Long Term Solutions to Cross-border Disaster Displacement: Lessons from West Africa

Julia Blocher [*] ***and Dalila Gharbaoui*** [**]

Abstract

West Africa is known across the world for its admirable adherence to its long-held principles of hospitality and inclusion. It is also a sub-region whose population shares a deep common history, a fact that is ever more evident in the on-going integration of the politics and communities of this highly mobile area. States in the region have advanced measures for disaster risk management and response, and are forward looking in terms of the implications of climate change. Many relocation projects have already been developed and implemented in some West African countries, generally within national borders, in response to environmental disasters (e.g. contamination of the Niger River) or for economic reasons (e.g. villages relocated in western Ghana to make way for mining companies). Although fewer examples exist, some relocation projects specifically concern persons vulnerable to the adverse effects of climate change. This paper provides concrete suggestions for how regional cooperation can build on existing free movement and transhumance-related instruments to enable cross-border mobility and resettlement for people affected by disasters. It argues for the expansion of durable solutions for people living in protracted displacement following natural hazard induced disasters, an increasingly important question. Furthermore, circular movement enabled by labour and free movement protocols could be extended to enable people to gain necessary resources to rebuild their homes, rather than sentencing them to cope in situ. Regional solutions such as those presented in this paper may prove fundamental in enabling people to reconstruct their lives.

Keywords West Africa, disaster, climate change, displacement, relocation, regional governance.

[*]Hugo Observatory for Environmental Migration University of Liège Bâtiment 31 - Boîte 45 - 7, Boulevard du Rectorat, 4000 Liège, Belgium United Nations University, DC2-2062, 2 U.N. Plaza, NY 10017. Email: Juliablocher@gmail.com/ blocher@unu.edu

[**] Hugo Observatory for Environmental Migration University of Liège Bâtiment 31 - Boîte 45 - 7, Boulevard du Rectorat, 4000 Liège, Belgium, Macmillan Brown Center for Pacific Studies (MBC), University of Canterbury, Private Bag 4800 - Christchurch 8140 - New Zealand. Email: dgharbaoui@doct.ulg.ac.be/ dalila.gharbaoui@pg.canterbury.ac.nz

Introduction

West Africa is known across the world for its admirable adherence to its long-held principles of hospitality and inclusion. It is also a sub-region whose population shares a deep common history, a fact that is ever more evident in the on-going integration of the politics and communities of this highly mobile area. Human mobility in West Africa is mostly intra-regional, with 84% of population movements taking place within the region. In absolute terms, intra-regional migration is ten times greater than migration from West Africa to Europe (Organisation for Economic Co-operation and Development (OECD), 2016). While episodes of population movements triggered by conflicts, population pressures and poverty are more visible in recent generations, the region of West Africa itself – as an economic unit – has historically been distinguished by the interactions between trade, economic opportunities and free movement of people and goods (United Nations High Commissioner for Refugees (UNHCR), 2008).

Notably, most West African states are committed to unity and to re-enforcing existing community ties through the Economic Community of West African States (ECOWAS). The 'Vision 2020' of ECOWAS sets an ambitious goal of a coherent 'borderless' and 'people-centered' sub-region.

This article reviews and builds on current knowledge and practices regarding cross-border disaster displacement, using experiences from ECOWAS states in order to assess the promise of pursuing different solutions to protection and human rights challenges for people displaced by disasters in the sub-region. ECOWAS is chosen as a case study due to its history of intra-regional mobility, current policy processes towards integration and the presence of national political will to address challenges common to countries in the region. The following sections attempt to provide the basis on which to assess solutions to disaster displacement; it does so by first outlining the conceptual and legal framework, then the relevant environment- and climate-related risks, then the procedures and tools already in use.

Methodologically, this article draws on secondary data on West African responses to disaster displacement, relying heavily on public statements, news articles and desk research. It also draws from the authors' direct experiences in the Advisory Group on Climate Change and Human Mobility (comprised of a small number of academic, policy and operational actors, including the UNHCR and the International Organization for Migration (IOM)),

in particular, and the authors' contribution to the background paper[1] and preparation of the event *'Disasters, Climate Change and Displacement: Regional dynamics of human mobility in West Africa'*. In addition, it considers activities and discussions with key members of the Consultative Committee of the Nansen Initiative, as well as the initiative's successor, the Platform on Disaster Displacement.[2] Lastly, it draws upon their involvement in related international processes, especially the UN process towards global compacts for large movements of refugees and for safe, orderly and regular migration, triggered by the 2016 New York Declaration (see below).

Constituents of Human Mobility Outcomes: An Approach

Conceptually, this paper builds on the framework articulated by Black *et al.* (2013). Migration, displacement and immobility represent three types of possible mobility outcomes of extreme events such as flood and drought, each of which interacts with and responds to multiple drivers (Black *et al.*, 2013: S33). Importantly, it is critical to consider displacement as a process embedded in wider socio-economic, political and demographic processes. This approach considers human mobility as multi-causal, influenced by a range of factors (Piguet *et al.*, 2011; Foresight, 2011). Poor governmental responses, poor disaster planning and early warning contribute to a population's exposure to displacement risks, as well as the structural vulnerabilities that leave specific – often marginalised – groups facing heightened threats (Cutter, 2003; Adger, 2006). The social, economic or political status of individuals and households experiencing disasters have a clear influence on likely outcomes (Wisner *et al.*, 2004).

