

Action Sheet 14

Preventing and responding to protection risks related to lack of shelter and physical planning in situations of internal displacement

Key message

1. In a situation where populations are compelled to flee to escape conflict, natural disasters, violence or other human rights abuses, they temporarily or permanently lose their dwellings and will need to secure a place to live during their displacement. Beyond the loss of their property, lack of shelter further exposes IDPs to critical protection and health risks. When, or if, return home becomes feasible after some time, the challenge is often to recover and rebuild completely or partially damaged houses. Alternatively, displaced families unable or unwilling to return home will have to find a durable place to settle down and live with dignity. This chapter provides an overview of the challenges of securing adequate shelter in the context of displacement and ways to enhance protection through shelter interventions. The overview deals principally with the issue of shelter during displacement. Shelter and housing issues in the context of solutions are dealt with under the Land Housing and Property chapter, and under Part V Durable Solutions.

Shelter in the context of internal displacement

Definitions:

2. **Shelter:** habitable covered living space, providing a secure and healthy living environment with privacy and dignity. A **settlement** is a community of shelters.
3. Displaced persons generally resort to one of the following broad shelter options, depending on their own circumstances and the environment in which they are displaced. No option should be imposed on IDPs against their will.
4. Dispersed settlement:
 - *Host family arrangements:* living with friends, relatives, generous families or in rental accommodation.
 - *Rural self-settlement:* living in a rural context informally, or on land owned collectively.
 - *Urban self-settlement:* living in an urban context informally, or on land owned collectively.
5. Grouped settlement:
 - *Collective centers:* living temporarily in pre-existing structures, such as hotels, schools, public/government buildings, etc.
 - *Self-settled camps:* settling without the support of the government or the aid community.
 - *Planned camps:* living on purposely built sites, completed before or during the influx.
6. Most often, staying with host families is the preferred alternative for displaced populations, as it builds on their own coping mechanisms and enables them to live in more dignified conditions, surrounded by extended family or friends. Although tented camps are considered an option of last resort, under specific circumstances host families may not be an option and security concerns may make camps the most viable settlement option.
7. When planning and managing shelter responses, we should seek to make the maximum number of options available to IDPs, for them to decide which of these is best for themselves. Their evaluation of different options will usually be based on considerations of safety, the family's history and solidarity

Emergency shelter: combination of appropriate rapid response options, such as tents or other temporary shelter solutions, as well as related non-food items, in situations where a humanitarian intervention is required. Such solutions should strictly remain limited to the emergency phase (initial weeks).

Transitional shelter: a more durable shelter option (1-2 years) used for a transitional phase between emergency and the achievement of a durable shelter solution.

networks, as well as the extent to which a settlement provides access to water and sanitation, adequate covered living space, health-care services, education, recreational areas, childcare, markets and other social facilities, and, most importantly, to livelihood opportunities.

8. Agencies should carefully define who constitutes an eligible family or household and how to allocate assistance among different households. A prioritisation among groups should be based on an assessment of their vulnerability and the impact that shelter assistance can have on their situation. It is essential to involve both the displaced and host populations in such decisions.

Individuals and groups at particular risk

9. Unaccompanied children, in particular children-headed households, are especially exposed during displacement. Immediate attention should be given to facilitate family reunion and foster family arrangements with secure housing for such children. Single women or female-headed households can be at heightened risk of harassment, assault or exploitation in situations of ill-planned shelters in a camp or shelters without proper walls, partitioning or the possibility to lock the door. In a context of conflict, ethnic or religious minority groups may have difficulty finding hospitality among local communities and may even face security risks.

