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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

 Planned relocations of people in the context of the adverse effects of climate change and disasters

 Report of the Special Rapporteur on the human rights of internally displaced persons, Paula Gaviria Betancur[[1]](#footnote-2)\*

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|  *Summary* |
| In the present report, submitted pursuant to resolution 50/6 of the Human Rights Council, the Special Rapporteur on the human rights of internally displaced persons, Paula Gaviria Betancur describes the activities undertaken in fulfilment of her mandate during the reporting period and since her previous report to the General Assembly (A/78/245). She also presents a thematic study on the planned relocation of people in the context of disasters and the adverse effects of climate change. The Special Rapporteur concludes that relocations may become increasingly inevitable as areas of origin disappear or become uninhabitable. Planned relocations, whether anticipatory or responsive, should be a last resort, used only when sustaining settlements is impossible. In the context of disasters and the adverse effects of climate change, planned relocations can endanger a wide range of human rights and have profound social and cultural impacts. When all options are exhausted, well-planned, financed and implemented planned relocations that prioritize community needs can mitigate displacement risks, protect human rights from the start and lay the foundation for durable solutions. This requires a government-led, and whole-of-society approach with human rights-based frameworks in accordance with international human rights norms and standards.  |
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 I. Introduction

1. This report, submitted pursuant to Human Rights Council resolution 50/6, contains information on the activities undertaken by the mandate holder during the period from August 2023 to April 2024.

2. The thematic focus of the report is planned relocation of people in the context of the adverse effects of climate change and disasters. Former mandate holders have introduced planned relocations in their reports on climate change and internal displacement (A/66/285 and A/64/214), as well as internal displacement in the context of the slow-onset adverse effects of climate change (A/75/2017). The 2024 report of the Special Rapporteur on the right to adequate housing (A/HRC/55/53) examines resettlement as a human right crisis.

3. Building upon these contributions, the present report aims to identify key human rights challenges posed by planned relocation in the context of disasters and the adverse impacts of climate change and propose a human rights-based approach to planned relocations.

4. To inform the report, the Special Rapporteur conducted a desk review, issued a [call for input](https://www.ohchr.org/en/calls-for-input/2024/call-input-hrc56-thematic-report-climate-change-and-internal-displacement#_ftn3) and held four consultations with representatives of civil society, academia and other organizations[[2]](#footnote-3) based in Asia, the Pacific, Americas, Europe and Africa. The Special Rapporteur also held a consultation with participants of the course on Internal Displacement hosted by the International Institute of Humanitarian Law. She wishes to thank all partners and stakeholders who participated in the consultations and provided written submissions.[[3]](#footnote-4)

 II. Activities

5. On 23 October 2023, the Special Rapporteur presented her first annual report (A/78/245) to the General Assembly. The report provides an update on the activities undertaken since the presentation of her first report to the Human Rights Council in July 2023, and outlines the thematic priorities she intends to focus on during her mandate.

 A. Country visits

6. At the invitation of the Government of Mozambique, the Special Rapporteur undertook an official the country from 9 to 21 November 2023. The conclusions and recommendations of the visit are presented in A/HRC/56/47/Add.1 and A/HRC/56/47/Add.2.

7. The Special Rapporteur regrets the decision of the Government of South Sudan to postpone the country visit scheduled to take place from 9 to 20 October 2023. She reiterates her interest in visiting South Sudan and looks forward to discussing convenient dates.

8. The Special Rapporteur is grateful to the Government of the Marshall Islands and the Government of Vanuatu for the country visit invitations and looks forward to agreeing on convenient dates for these visits.

 B. Advocacy and stakeholder engagement

9. The Special Rapporteur continued actively participating in the independent review of the Inter-Agency Standing Committee’s (IASC) humanitarian response to internal displacement as a member of the IASC Principals, IASC Deputies as well as the Reference Group that advised the review team. This was in addition to regular engagement with the IASC Principals and IASC Deputies, where she advocated for increased attention to the protection and human rights of internally displaced persons (IDPs) in ongoing humanitarian crises, including in the Occupied Palestinian Territory, Democratic Republic of Congo, Haiti, Myanmar, Sudan and Ukraine. The Special Rapporteur also issued numerous communications, News Releases and media statements and engaged in regular discussions on these and other internal displacement situations.

10. As a co-lead of the IDP Protection Expert Group (IPEG), together with UNHCR and the Global Protection Cluster, the Special Rapporteur led a mission with IPEG members to Ukraine in November 2024, on the invitation of the Ukrainian Parliament Commissioner for Human Rights. The mission coincided with the first nation-wide Ukrainian Forum of IDP Councils, convened by the Deputy Prime Minister and Minister for Reintegration.

11. The Special Rapporteur provided keynote opening remarks for online courses on internal displacement in Spanish, French and English at the International Institute of Humanitarian Law and, and contributed to numerous events, such as the 2024 ECOSOC Partnership Forum, the Internal Displacement and Solutions Conference, the Global Conference on IDPs and the Internal Displacement Monitoring Centre’s 25th Anniversary Event.

 III. Planned relocations of people in the context of disasters and the adverse effects of climate change

 A. Conceptual approach

12. Internal displacement in the context of sudden and slow onset disasters and the adverse effects of climate change is expected to increase as climate change intensifies.[[4]](#footnote-5) The impact of climate change also increasingly intersects with conflict. Of the 20 countries most vulnerable to climate change, the majority are at war.[[5]](#footnote-6) Moreover, 70% of internally displaced persons (IDPs) are in fragile and or conflict-affected States that are particularly vulnerable to the adverse effects of climate change.[[6]](#footnote-7) As IDPs are highly vulnerable as a result of displacement,[[7]](#footnote-8) it is critical to reflect on how to mitigate the harm they endure.

13. People have the fundamental right to stay in their homes or return after displacement. Priority should therefore be given to climate adaptation and mitigation measures and disaster prevention to keep human settlements intact whenever possible. Relocation should only be considered as a last resort, if necessary to protect life and health and based on consultation with affected communities or upon their request.

14. Planned relocations should only be undertaken in exceptional circumstances where they are unavoidable and absolutely required due to the impracticality of sustaining human settlements in areas prone to danger.[[8]](#footnote-9) They must be conducted in a non-discriminatory manner, be consistent with human rights obligations of the State, meet substantive and procedural safeguards and take place in conditions of safety and dignity. Particular care must be taken to protect groups with a special dependency on and attachment to their lands.

15. Provided that human rights and community well-being are fully respected, protected and prioritized throughout all phases, planned relocations can foster durable solutions for internally displaced communities who are unable to return to their former homes because affected areas have become uninhabitable or too dangerous for human habitation or, such as in the case of sea level rise or certain landslides, have simply disappeared as a consequence of natural hazards and the negative impacts of climate change.

16. Various terminologies are used to describe movements and settlement in the context of disasters and the adverse effects of climate change. “Planned relocations” and “resettlement” are often used interchangeably in scholarly literature and standards.[[9]](#footnote-10) In his 2024 report to the Human Rights Council, the UN Special Rapporteur on the right to adequate housing used the term “resettlement” which “is understood as the relocation of a group of people, large or small, to a new location where they re-establish their habitual place of residence and rebuild their lives and livelihoods.”[[10]](#footnote-11) In its subsequent resolution, the Human Rights Council invited States and other relevant stakeholders to contribute to the development of the guidelines on resettlement to be undertaken by the Special Rapporteur on the right to adequate housing (A/HRC/55/L.12, para. 4). The Special Rapporteur remains available to contribute to these efforts.