Considering the multiple, complex, context-specific and time-variant contributions to displacement risk, environmental migration is often considered to be existing on a continuum from forced to non-forced mobility (Hugo, 1996; Bates, 2002; Renaud *et al.*, 2007). On one end, people displaced by sudden-onset events are considered to be in refugee-like situations; they have a very low level of control over the whole process and a very high degree of vulnerability. On the other end of the spectrum, migration influenced by environmental factors manifests itself much like economic migration. It is a

[1] See: http://hdl.handle.net/2268/177609

[2] This side event to the annual climate change conference was held in Bonn, Germany on 4 June 2014. It was co-organised by the Governments of Norway and Switzerland, as the Chairmanship of the Nansen Initiative, and the Government of Germany, as a member of the Nansen Initiative Steering Group. See: http://bit.ly/2Hmce0Q

compelled but 'voluntary' movement (Bates, 2002). Such people have more control over timing and direction of their mobility and are less vulnerable than refugees; nevertheless, they often experience less control and more vulnerability than 'normal' economic migrants.

Considering these processes and connections leads to consideration of a wider range of outcomes – in which displacement is one undesirable outcome – which can help policymakers develop specific, targeted responses to the causes and negative outcomes of displacement. Governments can develop programmatic interventions that may occur before, during and after displacement. This 'life cycle approach' to policy provides for three points in this arc of human mobility, where interventions are possible (Martin, 2010). In the pre-migration phase, programs can target prevention, mitigation and adaptation to environmental hazards. During migration and/or displacement processes, specific protection and assistance programs can be tailored to different types of movements. Following displacement, governments can support return or resettlement and, indeed, can support (re-)integration of target groups into their homes or new locations. Return, resettlement and integration are not three distinct phases of a linear process, but represent points on a cycle of mobility. Mobility of human populations is the norm, not an exceptional event.

This article seeks to provide insights into programmatic and policy responses to disaster displacement, with a focus on the ECOWAS region as a potential leader in providing practical solutions to an issue for which no international legal framework exists. The following sections consider current international frameworks for disaster displacement, which provide a foundation for regional and sub-regional governments. The following section provides an overview of current climate-related drivers of displacement in the sub-region. Finally, solutions and good practices in the ECOWAS states are reviewed, with a view to encouraging further progress towards filling protection gaps.

Current International Debates

The terms 'climate refugee' or 'environmental refugee' are sometimes used in the media to define a person displaced in the context of disasters such as droughts, the rise of sea levels and extreme weather events such as hurricanes, tsunamis or earthquakes. This concept does not exist in international law, and is thus considered legally non-binding (Warner, 2010), and the terminology is generally rejected by scholars. In addition to misstating the criteria for *de jure* refugee status, the term has been increasingly

questioned on the basis that it leads to a reductionist view of the complexity of real-life situations (Tacoli, 2011). The majority of people moving in the context of disasters remain within their home countries, and their national governments are thus responsible for protecting and assisting them and for facilitating durable solutions for their displacement. Such people are internally displaced persons (IDPs) as defined in the Guiding Principles on Internal Displacement and are entitled to the full range of rights and responsibilities included therein.

People who cross national borders because of disasters, however, are neither IDPs nor refugees. While the humanitarian community has historically provided assistance to displaced people as though they were refugees – as was the case for those fleeing the Ethiopian famine in 1984-85 – UN officials and human rights practitioners identified the gap in legal protection for those forced to leave their own countries because of natural disasters or longer-term environmental degradation occasioned by climate change (Kälin, 2008). For a decade, a number of initiatives were undertaken – with the notable involvement of the Representative of the UN Secretary General on the Human Rights of Internally Displaced Persons, UNHCR and the Norwegian Refugee Council, among others – to fill these gaps (for a more detailed timeline and overview, see McAdam, 2016).

In October 2015, 109 states endorsed the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change, providing a toolbox of concrete policy options and proposing a series of recommendations for future work. Importantly, human mobility was also included in the Sendai Framework for Disaster Risk Reduction 2015-2030 and the 2015 Paris Outcome on climate change, recognising that displacement is one of the most devastating consequences of disasters. The Sendai Framework, in particular, recognises that disaster risk reduction requires "protecting persons and their property, health, livelihoods and productive assets, as well as cultural and environmental assets, while promoting and protecting all human rights" (United Nations International Strategy for Disaster Reduction (UNISDR), 2015: 19(c)). The Nansen Initiative on Disaster-Induced Cross-Border Displacement (Nansen Initiative) drafted a guide for member countries of the Regional Conference on Migration (RCM) to create more harmonised responses to disaster-related movement.