Risks related to inappropriate shelter

10. The main protection challenges are listed below and dealt with in more detail in the following paragraphs, describing activities to mitigate risks and enhance protection in shelter interventions.
11. The standards of shelter have a direct impact on the living conditions and protection of displaced populations during displacement, as well as when they return home or settle elsewhere. Ill-planned or sub-standard shelter exposes displaced populations to health hazards, looting of food and personal belongings, gender-based violence, discrimination by surrounding communities, arbitrary arrest or harassment or forced recruitment by armed elements. Modest families in host communities may experience a deterioration of their own living conditions, when receiving IDPs, and may consequently endure hardships similar to those of IDPs. Careful consideration of this is needed to avoid exacerbation of tensions between host families and displaced communities.
12. **In host families:** Deteriorating living conditions of families hosting large number of IDPs may lead, in protracted situations, to health and psycho-social problems, as well as risks of stigmatization, harassment, economic or sexual exploitation, and violence for the hosted IDP families. In areas where IDPs are not welcomed, hosted and host families may be exposed to retaliatory measures by a party to the conflict or by surrounding communities.
13. **In urban or rural dispersed settlements:** IDPs may find, or set up, their own accommodation amid villages, towns or in the forest to avoid attracting attention. In such cases, it may be difficult to identify and monitor the protection risks of individual families who may, due to their isolation, be more at risk of assaults, forced recruitment, kidnapping by armed elements or bandits, and exploitation by landowners. It is important to remember that badly planned assistance intervention may expose families who intended to remain in hiding. IDPs living in collective centres are often under constant threat of being evicted by landlords or under pressure to leave if they are occupying schools or religious centres.
14. **In middle to large size group settlements:** Over time, larger size settlements can lead to violence and exploitation, including GBV, from among the community, due to overcrowded and degrading living conditions, lack of prospect for solutions, assistance dependency, the trauma experienced, etc. Tension can also grow with host communities over the sharing of limited resources, the depletion of nearby forests for firewood collection, occupation of land by IDPs or requisition of land for this purpose by local authorities, etc. Communal tensions may build up with the presence of an ethnically, culturally, religiously or linguistically different IDP group in a frightened community. In conflict situations, IDPs may be suspected of supporting or hiding armed elements. In such a context, a larger group settlement may provide more security to IDPs than isolated and exposed scattered shelters. However, a larger group settlement can also be more easily targeted for forced recruitment, land attacks or aerial bombings. A proliferation of shelters of good standard in an impoverished area, where standards of housing are low,

can create tension with local communities unless they also benefit from the humanitarian intervention e.g. by providing labour for construction, etc. A thorough assessment should therefore be conducted by humanitarian agencies in order to plan shelter interventions in the best interest of the displaced populations.

Role and responsibilities of the State

15. The State carries primary responsibility for providing its citizens and residents with adequate standards of living. In certain conflict situations, the State may not have full access to parts of its territory and assistance to populations living in such areas may prove impossible. Yet the State has the duty to deploy all efforts to find political solutions enabling basic services to reach these populations. Financial constraints also constitute an ongoing challenge for large numbers of States to secure shelter needs of their populations in times of peace, let alone in times of conflict when needs increase sharply. In such cases, the humanitarian community may be called upon to support relief and early recovery efforts.

Role and responsibility of human rights and humanitarian actors: Building the protection response

16. The challenge for humanitarian workers is to ensure that shelters and settlements maximize people’s capacities and minimize their vulnerability. Shelter should provide access to protection and services, and contribute to solutions (through re-usable and transportable material or by enabling IDPs to upgrade their own shelters from transitional to more permanent solutions). A comprehensive planning should also take into consideration the short and long-term impact of temporary settlement on host communities and the environment, using locally acceptable and available materials and labour to benefit local economy while not depleting local resources.
17. Traditional construction methods e.g. using bamboo or cane for fixtures, etc. should be all the more encouraged in areas where transportation of shelter material is restricted for logistics or security reasons¹, to reinforce the community’s self-help capacity.

In our work we can...

For all situations

Assessment

- Include protection or community services staff alongside shelter specialists and site planners in all multi-sectoral assessments and shelter assessments to ensure that protection implications of shelter interventions are taken into account from the outset.
- Consult concerned IDPs and representatives of host communities during the assessment to understand their needs, concerns and perspectives. Involve them in the planning and implementation phases to build ownership and consensus among communities.
- Identify and assess the specific needs of all segments of the displaced population, and those of host families and surrounding communities, with particular attention to groups at particular risk.
- Assess the extent to which local materials and labour can be used to maximise the positive impact on local livelihood and economy.
- Identify and apply local and national building codes when designing and constructing shelters. Pay particular attention to cultural or religious traditions and superstitions when selecting material and designing shelters. Ensure participation from community members.
- Ensure that land tenure (temporary or permanent) is secured before embarking on emergency, transitional or permanent shelter construction.

Host families

- In rural settings, depending on the size of the hosted family, provide shelter materials to build a separate shed in the host compound for privacy. When appropriate, an extension to the host family shelter can be built instead. A partition should always separate the two families to

¹ Items such as cement, iron bars, nails and wood poles may be considered as strategic items and be restricted in times of conflict.

