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## **SUPPORTING DURABLE SOLUTIONS TO URBAN, POST-DISASTER DISPLACEMENT: Challenges and Opportunities in Haiti**

**Angela Sherwood  
Megan Bradley  
Lorenza Rossi  
Rosalia Gitau  
Bradley Mellicker**



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## **AUTHORS**

**Angela Sherwood**, PhD. Candidate, The Dickson Poon School of Law, King's College London

**Megan Bradley**, Fellow in Foreign Policy, Brookings-LSE Project on Internal Displacement, Brookings Institution

**Lorenza Rossi**, Data Analyst and CCCM/E Shelter Information Manager, IOM-Haiti

**Rosalia Gitau**, Esq., Humanitarian Affairs Officer, United Nations OCHA and former Policy and Liaison Officer, IOM-Haiti

**Bradley Mellicker**, Esq., CCCM/Shelter Cluster Coordinator, IOM-Haiti



## CONTRIBUTORS

Qualitative research contributors: Elmita Dorvilias, Maurice Evens-Edson, Farah Monprevil, Professor Jacques Hendry Rousseau, Michel Wilgempson

Quantitative research contributors: Juma Augustin, Vlatko Avramovski, Consnel Beauzile, Jean Mario Bien Aime, Harold Cornet, Martin Carly Francois, Emmanuel Frederique, Felix Gustave, Marguerite Jean, Francois Joseph, Sauvelin Pierre, Rubens Saint Philippe, Professor Jacques Hendry Rousseau

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## EXECUTIVE SUMMARY

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The earthquake that struck Haiti on January 12, 2010 sparked a massive displacement crisis in Port-au-Prince and the surrounding metropolitan area, home to an estimated 2.8 million residents at the time. At the peak of the crisis, over 1,500 camps sheltering 1.5 million internally displaced persons (IDPs) were scattered across Port-au-Prince and surrounding regions. In addition, thousands of IDPs sought shelter with friends and family. Four years later, approximately 147,000 IDPs remain in 271 camps. While these declines are dramatic, it is difficult to determine



the extent to which those uprooted by the earthquake have been able to access truly durable solutions to their displacement, and what should be done to support solutions for those who are still displaced. In a deeply impoverished, urban, post-disaster situation, where vulnerability to future disasters remains high, the very meaning of the concept of “durable solutions” has been challenging to understand and to implement. However, it is clear that the sustainable resolution of displacement is essential to strengthening resilience, and ensuring that all Haitians can benefit equitably from development and enjoy their full range of human rights.

Accordingly, this study examines the question of durable solutions to displacement in Port-au-Prince, recognizing that the challenges faced in Haiti may be a source of insight for responses to other urban, post-disaster displacement crises—which are expected to become more common in the future. The study draws on the results of focus groups in camps and communities, site visits, and in-depth interviews with government officials, donors, local and international NGO representatives, and the staff of international organizations, as well as a survey of 2,576 households (outside camps) in Port-au-Prince. 49.5% of respondent households indicated that they had to leave their homes because of the earthquake; 50.5% indicated that they were not displaced by the disaster. Of those who were displaced in 2010, 74% continue to identify themselves as displaced, even though they were not currently resident in a camp, underscoring that displacement is not limited to camp settings, and the long-term nature of the challenge of rebuilding “home” in the aftermath of disaster.

The main point of reference for this study is the 2010 Inter-Agency Standing Committee (IASC) Framework on Durable Solutions for Internally Displaced Persons (IASC Framework), which lays out rights-based principles and criteria to inform efforts to support durable solutions for IDPs the world over, including those uprooted by natural disasters. The Framework indicates that durable solutions (whether return, local integration or settlement elsewhere in the country) are achieved when IDPs “no longer have any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement.” Following the human rights-based approach of the IASC Framework, this study identifies specific challenges and obstacles to the pursuit of durable solutions for IDPs in Port-au-Prince, and makes recommendations on the way forward. It also reflects on the broader

challenge of effectively applying the IASC Framework in impoverished, post-disaster urban contexts.

### ***Key Findings***

Achieving durable solutions to internal displacement is about more than closing camps. The sustainable resolution of displacement is a long-term process requiring close cooperation between governments and a range of development and humanitarian actors, supporting the solutions IDPs themselves take the lead in crafting. In Port-au-Prince, displacement was associated with prior high levels of impoverishment and vulnerability. IDPs and other members of the urban poor population continue to face many similar challenges; indeed, many stakeholders assume that there are no significant differences between these groups. However, on average, those who were displaced still hold a significantly more vulnerable position for a variety of reasons. Extensive physical destruction, the massive nature of the displacement crisis, and the limited accessibility of urban land have hindered durable solutions. Forced evictions have further compromised many IDPs' ability to find a place to settle, and to create a more stable life in the aftermath of the earthquake. Many of the socio-economic factors underlying exposure to displacement in the first place are, not surprisingly, factors that also inhibit the durable resolution of displacement. These challenges have put certain IDPs at high risk of recurrent patterns of forced eviction, homelessness, disaster-related displacement, and extreme poverty. While very few IDPs perceive themselves to be explicitly discriminated against on the basis of their displacement, the particularly significant challenges that continue to face households uprooted by the earthquake, even outside of camps, are reflected in the following findings:

- **General wellbeing:** 60.9% of surveyed households displaced by the earthquake report that their overall living conditions have worsened since the earthquake, compared to 38.9% of households who did not have to leave their homes. 67% of displaced households indicate that they currently lack the means to provide for their basic needs, compared to 43% of non-displaced households.
- **Insecurity:** 19.8% of respondents from displaced households do not feel safe in their current places of residence, compared to 13.9% of respondents from non-displaced households. A significant relationship exists between displacement and reduced access to police and security services, with 31.4% of displaced households indicating that they currently lack access to these services, compared to 22.8% of non-displaced households. A vast majority feel that trust amongst neighbors has declined since the earthquake (97.7% of displaced households, 96.8% of non-displaced households).
- **Access to essential services:** Displaced households registered the following percentage drops in access to services since the earthquake: water (17% drop), latrines (8.6% drop), and health care (4.1% drop).<sup>1</sup> Loss of access was experienced to a lesser extent by non-displaced households, who reported the following percentage decreases: water (6.0% drop), latrines (3.4% drop), and health care (0.8% drop).