At the global intergovernmental consultation that endorsed the Protection Agenda, states underscored the importance of collaboration and coordination

across different policy areas and with other stakeholders (e.g., government departments, international agencies and academic disciplines) (Nansen Initiative, 2015: 76). States acknowledged the need to develop appropriate responses to multi-causal natural hazard-induced movements – which are increasingly frequent, due to climate change – through even closer collaboration, in order to ensure that policy, responses and action evolve in parallel (*Ibid).* At the consultation, states agreed that such measures require adequate financing, technical cooperation and capacity building; and while national governments bear the primary responsibility to manage risk, "developing countries should be able to rely on international cooperation to tackle this challenge" (*Ibid*, 82). Lesotho similarly observed that "[n]ational authorities cannot always find solutions on their own" and Nigeria stated that "regional or subregional cooperation is crucial in making the engagement of protecting displaced population[s] across international borders more enduring" (*Ibid*, 161).

This article argues that the ECOWAS region serves as a model of good practices to move this policy agenda forward. States can leverage existing mechanisms more strategically to create targeted, localised responses that together form part of a global effort. This is not mutually exclusive in terms of the progressive development of the law at the international level, nor is it contingent on it (McAdam, 2016: 1542). Yet responses developed at the regional and local levels, in good faith, represent the best solutions to protection gaps. As noted in the Protection Agenda, such policies and programmes – targeting vulnerabilities and risks experienced before, during and after displacement, as noted above – should address, *inter alia*: climate change mitigation and adaptation; resilience building and livelihoods building, including improving access to voluntary migration opportunities; disaster risk reduction, disaster management and humanitarian assistance; return, resettlement and integration; and, in some specific cases, planned relocations of at-risk populations. How ECOWAS states have begun to tackle these areas is discussed below.

Disaster Displacement in West Africa

Adverse Effects of Climate Change

Climate change is projected to adversely affect several physical, ecological/biological and socio-economic characteristics of the West African coastal zone and adjacent oceans that are presently under stress (Intergovernmental Panel on Climate Change (IPCC), 1997). Even in a region

characterised by mobility, environmental changes are significantly influencing internal and international migration patterns (Zickgraf *et al*., 2016). West Africa is home to countless communities that are among those bearing the brunt of climate change and those least able to marshal the resources to adapt. Warming temperatures will manifest significant effects across West Africa, including a rise in sea level, soil salinization, floods, drought, desertification, intensifying winds and heat waves (IPCC, 2014; DARA, 2013).

A study on livelihood security identified 19 climate 'hotspots' in the region (see Figure 1). The areas, defined as severely affected by the physical and ecological effects of climate change, were also home to large numbers of vulnerable and poor communities (UNEP, 2011). These hotspots are mainly located in the central part of the Sahel, Niger, Burkina Faso and northern and coastal Ghana, as well as in northern Togo, Benin and Nigeria. They often straddle internationally-demarcated boundaries. To add to climate effects such as increased extreme weather events and a rise in sea-levels, population pressures and conflicting policies of exploitation –of marine, riparian, coastal and land resources, for example, – also have adverse effects on sustainability.

At least 31% of the total population of West Africa lives in coastal areas (World Bank, 2016). About 4.5 million Senegalese (66.6% of the national population) live in the Dakar coastal area. About 90% of the industries in Senegal are located within the Dakar coastal zone (IPCC, 2014). Strong coastal erosion and rising sea levels are further compounding the vulnerability of populations along the entire coast, from Mauritania to Nigeria (UEMOA, 2010).

Desertification and soil erosion are happening continuously as a result of climatic events (Stringer *et al*., 2011), adding pressure to food insecurity and thus further exacerbating the vulnerability of local populations (Ozer *et al*., 2013). Much of the agriculture in the region is based on cash crops for export. An increase in average temperatures of 1.5°C-2°C will contribute to farmers losing 40-80% of cropland conducive to growing maize, millet and sorghum by the 2030s-2040s (World Bank, 2013). This is of great concern in a region where the agricultural sector represents about 35% of the GDP in the region and employs the majority of the workforce. Those whose livelihoods are heavily dependent on rain-fed agriculture and pasture land are particularly vulnerable.

Flooding is among the most frequent natural hazards in West Africa. Of the 1.1 million people displaced by natural hazard induced disasters in 2015, 100,420 were in Nigeria and 34,000 were in Guinea (Internal Displacement Monitoring

Centre (IDMC), 2016; Boluwaji Obahopo, 2015). Nouakchott, Ouagadougou, Cotonou, Dakar and Niamey are some examples of cities that are more and more regularly affected by flooding, as are a large number of primary and secondary cities of all countries of the West African region (Ould Sidi Cheikh *et al*., 2007; Descroix *et al*., 2013). The first destination of rural-to-urban migrants is often to slums and other forms of informal housing areas where costs are cheaper, but exposure to various hazards and types of exploitation are often great. Burgeoning urban areas are ill-equipped to absorb population growth and, simultaneously, face a high risk of natural hazards that are accelerated by global climate change (Foresight, 2011).

Even in this unified region, people who may cross borders to seek safety following disasters may face serious barriers to rebuilding their lives. ECOWAS stands to pioneer mutually beneficial solutions for displaced people through regionally conceived frameworks that enable people to secure a legal status in any member state.