17. For the purpose of the present report, the Special Rapporteur will use the term planned relocation as agreed upon by States Parties to the UN Framework Convention on Climate Change (UNFCCC),[[11]](#footnote-12) and used in the processes for UNFCCC[[12]](#footnote-13) and the Sendai Framework for Disaster Risk Reduction 2015-2030.[[13]](#footnote-14) States have also embraced this terminology outside the UNFCCC and Sendai processes.[[14]](#footnote-15)

18. Planned relocation is thus understood in this report as a “planned process in which … groups of persons move or are assisted to move away from their homes or places of temporary residence, are settled in a new and safer location, and provided with the conditions for rebuilding their lives. Planned relocation is carried out under the authority of the State, takes place within national borders, and is undertaken to protect people from risks and impacts related to disasters and environmental change, including the effects of climate change.”[[15]](#footnote-16) Planned relocations may be preventive in anticipation of a disaster or responsive in the aftermath of a disaster,[[16]](#footnote-17) and establishing the conditions for relocated persons to rebuild their lives in the relocation area is the equivalent of facilitating the achievement of durable solutions for IDPs.[[17]](#footnote-18)

19. Like planned relocations, evacuations, and evictions in the context of disasters and climate change are movements of people that should only be carried out in exceptional circumstances and in full accordance with international human rights and humanitarian law.[[18]](#footnote-19) However, they differ from planned relocations. Planned relocations are intended to be permanent, while evacuations are meant to be temporary.[[19]](#footnote-20) In planned relocations, people are relocated to a specific location rather than simply made lo leave from a location as in the case of evictions. Movement in the context of disasters and the adverse effects of climate change does not constitute planned relocation unless it is part of a planned process aimed at addressing specific hazard-related issues, such as mitigating flood risk.

20. The question of when planned relocation constitutes internal displacement deserves specific consideration. Internal displacement includes situations where people have “been forced or obliged to flee or to leave their homes or places of habitual residence … as a result of … natural or human-made disasters, and … have not crossed and internationally recognized border.”[[20]](#footnote-21) The defining factor is the involuntariness of movement. Thus, planned relocations constitute internal displacement when people are made to relocate against their will. However, in the case of environmental pressures, the line between voluntary movement and forced displacement is often blurred. Communities may consent to relocate in the face of threats like sea level rise, but such consent is influenced by the pressing need to avoid imminent danger, rather than a wholly free choice.[[21]](#footnote-22)

21. The UN Guiding Principles explicitly recognize the right not to be arbitrarily displaced and prohibit the forced movement of people affected by disasters unless required to protect their safety and health.[[22]](#footnote-23) Thus, while planned relocations can be essential for the safety and or health of the relocated persons when used as a measure of last resort, they may in other circumstances amount to arbitrary displacement. Displacement that fails to comply with minimum requirements of due process and other safeguards, that lasts longer than necessary, or that has long-term negative impacts on the enjoyment of human rights, may be considered arbitrary.[[23]](#footnote-24) Furthermore, planned relocations that could be avoided by applying safer alternatives, such as infrastructure improvements, may also be considered arbitrary displacement.[[24]](#footnote-25)

 B. Global scope of planned relocations

22. Global or national figures of the number of people relocated are unavailable.[[25]](#footnote-26) A global mapping exercise of planned relocations in the context of natural hazards, disasters and climate change published in 2021-2022 identified 408 cases in 78 countries. Approximately 40% occurred in Asia, 38% in the Americas, 10% in Africa, and 9% in the Pacific. Few cases were documented in Europe or the Middle East. Relative to population size, the Pacific had the highest number of cases according to the study. The phenomenon is likely larger as this study only captures cases documented in English, Spanish, French and Portuguese in academic and grey literature. The regional distribution of the documentation of planned relocations aligns with disaster displacement estimates, as well as with hazard hotspots, highlighting how planned relocations emerge as both a prevention and solutions strategy in the context of disasters and the adverse effects of climate change.[[26]](#footnote-27)

23. An in-depth analysis of 34 well-documented planned relocation cases from the global mapping exercise revealed several trends. Most planned relocation cases involved fewer than 250 households; many occurred on a much smaller scale. Most processes included a move from one shared origin to one shared destination site. The sites of both origin and destination were predominantly rural, though in Asia a larger proportion of destination areas were urban. In most cases the destination site was less than 20km from the origin site, and in just under half of the cases, the distance was less than 2km. Community actors and government bodies each initiated half of the cases, and government, non-governmental and community actors supported implementation of the planned relocation process. Lastly, nearly half of the 34 cases involved the relocation of Indigenous Peoples.[[27]](#footnote-28) To confirm these as global trends, a larger sample size is required.

 C. Applicable legal and policy frameworks

 International instruments

24. The UN Guiding Principles apply to persons displaced within national borders in the context of disasters, including those related to climate change, and are the main international framework for safeguarding the human rights of IDPs. They stipulate the primary responsibility of States to respect, protect, and fulfil IDPs’ human rights, provide assistance and establish the conditions for durable solutions,[[28]](#footnote-29) which are further elaborated in the Inter-Agency Standing Committee Framework on Durable Solutions for IDPs.[[29]](#footnote-30) They state that arbitrary displacement is prohibited and authorities are required to explore “all feasible alternatives” to displacement. IDPs have the right “to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk”.[[30]](#footnote-31)

25. The United Nations Framework Convention on Climate Change, the Sendai Framework for Disaster Risk Reduction 2015-2030, the 2012 Nansen Initiative Protection Agenda, the 2010 Cancun Climate Change Adaptation Framework Decision, the Global Compact for Migration, the Peninsula Principles on Climate Displacement within States offer conceptual, policy and legal guidance on planned relocation in the contexts of disasters and the adverse effects of climate change. The 2007 UN Basic Principles on Development-Based Evictions and Displacement developed by the former UN Special Rapporteur on the right to adequate housing emphasize the importance of ensuring that relocations are conducted in a manner consistent with human rights standards.[[31]](#footnote-32)

26. Indigenous Peoples have unique rights with respect to planned relocation under international law. Article 10 of the UN Declaration on the Rights of Indigenous Peoples states that “Indigenous peoples shall not be forcibly removed from their lands or territories and no relocation shall take place without the free, prior and informed consent of the Indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.” Article 16 of the Indigenous and Tribal People’s Convention states that, as a rule, Indigenous Peoples are not to be removed from the lands they occupy.[[32]](#footnote-33) However, “where the relocation of [Indigenous] Peoples is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent. Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.”[[33]](#footnote-34) The UN Declaration on the Rights of Peasants and Other People Working in Rural Areas specifies the obligation of States to prevent their displacement and ensure their protection from unlawful and arbitrary displacement from their land and place of residence.[[34]](#footnote-35)

27. The 2015 Guidance on Protecting People from Disasters and Environmental Change through Planned Relocation developed by Brookings, Georgetown University and UNHCR (2015 Guidance) seeks to assist States, communities and other actors in protecting people through planned relocation from the impacts of disasters and environmental change, including the effects of climate change.[[35]](#footnote-36) The 2015 Guidance includes key principles, legal, policy and institutional framework considerations as well as parameters spanning from assessing the need for relocation, planning and decision making to long-term implementation with a focus on cross-cutting elements such as community consultations. The 2015 Guidance and its toolbox, published by UNHCR, IOM and Georgetown University in 2017,[[36]](#footnote-37) emphasize the importance of consideration of the needs of vulnerable groups, maintenance of livelihoods as well as social, cultural, and economic networks, land-related complexities, sustainable funding, risk assessment, and post-relocation monitoring. The toolbox also addresses governance frameworks and rights considerations for those who choose not to relocate.