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<sup>1</sup> This means, for example, that while 58% of IDP households reported that they had access to water prior to the earthquake, only 41% reported they have access now, registering a 17% drop in access.

- **Housing:** Displaced households were twice as likely as non-displaced households to experience a decline in their housing situation, with 16.7% of displaced households indicating that their current situation is worse, compared to 8% of non-displaced households. Even before the earthquake, families who ended up being displaced typically faced worse housing conditions than those who did not have to leave their homes when the disaster struck.

## *Conclusions and Recommendations*

Uniform approaches to assist IDPs to leave camps require strategic reflection and revision. More tailored approaches can help ensure that specific needs and vulnerabilities of IDPs are taken into account, and maximize contributions to the durable resolution of displacement. In particular, effective support for durable solutions to displacement requires development interventions at the community level that are sensitive to the particular challenges facing IDPs, at the same time as they benefit the broader community. This process is promisingly in motion, as government, humanitarian and development actors are currently attempting to broaden settlement possibilities for IDPs and provide more integrated support from humanitarian and development actors for the different elements of durable solutions to displacement.<sup>2</sup>

In addressing some of the challenges displacement-affected households and communities face *outside* of camps, this report underscores the need to more decisively incorporate displacement into development and reconstruction efforts from the early stages of disaster response.<sup>3</sup> As it stands, the needs of IDPs living outside of camps are often overlooked, but this population could benefit substantially from strategic, targeted interventions to improve household resilience and economic security, which in many cases has been considerably weakened through the loss of home and household assets. Improved and sustained monitoring and follow-up interventions, tailored according to durable solutions criteria, would greatly enhance national and international actors' ability to navigate difficulties and target those most in need.

Support for durable solutions must be inclusive – that is, the durable solutions needs of uprooted populations in lower-income neighborhoods and in new, informal settlements must not be neglected. The assumptions and risk aversion that have deterred investments in support of durable solutions for these populations will need to be reconsidered and recalibrated, ensuring that interventions in support of solutions are appropriately attuned to particular needs, and to the shared challenges facing displaced households and other members of the urban poor population.

There is a particular need for strengthened advocacy and political engagement at all levels in order to unlock the structural barriers to durable solutions. With its focus on the progressive attainment of human rights and cooperation between humanitarian and development actors, the IASC Framework can helpfully inform this process. However, this depends on raising awareness

<sup>2</sup> See for example [http://reliefweb.int/sites/reliefweb.int/files/resources/HAP\\_2014\\_Haiti.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/HAP_2014_Haiti.pdf).

<sup>3</sup> The report includes a table (see Annex 1) that identifies some of the relevant actions that have or could be undertaken to ensure that the process of supporting durable solutions to displacement is rights-based. The table also lays out the criteria identified in the IASC Framework for determining the extent to which a durable solution has been achieved and identifies possible indicators of progress towards achieving durable solutions in Port-au-Prince.

of this tool, and how it may be implemented, particularly in impoverished, urban, post-disaster scenarios such as Port-au-Prince. Other recommendations include:

- *Strengthen the application of the IASC Framework in post-disaster and urban situations* through: (i) the development of an IASC guidance note on durable solutions in post-disaster, urban contexts, addressing the relationship between durable solutions and issues including urban planning, rental markets, disaster risk reduction, and public space; and (ii) increased training on durable solutions for government officials, national and international development and humanitarian aid workers, and donors.
- *Recognizing that displacement is not simply a humanitarian issue but an important development challenge, integrate displacement and durable solutions into relevant plans and policies* at the local, national and international levels, including urban, housing, and development plans. Training and other forms of support may be necessary to achieve this goal.
- *Enhance cross-sectoral support for durable solutions*, linking interventions such as rental subsidy cash grants to initiatives tailored to support the sustainable resolution of displacement, including livelihoods programs, and programs to increase access to documentation, micro-credit and financial services in displacement-affected communities.
- *Increase support for and engagement of local actors* whose contributions are essential to a sustained response to the causes and consequences of displacement.
- *Promote alternative and differentiated support for IDPs remaining in camps*, including regularization and integration where relevant.
- *Support the safe expansion of the rental market, and the construction of new housing units*, including through social housing programs, facilitation of private credit for reconstruction, subsidies and technical instruction for self-construction, and “sites and services” approaches that increase tenure security and the affordability of housing, and provide essential services to IDPs who may remain in the longer term in the areas where they sought shelter.
- *Invest in disaster risk reduction efforts* as key elements of durable solutions.
- *Strengthen the protection focus* of durable solutions support, including through more concerted and sustained advocacy on illegal evictions from camps and communities, and training for police forces on evictions standards.