Free Movement in the ECOWAS Region

The 1979 Protocol Relating to the Free Movement of Persons, the Right of Residence and Establishment, established and generally regulates the right of entry, entitling citizens to enter other Member States without a visa for up to 90 days.[3] In order to facilitate cross-border displacements, the ECOWAS travel certificate was initiated in 1985 as a standardised document, valid for two years and renewable for another two years. The ECOWAS passport was created in 2000, enacting a five-year transitional period and allowing national passports to be used simultaneously. Decades after the adoption of the Protocol, the right of entry and the 90-day stay abolition of visa requirements have been implemented in all countries. Although several issues still need to be addressed to allow effective inter-regional mobility,[4] ECOWAS remains a pioneer in facilitating cross-border displacement within the region (Devillard *et al*., 2016).

The Common Approach to Migration, endorsed by the West African Member States, was set up in 2008 at the 33rd ECOWAS summit. Its aim was to develop coherent intra-regional migration policies and promote cross-border movement through the region in order to optimise the benefits of migration.

[3] Provided the citizen has an international health certificate and valid travel documents.

[4] Transposing the 1979 Protocol and supplementary protocols into states parties' law, the Right of Residence, the Right of Establishment and access to employment is still a major challenge.

The legal framework on refugee protection in West Africa includes endorsement by all ECOWAS members to the Geneva Convention on the Status of Refugees (1951) and its additional Protocol (1967), and to the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969).

Regional organisations have often been considered as best placed to assist governments in providing policy support on climate change and forced migration, and as promoters of policy coherence through multi-stakeholder cooperation across countries (Barnett & Webber, 2010; African, Caribbean and Pacific Group of States (ACP), 2011). Authors such as Angela Williams (2008: 517) argue that regional organisations should be considered as major players in coordinating and planning policies on forced displacement and climate change, as an "alternative system" to states acting in isolation; "[a system] may be better coordinated by way of regional agreement, operating under an international umbrella framework.". In the context of West Africa, the Free Movement of Persons, Residence and Establishment, and four supplementary protocols, could in principle give displaced people the right to find a long-term solution to their situation in another member state. From here, solutions through resettlement and relocation can also be envisaged. For those who would like to return to their home country, some relevant best practices have been established. This article discusses these possibilities, with a view to assessing what durable solutions could be supported for people displaced by disasters in West Africa.

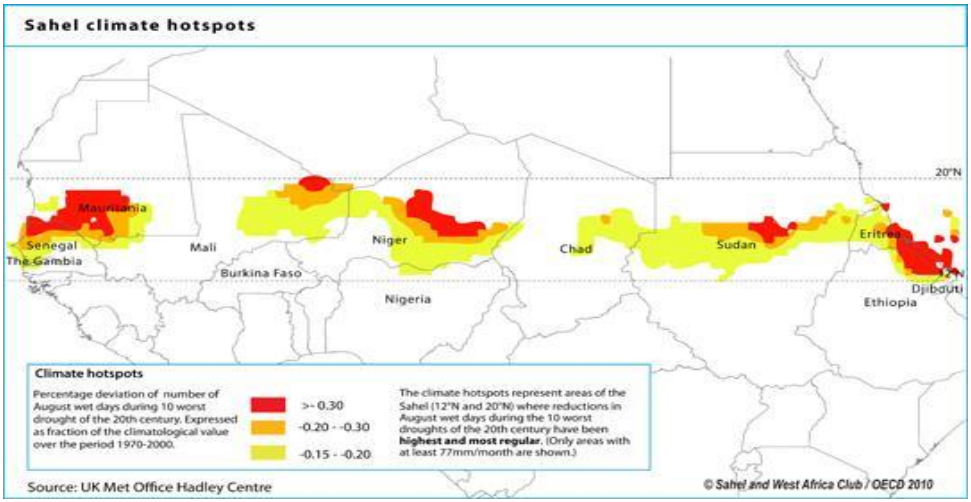

Figure 1: Sahel climate hotspots

Addressing Disaster Displacement Risk

Durable Solutions

A number of avenues for helping displaced people to rebuild their livelihoods and find long-term solutions could potentially be developed and applied to situations of cross-border disaster displacement. Evidence suggests that disaster displacement does not necessarily end after the disaster event has subsided. According to the Inter-Agency Standing Committee (IASC) guidelines, durable solutions are achieved when people who have been displaced have no more specific needs related to their displacement. In the case of refugees and IDPs, these conditions are achieved when a person is permanently and voluntarily reintegrated into her/his place of origin (return), in the areas where s/he sought refuge (local integration), or in another location (relocation).

ECOWAS has paid particular attention to the return and reintegration of displaced persons. In partnership with the IOM, a regional consultative process was initiated through the Migration Dialogue for West Africa (MIDWA) project. In addition, in collaboration with the African Development Bank (AfDB) and the UNHCR, ECOWAS has evaluated different projects to promote resettlement and reintegration of displaced populations. The section below argues that a number of frameworks already exist that could be scaled up or applied to help people displaced by disasters achieve durable solutions.

Return

For people displaced across borders due to natural hazard induced disasters, the most common path towards achieving durable solutions is likely to entail safe return to one's place of habitual residence (provided that the area has adequately recovered from the displacement-producing event).

