Office for the Coordination of Humanitarian Affairs (OCHA)

shelter centre

DFID Department for International Development

Transitional settlement and reconstruction after natural disasters

Field Edition

United Nations

Note:
These guidelines *Transitional Settlements and Reconstruction after Natural Disasters: Field Edition* were published in 2008 for field testing as the first step in the process of revision of *Shelter after Disaster: Guidelines for Assistance* published in 1982 by UNDRO. After field testing these guidelines a final product was published in 2010 called *Shelter after disaster: Strategies for transitional settlement and reconstruction*.

For the purpose of the distance learning "*Shelter after Disaster – Relief*" it has been considered that chapter 4 and 5 of *Transitional Settlements and Reconstruction after Natural Disasters: Field Edition* were the most relevant and thus only these chapters have been captured. The whole text of the document can be found at http://sheltercentre.org/sites/default/files/TransitionalSettlementandReconstructionAfterNaturalDisasters.pdf
or at http://www.sheltercluster.org/communities/TechCoordinator/Pages/Technicalreferences.aspx

Transitional settlement options: displaced populations

4

This chapter introduces the six transitional settlement options of populations displaced by natural disaster and goes on to describe how support may be offered to each option.

Although many disasters need not result in displacement, sometimes hazards such as flooding require people at risk to move temporarily to safety.

The chapter describes how people may be supported in minimising the safe distance and duration of their displacement, so that when they are no longer at risk, they can begin their return to sustainable livelihoods and transitional reconstruction.

The six options and the terminology used are consistent with those for conflicts and complex emergencies, in recognition that planning and response must be consistent when disasters occur in insecure areas, or in areas accommodating populations displaced by conflict.

4.1 The six transitional settlement options

Settlement options

298. When a population is displaced people decide, for a variety of reasons, to choose different options for their settlement, for example in a collective centre such as a cyclone shelter, or self-settling on a roadside on higher ground after a flood. Six options have been categorised from the choices made by populations displaced following disasters and conflicts in the past, and lessons from past displacements have been learnt about each option.

Movement between options

299. It is likely that the people affected will move between options until their displacement ends, and they begin transitional reconstruction activities. For example, they may stay with neighbours or relatives or with host families, then move into camps, and then self-settle on land near where they used to live.

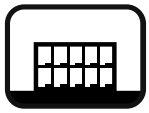
Multiple suitable options

300. After risk mapping (» section 7.4) and assessments (» section 7.3) have been undertaken, it is likely that a number of the settlement options chosen by the displaced population will be considered by government and humanitarian organisations to be safe, and to meet the broader strategic objectives agreed for assistance. It should therefore be appropriate to offer support to more than one of the options selected by those displaced.

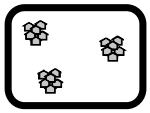
Option 1: **Host families**
This settlement option involves sheltering the displaced population within the households of local families, or on land or in properties owned by them.

Option 2: **Urban self-settlement**
Displaced populations may decide to settle in an urban settlement, or in parts of it unaffected by the disaster, occupying unclaimed properties or land, or settling informally.

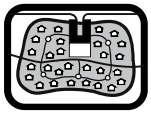
Option 3: **Rural self-settlement**
Rural self-settlement takes place when displaced families settle on rural land that is owned collectively, rather than privately.



Option 4: **Collective centres**
Collective centres, also referred to as mass shelters, are usually transit facilities located in pre-existing structures.



Option 5: **Self-settled camps**
A displaced community or displaced groups may settle in camps, independently of assistance from local government or the aid community.



Option 6: **Planned camps**
Planned camps are places where displaced populations find accommodation on purpose-built sites, and a full services infrastructure is provided.

Supporting the priorities of the displaced

301. Although government and humanitarian organisations may consider one option more convenient than another to deliver assistance, supporting the choices of the displaced population will usually achieve sustainable solutions most quickly and efficiently (» section 2.2.4). Supporting only some options favoured by displaced groups may also have disproportionate negative impacts upon vulnerable groups and individuals. In addition, as long as the options chosen are safe, government and humanitarian organisations may have limited legal and humanitarian justifications to require displaced populations to settle temporarily where they do not wish to.

4.2 The transitional settlement options: dispersed and grouped

Advantages of dispersed settlement

Usual first choice of affected populations

302. When displaced populations cannot access purpose-built collective centres (option 4), they frequently choose dispersed settlement (options 1–3). This often indicates the importance to displaced persons of:

- being able to move quickly to safety when hazards persist;
- the responsiveness of dispersed settlement to their changing needs;
- specific local conditions appropriate to their needs;
- using community and family coping strategies, such as living with relatives;
- greater access to environmental resources, such as clean water and cooking fuel, than when they are in larger groups; and
- staying as close to their homes as is possible safely, so that they may monitor changes in circumstances and return home as soon feasible.

Development supporting relief

303. The host population may be compensated effectively through support and sustainable improvements made to communal infrastructure, such as water distribution systems or schools (» section 2.2.5).

Relatively low cost

304. In addition, dispersed settlement can be more cost-effective for the government and humanitarian organisations, requiring smaller initial investments with more opportunities for sustainable developmental impact than grouped settlement.

Disadvantages of dispersed settlement

Limited capacity to asses and assist

305. In the emergency phase, dispersed settlement often provides a challenge to the limited capacity within government and humanitarian agencies that must assess need and provide assistance across a wide area. Preparedness, well planned logistics and carefully located distribution centres can help mitigate some of these disadvantages.

Distance of displacement

306. It is essential that such short-term limits upon capacity in supporting dispersed settlement do not require people to move large distances to distribution centres. This may result in self-settlement or camps forming far from the homes of those affected that may last longer than necessary, prolonging displacement and delaying longer term recovery.

Protection

307. Protection and security concerns, particularly relating to vulnerable groups, may prove more difficult to identify and act on than in grouped settlement options.

Advantages of grouped settlement

Collective centres and evacuation areas

308. The best emergency phase options to save lives are facilities constructed as part of consistent preparedness plans to protect populations from specific hazards, such as cyclones or floods (option 4), or evacuation areas prepared to become planned camps (option 6). To be effective, these facilities should be part of a preparedness plan that is practised regularly by the population at risk. The infrastructure of and accessibility to hazard-proof shelters must be maintained so as to be ready whenever needed.

