

Good Practice Guidelines and Principles Regarding Resettlement

Introduction

International development partners fully support the need to accelerate development in the four Developing Regional States. We also recognise the government's desire to improve access to basic services and sustainable livelihood opportunities, increase commercial investment to achieve higher rates of sustainable economic growth and reduce risk and vulnerabilities to natural disasters. As part of its pursuit of these objectives in the Developing Regional States, the government is relocating communities and has indicated that specific processes and safeguards need to be put in place to ensure that relocation processes of different kinds are effective and successful.

Development partners currently working in DRS regions have been approached to support government initiatives that involve the relocation of individuals and communities. Beyond humanitarian assistance, it is problematic for international partners to respond to such requests in the absence of clear information regarding the policy frameworks, objectives, principles and strategies that federal and regional governments have adopted and on which these activities are based. Development partners therefore wish to request that both federal and regional government make available as a basis for dialogue the relevant documents regarding:

- The vision for accelerated development in Developing Regional States and the contribution that relocating populations will make to achieving these objectives as described in existing policies, strategies and plans.
- Guidelines and principles that have been developed regarding the relocating of populations in the different regions.
- Any background information, needs assessment, analysis and feasibility studies that have been carried out to support the planning for relocating communities.

While these approaches have been variously referred to as *villagization*, *clustering* or as a *commune strategy*, all of these concepts fit within what most development partners define as *resettlement* in that they involve a process to assist people who relocate through the provision of basic infrastructure and services and support to build sustainable livelihoods. Many international development partners employ specific policies and guidelines in relation to resettlement. This is because past experience in a number of countries has shown that where people are resettled without adequate planning and consultation, against the will of individuals and communities such population movements can impact negatively on the wellbeing and livelihoods of those who were intended to benefit. In addition, such movements can create tensions and conflict between resettling groups and host communities which undermine the conditions necessary for effective development and economic growth.

For this reason, and at the request of the Government of Ethiopia, development partners have developed this paper to share a proposed set of good practice guidelines and principles governing resettlement processes. This document therefore sets out:

1. Key elements of resettlement processes that should be implemented,
2. A set of proposed guidelines and principles governing resettlement.

1. Key elements of resettlement processes:

A. Information and Consultation

Information is made available to all affected and host communities and the public in concerned regions and woredas, regarding:

- a. The rationale and policy objectives for resettlement
- b. Alternatives to resettlement that have been considered (eg alternative models of service delivery, livelihoods diversification options etc)
- c. Options available to affected communities and how these choices can be implemented
- d. The rights of individuals and communities in relation to resettlement, clear eligibility criteria and procedures to access resettlement support and compensation where appropriate and mechanisms available to consider complaints and grievances (*see below*)

Relevant stakeholders including potential resettling and host communities should be consulted at all stages of the decision-making, design and planning of resettlement including;

- a. Public consultation meetings are widely advertised and the results of consultation are made public and taken into account in the decision-making process and planning of resettlement
- b. Resettlement plans are made publicly available to all people and organisations in the concerned woredas and to development partners and other stakeholders

B. Development of a Resettlement Plan

A comprehensive resettlement plan is developed with the full participation of the affected communities. The resettlement plan should include

- a. Objectives of the resettlement and identification of potential social, economic, environment and cultural impacts
- b. Analysis of the needs of resettling communities in terms of:
 - basic social service requirements,
 - economic opportunities disruption of existing livelihoods and support required to restore and improve livelihoods, with a timeline for implementation.
 - likely impact on existing tensions between clans and ethnic groups and mechanisms to ensure harmonious coexistence and the peaceful resolution of potential conflicts, endorsed by both the resettling and the host communities.
 - environmental impact on proposed resettlement sites and appropriate mechanisms for the sustainable management of natural resources.
- c. Detailed land use plans and technical feasibility studies to support the selection and design of infrastructure development on the resettlement sites
- d. Implementation arrangements for developing resettlement sites including organisational responsibilities and a clear timeline for implementation
- e. Costing and budget for implementing resettlement including identification of available resources and funding mechanisms
- f. Outline of governance arrangements for resettlement including
 - Criteria for eligibility and access to resettlement support and compensation for loss of property and access to other resources
 - Grievance procedures to address complaints regarding the resettlement process (*See below*)
 - Monitoring and evaluation arrangements (*See below*)

C. Implementation of the Resettlement Plan before relocation of populations

The implementation of infrastructure, basic social services and other resettlement support services is put in place according to the resettlement plan before populations are moved from their current place of residence to resettlement sites.

