

FAO IN EMERGENCIES GUIDANCE NOTE



SUPPORTING DISPLACED PEOPLE AND DURABLE SOLUTIONS





KEY MESSAGES

FAO is guided by international humanitarian, refugee and human rights law, including the right to adequate food. FAO has endorsed and encourages all responsible parties to follow the Guiding Principles on Internal Displacement.

FAO advocates a 'twin track' approach in displacement settings, aiming to save and support lives and livelihoods of displaced populations as well as their host communities, whilst laying the groundwork for durable solutions.

In contexts of displacement, FAO is committed to people-centered approaches that build resilient livelihoods and enable self-sufficiency.

Supporting and re-establishing agricultural, forestry and fishing livelihoods as well as addressing issues such as access to land and other natural resources are critical components of durable solutions to achieve food security.

Durable solutions require a multi-sectoral and multi-stakeholder approach. FAO works closely with governments and key partners to support the needs and guarantee the rights of displaced women, men, girls and boys.

● **DISPLACEMENT AND ITS EFFECTS ON LIVES, LIVELIHOODS AND FOOD AND NUTRITION SECURITY**



By the end of 2011, there were 42.5 million people worldwide forcibly displaced due to conflict and persecution, including 15.2 million refugees and 26.4 million internally displaced people (also known as IDPs)¹. Some 7.1 million refugees, living in 26 different countries, were stuck in protracted situations, the highest figure since 2001. An additional 14.9 million were displaced by natural disasters². Over half the world's internally displaced are found in five countries – Colombia, Iraq, Sudan, the Democratic Republic of the Congo and Somalia, each of which have at least a million internally displaced people. The region with the most internally displaced people is Africa, with approximately 37 per cent of the world's total figure (around 9.7 million people).

Displacement threatens food security, deprives people of livelihoods and access to land and other natural resources, destroys crops and assets, dismantles social structures, and disrupts all stages of food and nutrition security – the production, procurement, preparation, allocation and consumption of food. Communities that may have previously developed coping mechanisms and solidarity networks to mitigate the impact of food shortages cannot benefit from this safety net in times of displacement. The nutritional status of internally displaced people tends to deteriorate significantly, especially among children, women and the elderly.

The main contributing factors to people's food insecurity in times of displacement include loss of access to land and housing, interruptions in or poor sources of income and livelihoods, food price inflation, a drastic decline in purchasing power, and a lack of resilience due to limited/no asset ownership. All these issues have different impacts related to age and sex.

Additional vulnerability factors include:

- loss of access to adequate food, safe water and public services such as education and health care (frequently due to lack or loss of identity documents), often leading to high levels of hunger, malnutrition and disease. Loss of identity documents also can result in a lack of legal recognition, freedom of movement, and participation in democratic and decision making processes;
- risk of harassment, armed attack and abuse, and recruitment of child soldiers;
- family separation, including increases in the number of unaccompanied children;
- heightened risk of sexual and gender-based violence, particularly affecting women and children, and heightened risk for vulnerable groups; and
- displacement into inhospitable environments, where displaced people may suffer stigmas, marginalization, discrimination or harassment. Tensions in these areas can be exacerbated by, for instance, increased competition for scarce resources, especially in highly densely populated areas (e.g. urban slums).

● **IMMEDIATE AND LONGER-TERM SUPPORT FOR DURABLE SOLUTIONS**

Immediate assistance

FAO is committed to supporting and rebuilding the agricultural, fisheries and forestry livelihoods of displaced women, men, girls and boys and their host communities through a 'twin-track' approach. In areas of displacement, FAO emergency assistance saves lives and livelihoods by supporting and stimulating food production, protecting assets (such as livestock) and bolstering self-reliance, whilst reducing the adoption of harmful coping strategies such as selling assets, further migration and forced and/or abusive labour.

Community-based programming identifies and supports the needs and rights of both displaced populations and the wider communities in which they are situated (displaced people often do not have access to land and other natural resources for agricultural activities, and host families require assistance to shoulder the burden of hosting internally displaced people). FAO complements emergency assistance provided by other leading actors (such as UNHCR), national authorities and NGOs.