Disadvantages of grouped settlements

Extending displacement

309. Although displaced people may initially group together, such as in self-settled camps (option 5), grouped settlements often extend unnecessarily the period of displacement. This is especially true in planned camps (option 6) that are built after the disaster, and are often some distance from the homes of those affected.

Psychosocial problems

310. Densely-occupied grouped settlements such as collective centres (option 4) that are used for a period of longer than a few days exacerbate or create individual and communal psychosocial problems.

Health risks

311. Dense settlement increases health risks, both from the increased density of vectors, such as rats, and from exposure to communicable diseases, such as cholera.

Factions and exploitation

312. In addition, populations in camps are vulnerable to influence by political or armed factions, as well as exploitation and gender-based violence, as community coping mechanisms become fragmented.

Dependency

313. Extended displacement in grouped settlement can result in de-skilling and increased dependency within the displaced population, in part as a result of the lack of connection with previous livelihoods and dislocation from familiar living patterns.

Disparity of assistance

314. Tensions or conflict may result from a disparity between assistance offered to those living in grouped settlement and those outside it, whether affected or unaffected by the disaster.

Concentrated environmental impacts

315. The density of occupation of grouped settlement concentrates environmental impacts into a small area, which is likely to result in unsustainable natural resource management and reduction of natural resources available to the host population (» section 1.2). For example, the displaced population may use the drinking water available to their host population, or cut down the woodland for use for fuel wood for cooking.

Relatively high costs

316. Grouped settlements usually require higher initial capital investment and higher maintenance costs than dispersed settlement. For example, a camp requires the construction of water infrastructure such as boreholes. In contrast, dispersed settlement usually relies upon the infrastructure of the host population, such as wells, which can be upgraded through assistance.

4.3 Supporting each transitional settlement option

Overview of the six options

317. This section presents an overview of the six transitional settlement options. Each option is then elaborated using a summary of their strengths and weaknesses, and the opportunities and threats that each entails.

Planning process

318. As part of the planning process, each of the six transitional settlement options should be assessed in relation to:

- its suitability for particular groups of the affected population;
- the number of displaced persons that it might accommodate appropriately, so that strategic, programme and project assistance may support the entire displaced population;
- the speed at which it can be accessed by the affected population and how they can support duration solutions to displacement and the beginning of transitional reconstruction;
- any limits on the duration of its use and opportunities for their further use during reconstruction; and
- its capacity for expansion.

Case study 4.1

Gujarat earthquake

In late January 2001, an earthquake measuring 7.9 on the Richter scale hit the Gujarat region of India. The earthquake destroyed more than 1 million homes and killed nearly 20,000 people.

Providing a variety of settlement options

In the emergency phase, the international humanitarian community distributed large quantities of tents. Evaluations of sector responses criticised the effort, saying it undermined existing coping strategies. Tents had short-term durability, when compared with the speed of reconstruction, and there were considerable delays in supply and deployment. The locally produced transitional shelter alternatives adopted by some organisations offered shelter that would last the period until reconstruction was complete, and for a similar cost.

4.3.1 Host families

This settlement option involves sheltering the displaced population within the households of local families, or on land or in properties owned by them.

Payment

319. Displaced people may have the opportunity to live with relations, neighbours and friends, or strangers who act as hosts. They may be allowed to stay without payment or on a rent-paying basis, paying either in cash or in kind, for example by offering labour or sharing received relief goods.

Successful support

320. Successful support to host family settlement requires the provision of assistance to both local and displaced populations, and host families in particular, in order to prevent tensions, which would inevitably derive from the competition over services and resources.

Strengths

321. Strengths of host families:

- being the most readily available solution to immediate settlement needs, before any others options can be supported;
- increasing opportunities for integration with the local population, when not already part of the same community, in the case of micro-displacement;
- facilitating a wider social support network; and
- supporting existing coping strategies (» section 7.3.3), especially for vulnerable individuals, by keeping families together and within a stable household environment.

Weaknesses

322. Weaknesses of host families:

- constraints to assistance by government and humanitarian organisations, as dispersal stretches their capacity to access and support;
- limited access to over-stretched local and aid-supported communal services, such as health care, especially for vulnerable groups;
- difficult access to assistance such as food in distant distribution centres, which impacts vulnerable groups especially; and
- tensions may arise after long durations of stay, possibly requiring movement to another settlement option.

Opportunities

323. Host families offer opportunities to:

- use existing infrastructure, allowing for fast implementation of the programme. The infrastructure should be improved and supported to ensure that it is able to cope with the additional needs of the displaced population;
- develop integrated and equitable systems of support for host and hosted populations;
- promote and support methods of livelihood provision for both groups;

- support existing infrastructure, and hence development;
- increase awareness of the rights of both populations; and
- keep financial resources within the community, especially if cash is distributed in support of the affected community.

Threats

324. Threats to operations involving host families:

- there is an increased risk of physical, sexual and financial exploitation, either by the host or the hosted populations;
- social complications may arise from close proximity of populations and pressure on local services;
- opportunities for both host and hosted families to undertake domestic work, maintain hygiene and engage in home based enterprises may be constrained by lack of space in host-family houses and land;
- resentment may result from disparities in assistance or lack of environmental resources;
- host families may become overburdened and impoverished over long periods of hosting, especially if the proportion of host to hosted population is unsustainable; and
- existing infrastructure can become overwhelmed unless it is supported adequately and effectively.

4.3.2 Urban self-settlement

Displaced populations may decide to settle in an urban settlement, or in parts of it unaffected by the disaster, occupying unclaimed properties or land, or settling informally.

Cities

325. Displaced populations may be moving to an area of the city different from the one that they previously occupied, or they may rent or occupy less damaged and unclaimed properties in the city, or in another city to which they have fled for safety or to find accommodation or work.

Government

326. Property or land may be made available by government for occupation, whether by requisition or by the payment of compensation or rent.

Successful support

327. Successful urban self-settlement operations require that any support offered takes into account or integrates local and displaced populations. It is usually necessary to negotiate the financial and legal basis on which displaced populations are able to settle securely in urban areas.

External support

328. External support should aim to mitigate any negative impacts of the displaced population on the local population, while increasing local capacities in a sustainable manner.