| | |
|-----------------------------|---|
| | <p>avoid sources of tension or GBV.</p> <ul style="list-style-type: none"> ▪ Provide know-how and a basic design to the IDP family to ensure their participation in the construction and future maintenance of the shelter and to ascertain the quality of the structure for its inhabitants. Arrange for engineers to monitor the safety of constructions. ▪ Secure the understanding, preferably in writing, by both the IDP and host family, as to who will own the shelter material after displacement, to avoid disputes or IDPs being expelled by their hosts. ▪ Monitor the situation of vulnerable households in host family, directly and through community networks, to avoid exploitation and abuse. If an IDP family demonstrates an intention to remain with a vulnerable host for an extended period, provide, if appropriate, limited material assistance to the host family to assist them in coping with additional persons (e.g. thatch to repair damaged roof, plastic sheeting, NFIs etc.). This will help reinforce bonds with the host community and avoid tension. ▪ Avoid, when feasible, cash assistance which may lead to fraud or exploitative practices by hosts and discourage spontaneous hospitality by the community. |
| Dispersed settlement | |
| In urban settings | <ul style="list-style-type: none"> ▪ Approach local authorities, when required, for documentation requirements in lease agreements to be waived for IDPs. When no alternative, advocate for financial institutions to support local authorities schemes to subsidize rental. |
| In rural areas | <ul style="list-style-type: none"> ▪ Follow the guidance indicated under host families on the provision of material, the involvement of IDPs and host communities in the planning and construction phases to pave the way to peaceful coexistence. ▪ Particularly in villages hosting substantial numbers of IDPs, identify local families with specific needs for similar shelter support. ▪ When appropriate, reinforce infrastructure in the receiving village (e.g. upgrading an access road or a bridge, drilling of additional wells or communal latrines, community buildings) to help the community cope with additional numbers and foster relations with IDP communities. |
| In both cases | <ul style="list-style-type: none"> ▪ Keep track of arrivals and departures in each location to avoid fraud and duplication of assistance. ▪ Closely monitor the situation of particularly vulnerable individuals or households and build peer support networks among IDPs and host communities to protect and support them. ▪ Ensure that protection and other humanitarian agencies adhere to strict standard operating procedures to safeguard confidentiality in their assistance interventions for those who wish to remain unnoticed. |
| Large settlement | |
| Communal buildings | <ul style="list-style-type: none"> ▪ Ensure that communal buildings are not used for more than a month and actively work with relevant authorities to immediately identify alternative longer term and more decent shelter options. ▪ Communal buildings, such as schools and religious buildings, should be performing their original function as soon as possible, as this may otherwise catalyze tension from the local population against IDPs. When IDPs cannot be offered alternatives in the immediate future, work with IDPs and host communities to ensure that a space is organized within the compound for the school or the church to reinstate its activities. ▪ Establish a strong monitoring and referral network among agencies to prevent gender based violence incidents or forced recruitment and to immediately follow-up identified incidents. Communal buildings highly expose vulnerable individuals to such risks. Sensitize communities to the risks and support them in establishing a monitoring and reporting system. |

| | |
|--|---|
| <p>Camps: Site selection and layout</p> | <ul style="list-style-type: none"> ▪ Although land may be scarce, available sites may not meet all the desired criteria (see the attached table). Make every effort to sensitize the host community and responsible authorities to the long term protection and financial implications of selecting an unsuitable site. ▪ Start planning by considering the needs of individual refugee households, such as distance to water and to latrines; the relationship to other members of the community, traditional housing and living arrangements, age and gender composition of the family. ▪ Understand local building practices, the patterns of shelter used by displaced populations, and select appropriate material as a priority when designing/constructing shelter units. <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Regrouping IDPs from a same village or extended families in shelters aligned along a U shape design allows for families to watch for each other’s children playing in the central area or guard belongings against theft. “Village” communities can also provide a protective environment for individuals with specific needs and immediately react should an incident occur.</p> </div> <ul style="list-style-type: none"> ▪ Ensure a minimum surface area per person of 45m². ▪ Secure a good road access to the site for humanitarian aid and monitoring and IDPs’ access to nearby services (health, education, administration, law enforcement bodies, etc). ▪ Minimize the impact of the camp on the Environment through the provision of construction material to avoid depletion of local environmental resources, the protection of vegetation essential for control of soil erosion or flooding and safeguarding agricultural and productive forest, etc. ▪ Sensitize and train communities on health and fire risks and encourage the set up of communal systems including both men and women, for fire prevention and vector control. |
| <p>Minimum standards</p> | <ul style="list-style-type: none"> ▪ In addition to the provision of physical protection against the elements, provide sufficient floor space per person for a dignified living³. ▪ Avoid shared accommodation as much as possible to mitigate the risk of exploitation and abuse, in particular for single women and unaccompanied and separated children. ▪ Adjust shelters to the specific needs of persons with disabilities or chronically ill, female-headed households or unaccompanied older persons. ▪ To avoid gender-based violence (GBV), ensure that dwellings allow separation between the sexes, where culturally required, or between parents and children to provide privacy and safety. Provide material for partitions. |
| <p>Limited group settlements in existing villages</p> | <ul style="list-style-type: none"> ▪ Depending on the wishes of the IDPs promote smaller settlement of 20-30 families in existing villages, as opposed to establishing larger camps, to : <ul style="list-style-type: none"> - Ensure a more normal living environment. - Adjust the settlement to the absorption capacity of the community and thereby make sure that IDPs can benefit from access to the village market, local medical facilities, wells, work opportunities, etc. - Reduce the cost for the government or the humanitarian community, as opposed to setting up a camp on bare land and providing all services. - Make sure that all additional infrastructure provided to the IDP settlement (wells, community buildings, classrooms, etc.) benefit the host village and thereby lead to peaceful coexistence and reconciliation. - Promote support by local villagers to IDPs with specific needs, such as unaccompanied, older IDPs. - Compensate the challenge (in terms of monitoring), that the dispersion of IDPs may otherwise have caused to the Government and protection workers, through a stronger community empowerment and autonomy in securing its own protection. - Improve possibility for local integration if chosen as a solution by IDPs ultimately. |