## ACRONYMS

<b>CCCM</b>	Camp Coordination Camp Management
<b>CIAT</b>	Comité Interministériel d'Aménagement du Territoire (Inter-Agency Commission on Land Use Planning)
<b>DTM</b>	Displacement Tracking Matrix
<b>HC</b>	Humanitarian Coordinator
<b>HLP</b>	Housing, land and property
<b>IASC</b>	Inter-Agency Standing Committee
<b>IDPs</b>	Internally Displaced Persons
<b>IOM</b>	International Organization for Migration
<b>MTPTC</b>	Ministère des Travaux Publics, Transports et Communications (Ministry of Public Works, Transport and Communication)
<b>NGOs</b>	Non-governmental organizations
<b>OAS</b>	Organization of American States
<b>OLTB</b>	Overcoming Land Tenure Barriers
<b>RC</b>	Resident Coordinator
<b>RPQA</b>	Recensement des Populations et Quartiers Affecte par le Tremblement (Census of Affected Populations and Neighborhoods)
<b>SDE</b>	Sections d'énumération (enumeration sections)
<b>SGBV</b>	Sexual and gender-based violence
<b>UCLBP</b>	Unité de Construction de Logements et de Bâtiments Publics (Unit for Construction of Housing and Public Buildings)
<b>UN</b>	United Nations
<b>USAID</b>	United States Agency for International Development
<b>WASH</b>	Water, sanitation and hygiene

## INTRODUCTION

The earthquake that struck Haiti on January 12, 2010 resulted in an estimated 220,000 deaths, the destruction of thousands of buildings, and a massive displacement crisis, particularly in the capital city of Port-au-Prince and the surrounding metropolitan area, home to an estimated 2.8 million residents at the time.<sup>4</sup> At the peak of the crisis, over 1,500 camps sheltering 1.5 million internally displaced persons (IDPs) were scattered across Port-au-Prince and surrounding regions.<sup>5</sup> In addition to those living in camps, thousands of IDPs sought shelter with friends and family. Four years after the disaster, approximately 147,000 IDPs remain in 271 camps.<sup>6</sup> While these declines are dramatic, it is difficult to determine the extent to which those uprooted by the earthquake have been able to access truly durable solutions to their displacement, and what should be done to support durable solutions for those who are still displaced. In a deeply impoverished, urban, post-disaster situation, the very meaning of the concept of “durable solutions” has been challenging to understand and to implement. Yet in Haiti and elsewhere it is clear that the sustainable resolution of displacement is essential to strengthening resilience, and ensuring that IDPs and their neighbors can benefit equitably from development processes and enjoy their full range of human rights.



Accordingly, this study examines the question of durable solutions to displacement in the post-disaster, urban context of Port-au-Prince, recognizing that the challenges faced in Haiti may be a source of insight for responses to other urban, post-disaster displacement crises—which are expected to become more common owing to continued urbanization around the world, and increasingly severe disasters linked to climate change.<sup>7</sup> The key point of reference for this discussion is the 2010 Inter-Agency Standing Committee (IASC) Framework on Durable Solutions for Internally Displaced Persons (IASC Framework), which was developed under the leadership of the former UN Representative of the Secretary-General on the Human Rights of Internally Displaced Persons. It lays out rights-based principles and criteria to inform efforts to

<sup>4</sup> Government of Haiti, *Haiti Earthquake PDNA: Assessment of damage, losses, general and sectoral needs*, March 2010, pp. 5 ([www.lessonsfromhaiti.org/download/Report\\_Center/PDNA\\_English\\_original.pdf](http://www.lessonsfromhaiti.org/download/Report_Center/PDNA_English_original.pdf)).

<sup>5</sup> The 1998 Guiding Principles on Internal Displacement state that internally displaced persons are those 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.” While attention in Haiti has focused primarily on IDPs uprooted by the earthquake who are living in camps, it is important to recognize that the concept of an IDP articulated in the Guiding Principles is not contingent on residency in a camp. The Government of Haiti’s emergency management system also does not define displacement in terms of residency in camps.

<sup>6</sup> IOM, *Haiti Displacement Tracking Matrix V2.0 Update*, 10 January 2014, pp. 1 ([www.iomhaitidataportal.info/dtm/index2.aspx](http://www.iomhaitidataportal.info/dtm/index2.aspx)). On challenges facing IDPs outside camps, see [www.brookings.edu/~media/Projects/idp/HRC2011Report\\_English.PDF](http://www.brookings.edu/~media/Projects/idp/HRC2011Report_English.PDF).

<sup>7</sup> Elizabeth Ferris, “Megatrends and the future of humanitarian action,” *International Review of the Red Cross*, vol. 93, no. 884, December 2011 ([www.icrc.org/spa/assets/files/review/2011/irrc-884-ferris.pdf](http://www.icrc.org/spa/assets/files/review/2011/irrc-884-ferris.pdf)).

support durable solutions for IDPs, including those uprooted by natural disasters. The Framework indicates that durable solutions are achieved when IDPs “no longer have any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement.”<sup>8</sup> As the Framework recognizes, there are three principal durable solutions to internal displacement:

- *Sustainable return and reintegration* of IDPs in their places of origin;
- *Sustainable local integration* of IDPs in the areas where they sought shelter; and
- *Sustainable settlement* and integration of IDPs elsewhere in the country.<sup>9</sup>

On the basis of the rights-based approach laid out in the IASC Framework, this study seeks to identify specific challenges and obstacles to the pursuit of durable solutions for Haitian IDPs and make recommendations to address these obstacles. Building on this analysis, the study also reflects on the broader challenge of effectively applying the IASC Framework in complex, post-disaster urban environments.