Strengths

329. Strengths of urban self-settlement:

- enables urban populations to remain in urban environments similar to those to which they are accustomed;
- enables diversity of livelihood opportunities and increased opportunities for self-sufficiency;
- promotes contacts and encourages integration with the local population;
- may provide opportunities to find work; and
- facilitates a wider social support network.

Weaknesses

330. Weaknesses of urban self-settlement:

- lack of formal ownership rights for land or property for the affected population;
- dispersal stretches the capacity of aid organisations and local authorities to assess and support displaced populations;
- leads to competition over work, resources and facilities with the host population; and
- it is difficult to identify the affected population and upgrade settlements to meet minimum standards.

Opportunities

331. Urban self-settlement offers opportunities to:

- have a greater self-determination of where and how to live;
- reduce burdens on the authorities and humanitarian organisations;
- maintain the affected population in a familiar location and level of urban services;
- access or rebuild original livelihoods, if still viable after the disaster;
- support the upgrading of existing services infrastructure to meet the needs of both the displaced and host populations;
- support established livelihoods for both groups; and
- reduce the vulnerability of the displaced population through creating interdependence and communication with the local population.

Threats

332. Threats to operations involving urban self-settlement:

- constraints on access and limits on logistics capacity mean that reaching one family takes longer in a dispersed settlement than it would in a more concentrated settlement; and
- displaced populations often increase the size of existing informal settlement areas on the periphery of cities, living on land that they do not own. It is also likely that the existence of such settlements will be politically sensitive. Care should be taken to ensure that any support offered takes into account or integrates any existing inhabitants and their neighbours.

4.3.3 Rural self-settlement

Rural self-settlement takes place when displaced families settle on rural land that is owned collectively, rather than privately.

Successful support

333. Successful rural self-settlement operations require assessment of the livelihoods of displaced and local populations, in order to identify opportunities for the displaced to become more self-sufficient. Support should be offered to both local and displaced populations in order to prevent tensions and support positive relations.

Government

334. Property or land may be made available by government for occupation, whether by requisition or by the payment of compensation or rent.

Large population movements

335. Rural self-settlement often involves a large number of population movements. This fluidity may, however, be seen as a direct expression of choice by the displaced population.

Environmental capacity

336. Rural self-settlement should be supported only when the carrying capacity of the local environment is sufficient for both the host and the displaced populations.

Strengths

337. **Strengths of rural self-settlement:**

- promotes integration with the local population;
- facilitates a wider social support network, with benefits for the displaced population; and
- close proximity to the local population enables trade of goods and services.

Weaknesses

338. **Weaknesses of rural self-settlement:**

- dispersal in rural self-settlement stretches the capacity of aid organisations and local authorities to access and support displaced populations;
- livelihood patterns, land-use patterns (» section 7.5) and natural resource management of the host population may be disrupted. For example, overuse of land by the displaced population may lead to soil becoming compacted and unusable. Land needs to be rehabilitated at regular intervals and prior to its return to its previous use;

- access to local and aid-supported communal services, such as health care, is difficult, especially for vulnerable groups; and
- access to distributed aid, such as food, is difficult, especially for vulnerable groups.

Opportunities

339. Rural self-settlement offers opportunities to:

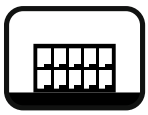
- identify and respond to the needs of both the host and displaced population;
- develop self-sufficiency, if agriculture or animal husbandry are possible;
- upgrade infrastructure, such as transport, health care, water and sanitation, schools, power supplies, food production and food security;
- support livelihoods, for example by involving both communities in all construction activities; and
- provide a durable solution, if families are allowed to settle permanently on or near the land that they have been occupying. In this case, developmental assistance programmes designed to sustain and develop livelihoods may follow on from this transitional settlement option.

Threats

340. Threats to operations involving rural self-settlement:

- any competition for resources may lead to local populations or authorities refusing to allow rural self-settlement, and people may have to move further away from their homes;
- there is a risk of physical, sexual or financial exploitation of the displaced population by the local population, or vice versa;
- constraints on access and limits on logistics capacity mean that reaching one family takes longer in a dispersed settlement than it would in a more concentrated settlement; and
- if the displaced community outnumbers the local community, rural self-settlement is unlikely to be acceptable to the local population and authorities for any length of time, for social, economic and resource management reasons.

4.3.4 Collective centres



Collective centres, also referred to as mass shelters, are usually transit facilities located in pre-existing structures.

Purpose

341. Collective centres are either constructed in rural or urban areas as part of preparedness plans to protect populations from specific hazards, or existing structures, such as schools, requisitioned after the disaster in order to accommodate displaced persons temporarily.

Requisition

342. Collective centres that are existing structures requisitioned after the disaster are often in or close to urban areas; designated when there are significant flows of displaced people into or out of the location. Effects on infrastructure caused by the use of the collective centre need to be considered.

Date of return

343. Where the centre normally serves another purpose, and is temporarily available, its return to normal use should be planned. Operations supporting collective centres are successful if an end-date to the use of the structure is identified and planned for. Multipartite agreements among relevant parties can be used to ensure that the date of return of the facility is understood and agreed by all, as well as the condition in which it will be returned. Such an agreement may include local communities, facility owners, local authorities, host populations, humanitarian organisations and displaced populations. The agreement might also include modifications to the facility so that it can serve as a place of evacuation during future emergencies.

Inappropriate for long-term support

344. Collective centres should not be considered for long-term accommodation unless they can offer appropriate support, such as conditions to ensure privacy and appropriate sanitation and kitchen facilities. As with any form of institutional accommodation, unless sufficient privacy and independence can be assured, a prolonged period of stay is likely to result in stress, possibly leading to depression, social unrest, or other individual or communal psychosocial problems. This is especially important if centres are being considered for vulnerable groups, such as elderly people.

Case study 4.2

Hurricane Katrina

Hurricane Katrina, reaching Category 5 on the Safir-Simpson scale, hit the southern coast of the USA in August 2005. It caused severe damage, particularly to New Orleans, which flooded as high winds broke the levee system. Around 1,800 people died and over 770,000 were displaced.

Disadvantages of collective centres

Prior to landfall of the hurricane, large-scale evacuations took place. Many people, however, did not have the resources to evacuate. The city of New Orleans made available a sports stadium as a collective centre.