Targeted interventions include:

- distributing material assets such as seeds, tools and planting materials, farming and fishing equipment, and veterinary medicines (either directly or through fairs or vouchers);
- livestock interventions: distribution of small ruminants/poultry, vaccinations, provision of fodder /water;
- cash or voucher transfers that improve the food security of displaced people and host populations – usually combined with a package of technical assistance;
- training in livelihood areas such as food production, processing and vending;
- facilitating local agreements to promote access to land for displaced people (as well as returnees where applicable);
- strengthening natural resource management (NRM), including training on conflict resolution related to NRM and access (e.g. grazing vs. arable land); and
- promoting nutrition through, for example, nutrition education and vegetable production.

Durable solutions

Durable solutions for refugees are based around voluntary and sustainable repatriation, local integration, or resettlement to a third country. For internally displaced people, a durable solution can be achieved through return to place of origin, local integration, or resettlement in another part of the country.

Durable solutions are often gradual, long-term and complex processes that address humanitarian, development, reconstruction and peace-building challenges, requiring coordinated and timely engagement of different actors. As the context develops beyond the humanitarian and into a long-term recovery and development phase, durable solution and transition strategies are frequently blighted by insufficient coordination and waning donor interest.

Investment in agricultural development and rural livelihoods for men and women – including building resilience and investing in local capacity to support the needs of displaced persons – is critical for achieving durable solutions. Agricultural programmes that capitalize on local resources provide livelihood options and stimulate local economic recovery. Twin track programming – applied through FAO's Disaster Risk Management Framework - helps reinforce national and local structures and builds on the knowledge and skills of affected populations to improve resilience against future shocks (including the risk of future displacement), as well as facilitate return, resettlement or integration for displaced women, men, girls and boys.

In post conflict and natural disaster contexts an important element for the long-term reconstruction of communities' livelihoods is land tenure security and access. In countries emerging from violent conflict, the provision of land to refugees and internally displaced people is an essential part of establishing sustainable peace. Some of the most drastic effects of natural disasters on peoples' livelihoods relate to disruption of land tenure systems and property loss. The loss of identity cards and land tenure records can leave people unable to access their land. When refugees and internally displaced people return to their former homes and farms in the post-conflict environment, they often find that others have taken control of their land holdings and conflicts arise over access and rights. Similar conflicts can occur in areas of resettlement, and displaced people can also find themselves resettled far from their original homes.

Building up the resilience of communities includes recovering, protecting and addressing the rights to land and property of both resident communities as well as displaced people. This lays down a solid basis for reconstruction, physical planning, compensation and economic growth. Since 2007 FAO has published, in collaboration with the IASC and UN-HABITAT, several resources on land tenure and property restitution in post-conflict and natural disaster settings (see section VI for more details).

FAO's support in durable solutions contexts includes:

- targeted sustainable livelihoods support in areas of return, local integration and re-settlement with a particular emphasis on facilitating access to, or restitution of, land and property;
- local economic recovery interventions such as food/cash for work programmes that stimulate labour demand and inject resources into affected communities and local food systems;
- rehabilitation of natural resource networks (irrigation systems, marketing networks and value chains) and service delivery (animal health, extension services, crop disease control, agricultural inputs etc.) in areas of return or in new settlements that target the specific needs of women, men and youths; and
- support national efforts to develop food security strategies, policies and programmes in a participatory manner following the PANTHER principles³.

● PRINCIPLES FOR ENGAGEMENT IN SITUATIONS OF DISPLACEMENT

The following principles underpin FAO's engagement in situations of displacement:

- **Do no harm:** Given the complexity and sensitivity surrounding displacement situations, FAO's assessments and interventions are based on the principles of "do no harm", designed to minimize the potential adverse effects of interventions and, where possible, contribute to the overall protection of displaced people. This includes ensuring non-discriminatory and gender sensitive access to assistance, engaging in two way dialogue with affected communities, assessing host population needs or sensitivities, advocating for property rights, and the sustainable use of natural resources for all.
- **Non discrimination:** promote equal access to decision-making processes and services provided by FAO, targeting equally displaced and host populations based on need and avoiding any discrimination based on gender, age, religion, ethnicity, social status, etc.
- **Special consideration to groups with specific needs, especially vulnerable women and children:** Women and children often make up the majority of displaced populations and are particularly vulnerable to sexual and gender based violence and other forms of exploitation, and a lack of access to resources. Older persons, people living with HIV/AIDS, the disabled, and ethnic or religious minorities also face specific and heightened risks.
- **Community-based, participatory approach:** Affected populations – displaced and host populations alike - are actively and meaningfully enabled to participate in all phases of interventions.
- **Encouraging self-reliance and supporting durable solutions for displaced populations:** Interventions aim to empower affected populations by providing assistance that supports agriculturally productive livelihoods and improved life skills that enable self sufficiency. This includes awareness raising and capacity building for secure access to land, resources and agricultural services, that contributes to durable solutions for displaced people and their host communities.
- **Partnership:** FAO realizes that meaningful support to displaced and returnee populations requires a multi-stakeholder and multi-sectoral approach: government, protection cluster leadership, other agencies active in displacement settings (e.g., UNHCR, UNDP, WFP, NGOs) are key partners. FAO interventions should be consistent with and complement national and sub-national recovery strategies, as well as forge linkages to other types of intervention and other sectors. FAO should ensure that dialogue with affected people is integral to this overall process.

Partnership and Humanitarian Structures

The Humanitarian Country Team, on behalf of the Emergency Relief Coordinator (ERC), ensures coordination of protection and assistance to internally displaced people in the field, in both complex emergencies and natural disasters. For displaced populations, UNHCR is often the lead humanitarian agency either because of its refugee mandate or its leadership of the Protection Cluster. FAO designs its emergency assistance to displaced people within this overall planning and coordination context, working with national structures and the UN Humanitarian Country Team.

FAO, as co-lead of the global Food Security Cluster with WFP, recognizes that responding to displacement crises requires a multi-dimensional response. At the international level, it seeks to work in close partnership with UNHCR, UNICEF (as lead for the global Nutrition Cluster), UNDP and other UN agencies and international organizations and INGOs, helping to shape overall strategy and programming for displaced people by contributing expertise on natural resource based livelihoods and food security. This is complimented with partnerships at the national level including (where appropriate) government line ministries, local NGOs, civil society and, most importantly, displaced people and affected communities themselves.

INTEGRATING DISPLACEMENT CONCERNS IN EMERGENCY AND REHABILITATION PROGRAMMING - GOOD PRACTICES

When programming emergency and rehabilitation interventions in situations of displacement, FAO seeks to apply the following checklist (bearing in mind that for each section below, considerations and challenges will vary between urban and rural contexts):

1. The programme cycle⁴

- Have appropriate risk factors for displaced groups been included in the formulation, implementation and evaluation of relevant FAO emergency and rehabilitation programs, and measures taken to mitigate / prevent them (including provisions for capturing, analyzing and addressing the views and concerns of displaced groups)? This is applicable also for point four below.
- Have affected men and women from displaced communities been actively involved in the process to understand their needs, coping strategies, concerns and risks, capacities, access to productive resources, and participation in decision-making?
- Has a country assessment of displaced populations (as part of the FAO Country Programming Framework (CPF)) been used to inform the needs assessment?
- Has collated data been disaggregated by sex and age?

2. Targeting

- Is targeting non-discriminatory and based on assessed need?
- Have communities been consulted as part of the targeting process? Have the sensitivities of host as well as displaced populations been taken into account as part of an area based approach?
- Have socio-economic and gender analysis been used to identify food insecure and vulnerable households for targeting in emergency and rehabilitation interventions?

3. Community-based, participatory approach

- Have men and women across ages and socio-economic status within displaced groups been systematically consulted and included as active participants in FAO? Have gender-specific roles and responsibilities at community level been understood and addressed?
- Is information regarding ongoing responses and programmes being regularly provided to affected communities, along with accountability mechanisms for feedback?

4. Do-no-harm and sustainability

- ✎ Are all relevant members of the FAO Country Team aware of the definition of a refugee and an internally displaced person, their rights (before, during and after displacement), the legal obligations of duty bearers, and the main legal sources, actors and activities for the protection of displaced groups (especially relating to food security)? Are displaced people themselves aware of their rights?
- ✎ Have appropriate considerations and specificities for displaced people been integrated into national and local food security and agricultural strategies?
- ✎ Has a clear exit strategy from emergency assistance been prepared that includes well-defined objectives, targets, and benchmarks for exit or transition to longer term (durable solutions) programmes and frameworks?