² Including kitchen/vegetable gardening space. This also includes an apportioned common area for roads, foot paths, schools, sanitation, security, firebreaks, administration, water and other storage, distribution, markets

³ Shelter area per person should average 3.50 – 4.5 m² in camp situation and no less than 1.50 – 2.50 m² for transit and temporary housing facilities (e.g. overnight stay only). Shelter standards depend on the climate, more interior space should be provided in cold weather than in warm climate, as residents need to spend more time inside the covered area.

Key Partners

18. **In addition to the internally displaced and their communities** important actors include:
Agencies (UN- Habitat, UNHCR, UNICEF, specialised shelter or protection NGOs, ICRC/IFRC, IOM, etc.) with expertise in the fields of hydrology, surveying, physical planning, engineering (e.g. water supply, environmental sanitation, road and bridge construction, building materials, etc.), public health, the environment, protection and even social anthropology. Familiarity with conditions in both the area of displacement and the area of origin is of utmost importance.
19. When not available locally, expertise and advice should be sought through the Global Emergency Shelter Cluster, which can field a specialist to coordinate activities in this sector.
20. Camp Management and WASH clusters (or working groups), locally and at the global level when required.
21. Government line ministries (Housing, Public Works, Social Welfare, Health, Education, Religious Affairs). Engineering faculties, local industry and professional organizations.
22. Site selection and settlement planning require broad consultations with all concerned in the planning, development and use of the site. When appropriate, multi-sector planning teams, work-groups or task-forces should be formed to better structure consultations and solicit inputs.

Legal principles:

23. Every human being has a right to basic standards of living, which includes adequate housing. This right is enshrined in the Universal Declaration of Human Rights of 1948 and is binding on States parties to the 1966 International Covenant on Economic, Social and Cultural Rights. The Guiding Principles on Internal Displacement emphasize the specific needs of displaced persons with regard to shelter and housing and the ensuing Principles on Housing And Property Restitution for refugees and Displaced Persons (“Pinheiro Principles”) reaffirm the Right to Adequate Housing (Principles 2 and 8) and the responsibility of the State in this regard (**footnote E/CN.4/Sub.2/2005/17**). Humanitarian Law also includes provisions on shelter and housing as relates to civilian populations affected by non-international armed conflicts.

To be completed

References

- UNHCR Handbook for Emergencies, 3rd Edition, 2007
- The Sphere Project, 2004 Edition
- Need Analysis Framework, (NAF)
- Handbook for protection in natural disasters XXXX
- Guidelines on protection in natural disasters XXXX
- Framework for Protection and Early Recovery Analysis (to be published)
- Training guide for emergency shelter ESC 2007
- Corsellis and Vitale, Transitional Settlement, Oxfam GB & University of Cambridge, 2005

SITE SELECTION REVIEW: ISSUES FOR CONSIDERATION

| | |
|---|--|
| <p>1. Potential Beneficiaries</p> <ul style="list-style-type: none"> a. Numbers b. Characteristics (gender, age, background, language, etc.) | <p>4. Complementary/Supportive Points</p> <ul style="list-style-type: none"> a. Presence of nearby villages/communities b. Accessibility by humanitarians and other service providers c. Proximity to national services: <ul style="list-style-type: none"> - Health - Education - Administration - Law enforcement structures (police, courts) d. Electricity supply e. Proximity to economic centers f. Proximity to Income Generation opportunities/Agriculture g. Possibility to harvest wood for construction h. Possibility to collect firewood for fuel |
| <p>2. Location</p> <ul style="list-style-type: none"> a. Distance from major towns b. Distance from the conflict or risk zone c. Security and protection situation d. Local health and other risks a. Distance from protected areas (reserve forest, water reservoirs, etc.) | <p>5. Observations / Recommendation</p> <p>Strengths/weaknesses of site</p> |
| <p>3. Basic Characteristics of the Site</p> <ul style="list-style-type: none"> a. Area, expansion possibility b. Land use and land rights c. Topography d. Elevation e. Soil condition f. Water availability (drinking/washing/livestock) g. Drainage h. Sanitation possibilities i. Climatic conditions b. Vegetation/other environmental condition | <p>6. Proposed next steps for consideration</p> |