervall Lauta 2015; Hewitt 1983; Oliver-Smith 1996) also provides a coherent foundation for articulating a human rights-based approach. Whereas the political ecology approach understands disasters as social processes involving a variety of historical and contemporary actors, including the state, a human rights-based approach focuses somewhat more narrowly on the role of the state as the actor with primary responsibility for addressing disaster risk faced by people living within its jurisdiction. Disasters are not solely the consequence of natural hazard events, but unfold as a result of acts and omissions by state and non-state actors. Seen in this light, the familiar principle of international law that recognizes states as having duties to take steps to the maximum of available resources to prevent foreseeable harm (UN CESCR 1999; Scott 2019b) establishes a clear obligation for states to engage in disaster risk reduction initiatives, including by taking steps to prevent and prepare for displacement. Further, when people have already been affected by hazard events, the state, through its myriad institutions, has a duty to address the impacts of the disaster on the full enjoyment of substantive human rights, including the right to health, the right to shelter, the right to food, the right to be free from violence and so forth, both during evacuation and throughout displacement. There are also compelling, human rights-based reasons for states to resolve disaster situations in a manner

that reduces exposure and vulnerability to future hazards, thus contributing towards durable solutions to displacement. These obligations to address the human rights implications of disasters are permeated by the cross-cutting non-discrimination and equality duty, which requires not only the eradication of overtly discriminatory laws, policies, and practices, but also tackles deeply rooted structural or systemic discrimination, which is a root cause of exposure and vulnerability to disaster related harm.

This political ecology-informed human rights-based lens is further informed and enhanced by an appreciation of intersectionality, as developed below.

Intersecting inequalities, disasters and durable solutions

The chapters in this volume highlight how disasters intersect with existing inequalities which made the pursuit of durable solutions challenging. For instance, the Indonesia and Bangladesh case studies look at discrimination against persons with disabilities in a variety of disaster situations, and provide detailed consideration of how national legal and policy documents drawing specific attention to the rights of persons with disabilities can be neglected in actual situations of displacement. The Indonesia case study discusses how ‘the logic of ableism’ affects how authorities (fail to) address the particular situation of persons with disabilities in preparedness and response measures.

In the case studies in Cambodia and also in Nepal, Bangladesh, and the Philippines, women’s differential experience of displacement is considered, particularly around issues of privacy, the design of evacuation sites, and hygiene kits that do not take into consideration women’s personal needs. In Bangladesh, women’s personal need to defecate privately is hampered by

the lack of private sanitation facilities where open fields are the only options. In the Philippines, despite being aware of national policies relating to gender-responsive design and management of evacuation centres, authorities felt they lacked the resources to provide safe spaces. In the Cambodia case study, decisions to leave home to move to an evacuation zone also have a gender dimension, as men, during flooding, leave their residences to accompany and take care of their livestock in the evacuation zone, while some women are left at home to take care of children and family members who cannot move.

Other gender-related issues, which cut into the broader notion of masculinity, include the tendency, identified in the Cambodia study, of women being the primary targets for disaster-related trainings as “men know what to do” and the cultural practices in Bangladesh where men eat first, exposing women and children to hunger in displacement. Gender issues also arise in the notion that only men can guard private properties during displacement so that they are more likely to remain in their residences while the rest of family members move to the evacuation sites.

In the following case studies in this volume, various themes of intersecting inequalities are discussed. Responding to these inequalities necessitates unpacking those attendant intersectionalities so that solutions are not simplistic, short-sighted, and discriminatory but rather take into consideration the needs of different types of men, women, boys, and girls. This calls for attention to be paid to issues of power and structures in society, and how they impinge on the capacities, capabilities and needs of different types of people.

Leaving no one behind

Article 1 of The Universal Declaration of Human Rights (UDHR) states that:

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2 continues:

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (Art 2)

These principles have informed the overarching principle of Agenda 2030 and the Sustainable Development Goals which proclaim that:

... no one will be left behind. Recognizing that the dignity of the human person is fundamental, we wish to see the Goals and targets met for all nations and peoples and for all segments of society. And we will endeavour to reach the furthest behind first (UNGA 2015a, para. 4).

