

# Disaster Displacement Information Sheet

## International Disaster Law project

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Displacement in the context of disasters is a global and increasing phenomenon.<sup>1</sup> Its scale in relation to disasters brought on by rapid-onset natural hazards, such as floods, storms and earthquakes, has been quantified by the [Internal Displacement Monitoring Centre](#) (IDMC). Since 2008, disasters stemming from natural hazards have displaced an average of **24.6 million people each year** – the equivalent to one person per second. These figures from the IDMC highlight the potential impact of disaster-related displacement.

Population movements in response to increasingly stressed conditions or slow-onset disasters, such as drought, are more likely to be dispersed over time and less visible than mass movements within short time-frames, as typically seen in rapid-onset disasters.<sup>2</sup>



Image: Ika Koeck (IFRC)

### Climate Change and Displacement

The Inter-Governmental Panel on Climate Change (IPCC), set up under the **UN Framework Convention on Climate Change** (UNFCCC) issued a special report on extreme weather events and disasters in 2012 ('the [SREX Report](#)'). The report concluded that the 21<sup>st</sup> Century would see an increasing variability in the frequency and severity of climate- and weather-related hazards.

We therefore need to plan for displacement of people both internally within states and across international borders.

## Internal Displacement

The **UN Guiding Principles on Internal Displacement** (2004)<sup>3</sup> set out a detailed framework for the protection of displaced persons who do not cross an international border. Such internally displaced persons (IDPs) are defined as:

“persons or groups of persons who have been forced or obliged to flee or to leave their homes of places of habitual residence, in particular as a result of or in order to avoid the effects of ... **natural or human-made disasters**, and who have not crossed an internationally recognised State border.”

The Guiding Principles then set out a series of rights and obligations relating to IDPs.

### Principle 3

1. National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.
2. Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request.

### Principle 6

1. Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence.
2. The prohibition of arbitrary displacement includes displacement: ...
  - d. In cases of disasters, unless the safety and health of those affected requires their evacuation.

For more information, see: <http://disaster-law.ucc.ie>

## Cross Border Disaster Displacement

Between 2011 and 2016, the Norwegian and Swiss Governments supported a programme to examine the implications of cross border disaster displacement, headed by Walter Kälin, the former Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons. The [Nansen Initiative on Disaster-Induced Cross Border Displacement](#) undertook a wide-ranging series of consultations and research projects to examine the displacement of persons across borders as a result of the effects of disasters and climate change.

### The Protection Agenda (2015)<sup>4</sup>

The conclusion of the Nansen Initiative was the adoption of a **Protection Agenda** which covers at three stages:

1. Preparedness before displacement occurs.
2. Protection and assistance during displacement.
3. Transition to solutions in the aftermath of the disaster.

While recognising that the majority of displaced persons remain within the borders of their state, the Protection Agenda highlights that: “disaster displaced persons may need to be admitted to another country to escape real risks to their life and health, or access to essential humanitarian protection and assistance”.<sup>5</sup>

The Protection Agenda continues by examining the need to manage disaster displacement risk in the country of origin, and priority areas for future action. Rather than proposing a new binding international legal text, the Protection Agenda is intended to provide a toolkit for states and other actors to prevent and prepare for disaster displacement.

### Platform on Disaster Displacement

Following the first World Humanitarian Summit held in Istanbul in May 2016, the [Platform on Disaster Displacement](#) was established as an inter-governmental follow-on mechanism to monitor and support the implementation of the Protection Agenda. Currently chaired by Bangladesh, the Steering Group of the Platform is comprised of representatives from 17 states plus the European Union, UN High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM).

<sup>1</sup> IOM, [Internal Displacement Monitoring Report \(Oct – Dec 2015\)](#)

<sup>2</sup> IFRC, [World Disasters Report 2016](#), p.41.

<sup>3</sup> UN, [Guiding Principles on Internal Displacement](#) (1998/2004)

<sup>4</sup> The Nansen Initiative, [Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change](#) (2015)

<sup>5</sup> Ibid, p.8.

## Relevant International Standards & Guidelines

The adoption of the original UN Guiding Principles on Internal Displacement in 1998 provided an impetus for states and non-governmental organisations to provide a greater level of information and analysis, and has led to the adoption of legal frameworks to support internally displaced persons. For example:

### Internal Displacement Monitoring Centre (IDMC)

The non-governmental IDMC provides comprehensive data and analysis of internal displacement events and trends across the globe.

In addition to their annual [Global Report on Internal Displacement](#), the IDMC operates an online open access [Global Internal Displacement Database](#) which includes both existing displacement data as well as a Global Displacement Risk Model to map future trends in internal displacement.



Image: Sri Lanka Red Cross

### Kampala Convention (2009)

The [Convention for the Protection and Assistance of Internally Displaced Persons in Africa](#) contains legally binding obligations for member states of the African Union. For example:

#### Article 3(1)

States Parties undertake to respect and ensure respect for the present Convention. In particular, States Parties shall:

- f) Ensure assistance to internally displaced persons by meeting their basic needs as well as allowing and facilitating rapid and unimpeded access by humanitarian organisations and personnel.

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