The main criterion considered by governments to begin the return process after a disaster – that is, the conditions of the area affected by the event – merits further consideration in policy discussions. Populations that have survived disasters have often experienced serious and widespread adverse effects on their human rights. Principles for return have already been established for the return of refugees and IDPs, elucidated in UNHCR's Framework for Durable Solutions for Refugees and Persons of Concern. Good practices have also been established in refugee situations, for which return is monitored and facilitated through tripartite agreements between the UNHCR,

the country of origin and the country of destination.[5] Similar agreements, or bilateral agreements, could be specially envisaged for disaster displacees.

Spontaneous return of displaced people provides a different set of challenges and is highly probable, particularly where communities of origin and destination are often strongly linked. Such movement was observed in Mali following the 2012 crisis. People who return without assistance risk increased vulnerability upon return, or secondary displacement. A special situation that may occur in ECOWAS is the return of displaced people, not otherwise protected, to their homes areas within the 90 days of temporary residence in another state afforded by the Protocol on Free Movement. These people may need special policy prescriptions to ensure that they do not 'fall through the cracks' in receiving the assistance they need to rebuild and find long-term solutions to their displacement.

Moreover, conditions need to be fulfilled in order to ensure that people returning home are able to fully exercise their rights. Fostering the requirements for sustainable return to devastated areas will require significant efforts to rebuild basic societal systems and services. According to United Nations Guiding Principles on Internal Displacement (particularly principles 28, 29 and 30) and the Pinheiro Principles, displaced people should be able to recover their property, in the form of restitution or adequate compensation. The interface between facilitating sustainable return and sustained community development, should be a key target for policy makers.

In practice, however, rebuilding of services, restitution of property and ensuring protection of the rights of returnees in recently devastated areas prove to be difficult tasks. One possible solution should be envisaged, in which circular migration is permitted, so that people may seek employment in unaffected states and assist in the rebuilding of their communities, without acquiring the status of irregular migrants after 90 days. An analogous scheme exists in the ECOWAS zone for nomadic herders: the International Transhumance Certificate (CIT). This document could be compared to a passport that facilitates cross-border movement, allowing pastoralists to sustain their traditional routes and livelihoods. Alternatively, special

[5] One West African example, signed in 2011, involved the repatriation of some 32,000 Ivorian refugees from Liberia from 2013-14. Upon return, former refugees typically receive a cash grant, food and essential non-food items.

exceptions could be made to the Protocol on Free Movement, on a case-by-case basis.

Local Integration

In most countries of the West African region, local protection mechanisms for people displaced across borders are present in hosting communities. Ethnic solidarity networks attract migrants from related ethnic groups beyond borders. Community-based reception structures support local integration by providing, for example, accommodation or livelihood activities (UNHCR, 2008). However, contemporary cross-border migration in West Africa is increasingly individually-based, and decreasingly associated with previous networks of ethnic or village solidarity in destination countries (Bâ & Ndiaye, 2008). Cross-border ethnic solidarity networks are weakened by the lack of economic opportunities, thus increasing human mobility in the region, and the desire of younger generations to escape from family control and social pressure, including the pressure to send remittances (Bâ & Ndiaye, 2008). Community-based reception structures and ethnic solidarity networks are becoming incapable of coping with entire groups of migrants from one ethnic group. In Cote d'Ivoire, for example, ancestral reception structures for *Haalpulaaren* migrants from the Senegal River valley have progressively disintegrated (Bredeloup, 1995).

In disaster contexts, people may not have a community to return to and/or prefer to stay in their area of refuge. Although the ECOWAS Protocols on Free Movement of Persons, Residence and Establishment, and its four supplementary protocols (the "'free movement protocols'),[6] give citizens the right to reside in all countries of the community, currently, anyone wishing to settle permanently in the host country must meet the legal requirements and make the necessary administrative steps to obtain residency permits following the 90-day visiting period. As they would not currently be able to benefit from refugee status, displaced people who are unable to return risk falling into irregularity. Irregular migrants often face difficulty accessing employment and adequate living conditions, and are at greater risk of

[6] 1979 Protocol A/P.1/5/79 relating to Free Movement of Persons, Residence and Establishment, http://tiny.cc/1979Protocol; 1985 Supplementary Protocol A/SP.1/7/85, article 2(1);1986 Supplementary Protocol A/SP.1/7/86, article 2; 1979 Protocol A/P.1/5/79 relating to Free Movement of Persons, Residence and Establishment, article 11; 1985 Supplementary Protocol A/SP.1/7/85, article 3; 1986 Supplementary Protocol A/SP.1/7/86, article 13(1).

exploitation. Already in the case of refugees, even in countries open to integration, the legal steps to visa regularisation can be extremely long. Refugees are excluded from labour markets in many cases, calling into question the conditions and sustainability of their stay.