Based on UDHR and the SDGs alone, there is enough basis to widen our understanding of gender and truly reflect what a gendered intervention or action should look like. A study by Djoudi et al. (2016) showed that much of existing gender analysis in climate change adaptation literature specifically prioritises heteronormative understandings of gender to the detriment of non-normative genders and sexualities (NNGS), which include LGBTQI+ minorities and other non-Western gender identities such as *vaka sa lewa lewa* in Fiji, *waria* in

Indonesia, *bakla* in the Philippines, and *fa'afafine* in Samoa. The dominance of heteronormativity in development has already been questioned (Jolly 2011). Indeed, other genders do exist, and they are as much human as heterosexual men and women. They are imbued with the same bundle of rights. Similarly, persons with disabilities, the elderly, and Indigenous Peoples also have the right to enjoy the same bundle of rights as the cisgender, abled, young, and non-Indigenous Peoples majority. But having a right to enjoy rights is not equivalent to enjoying them, and, as noted above, widespread discrimination in everyday life contributes to differential exposure and vulnerability in situations of disaster. In times of disasters, people marginalized in everyday life often have their concerns side-lined by humanitarian approaches that cater to the needs of the majority and relief and recovery efforts conducted under pressure by the scale of the disaster and limited resources, as well as the strong tendency to favour the able-bodied majority and implement uniform interventions.

Not only that, the varying capacities and capabilities of different groups are also often not recognised in both normal times and during disasters. Indigenous Peoples, for instance, often possess unique knowledge systems of their environment that have been shown to help them manage disaster risk, such as the case of the Mamanwa in Eastern Visayas who survived the onslaught of Typhoon Haiyan with minimal loss and damage (Cuaton and Su 2020). In Vanuatu, indigenous structures of governance – the chiefly structure - have a role to play in disaster management (see chapter 5). Also in the Philippines following Typhoon Haiyan, NNGS have played a role in relief and recovery efforts (McSherry et al. 2015; Gaillard et al. 2017). In general, there has been little research and policy action of how NNGS are affected by disasters and the role they can play in recovery (Dominey-Howes et al.2014; Gormain-Murray et al. 2014).

Recognition as a first step in responding to intersecting inequalities in disaster displacement

When sex interacts with societal structures, it produces different types of identities which are reified and fixed through rituals of recognition and daily practice such that they become socially constructed as gender (Butler 1990). Like prisms, when gender shines through class, race, age, ability, locations, HIV status, religion, politics, migrant status, sexuality, and other characteristics, intersecting inequalities emerge. Certain genders tend to benefit more than others. The first step in addressing intersecting inequalities is recognising citizenship and presence in places where people are located (Schlosberg and Carruthers 2010; Schlosberg 2012; Holland 2012). Recognising that the world is not only composed of or belongs to, although ruled and defined by, the majority enables social and environmental justice (Schlosberg 2004).

Once we have recognised that different kinds of people exist, we should understand how disasters affect them and how their conditions, their vulnerabilities, will be amplified by the impacts of climate change, and when disaster displacement occurs, how their rights will be respected, protected, promoted and fulfilled, as well as how their contributions can be harnessed. In the case of non-normative genders and sexualities in relation to Typhoon Haiyan in the Philippines, various researchers (McSherry et al. 2015; Gaillard et al. 2017) have shown how their needs were not addressed in the numerous humanitarian and emergency interventions following the devastation, which, as shown in Chapter 4, killed thousands of people, damaged millions and displaced at least 14,000 households in Tacloban City alone (Palagi and Javernick-Will 2018). The skills that these people can contribute to the rebuilding effort were not considered at all. Even the livelihoods assistance provided was not suited to their gendered preferences. They were treated as a pariah before the typhoon; they were treated just the same after, when the recovery was meant to ‘Build Back Better.’

Building back better demands that solutions are durable and respond to the needs of different genders, sexualities, abilities, ages, ethnicities, social classes, migration status, and faiths.

This volume strives to remain attentive to this cross-cutting intersectionality dimension.

Human rights in disaster risk reduction and climate change adaptation at international and regional levels

The focus in this volume on a human rights-based and gender equal approach to internal displacement in the context of disasters and climate change further aligns well with other international processes. Notably, paragraph 19(c) of the Sendai Framework for Disaster Risk Reduction (UNGA 2015b) recognizes the centrality of human rights to disaster risk reduction and management:

Managing the risk of disasters is aimed at protecting persons and their property, health, livelihoods and productive assets, as well as cultural and environmental assets, while promoting and protecting all human rights, including the right to development.