28. The Sydney Declaration of Principles on the Protection of Persons Displaced in the Context of Sea Level Rise state that the “pre-relocation living standards” of relocated individuals “must be restored post-relocation.”[[37]](#footnote-38) In addition, and relevant to housing, land and property valuation, the Pinheiro Principles focus on the provision of compensation to restore dispossessed persons to their original pre-loss position. Compensation valuation must comply with international law and human rights standards, considering factors beyond physical structures. The Impoverishment Risks and Reconstruction Model quantifies broader impacts of relocation such as landlessness, joblessness, homelessness, marginalisation, increased morbidity and mortality, food insecurity, loss of access to common property and social disarticulation. Similarly, eviction impact assessment methodologies can assist with quantifying losses beyond physical structures.[[38]](#footnote-39) The above equally applies to people displaced by slow onset disasters, including sea level rise.[[39]](#footnote-40)

 Regional instruments

29. The first of its kind, the 2023 Pacific Regional Framework on Climate Mobility recognizes the right to stay in place as a fundamental priority and notes that planned relocation should only be undertaken as a measure of last resort and is to be carried out in a safe, dignified and timely manner.[[40]](#footnote-41) The International Federation of Red Cross and Red Crescent Societies offers step-by-step relocation guidance for National Red Cross and Red Crescent societies in the Asia-Pacific.[[41]](#footnote-42)

30. The 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) confirms that internal displacement includes involuntary or forced evacuation and relocation.[[42]](#footnote-43) Article 4 instructs States to devise early warning systems in areas of potential displacement and to establish and implement disaster risk reduction strategies.[[43]](#footnote-44) Article 9 calls on States to protect “individual, collective and cultural property left behind by displaced persons.”[[44]](#footnote-45) Lastly, the Kampala Convention emphasizes the duty of States to make reparations in the context of disasters where governments fail to protect and assist IDPs.

 National instruments

31. As of 2024, six countries had developed a national instrument on planned relocation in the context of disasters and the adverse effects of climate change: Fiji, Jamaica, Papua New Guinea, Peru, the Solomon Islands and Uruguay. Fiji’s Planned Relocation Guidelines are rooted in international environmental, human rights and migration law alongside national Fijian legislation and traditional customary law (“kastom”) that governs local communities in Fiji.[[45]](#footnote-46) Vanuatu’s National Policy on Climate Change and Disaster-Induced Displacement establishes guidelines for planned relocation occurring in the context of disasters and/or adverse effects of climate change. It is important to note that, even with adopted planned relocation frameworks, consistent implementation, institutional capacity, and adequate funding are not always assured.

32. Planned relocation is also incorporated into some legal and policy frameworks relating to disasters. Mozambique’s National Disaster Management Law includes relocation as a preventive measure and clarifies institutional responsibilities.[[46]](#footnote-47) Malawi’s Disaster Management Act establishes a procedure for classifying certain disaster-prone areas as ‘high-risk’ and includes provisions on the relocation of persons living in those areas.[[47]](#footnote-48) Guatemala’s Action Plan to prevent, minimize and address displacement related to the adverse effects of climate change calls for the development of principles for planned relocations with respect for human rights, gender perspectives, and territorial and cultural identities.[[48]](#footnote-49) National disaster risk reduction policies and strategies refer to planned relocation in Bangladesh, Côte d’Ivoire, Egypt, Grenada, India, Japan, Malawi, Myanmar, Namibia, Pakistan, the Philippines, the territory of American Samoa, Vanuatu, and Vietnam.

33. Some States regulate planned relocation within climate change adaptation plans (Cuba), land planning laws (Dominican Republic) or access to housing laws (Argentina).[[49]](#footnote-50) Others, such as Ghana and Senegal, have expanded existing land use and disaster risk management policies to develop ad hoc frameworks for specific relocation initiatives.[[50]](#footnote-51) Planned relocation may also be regulated in development, resettlement, internal displacement or zoning and planning instruments.

 D. Funding for planned relocations

34. Funding arrangements for planned relocations vary. Multiple funding sources are often combined, including from national and local governments, multilateral banks, non-governmental organizations (NGOs), private sector, churches, UN agencies, the UNFCCC Green Climate Fund and Adaptation Fund, and crowd-sourced funds from relocating community members themselves. Fiji established a Trust Fund for planned relocation in 2019, financed partially through revenue from Fiji’s Environment and Climate Adaptation Levy and international contributions.[[51]](#footnote-52) Various funders often cover different stages of the process, such as risk assessment and planning, land acquisition, or facility construction. Commonly, funds exist for physical relocation but are insufficient to cover long-term costs, particularly the restoration of livelihoods. In some cases, planned relocation is seen a last resort, yet funding for it is never secured.[[52]](#footnote-53)

35. The Special Rapporteur recalls the decision taken at the twenty-eighth session of the Conference of the Parties to the United Nations Framework convention on Climate Change to operationalize a fund to respond to loss and damage.[[53]](#footnote-54) She believes that the fund should also be used to finance planned relocations, when relocation is required as a last resort measure and no alternatives are feasible and available. As part of a global effort, developed country Parties should finance the fund and lead in mobilizing climate finance while supporting the needs, priorities and strategies of developing country Parties. Ultimately, however, developed country Parties should increase efforts to mitigate greenhouse gas emissions to prevent unnecessary relocation.[[54]](#footnote-55) This is especially pertinent for States with limited land area, such as the Marshall Islands, which are reliant on global efforts towards combatting climate change and donor support for climate adaptation.[[55]](#footnote-56)

 E. Impact of planned relocations on human rights

36. This section draws upon examples of planned relocations received through submissions which demonstrate that while each case is unique, all too often relocated individuals and communities face negative impacts on the enjoyment of their human rights, and years after relocation many have yet to fully recover from their losses.[[56]](#footnote-57) It highlights the impacts on rights brought to the attention of the Special Rapporteur through the submissions and consultations and does not aim to cover all affected rights exhaustively.

37. When faced with the prospect of relocation, communities and their members respond differently. Some propose and lead the relocation of their community, such as the Indigenous Guna Peoples in Gardi Sugdub, Panama.[[57]](#footnote-58) Others prefer to stay in place in the face of repeated disasters and despite the potential safety benefits of relocation – also referred to as voluntary immobility.[[58]](#footnote-59) For example, some communities in Tonga, Fiji and Ghana wish to remain because of their strong attachment to their land,[[59]](#footnote-60) while communities in Bangladesh, Colombia, India, Philippines, Vietnam and Democratic Republic of Congo were most concerned about losing livelihoods.[[60]](#footnote-61) Others have changed their mind over time. Initially reluctant to leave, the El Bosque community in Tabasco, Mexico requested support for relocation after unsuccessful attempts to address coastal erosion and adapt *in situ* and being displaced by intense storms.[[61]](#footnote-62)

38. Relocations are often delayed and once started can take years to complete. Among the cases considered for this report, some delays have reportedly been significant due to the time required to conduct technical assessments, identify, negotiate, acquire and transfer suitable land, secure adequate financial resources and construct housing and infrastructure.[[62]](#footnote-63) Other reasons for delays reportedly include the lack of a legal or policy framework to guide planned relocations, lack of inter-institutional coordination, institutional and governance gaps, limited technical capacity to conduct risk assessments as well as lack of collaboration between national and local governments–- some of which have prevented some planned relocations from proceeding at all.[[63]](#footnote-64) While Indigenous Newtok and Nakapiak villages in Alaska each received $25 million for their relocation as part of the US Tribal Relocation Assistance Program established in 2021, this was reportedly one fourth of the amount required for full relocation of their communities.[[64]](#footnote-65)