5. Partnership

- ✎ Is there any need for specific technical support and guidance on displacement issues, through, for example, FAO stand-by capacity arrangements?
- ✎ Do FAO staff liaise with, or have specific partnerships been established with displacement experts and organizations (such as UNHCR, the Protection Cluster, the Norwegian Refugee Council) for advice, advocacy, combined programming, capacity development, monitoring and evaluation, etc.?
- ✎ Are partnerships being developed with civil society organizations, local communities and groups representing the interest of affected populations? Has FAO conveyed its accountability commitments to partners?

6. Advocacy

- ✎ Does the FAO communication strategy cover displacement issues? Are advocacy efforts planned or underway with government/local authorities on behalf of internally displaced people and refugees?
- ✎ Are displacement related concerns being highlighted in FAO special alerts on food and crops and in food and nutrition security assessments at all levels?
- ✎ Does FAO participate in common advocacy efforts (e.g. at the UN Humanitarian Country Team level) on displacement issues within emergency and rehabilitation responses (especially, as appropriate, with UNHCR and/or the protection cluster)?

LEGAL FRAMEWORKS FOR THE PROTECTION AND ASSISTANCE OF DISPLACED PEOPLE

Refugees: The 1951 *Convention Relating to the Status of Refugees* and the 1967 *Protocol relating to the Status of Refugees* are the foundations of International Refugee Law⁵. UNHCR is mandated to supervise the application of the Convention as well as to protect and find durable solutions for refugees.

Internally Displaced Persons (IDPs): internally displaced remain within the borders of their states, therefore under international law they are entitled to all the rights and guarantees as citizens and other habitual residents, and the responsibility to prevent displacement and protect their rights lies with States.

Where States are incapable or unwilling to meet the needs of internally displaced people, international humanitarian actors may complement national authorities' efforts at the latter's request. These responsibilities are summarized in the *Guiding Principles on Internal Displacement* (The Guiding

Principles), which are non-binding yet derived from existing international humanitarian, human rights and refugee law. They serve to guide all relevant actors in providing assistance and protection to internally displaced people in the different phases of displacement, and in seeking durable solutions⁶.

Food security and the right to adequate food for the displaced in emergencies – the main legal components

Because the rights of displaced populations are so often curbed or denied, the Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security (produced by FAO, hereafter referred to as the Right to Food Guidelines) and The Guiding Principles need to be stressed in situations of displacement as mutually reinforcing.

The Right to Food Guidelines – which apply equally to refugees and internally displaced people - call on States to honor their legal obligations by respecting, protecting and fulfilling the right to adequate food of all within their territory, as well as to ensure the right of every individual to be free from hunger, guaranteed under international humanitarian law. In times of emergency, a State unable to fulfill its obligations can request international assistance to ensure the realization of these rights. Donor States also have a responsibility to protect, respect and facilitate the right to food in other countries, providing the necessary aid when required. In sum, “States should make every effort to ensure that refugees and internally displaced persons have access at all times to adequate food”⁷.



RESOURCES/FURTHER READING



A - General guidance/resource material:

- Internal Displacement Monitoring Centre (see especially the section on training): <http://www.internal-displacement.org/>
- Joint IDP Profiling Service: <http://idp-profiling.org/>
- The Profiling and Assessment Resource Kit - <http://www.parkdatabase.org/>
- Brookings / LSE Project on Internal Displacement: <http://www.brookings.edu/projects/idp.aspx>
- ECOSOC, General Comment 12: The right to adequate food, E/C.12/1999/5, Geneva, 1999: <http://www.unhcr.ch/tbs/doc.nsf/0/3d02758c707031d58025677f003b73b9>
- 'Ending Displacement in the Aftermath of Conflict: Preliminary Framework for Supporting a more coherent, predictable and effective response to the durable solutions needs of refugee, returnees and internally displaced persons', Secretary General's Policy Committee decision No. 2011/20: [http://www.internal-displacement.org/8025708F004CFA06/\(httpKeyDocumentsByCategory\)/D3152FA6C910768EC125799500425ABB/\\$file/UN%20framework%20ending%20displacement.pdf](http://www.internal-displacement.org/8025708F004CFA06/(httpKeyDocumentsByCategory)/D3152FA6C910768EC125799500425ABB/$file/UN%20framework%20ending%20displacement.pdf)