## ***Summary of Key Findings***

Although a number of major efforts have been made to assist those uprooted by the earthquake over the past four years, several challenges must be overcome to help Haitian IDPs achieve durable solutions to their displacement. The results of the study underline that while leaving a camp is an important step, this does not necessarily mean that IDPs have been able to access a durable solution to their displacement. Displaced and non-displaced low-income Haitians face many similar and inter-related challenges, but many urban IDPs in camps and neighborhoods are particularly vulnerable for a variety of reasons. Extensive physical destruction, the massive nature of the displacement crisis, and the limited accessibility of urban land have hindered durable solutions. Forced evictions have further compromised many IDPs’ ability to find a place to settle, and to create a more stable life in the aftermath of the earthquake. Many of the socio-economic factors underlying exposure to displacement in the first place are, not surprisingly, factors that also inhibit sustainable settlement and an adequate standard of living in the post-disaster context. These challenges have put certain IDPs at high risk of recurrent patterns of forced eviction, homelessness, disaster-related displacement, and extreme poverty.

Given varying vulnerabilities within the IDP population itself, uniform approaches currently pursued by national and international actors to assist IDPs to leave camps requires strategic reflection and revision. More tailored approaches can help to ensure that the needs and vulnerabilities of IDPs are taken into account, and that opportunities to support the durable resolution of displacement are maximized. This process is promisingly in motion, as government, humanitarian and development actors are attempting to broaden settlement

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<sup>8</sup> *Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons*, April 2010, pp. A-1 ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).

<sup>9</sup> In Haiti, the term “return” is often used to denote IDPs leaving camps to move back to their communities of origin, even if they were not able to resume living in their former homes, which in many cases were destroyed or no longer affordable. Many uprooted families sought shelter and, eventually, a durable solution to their displacement, within their own neighborhoods or communes of the city.

possibilities for IDPs and provide more integrated support.<sup>10</sup> Nevertheless, in addressing some of the challenges displacement-affected households and communities face *outside* of camps, this report underscores the need to more decisively incorporate displacement into development and reconstruction efforts from the early stages of disaster response. As it stands, the needs of IDPs living outside of camps are often overlooked, but this population could benefit substantially from strategic, targeted interventions to improve household resilience and economic security, which in many cases has been considerably weakened through the loss of home and household assets. Improved and sustained monitoring in communities, tailored according to durable solutions criteria, would greatly enhance national and international actors' ability to navigate difficulties and target those most in need.

Support for durable solutions must be inclusive – that is, the durable solutions needs of uprooted populations in lower-income neighborhoods and in new, informal settlements must not be neglected. The assumptions and risk aversion that have deterred investments in support of durable solutions for these populations will need to be reconsidered and recalibrated, ensuring that interventions in support of solutions are appropriately attuned to particular needs, and to the shared challenges facing displaced households and other members of the urban poor population.

At the same time, there is a specific need for advocacy and political engagement at all levels in order to unlock the structural barriers to durable solutions for IDPs. With its focus on the progressive attainment of human rights and cooperation between humanitarian and development actors, the IASC Framework can helpfully inform this process. However, this depends on raising awareness of this tool, and how it may be implemented, particularly in impoverished, urban, post-disaster scenarios such as Port-au-Prince.

## ***Methodology***

This mixed-methods research project had two main objectives. The first was to identify specific challenges and obstacles to the pursuit of durable solutions for IDPs in Port-au-Prince, and to make recommendations based on the approach laid out in the IASC Framework. The second was to examine the challenges associated with the pursuit of durable solutions and the application of the IASC Framework in complex, post-disaster, urban environments, building on insights from experiences in Port-au-Prince. In order to pursue these objectives, the study relied on quantitative and qualitative methods to identify challenges and vulnerabilities related to displacement and durable solutions, and to understand the context, meaning, history and implications of efforts to support durable solutions in Haiti. The study was conducted by the International Organization for Migration and the Brookings-LSE Project on Internal Displacement; data was collected between October and December 2013.

The quantitative element of the methodology involved the development and administration of a questionnaire to probe the respondent households' post-earthquake displacement history; the pre- and post-earthquake conditions enjoyed by IDPs and non-IDPs; the criteria for the attainment of durable solutions laid out in the IASC Framework; and, where relevant, involvement in the

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<sup>10</sup> See for example [http://reliefweb.int/sites/reliefweb.int/files/resources/HAP\\_2014\\_Haiti.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/HAP_2014_Haiti.pdf).

lasting solutions process.<sup>11</sup> By gathering data from households that were and were not displaced due to the earthquake, the survey tested the associations between the experience of displacement and the conditions and challenges facing respondent households before and after the disaster.

The survey was based on a random, one-stage cluster sample of 2,576 households. The sample was identified on the basis of the updated, geo-referenced list of all buildings in the seven communes of the Port-au-Prince metropolitan area (sampling frame) that was developed in the context of the “Census of Affected Populations and Neighborhoods” program (*Recensement des Populations et Quartiers Affectés par le Tremblement - RPQA*) conducted in 2012 and 2013 by IOM and the Haitian National Institute of Statistics; it followed the same selection logic in considering only areas with significant levels of damage. The sampling universe was therefore composed of enumeration sections (SDE) in which, according to the Ministry of Public Works, Transportation and Communication (*Ministère des Travaux Publics, Transports et Communications* – MTPTC) post-earthquake building assessment, more than 25% of buildings were destroyed.<sup>12</sup> This sample was appropriate for the purposes of the study as it enabled the capture of data from a wide range of different types of households that were likely to have been significantly affected by the disaster, including through displacement. Each SDE was divided into units of approximately 100 buildings, from which a random sample of 20 units was extracted; all households in each residential unit were invited to participate in the survey, with the head of household or an individual adult able to provide the relevant information participating on behalf of the household.<sup>13</sup> When respondents from selected households were absent, survey teams returned to the unit at a later time or on weekends to conduct the questionnaire. In total the questionnaire was administered to 2,576 families living in 2,335 buildings in 20 units across seven communes (Carrefour, Cité Soleil, Croix des Bouquets, Delmas, Pétionville and Port-au-Prince), with a 1.96% rate of refusal.