39. Some communities have been forced to move before relocation began as they realized their territory was no longer safe.[[65]](#footnote-66) In Latin America, some Indigenous Peoples struggled to secure authorization and financial assistance for relocation and finally moved with their own means.[[66]](#footnote-67) Those evacuated, reportedly lived in inadequate temporary housing for extended periods, lacking proper infrastructure and services while awaiting relocation.[[67]](#footnote-68) Still others who remain at their original places of residence face increasingly inadequate living conditions and worsening environmental degradation. For example, the El Bosque Community in the Gulf of Mexico displaced following intense storms and impacted by coastal erosion due to tidal flooding and rapid sea level rise has been awaiting relocation since 2021. According to a submission, affected individuals faced irregular access to electricity and medication, an inability to preserve food, salinized well water due to rising sea levels and unrepaired schools, hindering children’s access to education and adversely affecting their rights to housing, health, water, sanitation, and food. Some community members have built makeshift shelter independently, depleting savings or going into debt.[[68]](#footnote-69) Delays in relocation combined with displacement have caused psychological distress amongst some community members.[[69]](#footnote-70)

 Right to timely information, consultation and participation

40. Communities are not always consulted about relocation. Internally displaced communities in the Philippines who were to be relocated following Typhoon Rai in 2021 and Typhoon Nalgae in 2022, reported a lack of consultation on relocation, limited information on the justification for the relocation and insufficient knowledge of the relocation plans. Inadequate community involvement in planning relocation processes in Sri Lanka have allegedly led to mismatches between expectations and reality for communities displaced by a landslide and awaiting relocation in temporary shelter.[[70]](#footnote-71) While women in Narikoso village, Fiji were reportedly initially not consulted on housing design for the relocation process, in the relocation of Cogea village, Fiji, specific consideration was later given to diverse community needs, ensuring privacy, safety, and culturally appropriate rural kitchens and chimneys for women. [[71]](#footnote-72)

41. Consultation and participation of communities is also important in community-lerelocation processes. The Indigenous Caicara Peoples of Enseada da Baleia in Sao Paulo state, Brazil, identified a relocation area after intense wave events and coastal erosion rendered their land inhabitable. Reportedly, the Government initially proposed relocating them to an area less suitable for their artisan fishing livelihoods, but with the assistance from the Public Defender’s Office, the authorities eventually allowed the community to relocate to the area it had selected. The community formed an association to mobilize members and oversee the relocation process. They established a protocol with consultation requirements for proposals affecting them, which the Government agreed to.[[72]](#footnote-73) In a similar case, the Guna Indigenous Peoples in Panama, facing threats from sea level rise and overcrowding on Gardi Sugdub Island, formed an internal neighbourhood commission to plan and organize their relocation.[[73]](#footnote-74) While local decisions included community consultation and participation, consultations with authorities were seen as primarily ‘information sharing’ rather than genuinely inclusive.[[74]](#footnote-75)

 Right to life, liberty and security

42. The selection of the relocation site is key to safety and security in the relocation area. Families displaced by Typhoon Haiyan in the Philippines in 2013 were allegedly relocated away from coastline areas designated as “no-build zones”.[[75]](#footnote-76) Seven years post-typhoon in 2020, relocated households reportedly felt safer in their current housing due to reduced flooding and water-related risks compared to their former settlements.[[76]](#footnote-77) Similarly, in Belize, relocated persons reported feeling safer in their new locations, noting that they no longer experienced regular losses of crops and animals as in their previous location.

43. Some relocated persons encounter tensions, violence, and conflict. Displaced families of the El Bosque community in Mexico were reportedly living in makeshift shelters on a football field while awaiting relocation. Living near new neighbours heightened tensions and conflicts due community members’ stress.[[77]](#footnote-78) Allegations of gender-based violence were reported by relocated persons in Sierra Leone, Solomon Islands and Papua New Guinea, prompting return to unsafe areas in some instances.[[78]](#footnote-79) Tensions between relocated persons and surrounding communities were reported in Panama,[[79]](#footnote-80) Philippines,[[80]](#footnote-81) Bangladesh,[[81]](#footnote-82) and Fiji,[[82]](#footnote-83) showing how population pressure strains resources worsened by the adverse effects of climate change and environmental degradation.[[83]](#footnote-84)

 Right to land

44. Legal uncertainties over land tenure in relocation areas jeopardize the security and stability of relocated communities. In the Philippines, the Government resettled more than 20,000 informal settlers living in at-risk coastal communities to elevated and mostly peri-urban areas of affected towns as part of its long-term disaster risk reduction and climate change adaptation strategies. Seven years after the 2013 typhoon, they were reportedly relocated to Tacloban but felt insecure as their housing award certificates lacked ownership specifications.[[84]](#footnote-85) Urban settings raise a set of unique challenges for planned relocations not applicable in rural settings such as limited availability of housing and land and the risk of evictions due to urban development and gentrification.[[85]](#footnote-86)

45. Customary land arrangements in relocation areas can also leave relocated persons with insecure land tenure. In Papua New Guinea, 97% of the land is reportedly owned by customary landowning groups. In the 1970s, the Government acquired once customary land that was leased to the Catholic Church in 1904 for the relocation of villages to Nuigo settlement due to recurring flooding of the Sepik River. It is reported that some fifty years later, the customary landowners continue to monitor and restrict activities for land use, hindering the relocated communities and their descendants’ ability to expand their homes and engage in income-generating activities such as poultry farming or establishing trade stores.[[86]](#footnote-87)

 Right to adequate housing

46. Housing outcomes for relocated communities have been mixed. In Bangladesh and India, some people displaced in the context of environmental degradation became homeowners upon relocation. A man who lost his dwelling and agricultural lands on Ghoramara Island, India due to coastal erosion stated that before being relocated: “The road is where we used to live”.[[87]](#footnote-88)

47. Housing has been inadequate in other cases. In 2014, the village of Vunidogoloa, Fiji was relocated 2 kilometres inland in response to tidal flooding, saltwater intrusion, and coastal erosion. Homes built in the new site have reportedly improved facilities, particularly solar panels, and a bathroom. However, some relocated persons felt the houses were too small with limited privacy. They regretted kitchens were not provided due to lack of consultation with women in the relocation process and that adequate footpaths and drainage were lacking. Households constructed their own kitchens from salvaged materials.[[88]](#footnote-89)

48. In some cases, housing arrangements do not respect the culture of relocated communities. In Papua New Guinea, the Manam island community relocated following a volcanic eruption in 2005 faced overcrowding in the relocated settlements, contradicting the traditional village structure where leaders’ houses are spacious and located separately from the rest of the community.[[89]](#footnote-90) Similarly, in Algeria, considerable damage following successive extreme weather events in Timimoun, Bechar and Aoulef and frequent flooding led the local authorities to launch a planned relocation program. Housing was reportedly unsuitable for family size and incompatible with their traditional ways of life and architecture. In the case of Gardi Sugdub, Panama, homes in the relocation site were reportedly too small to accommodate multi-generational Guna families and lack supportive beams to which hammocks may be attached.[[90]](#footnote-91)

 Right to water and sanitation

49. Access to water and sanitation services is inadequate in some relocation areas, often persisting for years. In the Philippines, people displaced by 2013 Typhoon Haiyan and relocated to Tacloban, allegedly did not have adequate access to safe and potable water in permanent shelter sites seven years after being displaced.[[91]](#footnote-92) Similarly, four years after 2012 Tropical Cyclone Evan, residents relocated from Demimanu, Fiji expressed concerns about drainage issues in the new village and inadequate sewage septic tanks. It is reported that two decades after Manam Island, Papua New Guinea relocation, communities continue to struggle to access services, including sanitation.[[92]](#footnote-93) San José Montenegro and Rincón Caballar communities in Chiapas, Mexico still lacked water ten years after relocating following the 2025 Hurricane Stan.[[93]](#footnote-94)