The occupancy of the stadium reached an estimated 12,000 displaced persons. High winds and flooding limited the access by road to the stadium in the first days of response. Supplies of water and food were insufficient.

Evacuation of the most vulnerable was safe and practical some time before it was undertaken.

Strengths

345. Strengths of collective centres:

- they are built or identified to offer shelter that is safe and appropriate, protecting the displaced against assessed hazards;
- it is relatively easy to identify and assess beneficiaries (» section 2.2.8);
- food, water and other supplies are easy to distribute;
- access to services is straightforward, where a health team is able, for example, to visit a centre and identify problems more easily than when a population is dispersed; and
- the identification of vulnerable groups and individuals is relatively easy.

Weaknesses

346. Weaknesses of collective centres:

- for the reasons outlined below, collective centres must have a short operational life;
- collective centres have very high running costs which supporting government agencies or humanitarian organisations may not have the resources (» section 2.2.5) to support over the period required;
- existing structures usually require additional communal services, such as for sanitation, washing, laundry and security, including fire alarms and fire escapes;
- social and psychological problems, including dependency, often result from the lack of privacy, livelihoods and recreational opportunities; and
- the social structure of the affected population may not be compatible with the communal living required and, in such cases, may further undermine the social structures and create resistance to support and achieving durable solutions to displacement.

Opportunities

347. Collective centres offer opportunities to:

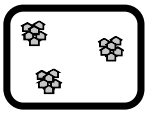
- raise awareness of risks that the population is facing and practice preparedness plans (» section 7.3);
- improve the morale of the residents and support them, for example by ensuring good maintenance of the centre. This will also provide work and an income for some, and increase the confidence of the local population in the support programme. Maintenance is the most cost-effective way of ensuring that the centre will eventually be handed back to the owners in an appropriate state;
- support and improve infrastructure and the facilities of existing structures to meet the needs of the host and displaced population;
- consider methods of compensation for those who have had livelihoods disrupted by the occupation of the building; and
- begin to form community structures, if the affected population is subsequently to be relocated together rather than return to transitional reconstruction.

Threats

348. Threats to operations involving collective centres:

- the presence of a collective centre, as any other grouped settlement, may increase vulnerability to attack; it may become a focus for hostilities in complex emergencies;
- fire may be a risk, if cooking or heating present hazards, and especially for vulnerable individuals and existing structures where evacuation is difficult;
- if the centre is normally used for another function, such as a school, its delayed return may create problems for the education of the local population (» section 2.2.8);
- if the centre had a prior use, there is a threat of disruption to the livelihood of the building owner, and compensation should be considered for the other livelihoods that will have been affected by the occupation of the collective centre;
- in many cases, no responsibility is taken for maintenance, and management of the structure and definition of roles needs to start at the very beginning of the use of the centre, even if it is only to be used for a few weeks, as degradation of the centre begins extremely quickly;
- the spread of communicable disease is more likely in densely occupied living areas with communal services, such as sanitation and cooking, and so the risks should be discussed with the appropriate health professionals; and
- although collective centres should be the first transitional settlement option to be discontinued, they are often the last, as they usually contain the most vulnerable for whom durable solutions to displacement are the most difficult.

4.3.5 Self-settled camps



A displaced community or displaced groups may settle in camps, independently of assistance from local government or the aid community.

Reasons for self-settlement

349. Grouped self-settlements are usually established before the arrival of humanitarian organisations in the field. Displaced communities often choose this option because they find living in a group preferable for social reasons. Also, it makes them feel more secure, and they hope it will improve their chances of receiving external assistance.

Site and settlement

350. Self-settled camps are often sited on state-owned or communal land, usually after limited negotiations with the local population over use and access (» section 2.2.7). A decision must be taken by governmental or local authorities, possibly on the basis of advice from humanitarian organisations, upon whether or not: the site and settlement can be supported and improved; the settlement must be supported to move to a different site; or alternative settlement options need to be developed.

Adjustments to camp

351. If the location is acceptable and successful, support to the self-settled camps option is likely to require some adjustments to the density, water supply and sanitation of the camp. Self-settled camps are often located close to hazardous sites, however, as people prefer to stay close to their original settlements.

Land ownership

352. Difficulties over settlement in camps may arise with owners of the land and/or local communities (» section 7.5). For this reason, negotiations should be begun as early as possible to ensure that displaced populations are able to have security of settlement during their period of displacement. Negotiations should also include details of the condition in which the land should be returned, environmental considerations, and handover of infrastructure built as part of the response.

Strengths

353. **Strengths of self-settled camps:**

- entail increased opportunities for self-sufficiency and self-determination;
- allow for the maintenance of existing methods of livelihood support and social structures; and
- keep families and communities together, thereby supporting social cohesion.

Weaknesses

354. **Weaknesses of self-settled camps:**

- occupation of the site will disrupt methods of livelihood support and resource provision previously associated with the land. It may therefore cause disruption to the livelihoods of the host population;
- there is a risk of physical, sexual or financial exploitation by the site owner;

- environmental damage often results;
- disaster risk may continue when camps are located close to affected areas; and
- occupation of communal or state land results in constant threat of eviction.

Opportunities

355. Self-settled camps offer opportunities to:

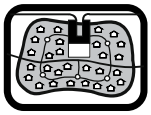
- assist vulnerable groups within the affected communities by supporting other settlement options, such as accommodation with host families. There may be, for example, an abundant supply of natural resources and good access (» section 2.2.5), and only a small local population. In such circumstances, it may be feasible to assume that the displaced population can undertake settlement, while intervention by international organisations concentrates on assisting vulnerable groups;
- develop the camp, with the displaced community and government, to meet national and international standards;
- support and improve existing infrastructure and facilities to meet the needs of the host and affected population; and
- consider methods of compensation for those who have had livelihoods disrupted by the occupation of the site.

Threats

356. Threats to operations involving self-settled camps:

- increased vulnerability to both external and internal security threats may result from the existence of self-settlement in camps; and
- the presence of the displaced population will have an impact on the wider local community. Care must be taken to prevent tensions and to ensure that local services can be maintained. As well as supporting family accommodation, some upgrading of infrastructure might be considered.

4.3.6 Planned camps



Planned camps are places where displaced populations find accommodation on purpose-built sites, and a full services infrastructure is provided.