Paragraph 19(d) continues:

Disaster risk reduction requires an all-of-society engagement and partnership. It also requires empowerment and inclusive, accessible and non discriminatory participation, paying special attention to people disproportionately affected by disasters, especially the poorest. A gender,

age, disability and cultural perspective should be integrated in all policies and practices, and women and youth leadership should be promoted.

Similarly, the Preamble to the Paris Agreement (UNFCCC 2016) states:

Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity.

Both of these key international frameworks also highlight the specific issue of displacement. The document adopting the Paris Agreement calls for “recommendations for integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change” (UNFCCC 2016, para 49). The Sendai Framework makes multiple references to different aspects of displacement, from prevention through to durable solutions (IDMC 2017). This Framework therefore provides an important, disaster-specific complement to the Guiding Principles.

The Sendai Framework is also crucial because of the commitment of states and the actors responsible for the management of disaster risk to achieving its objectives. Unlike the Guiding Principles, which, owing to their application in conflict situations, are not always treated as uncontentious, the Sendai Framework, much like the Sustainable Development Goals, reflects potentially less contentious ambitions to improve the human condition. A space for discussing and actively integrating human rights principles opens up in this context

in a way that is simply not available if relying on the Guiding Principles on Internal Displacement in isolation. Hence, although in analytical terms the Guiding Principles provide the cornerstone of the approach to addressing displacement from a human rights-based perspective, in practical terms the Sendai Framework is actually at the forefront.

Declarations at the regional and sub-regional level also reflect a commitment to adopting a human rights-based approach to disaster risk management in general, and disaster displacement in particular. For example, the 2018 Asian Ministerial Conference on Disaster Risk Reduction called on states to:

Ensure a human rights-based, people-centred and whole-of-society approach in development, implementation and monitoring of national and local disaster risk reduction strategies inclusive of women and girls, children and youth, persons with disabilities, older persons, displaced and migrant populations, and those in vulnerable situations such as the poor and marginalized (AMCDRR 2018, para 11).

Similarly, the Framework for Resilient Development in the Pacific (SPC 2016), after expressly grounding itself in a human rights-based approach,ⁱⁱ identifies a number of ways in which states, regional organizations and others should address the specific issue of disaster displacement. For example, under *Goal 1: Strengthened integrated adaptation and risk reduction to enhance resilience to climate change and disasters*, national and subnational governments and administrations are to:

Integrate human mobility aspects, where appropriate, including strengthening the capacity of governments and administrations to protect

individuals and communities that are vulnerable to climate change and disaster displacement and migration, through targeted national policies and actions, including relocation and labour migration policies.

In light of the foregoing, there is a very strong normative basis at international and regional levels for adopting a human rights-based and gender equal approach to displacement in the context of disasters and climate change. As noted above and discussed in more detail throughout the remainder of the volume, our research found that the same can be said of many national level legal and policy frameworks relating to disaster risk management and, albeit to a lesser degree, climate change adaptation.

Structure of the volume

The volume is structured to align with the 1998 Guiding Principles on Internal Displacement. Hence, the first part focuses on prevention of and preparedness for displacement. The second part focuses on protection during evacuation and throughout displacement. The third part focuses on durable solutions. However, authors have not restricted themselves to addressing only one isolated element of the displacement scenario they selected, and most of the chapters therefore address at least two of the three phases. Nonetheless, each chapter has a particular emphasis, and the location of each chapter within the volume reflects this.

Chapter 2 sets out the analytical framework for the volume. It draws on the drafting history of the Guiding Principles, and examines reports from successive UN mandate holders on internally displaced persons to demonstrate the gradual development of a human rights-based approach to disaster displacement, informed by significant developments in the fields of international disaster law in general and disaster risk reduction in particular. Within this

framework, the chapter also presents key comparative insights arising from the review of the legal and policy frameworks operating in the eight countries that were in focus in this study.

The case studies then commence with two chapters focusing on measures to prevent and prepare for displacement. Carl Middleton and Orapan Pratomlek's analysis of measures to prevent and prepare for flood-related displacement in Hat Yai province in Thailand is presented in Chapter 3. In this case, the authors detail effective practices for reducing displacement risk, but point to certain marginalized sectors of the population, particularly those living in informal settlements, who continue to be exposed and vulnerable to displacement risk.