50. In Sri Lanka, people resettled to China Friendship Village and Panapurewatta after a 2016 landslide faced limited water access and hindered access to essential services due to cultural isolation.[[94]](#footnote-95) Rising sea levels have led to the salinization of wells in El Bosque, jeopardizing access to water as the community awaits relocation.[[95]](#footnote-96) Flooding and coastal erosion endangers fresh water sources, sewage lagoons and landfills in several Native villages in Alaska that are seeking relocation in anticipation of risks associated with melting permafrost and rising sea levels.[[96]](#footnote-97) However, access to water and sanitation improved for Vunidogoloa community in Fiji following relocation.[[97]](#footnote-98)

 Right to health

51. The health impacts of relocation vary. Relocated residents in Tacloban, Philippines, Lake Enriquillo, Dominican Republic and Vunidogoloa, Fiji had improved access to health services after relocation.[[98]](#footnote-99) In Vunidogoloa, the village was reportedly moved near a main road with closer access to hospitals. Vunidogoloa residents reported fewer water-borne diseases after relocation but experienced deteriorating overall health due to dietary changes: fewer marine resources, more packaged food, and increased alcohol consumption.[[99]](#footnote-100) Interruptions in electricity supply in El Bosque, Mexico reportedly impeded access to essential medication, such as insulin for diabetics, exacerbating already existing health conditions.[[100]](#footnote-101) Inadequate access to water and sanitation in relocated villages in Chiapas, Mexico reportedly contributed to several cases of typhus fever and infections, exacerbated by the absence of health centres.[[101]](#footnote-102)

52. Planned relocations can negatively impact psychosocial well-being. Relocation from Keta, Ghana in 2003 due to sea level rise led to lower well-being and higher anxiety compared to those not yet relocated in nearby Totope, Ghana. This was attributed to disrupted livelihoods, community ties, and recurring flooding in the relocation area.[[102]](#footnote-103)Delayed relocation in in El Bosque, Mexico also caused psychological distress and losses post-disaster displacement.[[103]](#footnote-104) However, planned relocation in Sangar Island, India, improved well-being for 70% of respondents, who reported increased happiness, satisfaction with environment, housing, economic and food security.[[104]](#footnote-105)

 Right to education

53. Relocated residents in Tacloban, Philippines, and Boca de Cachón in Lake Enriquillo, the Dominican Republic experienced improved access to education compared to their previous housing sites.[[105]](#footnote-106) In Gardi Sugdub, Panama, youth are pursuing higher education to support community relocation efforts, and a dedicated school classroom for Guna traditional knowledge and language was included at the new sits.[[106]](#footnote-107) However, in San José Montenegro and Rincón Caballar in Chiapas, Mexico, limited educational opportunities reportedly require children to relocate to other municipalities for further education.

 Access to livelihoods

54. In the context of climate change and environmental degradation, communities are often moved from areas where they practice land or water-based livelihoods to inland areas where these activities are difficult or impossible.[[107]](#footnote-108) In Cabo Verde, Cameroon and Ghana, communities were reportedly unable to recreate their traditional livelihoods dependent on land and natural resources and alternative livelihoods were scarce.[[108]](#footnote-109) This is not always the case, however. Some communities relocated within the same geographical area have been able to maintain their livelihoods as in Jordan, Monkey River, Belize and the Mekong Delta, Vietnam.[[109]](#footnote-110)

55. People do not always have better access to livelihoods when relocated to cities. Persons relocated to urban Tacloban, Philippines following Typhoon Haiyan reported that their access to livelihoods and jobs was more difficult than at their previous residences where they earned income from sea- or coastal-based activities.[[110]](#footnote-111) Others in Ouagadougou, Burkina Faso and Niamey, Niger, reportedly struggled to access livelihoods due to the long distance between the relocation site and the city centre; many relocated individuals ended up returning to their original land.[[111]](#footnote-112)

56. As livelihood restoration efforts falter, some relocated persons develop livelihood strategies that straddle the relocation area and their previous village. It is reported that in Papua New Guinea and Vunidogoloa, Fiji, limited access to livelihoods prompted some to return to their previous fishing areas to earn an income.[[112]](#footnote-113) Relocated to higher ground following severe flooding, the Boca de Cachon community in Dominican Republic was using their previous land to graze livestock as their new land plots were too small.[[113]](#footnote-114) Some members of the Guna Indigenous Peoples in Panama reportedly intended to split up across two homes, with young people moving to the mainland and the older generation remaining on the island, while still others commuting back and forth.[[114]](#footnote-115)

 Indigenous and cultural rights

57. Planned relocations can have a particularly negative impact on Indigenous Peoples’ rights given their special attachment to their land for livelihoods, health, culture, well-being and identity, posing a threat to their existence.[[115]](#footnote-116) It is reported that in Vunidogoloa Village, Vanua Levu in Fiji, the loss of traditional lands and disruption of cultural practices and social cohesion are profound.[[116]](#footnote-117) Some Indigenous Peoples have already endured displacement, which influences the way they perceive relocations.[[117]](#footnote-118) Analysis and consideration of previous displacement experiences is critical for ensuring respect for Indigenous rights in a planned relocation process.[[118]](#footnote-119)

58. Cultural loss also includes loss of sacred sites, cultural values, burial sites, health and social well-being, and other intrinsic values which communities experience when separated from their ancestral lands and way of life.[[119]](#footnote-120) Persons relocated from Sagar Island, India and the Manta community in Bangladesh reported that their culture has been negatively impacted following relocation due to severing of important social ties.[[120]](#footnote-121) In Tacloban, Philippines, the random allocation of housing units reportedly resulted in a new distribution of neighbours and family members across different relocation sites. Social support networks for food, financial aid or unpaid care services were reportedly no longer available.[[121]](#footnote-122) The loss of social connections and community dynamics diminished well-being.

 IV. Human rights-based approach to planned relocations

 A. Introduction

59. Based on the above analysis and drawing upon examples of planned relocations received through submissions and consultations, the Special Rapporteur outlines key elements of a human rights-based approach to planned relocation, often regrettably missing. It is hoped that the analysis in this section will serve both as a specific tool and an additional resource, offering clarity on human-rights based planned relocations in the context of disasters and the adverse effects of climate change.

 B. Key principles

60. States have the obligation to prevent and address environmental risks which may require planned relocations to protect persons or groups of persons, while safeguarding their right to life and respecting and protecting their rights and dignity. States must have compelling reasons, strong evidence, and a sound legal basis to initiate planned relocations. Such relocations should only be a last resort measure, after all other risk reduction and adaptation measures have been considered and reasonably exhausted.[[122]](#footnote-123) Those affected by disasters and the adverse effects of climate change have the right to request or contest relocation in a court of law.[[123]](#footnote-124)

61. States should establish and implement adequate normative and institutional frameworks; conduct comprehensive risk and vulnerability assessment and planning; hold meaningful consultations; take measures to protect the rights and dignity of affected individuals and groups; ensure access to justice and remedies; and invest in capacity building on a human rights-based approach to planned relocations for both State authorities and affected persons and communities.