Ensuring local integration necessitates the promotion of the entitlements set out in the free movement protocols, and their principles of burden-sharing and cooperation. A valuable example already exists in the case of refugees in the UNHCR's local integration initiative for Sierra Leonean and Liberian refugees. Three core principles are at the center of the initiative. First is the principle of reciprocity; "by promoting entitlements set out in the protocols, the initiative was able immediately to provide a degree of reciprocity for two of the countries involved," (Boulton, 2009: n.p.) Sierra Leonean refugees would benefit from the application of the initiative in Liberia, while Liberian refugees would benefit from its application in Sierra Leone. This provided an incentive for cooperation between both countries and paved the way for other ECOWAS countries to collaborate in the future. Secondly, the initiative has been conceived as community-based rather than individually oriented; benefits for both the displaced and hosting communities are considered and recognised by the initiative. Finally, the initiative has been included, as much as possible, in national development priorities rather than the other way around (*Ibid*).

Integrating displaced people requires ensuring an adequate quality of life, which would involve addressing barriers to employment, access to education and health care. Interventions specifically tailored to cases of people displaced by disasters, expedited residency and employment visas for example, should be developed. Regional and multilateral processes could assist countries to achieve these aims. The regional dialogue promoted through the 2006 Rabat process already in motion, intends to "[launch] a balanced, pragmatic and operational mechanism of cooperation among countries of origin, transit and destination of migrants coming from West and Central Africa" (EU-Africa Partnership, 2011). It treats many parallel issues, providing the foundation for the more recent Rome Programme 2014–2017 that introduced "international protection" to the four pillars[7] approach to migration framed in the Rabat Process.

The third regional consultation of the Migrants in Countries in Crisis (MICIC)

[7] "Organizing mobility and legal migration (pillar 1), improving border management and combating irregular migration (pillar 2), strengthening the synergies between migration and development (pillar 3), promoting international protection (pillar 4)" (ICMPD, 2017).

Initiative held in December 2015 revealed a few recent regional initiatives providing ground for durable solutions to cross-border displacement such as the adoption of Regional Standards for Protecting Children through the Child Protection Action Plan, a participatory monitoring mechanism for migrant children (The International Federation of Red Cross and Red Crescent Societies (IFRC), 2016).

Resettlement and Relocation

West Africa is likely to witness an increasing number of cases of destruction of communities following sudden disasters of considerable magnitude, inevitably leading to some permanent resettlement or/and relocation within the region. Planned relocation, as referred to in Paragraph 14(f) of the Cancun Climate Change Adaptation Framework,[8] is the "planned process of settling persons or groups of persons to a new location."[9]

Recurrent hazards and multiple displacements eroding resilience with each event also play into this situation. Relocation and resettlement – through which livelihoods, housing and infrastructure are rebuilt in a different location – can also be considered as corrective measures to reduce the risks of natural hazards for particularly vulnerable populations.

Many relocation projects have already been developed and implemented in some West African countries, generally within national borders, in response to man-made disasters (e.g. contamination of the Niger River) or for economic reasons (e.g. villages relocated in western Ghana to make way for mining companies). Although fewer examples exist, some relocation projects specifically concern persons vulnerable to the adverse effects of climate change. For example, Ivoirian authorities decided to relocate 6,000 of 15,553

[8] UNFCCC, supra note 9, paras.14 (b)(c)(h). Report of the Conference of the Parties on its eighteenth session, held in Doha from 26 November to 8 December 2012, Decision 3/CP.18, Approaches to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change to enhance adaptive capacity, FCCC/CP/2012/8/Add.1.f.

[9] Another commonly used definition of 'planned relocation' is when "Persons or groups of persons move or are assisted to move away from their homes or places of temporary residence, are settled in a new location, and provided with the conditions for rebuilding their lives." In Brookings, Georgetown University and UNHCR, "Guidance on Planned Relocation within National Borders: To Protect People from Impacts of Disasters and Environmental Change, Including Climate Change," Draft, 5 June 2015. See also: IASC, IASC Operational Guidelines on the Protection of Persons in Situations of Natural Disasters. The Brookings-Bern Project on Internal Displacement (2011) defining "Planned relocation" as "The act of moving people to another location in the country and settling them there when they no longer can return to their homes or place of habitual residence."

people living in floodable areas of Abidjan in 2012, in anticipation of the rainy season. [10] This relocation was organised within the framework of the Organization Plan of ORSEC emergency (flood prevention plan) and a financial incentive to encourage people to move included an allowance of 150,000 CFA francs (228 euros) (IRIN News, 2012; IDMC, 2015).

In the near future, more relocation projects are expected to emerge in West Africa, due to global warming and rising sea levels (e.g. in Nigeria and Guinea). Past relocation projects took place within national boundaries, but the expected intensification of natural disasters could lead to joint relocation programs. Regional up-scaling and proliferation of states' offers to admit displaced people in the context of disasters is becoming a reality in the region. The importance of the issue and the possibility of opening the borders to environmental migrants have, as an example, been affirmed by President Abdoulaye Wade in the aftermath of the earthquake that struck Haiti in January 2012. The Senegalese President proposed Haitians, considered as descendants of deported slaves, to leave their vulnerable island and settle in their 'homeland' of Senegal. This scenario of jointly managing planned relocations could be realised within the framework of ECOWAS, which has been developing best practices for regional coordination in hosting displaced populations for years.