Last option

357. Planned camps are very rarely appropriate or necessary after a natural disaster. They may, however, have to be considered as the last option. They should never appear as the first or only option.

When appropriate

358. Planned camp operations have been successful when the affected populations have lost their property, land and livelihoods, and if there is no other appropriate option. There may, for example, be insufficient land or housing stock for self-settlement.

Proximity

359. The camp should be built as close as is safe and appropriate to people's former homes and livelihoods.

Social structure

360. Camp planning should be sensitive to the social structure of the affected population. For example, people who came from the same villages or neighbourhoods should be located close together when possible. Livelihoods space needs, such as for animal husbandry, and proximity to sources of livelihoods, such as markets, shops, and offices, should also be taken into account. The relationship with the host population can be supported by avoiding conflicts over scarce natural resources.

Establishing camps

361. Planned camps require replicating an entire support system. As a result, establishing camps involves factors such as the following:

- strategic planning;
- the selection of sites;
- camp management;
- options for phasing, development and expansion;
- cross-cutting factors, such as gender and age; and
- cross-sectoral issues, such as water and health.

Strengths

362. Strengths of planned camps:

- facilitate distribution relief supplies;
- facilitate identification of vulnerable groups and individuals;
- can be planned to meet the needs of the affected population; and
- land use can be negotiated with governments without rent or purchase.

Weaknesses

363. Weaknesses of planned camps:

- increase vulnerability to internal and external security threats;
- limit access to income-generating activities;
- lead to competition over resources;
- environmental damage and disruption to established methods of natural resource management result; and
- often cause disruption to the livelihoods of the host population.

Opportunities

364. Planned camps offer opportunities to:

- understand the needs of the displaced population and plan the camp appropriately;
- develop a natural resource management plan;
- involve both displaced and local populations in construction activities and by facilitating access to local markets;
- give support to public meetings involving local and displaced populations. Both groups should be offered activities such as training courses or social events. This will help open channels of communication and prevent misunderstandings; and
- upgrade infrastructure, such as transport, health care, water and sanitation, schools, power generation and transmission, food production and security, police stations, prisons and courts.

Threats

365. Threats to operations involving planned camps:

- camps may increase the vulnerability of displaced persons to security threats;
- both external and internal planned camps centralise resource extraction, leading to environmental degradation (such as deforestation, overgrazing and erosion). Efforts should be taken to counteract these effects, and monitoring will then be required to keep track of environmental rehabilitation programmes; and
- camps become difficult to dismantle and risk becoming permanent, especially in urban areas where there is a shortage of accommodation.

Transitional reconstruction options: non-displaced populations 5

This chapter categorises housing occupancy into the six transitional reconstruction options available to populations who have not been displaced by natural disaster, who return home, or who relocate to live in a new location. It goes on to describe how support may be offered to each option.

The chapter does not describe technical assistance methods for physical reconstruction, which are summarised in the next chapter. Instead, a framework is offered for reconstructing durable solutions to the settlement and shelter needs of populations impacted by natural disasters, whether or not they owned their land or homes.

Half of the population of the world live in urban areas. As global populations continue to move into urban areas, more and more people are at risk: poor urban planning, poor enforcement of laws and building codes, and pressures upon land result in populations living on unsafe sites in unsafe buildings.

More than half of people living in urban areas do not have land tenure. Instead they rent or settle informally or illegally. Both rural and urban populations affected by disasters require assistance in recovering or obtaining housing, including secure tenure or improved housing rights.

Assistance must be offered to the poorest and most vulnerable. The first option for assistance that is categorised is of people who are occupying land or property with no legal status, who may be from areas where no formal records were kept, whose records were lost in the disaster or are in dispute, are squatters or are homeless.

5.1 The six transitional reconstruction options

The six transitional reconstruction options

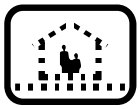
366. This section categorises the six options for transitional reconstruction, which are presented in more detail in section 5.3, as well as describing the various forms of occupancy and tenure. The categories and terminology are consistent with those used in development, in recognition that planning and response will take many years, and are part of wider sustainable development. In addition to the category of illegal occupancy, or squatters, the occupancy types can be grouped into tenant-occupancy and owner-occupancy.

Movement between options

367. Transitional reconstruction is presented as a series of options because many families affected by disasters move between one form of occupancy and another, for example between owning a house and renting an apartment. By offering assistance, such as through the twelve methods presented in Chapter 6, stakeholders may support the decisions of families affected over whether and how they should move.

Rebuilding communal infrastructure

368. Successful responses require rebuilding or repairing the communal service infrastructure for communities, as well as their houses, in both rural and urban areas. The infrastructure required for a community to function is a vital aspect of an integrated approach to reconstruction.



Option 1: **Occupancy with no legal status**
The occupant occupies land or property without the explicit permission of the owner.

Option 2: **House tenant**
The house and land are rented by the occupant formally or informally.

Option 3: **Apartment tenant**
The apartment is rented by the occupant formally or informally.

Option 4: **Land tenant**
The house is owned, but the land is rented.

Option 5: **Apartment owner-occupier**
The occupant owns their apartment, a self-contained housing unit that occupies only part of a building, formally or informally.

Option 6: **House owner-occupier**
The occupier owns their house and land or is in part-ownership, such as when repaying a mortgage or loan. Ownership may be formal or informal.

Understanding the housing of all affected

369. It is essential to form a full understanding of the housing and legal circumstances of every person affected by a disaster, so that assistance may be offered to every person, with priority given to the poorest and most vulnerable (» section 3.1) who often do not have land tenure.

Occupancy and tenure

370. Land and housing tenure may be defined as the terms and conditions under which land and property are held, used and transacted. Illegal tenure refers to occupation of land or buildings without permission of the legal owners.

Rental

371. Rental agreements are made between tenants and private citizens, private companies or public bodies. Rented property is usually occupied by low-income families and, in developing countries, is rarely regulated.

Collective tenure

372. Collective forms of tenure ensure secure tenure on the basis of agreed shared access. The collective component of this tenancy can be a corporate body, a private company, a housing association or a cooperative. Communal tenure is common in communities with a long history and strong cultural identity. Access to land may be governed by custom, and may include the right to occupy.