D. Mechanisms for monitoring, safeguards, appeals and redress put in place

Safeguards are put in place to ensure that households and communities are resettled in a manner that protects their basic human rights and respects their choices. This includes developing mechanisms through which communities or individuals can confidentially petition and receive a hearing regarding decisions that involve their potential resettlement. There are several options for such a system, these include:

- a. *Administrative and judicial mechanisms* that allow grievance and complaints from individuals, families or communities related to resettlement to be dealt with using existing administrative and judicial systems. Such as woreda or kebele development planning mechanisms, administrative complaints procedures or the courts.
- b. *Community / traditional dispute resolution mechanisms* where grievances and complaints are brought to community governance bodies for discussion and where community governance structures are empowered to mediate with government and other partners to obtain resolution.
- c. *Independent, third party mechanisms* through which grievances and complaints are brought to bodies operating or established in the community for discussion and these organisations are empowered to mediate with parties to obtain resolution.
- d. *Specific programme based monitoring and redress mechanisms* established as part of the resettlement process with the specific mandate to monitor implementation, identify potential conflicts and injustices and report these to the appropriate authorities or intervene directly to resolve them. These bodies should conduct regular monitoring visits to all resettlement sites. For example a special unit at regional government level or a committee at woreda level to report on progress and investigate and/or resolve complaints and grievances or refer these for resolution to the programme oversight bodies. There could, for example, be a quarterly meeting of the programme oversight bodies preceded by site visits to the resettlement sites at which issues arising can be discussed and resolved.

2. Guidelines and Principles related to resettlement:

- 1- Resettlement of communities should be avoided where feasible, or minimized, exploring all viable options and alternatives first.
- 2- Where resettlement is considered it should be on a voluntary basis and resettled persons and communities should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programmes.
- 3- Individuals and communities affected by resettlement should be:
 - (i) informed about their options and rights pertaining to resettlement;
 - (ii) provided with technically and economically feasible resettlement alternatives
 - (iii) able to make choices between these alternatives on the basis of informed consent.
- 4- Processes for planning resettlement should allow sufficient time for adequate needs assessment, feasibility studies, infrastructure and land use planning and consultation and dialogue with resettling and host communities,

- 5- The focus of resettlement planning should be on creating the environment and incentives to encourage people to relocate to areas where their improved standard of living is assured. This means that the development of necessary basic infrastructure and services (eg road access, water, sanitation, health, education) must be in place before relocation takes place.
- 6- In the new resettlement sites, infrastructure and public services should be provided to an acceptable standard to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources should be provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).
- 7- Resettled persons and communities should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to at least pre-resettlement levels. Possible disruption to existing livelihoods and coping mechanisms must be analysed and measures put in place to ensure these are minimized.
- 8- Any resettlement should include measures to ensure that the resettled persons are provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the resettlement, based on clear entitlement criteria.
- 9- Resettlement should respect cultural and ethnic boundaries and dynamics and should be compatible with the cultural preferences of the resettled population and the hosting community. Patterns of community organization in the resettlement area should be based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers' preferences with respect to relocating in preexisting communities and groups are honored. Resettlement planning should include the definition of mechanisms to mitigate and resolve conflicts between resettling and host communities.
- 10- Provision should be made for regular monitoring of resettlement processes, including appropriate and accessible grievance mechanisms to which individuals and groups can take complaints and seek redress.