62. The rights to self-determination, cultural identity preservation, and control over land and resources must be respected. Indigenous Peoples, relocated persons and other affected persons should be informed, consulted, and involved in decision-making on planned relocations. The agency, resilience, and empowerment of relocated persons should be acknowledged, promoted, and strengthened, and the specific needs, circumstances, and vulnerabilities of relocated and affected persons and communities should be considered and addressed throughout a planned relocation.[[124]](#footnote-125)

63. Planned relocation should provide conditions that allow relocated persons to improve or at least restore their living standard. It should also enable local populations to maintain their existing living standards, or reach the same level as the relocated persons, whichever is higher. Relocated persons shall have the same rights and freedoms as other citizens under international and domestic law. They must not face discrimination based on their participation in planned relocation and shall retain the right to freedom of movement and the choice of their place of residence. Planned relocation should be conducted in a way that respects the principle of family unity, and maintains households, community, and social cohesion.[[125]](#footnote-126)

 C. Normative and Institutional Frameworks

64. States have a primary responsibility to ensure that relocations are always carried out in accordance with applicable international standards, including those set out in the UN Guiding Principles, are in line with key protection standards and principles, and are safe, voluntary and dignified. States should adopt a comprehensive legal-normative, policy and institutional framework governing planned relocations in accordance with international and regional human rights standards. The legal and policy framework should, *inter alia,* provide a legal basis, in national law, articulate a national policy; establish an institutional framework for undertaking planned relocation, identify responsibilities of designated State authorities and provide accountability mechanisms. Such frameworks should establish safeguards against arbitrary displacement or eviction; provide culturally appropriate conflict resolution mechanisms; as well as access to grievance and redress mechanisms throughout a planned relocation. They should define and explain the criteria for making decisions throughout a planned relocation, including the foundational decision to initiate a planned relocation.[[126]](#footnote-127)

65. The legal-normative, policy and institutional frameworks should include detailed advanced planning for planned relocations, that involve a whole of government approach where all levels of government have a role and assume their responsibilities as well as enabling the early engagement between relocating actors and local communities, and communication and coordination mechanisms between State authorities and any traditional governance structures and any other actors involved. Planned relocation frameworks should include responsibilities for institutions that can ensure communities have reliable access to adequate housing, water, sanitation, livelihood opportunities, education, health services, infrastructure, transport and communications, as well as safeguards for traditional knowledge and culture, including facilitating access visits to ancestral sites and graves. Provisions should be made for culturally appropriate mental health and psychosocial support services for both relocating and local communities.

66. Law and policy reforms should review land tenure laws to address barriers for communities relocating across traditional boundaries. Ensuring secure tenure and sustainable resources can mitigate insecurity and prevent future land disputes.

67. The institutional framework should establish timely, sufficient, and sustainable funding mechanisms,[[127]](#footnote-128) such as trust funds and channelling of funds through social protection systems to finance relocations and provide fair compensation for loss of land and other assets. Knowledge management systems should gather data and lessons from past relocations to inform future policies.

68. Standard Operating Procedures (SOPs)[[128]](#footnote-129) should govern planned relocations and provide for a consultative, evidence-based, and demand driven process for moving communities, settlements, and groups in vulnerable situations in a safe, orderly, and equitable way.[[129]](#footnote-130) SOPs should designate institutional responsibilities and procedures, offering comprehensive guidance for all involved in planned relocation processes to ensure coordination both between national and local authorities as well as humanitarian and development actors. This includes community consultations, decision-making procedures, conflict resolution, training, and capacity-building efforts. SOPs should provide for redress mechanisms with clear steps to be taken to address grievances identified throughout the relocation process. There should be a community feedback mechanism where the findings and recommendations of assessments are to be presented for further consultation and agreement.[[130]](#footnote-131) SOPs should provide for a monitoring and assessment framework for planned relocation, adopting a people-centred approach that includes diverse perspectives and insights from community members, including those who remained,[[131]](#footnote-132) about their experiences. Monitoring and evaluation processes and reports must be accessible to the public.[[132]](#footnote-133)

 D. Assessments and planning

69. Human rights, including the rights of everyone to life, security of person and health and the duty to refrain from displacement that violates these rights (Guiding Principle 7) require States to conduct rigorous and comprehensiverisk assessments not only in the place of origin to determine that there is no alternative to relocation, but also in the destination area[[133]](#footnote-134) to identify suitable and safe relocation sites. These assessments should consider biophysical hazard profiles as well as different perceptions of risk and potential impacts on human rights, including social, cultural rights and the right to a clean and healthy environment. They should begin early, involve the community and their information and evidence sources, including where adaptation options and any potential trade-offs are discussed, seek to build trust, and integrate local knowledge and perspectives.[[134]](#footnote-135) Risk assessment processes should support States’ determination of planned relocation as a measure of last resort[[135]](#footnote-136) and involve meaningful consultation with communities throughout all stages of the process. [[136]](#footnote-137)

70. The responsibility to consider all possible alternatives to prevent displacement is especially pertinent in non-emergency circumstances.[[137]](#footnote-138) States must prioritize the right to remain and prevent displacement by mitigating environmental risks and reducing the exposure and vulnerability of populations in disaster-prone areas by adopting disaster risk reduction and climate adaptation measures. Due diligence should be exercised to ensure that disaster risk reduction and climate adaptation measures are based on data and evidence.[[138]](#footnote-139) The legal and institutional framework should provide for the rights to choose whether to relocate or remain in the current location with this choice respected and facilitated by the government through the provision for alternative forms of support, such as assistance in strengthening resilience and adaptation measures and access to livelihood opportunities.[[139]](#footnote-140) The decision-making process in this context is critical and should involve both communities and authorities collectively in the relocation process. Those who wish to stay must be provided with adequate time and opportunity to propose alternative options by the relevant authorities.

71. People should be able to voluntarily relocate on any grounds, based on the human rights to freedom of movement and choice of residence.[[140]](#footnote-141) Involuntary relocation is a restriction of the right to choose one’s place of residence that must be provided for by law.[[141]](#footnote-142) Relocation against the will of the affected community can be imposed only when ‘necessary as an exceptional measure[[142]](#footnote-143) and provided the reasons are set out in law. Sound risk and vulnerability assessments are essential for justification as an exceptional measure.

72. Representatives of affected communities and local governments should develop in consultation with relevant State authorities inclusive relocation plans that prioritize the centrality and protection of human rights, and are voluntary, informed and free from coercion. Such plans should specify the activities to be undertaken and for each activity indicate where it will be undertaken, the timeframe for completion, the estimated cost, the actor(s) responsible as well as the overall relocation schedule. The plan should also clarify monitoring, evaluation and reporting modalities.

 E. Consent and meaningful participation

73. Community participation and consultation starts long before planned relocation becomes an option, for example with community participation in disaster risk reduction and risk assessments.[[143]](#footnote-144) States must obtain the consent of affected individuals and communities before undertaking any relocation efforts.[[144]](#footnote-145) UN Guiding Principle 7(3) provides guarantees that must be complied with, including a formal decision by competent authorities, full information on procedures for relocation and the right to an effective remedy, among others.[[145]](#footnote-146)

74. As mentioned above, relocation shall not take place without the free, prior and informed consent of Indigenous Peoples[[146]](#footnote-147) concerned, and after agreement on the basis of just and fair compensation and, where possible, with the option of return.[[147]](#footnote-148) If consent cannot be obtained, ‘such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned’.[[148]](#footnote-149)

75. Planned relocations should be undertaken in an inclusive and culturally appropriate manner, in full consultation with individuals, affected communities and other stakeholders. They should support relocated communities to maintain traditional governance, cultural and religious, community and other customary structures and practices; and have measures to ensure that human rights are respected, protected, and fulfilled before, during and after relocation.[[149]](#footnote-150) Supporting community-led initiatives in this regard is essential for preserving cultural identity and traditional livelihoods before, during and after relocation and can facilitate the achievement of durable solutions following relocation.