1,274 or 49.5% of respondent households indicated that they had to leave their homes because of the earthquake; 1,302 or 50.5% indicated that they were not displaced by the earthquake. These proportions are consistent with prior estimates of the scale of displacement caused by the earthquake. Of those who indicated that they were displaced after the earthquake, 74% indicated that they still continued to be displaced, even though they were not residing in a camp.<sup>14</sup> This underscores that displacement is not limited to camp settings, and the long-term nature of the challenge of rebuilding “home” in the aftermath of disaster. 51.3% of the households that were displaced after the earthquake spent time in areas they identified as camps; others sought shelter with host families in Port-au-Prince, in the countryside or elsewhere. The study design and statistical test (Chi square) used in the analysis of data from surveyed households that had and

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<sup>11</sup> The survey was developed in English, translated into Creole, field tested twice, refined and administered by trained IOM staff in cooperation with Haitian researchers from the Institut des Hautes Etudes Commerciales et Economiques (IHECE) over a five week period.

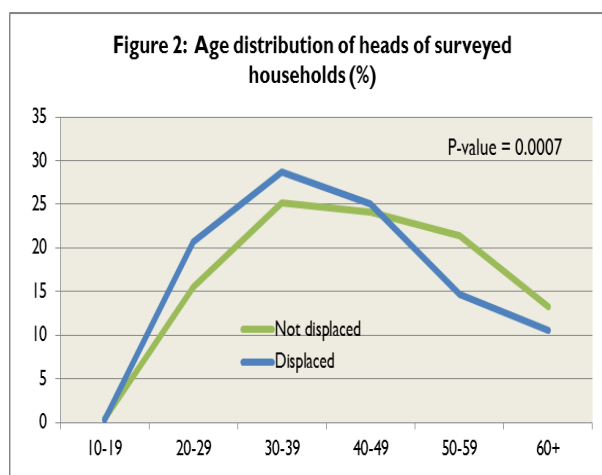
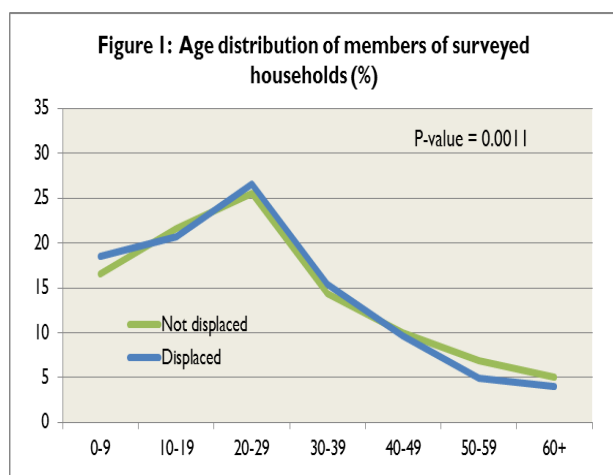
<sup>12</sup> This assessment classified buildings as green (no damage), yellow (damaged but possible to repair), or red (destroyed or impossible to repair).

<sup>13</sup> The RPQA list includes buildings of all kinds, formal and informal.

<sup>14</sup> In communicating the results of the survey, terms such as “displaced households” are used in this report to refer to the 49.5% of households surveyed who declared that they had to leave their places of residence due to the earthquake, recognizing that some households in this group (less than 26%) no longer consider themselves to be displaced. The term is used in relation to the households’ initial experience of displacement, rather than as a description of the current situation facing all households included in this group.

had not experienced displacement due to the earthquake enabled statistical comparison of the two groups. Data were analysed in SAS 9.1 using the procedure PROC SURVEYFREQ. All analyses were done taking into account the sampling structure of clustered data, or the cluster design.

Qualitative methods were used to deepen the perspectives on displacement and durable solutions gained through the quantitative data. A literature review was also undertaken to inform the research focus and to contextualize fieldwork results. The qualitative methods used included seven focus group discussions with IDPs and non-displaced community members; site visits to camps, “T-shelter villages” (camps with transitional shelter housing, with potential for sites and services upgrades and integration into the adjacent communities), and rental subsidy recipients; and two group discussion sessions and twenty-five in-depth interviews with stakeholders involved in the earthquake response, including government officials, donors, representatives of international organizations, and staff of local and international NGOs. Purposive sampling was used to identify communities in which to undertake focus groups, and key informants well placed to provide a range of perspectives on the circumstances, challenges and opportunities for durable solutions in Haiti. The focus groups were conducted in Carrefour, Croix des Bouquets (Onaville), Cité Soleil, Pétionville and Delmas, and involved IDPs remaining in or forcibly evicted from camps; IDPs in T-shelter villages; IDPs in “informal” urban communities that are not classified as planned “resettlement” or “local integration” areas; and community members who were affected by the earthquake but not displaced. Conclusions and recommendations were formulated through integrated analysis of the quantitative and qualitative data gathered on the circumstances, challenges and opportunities IDPs face in seeking a durable solution to their displacement.