Numerous challenges remain. Due to the recent characterisation of relocation as an adaptive response to climate change, coordination mechanisms are rare, not institutionalised and – in the majority of cases – implemented only through development projects. However, a number of frameworks already exist that could help foster future policies on sustainable and durable relocation. Lessons learned from previous relocations planned in the context of development projects could be used as a foundation for future environment-related cases. The normative content on planned relocations that is skewed to development projects should be redressed.

Other frameworks that have expertise in the management of this type of population movement have been developed by regional development banks

[10] This relocation was organised within the framework of the Organization Plan of ORSEC emergency (flood prevention plan). To encourage people to move, the plan provided an allowance of 150,000 CFA francs, the equivalent of 228 euros. In the event that the financial incentive was not enough, the Minister of the Interior asked the Ivorian prefect to conduct the relocation operations "even against the will of the people who inhabit the places at risk" (Communication Service the Ministry of Interior, 2012).

and the World Bank. One relevant model is that of the Asian Development Bank (ADB), which has supported numerous population relocations and defined a framework for feasible resettlement options depending on the situation. It considers whether the event is: (1) a local relocation, occurring in a single locality and is possible only when the number of people affected is small; (2) a self-relocation, when those affected by the relocation organise it as an individual or group initiative or (3) a relocation that takes place in a site selected by an external agency. In the latter option, the integration of the concerned communities in planning the relocation is therefore essential in order to avoid tensions related to new environmental, economic, social and cultural conditions. The ADB (1998: 56) also recommends avoiding, as much as possible, the relocation of communities in remote locations with different environmental, social, cultural and economic characteristics.

Planned relocation can take place in three different types of situations: "[i]n anticipation of disasters, environmental change and/or the effects of climate change; as a response to disasters, environmental change and/or the effects of climate change; and as a consequence of measures related to climate change adaptation or disaster risk reduction measures" (Ferris et al, 2015). The type of planned relocation also varies depending on whether it is related to partial or full relocation of the community. On this point, the literature presents diverse and contrasting points of view. Several authors argue that the planned relocation process must involve only part of the affected community, conducting a limited and gradual relocation of the population in order to reduce the human and financial costs (Zahir, Sarker & Al-Mahmud, 2009). Other authors are critical of such partial relocation. For them, this method does not take into account the cultural and sociological elements of the communities involved. If social disarticulation is one of the most complex parts of the relocation process, preservation of the cohesion and social structure of the affected communities should be considered in order to achieve durable solutions (Campbell, 2010; Perry & Lindell, 1997). Social and political costs can be minimised by granting sufficient time for the participation of the host community and their new community members (Barnett & Webber, 2010).

Considering historical and community linkages, when planning for population resettlement, is particularly crucial in the West African context. Respecting cross border communities in the management of international boundaries in the region is an issue for governments, as boundaries have been shaped without necessarily considering cultural and ethnic groups that are divided over two different countries (IOM, 2013). Including the affected and hosting

communities in the relocation planning, and considering cultural linkages and cross border communities, should be a key target for policy makers.

The acquisition of suitable land and ensuring sufficient funds for this purpose are essential to the planned relocation process (United Nations University Institute for Environment and Human Security (UNU-EHS), 2013). At this level, the main difficulty lies in the acquisition of sufficient and suitable land to ensure the reproduction of decent living conditions for the affected communities in the long term. It is also important to consider how the community in question defines its relation to land ownership, namely, the legal or customary body defining the relationship between individuals or groups of individuals vis-à-vis their land (United Nations Food and Agriculture Organization (FAO), 2013). The 'right to soil' is paramount in many systems in the region, and is therefore an important element to consider, particularly when relocation takes place outside the territory governed by the customary law of the affected population. Indeed, customary land rights reflect an important part of the economic, political, cultural and social life of some communities. Recognition of local customary rights is central to current debates on land policy reforms in many countries in West Africa and proves to be an essential step in planning for relocation related to climate change in the region.

The Comprehensive Refugee Response Framework (CRRF)

Questions surrounding large movements of refugees and migrants have been increasingly in the spotlight of public and political debate – largely due to the political fallout of the so-called migration crisis in Europe that has been further fueled by a wave of arrivals from Syria – adding urgency to UN member states' search for national and international tools to deal with migration-related challenges. On 19 September 2016, the General Assembly of the UN for the first time addressed these issues at a High-Level Plenary Meeting on Addressing Large Movements of Refugees and Migrants. The High-Level Meeting culminated in the adoption of the New York Declaration for Refugees and Migrants (UN Doc. A/71/L.1, 19 Sept. 2016), which launched a process towards intergovernmental negotiations aimed at the adoption of a Global Compact for Refugee Responsibility Sharing, and a Global Compact for Safe, Orderly and Regular Migration in 2018. The UN Secretary-General's report launched ahead of the meeting, titled *In Safety and in Dignity* (UN Doc. A/70/59, 9 May 2016), underscored the displacement risks posed by the impacts of disasters and climate change, noting the need for strengthened

international cooperation and protection, and more attention to root causes (McAdam, 2016). Throughout 2017, the UNHCR scaled-up and 'tested' its Comprehensive Refugee Response Framework (CRRF) in several countries around the world to support the adoption of a compact in 2018 (UNHCR, 2016). The framework builds on what the UNHCR and its government partners already intended to achieve in many countries, namely ensuring that refugees have access to basic rights, labour markets, income-producing and livelihood activities and protections in their host country.