Inter-Agency Standing Committee (IASC):

- IASC Durable Solutions Framework: <http://ochanet.unocha.org/p/Documents/IASC%20Framework%20DS%20for%20IDPs.pdf>
- IASC Operational Guidelines on the Protection of Persons in Situations of Natural Disasters: <http://ochanet.unocha.org/p/Documents/Operational%20Guidelines.pdf>
- IASC Urban Humanitarian Strategy: <http://oneresponse.info/GlobalClusters/Emergency%20Shelter/publicdocuments/IASC%20Urban%20Humanitarian%20Strategy.pdf>
- Handbook for the protection of internally displaced people: <http://www.unhcr.org/4c2355229.pdf>

B - Legal frameworks and principles:

- The Guiding Principles on Internal Displacement: <http://ochanet.unocha.org/p/Documents/GuidingPrinciplesDispl.pdf>
- UNHCR covenant and protocols: <http://www.unhcr.org/pages/49da0e466.html>
- The African Union *Convention for the protection and assistance of IDPs in Africa* ('The Kampala Convention'): <http://au.int/en/content/african-union-convention-protection-and-assistance-internally-displaced-persons-africa>

C - FAO guidance/resources:

- Handbook on housing and property restitution for refugees and displaced persons: <http://www.fao.org/docrep/010/ai131e/ai131e00.htm>
- 'On solid ground - Addressing land tenure issues following natural disasters': <http://www.fao.org/docrep/013/i1255b/i1255b00.htm>
- Assessing and Responding to Land Tenure Issues in Disaster Risk Management, FAO Land Tenure Manuals 3, Rome 2011: <http://www.fao.org/docrep/014/i2115e/i2115e00.pdf>
- Access to rural land and land administration after violent conflicts, FAO Land Tenure Manuals 8: <ftp://ftp.fao.org/docrep/fao/008/y9354e/y9354e00.pdf>
- Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security, 2005: http://www.fao.org/righttofood/publi_01_en.htm
- The Right to Food Assessment checklist: http://www.fao.org/righttofood/inaction/checklist_assessment_en.htm
- The Livestock Emergency Standards and Guidelines (LEGS): <http://www.livestock-emergency.net/>



FOOTNOTES

1. (page 3) - UNHCR Global Trends Report 2011: <http://www.unhcr.org/4fd6f87f9.html>; Internal Displacement Monitoring Centre (IDMC) Global Overview 2011
2. (page 3) - IDMC Global estimates 2011 - People displaced by natural hazard-induced disasters: [http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/1280B6A95F452E9BC1257A22002DAC12/\\$file/global-estimates-2011-natural-disasters-jun2012.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/1280B6A95F452E9BC1257A22002DAC12/$file/global-estimates-2011-natural-disasters-jun2012.pdf)
3. (page 5) - PANTHER is a mnemonic devised by FAO, which stands for the human rights principles of Participation, Accountability, Nondiscrimination, Transparency, Human dignity, Empowerment and Rule of law.
4. (page 6) - For resources on FAO needs assessment, see <http://www.fao.org/emergencies/resources/tools/en/>. For assessments and profiling tailored to IDPs, see the link to the JIPS and Park database in section VI
5. (page 7) - The 1951 Convention Relating to the Status of Refugees defines a refugee as someone who: “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country.”
6. (page 8) - The Guiding Principles define internally displaced people as: ‘persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border’.
7. (page 8) - Right to Food Guideline 16.5. For additional state responsibilities relating to property and possessions, right to employment, and durable solutions, see Guiding Principles 21, 22 and 28. In situations of displacement due to armed conflict, international humanitarian law also prohibits the attacking, destroying, or removing of objects indispensable to the survival of the civilian population. This includes foodstuffs, crops, livestock, drinking water installations, supplies and irrigation works (1949 Geneva Convention, 1977 Additional Protocol 1, Article 54).

For more information on displacement or support to field programming, contact:
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