Informal tenure

373. Informality of tenure refers to those people whose tenure is not recorded by local or national authorities. People with informal tenure, who may be owner-occupiers or tenants of houses or apartments, differ from those with no legal status only in the sense that they have occupied land or buildings with the permission of the owner. Owner-occupiers and tenants with informal tenure may be difficult to identify after a disaster.

Slum dwellers

374. Around one-third of the global urban population live in slums, and that number is likely to double by 2030. Many of those living in slums may in fact pay rent and may have bought their house informally. They have varying degrees of security of tenure; however, they are much less likely to be able to claim restitution from the government and humanitarian organisations, as they have no legal proof of their previous ownership or tenancy status.

Squatters

375. Squatters are people who occupy land or buildings without the explicit permission of the owner. Worldwide, squatters are about one-fifth of all households.

Loss of records

376. Often it is very difficult to establish tenure of those affected, especially when records may have been lost or destroyed, or when tenure is not officially recognised prior to the disaster. Following a disaster, it is vital that humanitarian organisations identify and support populations lacking security of tenure (» section 7.5) or who have no records to prove their tenure, to achieve secure, equitable and sustainable housing solutions. This is primarily achieved through advocating with governments.

Establishing tenure

377. It is essential that efforts are made to establish tenure for all those affected. Significant capacity will be required by government, which may seek support from humanitarian organisations and the commercial sector, especially when involving technical tools such as databases and GIS. Most of the capacity required should be for field assessment (» section 7.3), for the constitution of cadastres, and for the formalisation of informal or insecure tenure.

Case study 5.1

Indian Ocean tsunami

» Case study 1.2.

Supporting all equally

Eighteen months after the disaster, in the provinces of Aceh and Nias in Indonesia 15 per cent of the displaced were still in temporary living centres, and a third of these were renters and squatters, even though far less than one-third of the population were renters or squatters prior to the tsunami. For over a year, renters and squatters were not identified as a separate group requiring protection, nor were data collected as to their needs for land, housing and livelihoods. The Master Plan for reconstruction in Aceh identified land rights as a key element of rehabilitation, but made no reference to supporting the needs of renters and squatters.

In February 2007, over two years after the initial tsunami, the Aceh and Nias Reconstruction Authority developed a policy of free land and housing for renters and squatters.

5.2 General advantages and disadvantages for tenants and owner-occupiers after natural disasters

Advantages and disadvantages

378. The paragraphs below summarise the frequently-found advantages and disadvantages for tenants and owner-occupiers when reconstructing livelihoods and housing following disaster.

Advantages

379. General advantages for tenants:

- no damage to financial assets occurs, other than to personal possessions; and
- it is easier for the affected family to relocate if relocation is desired.

Disadvantages

380. General disadvantages for tenants:

- there may be no established rights for tenants, especially tenants with informal tenancy agreements;
- tenancy contracts are rarely recorded with authorities;
- tenancy contracts are rarely available if the landlord has also been affected;
- the landlord may not wish to rebuild;
- depending on the country affected, only personal possessions are likely to be insured;
- there are likely to be impacts on home-based enterprises as homes are often not be reconstructed;
- there are very few established methods of assistance for tenants.

Advantages

381. General advantages for owner-occupiers with formal tenure:

- the needs of each family are relatively easy to identify and quantify;
- additional records of land tenure and property deeds are often held by authorities;
- there is usually an established legal framework (» section 2.2.10) over rights;
- there are established methods of support;
- land and property are potential assets against financial loans; and
- owners may insure their property and receive insurance payments (» section 7.4).

Disadvantages

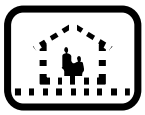
382. General disadvantages for all owner-occupiers:

- damage occurs to a significant financial asset;
- in apartments, it is difficult to restore the assets of single owners wishing to move, or reconstruct with those who remain;
- there is a continuation of pre-existing mortgages or debts related to the property or land; and
- there are impacts upon home-based enterprises.

5.3 Supporting each transitional reconstruction option

This section presents an overview each of the transitional reconstruction options, and then provides a summary, in the context of reconstruction after disaster, of their strengths and weaknesses, and the opportunities and threats that each entails. In comparison with the section above, it gives a detailed and comparable analysis of each of the occupancy types. The obligation of governments, humanitarian organisations and local authorities is to support the reconstruction of each type of occupancy in such a way as to minimise risk and maximise opportunity this may involve assisting people to change their occupancy status.

5.3.1 Occupancy with no legal status



The occupant occupies land or property without the explicit permission of the owner.

Stakeholders in occupancy without legal status

383. Within illegal settlements, or settlements having no agreed or recorded legal status, there exists a range of stakeholders. These may include owner occupiers, tenants, subsistence landlords, absentee landlords, developers, rent agents and protection racketeers (» section 2.2.7).

Hazardous sites and unsafe structures

384. Whether occupiers are without legal status or illegal, they often live on hazardous land in structures that are unsafe (» section 7.4), whether in slums or elsewhere, for example in dense settlements by the side of rivers that may be prone to fires and to flooding.

Advocacy with government and local authorities

385. Successful operations involving occupiers without legal status following disaster require the government and local authorities to recognise rights to housing. Humanitarian and development organisations may support this process with capacity and advocacy. The objectives are to obtain secure tenure, support the reconstruction of safe homes, and recovery of livelihoods, as well as preventing unnecessary displacement.

Strength

386. **Strength of occupancy without legal status:**

- providing that secure tenure can be established, any transitional reconstruction may be able to occur on site, keeping the affected population near their livelihoods.

Weaknesses

387. **Weaknesses of occupancy without legal status:**

- securing land rights is often not possible or safe;
- settlements without legal status or illegal settlements are often located on vulnerable sites; and
- settlements without legal status or illegal settlements usually require upgrading through a master plan, which introduces better access roads, public services and risk mitigation measures, such as fire breaks.