 F. Measures to protect the rights and dignity of affected persons and communities

76. States must take necessary measures to protect the rights and dignity of affected individuals and communities before, during, and after relocations. People should only be moved to serviced sites with the means to rebuild their lives, including housing, water, sanitation, healthcare, education and access to livelihood opportunities. Protection risks in relocation sites should be assessed prior to any movement to ensure the availability of basic services and dignified conditions. States should also prevent and address any human rights violations that may occur as a result of the planned relocation process, including forced evictions, discrimination, and loss of cultural heritage and community identity.

77. Relocation measures must be carried out without distinction of any kind. States have a duty to identify and address the specific needs and rights of groups in vulnerable situations who may be disproportionately affected by disasters and climate change. Addressing their specific rights, needs, circumstances, customs, and economic vulnerabilities throughout planned relocation is crucial. It includes a consideration of health and demographic characteristics, special attachments to land, protection considerations, and ensuring their access to information, participation and preferred transportation means.[[150]](#footnote-151)

78. Local communities must also be consulted and be provided with equitable treatment and services to those relocated. Consultation with local communities and utilizing community-based social cohesion approaches can facilitate community integration. Allocation of relocation plots should avoid creating tensions between local and displaced communities and address housing, land and property issues.

79. The choice of affected people to relocate or remain in the area where they sought safety or protection, in the absence of the possibility to be able to return to the location of origin, must not be considered as a renunciation of the right to return in safety and with dignity to the original place of residence, should that option later become feasible. Nor must it be considered a renunciation of the right to have restored to them any housing, land and property assets of which they were arbitrarily deprived during the displacement.[[151]](#footnote-152) Furthermore, special consideration should be given to ensure that women’s rights to own, manage, enjoy and dispose of property are inherent in the rights to be free from discrimination to an adequate standard of living.[[152]](#footnote-153)

80. Accountability mechanisms must ensure access to effective remedies for those affected by planned relocations. This includes establishing independent grievance mechanisms for affected individuals and communities, strengthening access to justice and legal aid, including by easing access to courts and non-judicial remedies at the local, national or international levels.[[153]](#footnote-154) While just and satisfactory compensation for losses is vital, emphasizing activities promoting social cohesion, inclusive decision-making, access to justice and cultural preservation are crucial for achieving enduring solutions beyond mere compensation.

 G. Governance

81. A whole of government approach should be applied to planned relocations. This includes clarification of institutional responsibilities, inter-institutional coordination and collaboration, identifying, negotiating, acquiring and transferring suitable land in a timely manner, securing adequate financial resources, constructing housing and infrastructure, installing services, monitoring and addressing institutional and governance gaps and strengthening technical capacity.

82. Furthermore, capacity building efforts should focus on enhancing awareness, creating platforms for peer-to-peer exchanges with regional mechanisms, building skills for negotiation and advocacy, and fostering collaboration between State authorities and affected communities to ensure that planned relocations are carried out in a manner that respects, protects, and fulfils human rights for all involved. Relocation processes should incorporate lessons learned from previous experiences of internal displacement in the country as relevant.

 V. Conclusions and Recommendations

 A. Conclusions

83. **Relocations may become increasingly inevitable due to areas of origin disappearing, becoming unsafe or uninhabitable. Planned relocations, whether anticipatory or responsive, should be a last resort, used only when sustaining settlements is impossible. In the context of disasters and the adverse effects of climate change, planned relocations can endanger a wide range of human rights and have profound social and cultural impacts. When all options are exhausted, well-planned, financed and implemented planned relocations that prioritize community needs, can mitigate displacement risks, protect human rights from the start and lay the foundation for durable solutions. This requires a government-led and whole-of-society approach with human rights-based frameworks in accordance with international human rights norms and standards.**

 B. Recommendations

84. **The Special Rapporteur recommends that States:**

(a) **Guarantee in law, policy and practice the liberty of movement and the freedom to choose one’s place of residence, including the right to stay and avoid evictions and forced relocation of communities in the context of disasters and the adverse effects of climate change.**

(b) **Develop legal-normative, policy and institutional frameworks governing planned relocations in accordance with international and regional human rights standards that center the autonomy, choice and consent of all those relocating.**

(c) **Develop standard operating procedures to implement planned relocation policies, including by designating institutional responsibilities and putting in place relevant coordination procedures with a whole of government and whole of society approach.**

(d) **Conduct thorough environmental, social, economic, health and cultural impact assessments prior to initiating any relocation process with full participation of affected communities and ensure the preservation of cultural identity in the new locations.**

(e) **Adopt measures to ensure that Indigenous Peoples’ free, prior and informed consent is respected before any planned relocation process is undertaken and proactively engage with and seek the partnership and participation of affected persons and communities in all stages of the process.**

(f) **Establish a National Climate Land Bank in partnership with communities at risk of relocation that meets their needs and is zoned for the exclusive use as relocation sites.**

(g) **Establish mechanisms to identify and secure planned relocation project funding from domestic and international sources with human rights safeguards.**

(h) **Require that local authorities, communities to be relocated and local communities co-develop a planned relocation action plan that sets out all details, timelines and responsibilities for the planned relocation.**

(i) **Ensure that relocations are conducted without discrimination and distinction of any kind and in line with key protection and human rights safeguards and principles, are safe, voluntary and dignified, and promote inclusive and equitable development.**

(j)  **Identify and assess the social, emotional and psychological impacts of planned relocations on affected communities and ensure adequate support is available to fully address these impacts.**

(k) **Review land tenure laws to address barriers for communities relocating across traditional boundaries, ensuring secure tenure in relocation areas and preventing future disputes.**

(l) **Provide just and satisfactory compensation for loss of land and remedies for other tangible and intangible assets; with consideration for the special rights and needs of Indigenous Peoples.**

(m) **Foster opportunities for community-to-community knowledge transfer and experience sharing, including by providing opportunities for the community to share their expertise with other communities considering planned relocation.**

(n) **Establish conditions for the full enjoyment of human rights in relocation areas and monitor, identify and address human rights challenges and protection risks faced by relocated persons and communities with the objective of achieving durable solutions.**

(o) **Ensure access to justice and provide legal aid and support to those who have grievances concerning their relocation.**

85. **The Special Rapporteur recommends that National Human Rights Institutions, civil society organizations, regional and international organizations, United Nations bodies and agencies and international financial institutions, as appropriate:**

(a) **Provide financial resources and technical expertise for the development of national legal and/or policy frameworks to protect people at risk of and displaced by disasters and the adverse effects of climate change.**

(b) **Support communities at risk of displacement and wishing to relocate with accessing relocation funding and authorization to relocate and provide direct funding and technical support to communities leading relocations.**

(c) **Foster opportunities for government knowledge transfer and experience sharing, including by facilitating government peer exchanges to share their expertise with other states considering planned relocation.**

(d) **Allocate a greater share of climate finance to climate adaptation and address gaps in access to climate finance funding by fragile and conflict-affected countries, which are often particularly vulnerable to climate risks.**

(e) **Support national authorities with assessments and data collection and analysis required to authorize, plan, implement and monitor planned relocations, taking into account different knowledge systems and community assessments.**

(f) **Support national authorities to establish the conditions for durable solutions in relocation areas in line with the *IASC Framework on Durable Solutions for Internally Displaced Persons* by addressing relocated persons’ specific needs and vulnerabilities related to their relocation and supporting their enjoyment of human rights.**