# DURABLE SOLUTIONS TO DISPLACEMENT AND THE IASC FRAMEWORK: A BRIEF INTRODUCTION

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Building on the UN Guiding Principles on Internal Displacement, the IASC Framework “describes the key human rights-based principles that should guide the search for durable solutions, and establishes criteria that determine to what extent a durable solution has been achieved.”<sup>15</sup> As the Framework stresses, the resolution of displacement is a complex, gradual and typically long-term process that requires cooperation and coordination between a wide range of humanitarian, development, and human rights actors. National authorities bear



primary responsibility for upholding IDPs’ right to a durable solution; local and international organizations and donors often play critical roles in supporting states in executing this obligation. According to the Framework, IDPs have the right to make voluntary and informed choices regarding the resolution of their displacement, and to participate actively and equitably in the planning process. Indeed, governments, NGOs and international organizations do not “provide” durable solutions for IDPs; rather, they support IDPs who, in Haiti and elsewhere, take the lead in crafting solutions to their displacement. Whether IDPs return, locally integrate, or settle elsewhere in the country, they should not be discriminated against on account of having been displaced. At the same time, the rights and needs of non-displaced community members “must not be neglected in comparison with the displaced.”<sup>16</sup>

Four key criteria shape the extent to which durable solutions have been secured. The Framework indicates that IDPs who have achieved a durable solution will enjoy without discrimination:

- Long-term safety, security and freedom of movement;
- An adequate standard of living, including at a minimum access to adequate food, water, housing, health care and basic education;
- Access to employment and livelihoods; [and]
- Access to effective mechanisms that restore their housing, land and property or provide them with compensation.

In addition, depending on the context, durable solutions may require that IDPs have the opportunity to equitably enjoy:

- Access to and replacement of personal and other documentation;
- Voluntary reunification with family members separated during displacement;

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<sup>15</sup> *IASC Framework on Durable Solutions for Internally Displaced Persons*, April 2010, pp. V ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).

<sup>16</sup> *Ibid.*, pp. A-3.

- Participation in public affairs at all levels on an equal basis with the resident population; and
- Effective remedies for displacement-related violations, including access to justice, reparations and information about the causes of violations.

At the time this study was conducted, the IASC Framework and the rights-based approach to durable solutions that it maps out were not, for the most part, well-known amongst national and international actors leading the response to the displacement crisis that resulted from the January 2010 earthquake. However, actors familiar with the Framework often expressed the concern that in a context like Haiti, where most citizens live below even minimum humanitarian standards, the Framework's conception of durable solutions and the criteria it establishes seem difficult, if not impossible, to achieve. Further, many suggested that while the Framework is intended to inform both post-conflict and post-disaster situations, its focus on discrimination seems most relevant in conflict contexts, while some of the challenges encountered in urban disaster scenarios, from the removal of massive amounts of rubble to the management of urban land, rental stock and public spaces are given little attention. Accordingly, many national and international actors involved in the response to IDPs in Haiti came to equate the end of displacement with the closure of camps, and established as a goal the restoration of the "status quo ante" – the conditions that existed before the earthquake – rather than the achievement of the more ambitious criteria identified in the IASC Framework. While recognizing the complex realities, operational limitations and frustrations underpinning these perspectives, this study is premised on the view that even in a highly impoverished country such as Haiti, where the majority of citizens do not enjoy their basic rights or adequate standards of living, the concept of durable solutions established in the IASC Framework remains highly relevant as an aspiration to be *progressively realized* for the benefit of all citizens and communities, displaced and non-displaced alike.

## THE POST-EARTHQUAKE DISPLACEMENT CRISIS: BACKGROUND AND EVOLUTION OF RESPONSES

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By most measures, Haiti was considered the poorest country in the Western Hemisphere before the earthquake. In 2009, for example, Haiti ranked 145 of 182 countries on the UN Human Development Index, the lowest in the Western Hemisphere. Factors such as massive deforestation, and lack of effective disaster response systems rendered the country extremely vulnerable to natural disasters in the countryside as well as in crowded urban centers such as Port-au-Prince, where the metropolitan area population exploded from less than 800,000 in 1982 to over 2.8 million in 2010, without infrastructure sufficient to support such a population increase.<sup>17</sup> Even before the earthquake, Haiti suffered from a housing shortage estimated at 300,000 units. As a result of the earthquake, an estimated 105,000 houses were destroyed and over 188,000 were badly damaged, causing a massive internal displacement crisis.<sup>18</sup> The challenge of rebuilding housing stock sufficient for Port-au-Prince residents should therefore not be underestimated.



### *Brief Overview of Displacement Patterns*

At the peak of the crisis, an estimated 1.5 million IDPs lived in 1,555 camps in the Port-au-Prince metropolitan region and in and around secondary cities to the south. In addition to camp-based IDPs, an estimated 630,000 IDPs lived with host families in various locations around the country or went to neighboring countries including the Dominican Republic and the United States.<sup>19</sup> In the period immediately following the earthquake, the delivery of large-scale humanitarian assistance focused heavily on the camps due to the massive scale of displacement: nearly half the population of Port-au-Prince was living in a tent camp. Over time, this created a pull factor into the sites, and led to some population movement into Port-au-Prince from rural areas.<sup>20</sup>

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<sup>17</sup> Richard A. Haggerty, ed. *Haiti: A Country Study*. Washington: GPO for the Library of Congress, 1989. <http://countrystudies.us/haiti/21.htm>.

<sup>18</sup> See Disasters Emergency Committee, Facts and Figures. [www.dec.org.uk/haiti-earthquake-facts-and-figures](http://www.dec.org.uk/haiti-earthquake-facts-and-figures).

<sup>19</sup> IDMC, *Haiti: Earthquake IDP movements out of the metropolitan area of Port-de-Prince in January 2010*, 12 December 2012 (<http://reliefweb.int/map/haiti/haiti-earthquake-idp-movements-out-metropolitan-area-port-de-prince-january-2010>).