Opportunities

388. Occupancy without legal status offers opportunities to:

- work with displaced community and local governments to formalise their status;
- identify and support existing local initiatives and mechanisms supporting the upgrading of settlements, whether initiated by communities, government or development organisations;
- advocate for inhabitants to remain close to their livelihoods through preventing eviction and obtaining secure tenure. All human beings have the right to be protected against arbitrary displacement from their homes or place of habitual residence, including after disasters (📖 UN/OCHA, 1998);
- advocate for the rights of occupants during evacuation and displacement, if it is required for safety reasons, so that the evacuation takes place in accordance with the rights of the displaced (» section 1.5.2). In such cases, displacement should be for no longer than required by the circumstances, and should be carried out in a way that does not violate the right to life of the displaced population, as well as their dignity, liberty and security (📖 UN/OCHA, 1998);
- it is important for governments to confer legal status on those who are not being protected against eviction, which includes all persons notwithstanding their type of tenure, in consultation with the affected population (📖 COHRE, 2005);
- when permanent relocation is necessary, it is important for governments to allocate appropriate housing elsewhere, in more secure areas where livelihoods can be recovered, and for humanitarian and developmental organisations to support this process with capacity and advocacy; and
- government, supported by humanitarian and developmental organisations, should recognise and secure the rights of displaced occupiers on their return, including them in restitution programmes in a similar manner to those possessing formal ownership.

Threats

389. Threats to supporting occupancy without legal status:

- following a disaster, illegal occupiers may be removed forcibly from their homes;
- ultimately the local government needs to maintain effective settlement planning, with robust options for vulnerable populations, otherwise illegal settlements will still continue to develop in other potential hazardous areas in the future; and
- in some cases the only land available will be private land, which may need to be purchased by government, possibly with the support of humanitarian or developmental donors. An alternative is to lease land for a number of years so that it is available for rent at low cost, on which houses can be built and rented at low cost for a number of years, enabling recovery of livelihoods. It is important not to resort to long-term camps or collective centres (» section 4.2) when only private land is available.

5.3.2 House tenant

The house and land are rented by the occupant formally or informally.

Supporting tenants and occupiers

390. Successful operations involving house tenants require the provision of support to both tenant and owner in parallel. If this is not done, it is possible that the owner will not repair the dwelling, and thus the tenant will not be supported.

Informal tenants

391. Many tenants rent their house informally, and their rights may be difficult to establish following a disaster. It is vital that they are supported by government in establishing their rights to return, especially if support is being offered to the owner. Humanitarian and developmental organisations may support government in achieving this.

Integrating assistance

392. Integration of assistance to both tenant and owner requires carrying out advocacy for the rights of the tenant to stay in the dwelling for a reasonable and agreed amount of time following repair. Such an agreement should be formal and recognised by relevant parties. Where the house is insured, which is rare in many developing disaster-prone countries, insurance may provide compensation for the owner (» section 7.4). In this case, the owner may not need to be supported by assisting groups.

Monitoring and technical advice

393. If support is offered to owners in order to repair or rebuild housing for their tenants, careful monitoring and technical advice will be required to ensure that the work is carried out, and that the work is to building codes, especially concerning risk reduction (» section 7.7), if they exist and are accessible.

Avoiding displacement

394. The displacement of tenants should be prevented as far as possible and safe, and support offered on site.

Strengths

395. Strengths of house tenancy:

- it is relatively easy for the affected family to relocate, if they choose to; and
- if the landlord agrees and the site is safe, transitional shelter may be supported on the existing site, keeping the affected family close to their livelihood.

Weaknesses

396. Weaknesses of house tenancy:

- there are very few established methods of supporting transitional reconstruction for tenants;
- governments and humanitarian organisations have limited experience of supporting tenants; and
- the landlord may not wish to rebuild.

Opportunities

397. House tenancy offers opportunities to:

- advocate on behalf of tenants to ensure that their rights are respected;
- provide periods of rent-free settlement;
- develop mechanisms against forced eviction;
- carry out financial disbursement; and
- assist tenants to become property owners.

Threats

398. Threats to operations involving house tenancy:

- it is often difficult to negotiate satisfactorily both an agreement for lease of the land that the house will be rebuilt on, and the ownership of the house itself. Ideally, the former tenant should become the owner of the rebuilt house. Negotiations may be complicated by the death of the owner and resultant complications over ownership; and
- it is often difficult to assess the needs of both (» section 7.3) tenants and owner(s). The owner(s) livelihood may be tied up with the rent obtained from the building.

5.3.3 Apartment tenant

The apartment is rented by the occupant formally or informally.

Supporting tenants and owners in parallel

399. Successful operations involving apartment tenants require the provision of support to both tenants and owners in parallel, as with house tenants. If assistance is provided to the owner of the building to rebuild the apartment block, the repair or rebuilding activities may be supported as required however a formal agreement must be drawn up if tenants are intended to remain in their apartments after the works have been carried out.

Strengths

400. Strengths of apartment tenancy:

- flooding may have less effect on apartment buildings than on individual houses; and
- if only some apartments are damaged and buildings are otherwise safe, affected families may be able to find transitional settlement in other apartments nearby (» section 4.3).

Weaknesses

401. Weaknesses of apartment tenancy:

- if the entire building needs to be rebuilt, transitional settlement for the affected families will need to be provided off-site, distancing people from their livelihoods;
- unless consensus is reached between all stakeholders, including every tenant, it can be very difficult to identify a support option;
- apartment buildings are often susceptible to more complex damage by earthquakes and fire than stand-alone houses; and
- apartment blocks are difficult and expensive to rebuild, the owner may not want to do so, and government and humanitarian organisations may not have the resources or capacity to do so. In this case, the affected population will be displaced, and will need to be supported in achieving a durable solution to their displacement.

Opportunities

402. Apartment tenancy offers opportunities to:

- support the rebuilding or repair of apartment blocks, which may be undertaken by government with the support of humanitarian or developmental organisations and donors;
- agree programmes for rebuilding or repair that spread responsibilities, capacities and costs, for example in insurance, compensation payments, tax deductions to owners and contractors, the supply of some materials, technical advice, pre-paid or guaranteed rents, and credit extensions. Such measures may be required for a number of years before the building can be returned to commercial arrangements between tenants and owners (» section 6.5 and 7.7);
- arrange periods of rent-free settlement;
- develop mechanisms against forced eviction; and
- carry out financial disbursement.

Threats

403. Threats to operations involving apartment tenancy:

- if an apartment building has been damaged it may be difficult to assess the needs of both occupiers, who may be a mixture of tenants and owners, and the building owner(s), whose livelihood will involve the building (» section 7.3); and
- the owner may not want to rebuild or repair, for example knowing that credit or insurance may become unaffordable.

5.3.4 Land tenant

The house is owned, but the land is rented.