1. \* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information. [↑](#footnote-ref-2)
2. The Special Rapporteur thanks the Platform on Disaster Displacement for facilitating consultations. [↑](#footnote-ref-3)
3. [OHCHR | Call for input for the HRC56 thematic report on climate change and internal displacement](https://www.ohchr.org/en/calls-for-input/2024/call-input-hrc56-thematic-report-climate-change-and-internal-displacement). [↑](#footnote-ref-4)
4. <https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_TechnicalSummary.pdf> [↑](#footnote-ref-5)
5. ICRC, July 2020, [When Rain Turns to Dust: Understanding and Responding to the Combined Impact of Armed Conflicts and the Climate and Environment Crisis on people’s lives](https://www.icrc.org/sites/default/files/topic/file_plus_list/rain_turns_to_dust_climate_change_conflict.pdf). [↑](#footnote-ref-6)
6. https://www.ohchr.org/sites/default/files/documents/issues/climatechange/cfis/cfi-loss-damage-study/submissions/subm-impact-loss-damage-un-enti-unhcr.docx. [↑](#footnote-ref-7)
7. UN Guiding Principles on Internal Displacement, 11 February 1998, E/CN.4/1998/53/Add.2. [↑](#footnote-ref-8)
8. UN Guiding Principle 7(1) and 24. [↑](#footnote-ref-9)
9. D.J. Cantor submission. [↑](#footnote-ref-10)
10. A/HRC/55/53, para. 6. [↑](#footnote-ref-11)
11. Cancun Adaptation Framework para 14(f). [↑](#footnote-ref-12)
12. Decision 10/CP.24, Annex, FCCC/CP/2018/10/Add.1. [↑](#footnote-ref-13)
13. 27(k): “To formulate public policies, where applicable, aimed at addressing the issues of prevention or relocation, where possible, of human settlements in disaster risk-prone zones.” [↑](#footnote-ref-14)
14. [Pacific Regional Framework on Climate Mobility.pdf (forumsec.org)](https://forumsec.org/sites/default/files/2024-02/Pacific%20Regional%20Framework%20on%20Climate%20Mobility.pdf). [↑](#footnote-ref-15)
15. https://www.brookings.edu/wp-content/uploads/2016/06/GUIDANCE\_PLANNED-RELOCATION\_14-OCT-2015.pdf. [↑](#footnote-ref-16)
16. IFRC, Law and Disaster Preparedness and Response, 2019, p.101; D.J. Cantor submission. [↑](#footnote-ref-17)
17. [Bower-and-Ferris\_PR-DS\_110324.pdf (researchinginternaldisplacement.org)](https://researchinginternaldisplacement.org/wp-content/uploads/2024/03/Bower-and-Ferris_PR-DS_110324.pdf); D.J. Cantor submission. [↑](#footnote-ref-18)
18. In situations of armed conflict, temporary evacuations for reasons related to the conflict are permitted only where the security of the civilians involved or imperative military reasons so require. Fourth Geneva Convention Article 49 (Occupied Territory), Additional Protocol II Article 17(1). [↑](#footnote-ref-19)
19. Handbook on the Protection of Internally Displaced Persons, 2010, p. 503; D.J. Cantor submission. [↑](#footnote-ref-20)
20. UN Guiding Principles on Internal Displacement, Introduction, para. 2. [↑](#footnote-ref-21)
21. Elizabeth Ferris, Climate Justice and Environmentally Displaced Persons (forthcoming); D.J. Cantor submission. [↑](#footnote-ref-22)
22. UN Guiding Principle 6. [↑](#footnote-ref-23)
23. [A/76/169](https://undocs.org/Home/Mobile?FinalSymbol=A%2F76%2F169&Language=E&DeviceType=Desktop&LangRequested=False). [↑](#footnote-ref-24)
24. UN Guiding Principle 6(2)(d). [↑](#footnote-ref-25)
25. An exception is Fiji, which maintains data on the number of houses relocated. [↑](#footnote-ref-26)
26. https://disasterdisplacement.org/resource/leaving-place-restoring-home/. [↑](#footnote-ref-27)
27. See submissions of Human Rights Watch (HRW); the Alaska Institute for Justice Miriam Cullen;, joint submission of RESAMA and CICrA Justicia Ambiental; and Yee, Piggott McKellar and McMichael. [↑](#footnote-ref-28)
28. UN Guiding Principles 7(3), 15, 18, 20, 28. [↑](#footnote-ref-29)
29. UN Guiding Principle 28 and IASC, Framework on Durable Solutions for Internally Displaced Persons, April 2010. [↑](#footnote-ref-30)
30. <https://www.brookings.edu/wp-content/uploads/2016/06/Brookings-Planned-Relocations-Framework-DPetz-June-2015.pdf>. [↑](#footnote-ref-31)
31. A/HRC/55/53. [↑](#footnote-ref-32)
32. [Indigenous and Tribal Peoples Convention](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:REV,en,C169,/Document). [↑](#footnote-ref-33)
33. These rights apply to all cases of planned relocation, including those occurring outside of natural hazard contexts. [↑](#footnote-ref-34)
34. https://digitallibrary.un.org/record/1650694/files/A\_HRC\_RES\_39\_12-EN.pdf. [↑](#footnote-ref-35)
35. [https://www.brookings.edu/wp-content/uploads/2016/06/guidance\_planned-relocation\_14-oct-2015.pdf.](https://www.brookings.edu/wp-content/uploads/2016/06/guidance_planned-relocation_14-oct-2015.pdf) [↑](#footnote-ref-36)
36. A Toolbox: Planning Relocations to Protect People from Disasters and Environmental Change. [↑](#footnote-ref-37)
37. Sydney Declaration of Principles on the Protection of Persons Displaced in the Context of Sea Level Rise, Principle 6. [↑](#footnote-ref-38)
38. OHCHR et al, Housing and Property Restitution for Refugees and Displaced Persons: Implementing the Pinheiro Principles in the Middle East and North Africa (2024). See [The impact of loss and damage from the adverse effects of climate change on human rights | OHCHR](https://www.ohchr.org/en/climate-change/impact-loss-and-damage-adverse-effects-climate-change-human-rights). [↑](#footnote-ref-39)
39. <https://itlos.org/fileadmin/itlos/documents/cases/31/Advisory> \_Opinion/C31\_Adv\_Op\_21.05.2024\_orig.pdf. [↑](#footnote-ref-40)
40. [Pacific Regional Framework on Climate Mobility | Pacific Islands Forum Secretariat](https://forumsec.org/publications/pacific-regional-framework-climate-mobility). [↑](#footnote-ref-41)
41. <https://disasterlaw.ifrc.org/media/3797>. [↑](#footnote-ref-42)
42. <https://au.int/en/treaties/african-union-convention-protection-and-assistance-internally-displaced-persons-africa>. [↑](#footnote-ref-43)
43. See: [Early Warnings for All | United Nations](https://www.un.org/en/climatechange/early-warnings-for-all). [↑](#footnote-ref-44)
44. <https://www.brookings.edu/wp-content/uploads/2016/06/Brookings-Planned-Relocations-Framework-DPetz-June-2015.pdf>. [↑](#footnote-ref-45)
45. Fiji, 2018, Planned Relocation Guidelines: A Framework to Undertake Climate Change-Related Relocation. [↑](#footnote-ref-46)
46. [Global Mapping: Leaving Place, Restoring Home - Disaster Displacement](https://disasterdisplacement.org/resource/leaving-place-restoring-home/). [↑](#footnote-ref-47)
47. Malawi, [Disaster Risk Management Act (No. 27 of 2023) (aejmalawi.org)](http://www.aejmalawi.org/resources/show/?disaster-risk-management-act-(no.-27-of-2023)--daf5a4a9fc2cff41b65b6a249bd4ea05). [↑](#footnote-ref-48)
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