In Chapter 4, Ryan Quan examines preparedness measures taken in Dulag municipality, Leyte province both before and in the aftermath of Typhoon Haiyan in 2013. Despite being aware of key international standards and guidelines, municipal DRRM actors in this case highlight significant budgetary limitations to preventing displacement and protecting people during evacuation and throughout displacement. This case study is also one of several to raise the complex issue of forced evacuation.

Part 2 opens with an examination by Tess Van Geelen and Margaretha Wewerinke-Singh of the evacuation of women from Mataso Island in Vanuatu in the aftermath of Cyclone Pam in 2015. At the time, Vanuatu did not have a robust legal and policy framework to address displacement. Despite now being at the forefront of legal and policy development in this area, key issues that arose in the 2015 case study appear unresolved, including the question of how to ensure the protection of the rights of women and girls during evacuation.

Until this point, each of the case studies have addressed a clear-cut case of internal displacement, primarily focusing on preventing and preparing for displacement, and protecting people during evacuation and throughout displacement. In Chapter 6, Ratana Ly's study of the strategies employed by people in Phreah Kunlong village in Cambodia in response to severe flooding calls the utility of the definition of internal displacement into question. In this study, a fluid and dynamic combination of movement and stasis characterise individual and group responses to flooding. Ly asks whether describing certain individuals as 'displaced' has any utility when individuals who do not move may be equally if not more in need of assistance, and calls for a more generalised human rights and sustainable development approach.

The particular situation of landless people comes into focus in Chapter 7, in which Md Abdul Awal Khan examines flood-related displacement in Fulchhari *upazila* in Gaibandha district in Bangladesh. This chapter examines strategies used by individuals to avoid having to move, and describes a situation where implementation of national level legal and policy frameworks lags far behind ambition. This chapter also pays particular attention to the situation of persons with disabilities and their families, and highlights the distinctive challenges faced by people who do not own the land they live on.

In Chapter 8, Ahmed Rizky Mardhatillah Umar, Ezka Amalia and Andika Putra consider the complexity of multi-level governance in Indonesia's decentralized disaster management system. Taking the recurrent displacement of people as a consequence of ongoing eruptions of the Mt. Sinabung volcano, the authors describe how Indonesia's robust and ambitious legal and policy framework, which also contains detailed provisions relating to the rights of persons with disabilities, does not have the intended impact at the local level. Key factors include

institutional complexity and, in relation to the rights of persons with disabilities, a ‘logic of ableism’ that excludes persons with disabilities from consideration.

The final section of the volume focuses on durable solutions to displacement. In Chapter 9, Bala Raju Nikku describes both short- and longer-distance displacement dynamics in the aftermath of the 2015 earthquakes in Nepal. Considering the particular experience of indigenous Tamang people living in Haku VDC in Rasuwa district, he examines obstacles to the achievement of durable solutions for people who remain close to their, now destroyed, homes, as well as challenges faced by people who moved from this remote location to the urban centre of Kathmandu. Nikku argues that, despite having had a policy on internal displacement in place since 2007, Nepal has not taken adequate steps to facilitate durable solutions to internal displacement.

In Chapter 10, Joseph Foukona traces the displacement of people living in informal urban settlements in Honiara, the capital of the Solomon Islands. After a period in temporary shelter, displaced people were given the option of relocating to a newly zoned part of the city. However, without property rights, and with limited livelihood options, many people simply returned to exposed and vulnerable informal settlements. Whilst Foukona recognizes the advances made in recent legal and policy developments, the failure to adequately address disaster risk in informal settlements and the protracted challenges associated with land title in the capital and elsewhere in the country means that internal displacement will continue to be a prominent feature in a country that is among the most exposed and vulnerable to disasters and the adverse impacts of climate change.

The volume concludes by offering suggestions for further research, as well as more policy-oriented recommendations that can contribute to the best possible prevention of and preparedness for displacement, protection of people during evacuation and throughout displacement, and facilitation of durable solutions.

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ⁱⁱ See FRDP 2017-2030 Goal 1, Priority Action i(f): Strengthen capacities at all levels of government, administration and community through inclusive gender analysis, responsive decision-making systems and human rights-based approaches to ensure effective delivery of development initiatives.