Agreements for land tenants

404. Successful operations involving land tenants require advocacy for their right to rebuild on the land that they previously occupied, and the formalisation of agreements for them to stay on the land for an agreed length of time (» section 7.5). If such agreements can be reached, support in rebuilding or repairing can be offered in a similar way to house owners.

Strength

405. Strength of land tenancy:

- if the relationship with the land owner is formalised there are established support options for house reconstruction or repair.

Weaknesses

406. Weaknesses of land tenancy:

- land use rights are often not formally recorded and, if land ownership cannot be formalised, this option may be difficult to support; and
- land tenants are not common and may not be recognised well within support services offered by government or humanitarian organisations.

Opportunities

407. Land tenancy offers opportunities to:

- support not only the rebuilding of houses, but also, depending on needs, supporting payment of rent. This support helps in turn landowners recover their livelihoods. In some circumstances, it may be appropriate to negotiate with the landowner for a lease to allow the tenant time for livelihood recovery;
- support security of tenancy and develop mechanisms against forced eviction; and
- arrange periods of rent-free settlement.

Threat

408. Threat to operations involving land tenancy:

- land owners may take advantage of the disruption caused by the disaster to evict land tenants and recover land for other purposes (📖 COHRE, 2005), as there may be considerable demand upon safe land following a disaster.

5.3.5 Apartment owner-occupier

The occupant owns their apartment, a self-contained housing unit that occupies only part of a building, formally or informally.

A mix of occupants

409. The apartment block may contain dozens of apartments or be a building with only two or three. The building may contain a mix of owner-occupiers and tenants.

Supporting infrastructure

410. Successful operations must support infrastructure to all those living in the building, including both owners and tenants and to the owner of the building itself, where relevant.

Strengths

411. Strengths of apartment owner-occupancy:

- hazards sometimes result in damage that still allows safe habitation of some apartments, or parts of apartments (» section 7.3);
- families in undamaged apartments are sometimes able to offer transitional settlement to displaced families, keeping the affected population near their livelihoods; and
- providing that secure tenure can be established for those with insecurity of tenure, the affected population may be able to occur on site, keeping them near their livelihoods.

Weaknesses

412. Weaknesses of apartment owner-occupancy:

- it is more difficult than in single dwellings to identify methods of support, as consensus must be reached amongst all occupiers (» section 2.2.7), whose situations, needs, and resources vary, and who may be a mixture of owners and tenants, and including the landlords of the tenants, whose livelihoods will involve the building;
- the repair of individual apartments may be difficult without impinging on the layouts or space of some apartment units; and
- significant investment, skilled labour and contractors are required in reconstruction.

Opportunities

413. The apartment owner-occupier option offers opportunities to:

- work with both the affected community and local governments to identify pre-disaster land ownership and housing rights;
- involve the affected population in strategic planning (» section 2.2) and construction;
- advocate for the rights of the displaced during evacuation if it is required for safety reasons, so that it takes place in accordance with the rights of the displaced; and
- provide affected communities with information and advice (» section 6.5.10) on how to claim restitution, in cooperation with government.

Threats

414. Threats to operations involving apartment owner-occupancy:

- structural damage might be difficult to see and, as a result, owners unwilling to leave;
- reconstruction of the entire apartment block may require the off-site transitional settlement of all apartment occupiers, potentially moving them away from their livelihoods; and
- consensus must be reached amongst all occupiers.

5.3.6 House owner-occupier

The occupier owns their house and land or is in part-ownership, such as when repaying a mortgage or loan. Ownership may be formal or informal.

Slum dwellers

415. Successful operations involving house owner-occupiers following disaster require an integrated approach from government and humanitarian and development agencies, along with a flexible use of assistance methods (» section 6.5).

Strengths

416. Strengths of house owner-occupancy:

- providing that secure tenure can be established, there are recognised assistance methods for support;
- providing that secure tenure can be established, any transitional shelter may be able to occur on site, keeping the affected population near their livelihoods;
- some hazards may result in damage that still allows safe habitation of some houses, or parts of houses;
- there is an established legal framework of support in the case of formal owner-occupiers;
- there are established methods of funding and support including phased materials drops and financial disbursement;
- there is usually a high level of beneficiary involvement and control;
- the needs of each family are relatively easy to identify and quantify; and
- it is relatively easy to quantify the appropriate level of restitution in the case of formal owner-occupiers.

Weaknesses

417. Weaknesses of house owner-occupancy:

- the house will form a significant financial asset which may not be reimbursed in full by reconstruction;
- loss is likely to include personal items, such as furniture, that may not be replaced following the disaster;

- lack of mobility from site for affected population has impacts on livelihoods;
- continuation of pre-existing mortgages or debts related to the property or land may have severe financial repercussions; and
- there are likely to be impacts on home-based enterprises, such as farms or shops.

Opportunities

418. House owner-occupancy offers opportunities to:

- involve the affected population in strategic planning and construction;
- offer training to the affected population;
- work with the affected community and local governments to identify pre-disaster land ownership and housing rights;
- support affected communities with information and advice on how to claim restitution;
- support house owners to manage risks better and maintain and protect their houses; and
- support the establishment or salvaging of government cadastral or other appropriate systems for the registration of housing, land and property rights, depending on the individual case.

Threats (informal ownership)

419. Threats to operations involving informal house owner-occupancy:

- in situations where the government or local authorities don't recognise the legal status of informal owner-occupiers, they may be forcibly removed from their homes following the disaster; and
- ultimately the local government needs to maintain effective settlement planning, with robust options for vulnerable populations; otherwise informal settlements will still continue to develop in other potential hazardous areas (» section 7.4) in the future.

Threats (formal ownership)

420. Threats to operations involving formal house owner-occupancy:

- if the house is located in a hazardous area, it may become necessary for the inhabitants to be displaced (» Principle 4). In this case, complications may arise from their unwillingness to leave, and from the need for them to be found alternatives sites. Usually they will receive compensation from the government and/or support from the international community. Negotiations may be required between humanitarian aid agencies and governments on the allocation of new land to inhabitants. It is unusual for humanitarian aid agencies to buy land, and they may instead fund governments to buy land; and

- loss of cadastres may have occurred, which complicates establishment of ownership rights. In such cases, humanitarian aid agencies can support the creation of documentation.