<sup>20</sup> Indeed, international actors who worked in Haiti for period of time both before and after the earthquake lamented that while humanitarian assistance was in urgent need after the disaster, simultaneous programs aiming to improve living conditions and stabilize secondary cities could potentially have curtailed at least some of the population movements into Port-au-Prince in the post-earthquake period. On rural-urban migration patterns in post-earthquake Haiti, see for example URD (2011), *Beyond emergency relief in Haiti*, [www.alnap.org/resource/6044](http://www.alnap.org/resource/6044) and URD, *Reconstruction et environnement dans la région métropolitaine de Port-au-Prince: Cas de Canaan ou la naissance d'un quartier ex-nihilo* (2012). Patterns of displacement caused by the earthquake intersected with ongoing

The numbers of IDPs in camps reduced progressively over the subsequent period. By January 2011, some 810,000 people remained in camps; in January 2012, approximately 516,000; 347,000 in January 2013; and by January 2014, some 147,000 people remained in camps. The vast majority of IDPs were displaced within their own neighborhoods, and remained in the same communes upon leaving camps. Various reasons help explain the departure of over 1.35 million people from camps since 2010. IOM's Displacement Tracking Matrix (DTM) indicates that since the earthquake, just over 246,000 households left the camps spontaneously; over 59,000 households left because they accessed alternative housing or other assistance (see below); and over 16,000 households were forcibly evicted.<sup>21</sup> There was also significant movement into and between camps, primarily for economic reasons such as lack of livelihood opportunities and inability to pay rent (the great majority of Port-au-Prince residents were renters before the earthquake). Some camps progressively took on features of surrounding impoverished (slum) areas, and in some cases became indistinguishable from them. Living conditions in camps varied depending on the area, level of external humanitarian assistance and other factors, but most were marked by overcrowding, poor sanitary conditions, high security risks, and little support for accessing durable solutions to displacement.

In March 2010, the Government of Haiti decreed by eminent domain that 7,450 hectares of land to the north of Port-au-Prince were to be used to relocate victims of the earthquake, and facilitate the decongestion of particular areas of Port-au-Prince.<sup>22</sup> International actors began development of two sites in this “outskirts” or peri-urban area for the relocation of almost 10,000 IDPs from camps inside Port-au-Prince considered to be at high risk of flooding or other natural hazards. These sites began as planned tent camps, and by early 2011, all relocated IDPs had moved into transitional shelters. Around the same time, large-scale population movements began from Port-au-Prince and other areas towards the newly-decreed land, with many hoping that this would be an opportunity to be able to own or at least occupy available land. These areas, known as Canaan, Jerusalem and Onaville, became home to large numbers of informal settlers, of which an unknown number were former residents of Port-au-Prince IDP camps. Some of these IDPs were evicted from camps; others likely received assistance such as rental subsidies, and used portions of their subsidies to construct more permanent dwellings.<sup>23</sup> At the end of 2010, approximately 11,200 people lived in these areas; by September 2013 the estimated population of the areas was 14,100 households.

### ***Key Interventions Related to Durable Solutions***

As the emergency response evolved, it became apparent that “life-saving assistance” alone would be insufficient to resolve the displacement crisis. While a comprehensive, national durable solutions strategy was never developed by the government and partners working within the cluster system, a wide range of actors were involved in diverse interventions related to the resolution of displacement, with the majority of attention focused on IDPs’ housing needs. These

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instances of displacement associated with hurricanes and major storms. See for example, [www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/1B05AF1A05ED2914C1257C360058DDF0/\\$file/201312-am-risk-of-disaster-induced-displacement-en.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/1B05AF1A05ED2914C1257C360058DDF0/$file/201312-am-risk-of-disaster-induced-displacement-en.pdf).

<sup>21</sup> The DTM provides regularly updated information on existing IDP sites and the earthquake affected populations that remain in these sites.

<sup>22</sup> Focus was initially on the Pétienville Club.

<sup>23</sup> This perspective was expressed in focus groups with affected populations and interviews with key stakeholders.

nationally and internationally supported initiatives supplemented IDPs' own efforts to secure solutions to their displacement, using the resources at their disposal, however limited. Indeed, international aid was a drop in the ocean of recovery work done in the aftermath of the disaster: only a small minority of displaced households interviewed declared that they received assistance from NGOs or international actors to leave the places to which they were displaced, whether camps or host family residences.

Key interventions related to durable solutions included the rapid assessment of damaged buildings, support for rubble removal and housing repairs, and the provision of rental subsidies and various forms of shelters including T-shelters (most provided within 12-18 months of the earthquake), T-shelter upgrades, progressive/semi-permanent housing (so-called "P-shelters"), and in some limited cases permanent housing. Some support was also provided for efforts to address politically sensitive land tenure issues, recognizing that the vast majority of IDPs (and Haitians in general) had little or no documentation of their pre-earthquake ownership or occupancy rights. Unable or unwilling to construct shelters without a degree of clarity on land claims and tenure rights, some humanitarian actors began to delve into land and property rights, implementing programs to clarify the residential status of earthquake-affected populations preceding the earthquake. Such programs included, for example, participatory enumeration activities, the facilitation of rental agreements between IDP renters and landlords, and in urgent cases, mediating eviction threats.