Uganda, Somalia and Tanzania will be the first pilot countries, to be followed by Asian, Latin American and Middle Eastern pilots. By design, the first countries are post-emergency refugee situations in countries with long histories of hosting and integrating refugees, while the latter will be in emergency contexts.

ECOWAS states' experiences of hosting both refugees and international migrants can also serve to inform the refugee compact. The text above underlines the holistic approach ECOWAS states take to human mobility, which is precisely what is needed to move forward on global governance for international migration in all its forms. Although the process towards a Compact for Refugee Responsibility Sharing is currently de-linked from the parallel process towards a Global Compact for Safe, Regular and Orderly Migration in 2018, West African states have the opportunity to lead in ensuring the complementarity of the two final compacts. Many of the commitments for migrants and refugees (see Figure 2) are areas in which ECOWAS states already deal with mobile peoples holistically: reception of all regardless of migration status; providing education and labor opportunities; enabling safe pathways for admission and developing alternatives to detention, *inter alia.*

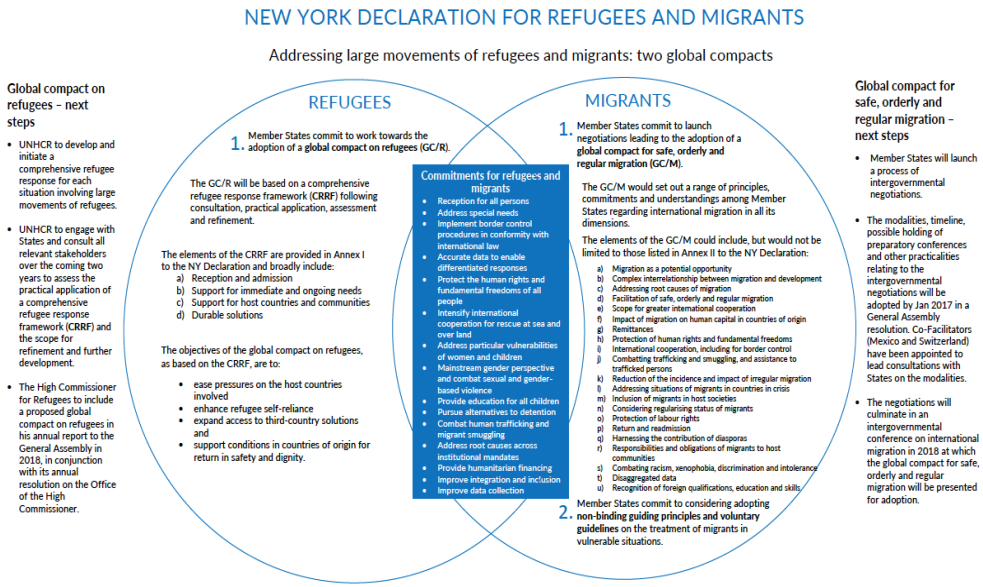

Figure 2: Shared commitments in the two global compacts' processes addressed in the 2016 New York Declaration (courtesy of IOM).

Conclusion

The road is wide open for ECOWAS states to lead the way in finding long term solutions for their displaced citizens, with a number of important milestones already in the rear view.

Pioneering this area entails progress towards ensuring full exercise of rights by all mobile peoples on all points of the spectrum of movement. A rights-based approach underlying future policy actions can encourage concerted action between the competent authorities at multiple levels, along with international partners.

Respect of the dignity of populations displaced and at risk of displacement by disasters, as well as adequate consultation and participation in any interventions, are paramount. Such an approach is also critical to the success and sustainability of solutions for affected peoples, as has been shown in regard to community relocations.

As was alluded to above, it should be noted that how efficiently durable solutions can be found depends on a number of factors, such as the type of

hazard event experienced, the characteristics of the affected population and the capacity of institutions (local, national and international) to prevent some of the adverse effects of disasters. All the same, the lack of reliable data in West Africa and misunderstandings of the complex nature of those movements reduces the possibilities of defining adequate safeguards for those affected. For example, Nigeria was not able to undertake any specific measures to protect migrants, in part due to a lack of adequate data on the migrants' residences during the floods in Nigeria in 2012 and during the Boko Haram attacks. Tools such as national census data of the population can support effective collection of data on non-nationals and help address this issue (IOM, 2015). Governments must work together to collect reliable data on the number of people displaced by natural disasters and their areas of destination.

The two global compacts under development by UN Member states present landmark opportunities for countries to improve the protection of people on the move and to develop people-centred responses to the situation of displaced persons. Furthermore, improving safe pathways for migrants and protecting the rights of people in all phases of movement will help communities build resilience, leading to a reduction of displacement risk. While these compacts may make improvements at the international level, they are contingent on committed and collaborative implementation at the national, sub-regional and regional levels. States' implementation of the 2030 Agenda for Sustainable Development will also help ensure movement is a choice, not a necessity. The ECOWAS community has made notable strides on this journey, and there remains some road to travel.

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