Many of the humanitarian actors involved in interventions intended to respond to longer-term durable solutions concerns felt that they were intervening at the limits of their mandates, but determined that this was necessary owing to concerns about the slow pace of response from the government and other development actors. An informal division of labor emerged between the humanitarian and development communities, under which IDPs living in camps were seen as the responsibility of humanitarian actors, while development actors focused attention on issues such as community reconstruction and neighborhood development. For the most part, both groups of actors agreed that the majority of camps would need to be closed and neighborhoods rebuilt, although relations between different groups of actors became tense at times as there were varying perspectives on methods of achieving these goals, and the appropriate timelines. Arbitrary divisions of responsibility for populations inside and outside of camps were particularly problematic because these groups faced many shared concerns, with the sustainability of solutions to displacement requiring development interventions at the community level that were sensitive to the particular challenges facing IDPs, at the same time as they benefitted the broader community. Cooperation between humanitarian and development actors improved through the complementary implementation of rental subsidy programs alongside community development efforts in disaster-affected neighborhoods. Rental subsidy programs were intended to provide a stepping-stone out of camps and, implemented in conjunction with neighborhood reconstruction, support the smooth relocation of IDPs into housing arrangements outside camps. The government-led 16/6 project, which envisioned the reconstruction of 16 earthquake-affected



neighborhoods and the closing down of six major, related camps through the rental subsidies mechanism, was the flagship program of the rental subsidies mechanism.

Ultimately, rental subsidies became the housing support intervention that was provided to the second-largest number of IDP households in Haiti (following the provision of T-shelters, the most common internationally-supported intervention – see Table 1), and in 2012 became the primary intervention related to displacement. Under this model, IDPs leaving camps were provided with funds intended to cover one year’s rent. The rental subsidy program was premised on the recognition that by January 2012, some 78% of IDPs remaining in camps were renters who lacked the funds to pay the obligatory one year of rent up front. The rental subsidy mechanism was generally offered to all households resident in targeted camps, with a view to closing the camp once the residents had been assisted to find alternative accommodation. With some variations, displaced households received \$650 towards one year’s rent; this figure was based on the average rental costs incurred by low-income families in Port-au-Prince.<sup>24</sup> The program also assumed that landlords would reinvest at least a portion of the money into improving or creating new rental units, thereby helping to alleviate the housing shortage. Participating IDP families identified their rental unit; the funds were issued after verification that the unit met basic safety standards. While the rental subsidy program was effective in facilitating camp closures, *durable* solutions remain elusive for many rental subsidy recipients who have been unable to remain in their rented accommodation after one year.<sup>25</sup>

Ideally, in the context of programs such as 16/6, IDPs leaving camps would benefit alongside their neighbors from reconstruction and development initiatives informed by participatory planning processes. With a view to improving sustainability, some rental subsidy programs included components such as livelihoods support through skills training or husbandry elements; support for access to health care through insurance programs; or the provision of an additional cash grant that could be used at the recipients’ discretion, often to pay tuition, clear debts, or restart a small business. The nature, quality and impact of the additional support provided to rental subsidy recipients appears to have varied considerably.

More recently, humanitarian and development actors have been considering the possibility of “regularizing” some camps that have the potential to be integrated into the surrounding areas. Variations of regularization are being explored and undertaken from the transformation of some camps into communities through the construction of homes (including through facilitation and provision of technical assistance for self-construction), public infrastructure, and provision of livelihoods opportunities on site, to the provision of cleared title and “sites and services” to complement displaced families’ own investments in shelters (see Box 1).

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<sup>24</sup> This amount was split between a \$500 cash grant for rent, and an additional grant of \$150 that was transferred at a later point following verification that the recipient had taken up residency at the chosen rental property.

<sup>25</sup> An external evaluation of the program (conducted with a methodology that was questioned by many stakeholders) found that within a year of receiving a rental subsidy cash grant, 75% of recipients moved away from the residence they rented with the subsidy. Of those who moved, 49% indicated that this was because they were unable to continue to pay the rent; 26% reported that they moved because of problems with their landlords. See the Institute for Justice and Democracy in Haiti, [www.ijdh.org/wp-content/uploads/2013/06/Haiti-Rental-Grant-Evaluation-the-WolfGroup.pdf](http://www.ijdh.org/wp-content/uploads/2013/06/Haiti-Rental-Grant-Evaluation-the-WolfGroup.pdf).



*Table 1: Housing support provided by CCCM/Shelter Cluster Partners (CCCM/Shelter Cluster, October 2013)*

<b>Shelter Type</b>	T-Shelter	Rental Subsidies	Housing Repair	T-Shelter Upgrade	Permanent Housing Construction
<b>Number Provided</b>	<ul style="list-style-type: none"> <li>• 113,595 Completed</li> <li>• 1,407 Planned</li> </ul>	<ul style="list-style-type: none"> <li>• 54,758 Completed</li> <li>• 9,042 Planned</li> </ul>	<ul style="list-style-type: none"> <li>• 26,547 Completed</li> <li>• 8,618 planned</li> </ul>	<ul style="list-style-type: none"> <li>• 8,563 Completed</li> <li>• 1,640 Planned</li> </ul>	<ul style="list-style-type: none"> <li>• 7,515 Completed</li> <li>• 9,941 Planned</li> </ul>

## TOWARD DURABLE SOLUTIONS TO DISPLACEMENT IN PORT-AU-PRINCE

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This section provides a general overview of the key obstacles to the pursuit of durable solutions to displacement in Port-au-Prince. This is followed by more detailed analyses of the durable solutions process in Port-au-Prince, and the struggle to realize the different criteria for the attainment of durable solutions to displacement laid out in the IASC Framework.

### *Key Obstacles*

Successes in advancing durable solutions in Port-au-Prince have been hard-fought in the face of severe obstacles. These include, most obviously, the massive scale of death and destruction caused by the earthquake. More than a quarter of government officials in the capital were killed, undercutting the government's capacity to respond to survivors, the vast majority of whom were already poor. As in many crises, the choices made in the emergency stage, particularly reliance on camp-based aid distribution, definitively shaped the landscape for durable solutions in ways not appreciated at the outset.<sup>26</sup> Immense and immediate humanitarian needs detracted attention from longer-term concerns like durable solutions, and encouraged reliance on “one-size-fits-all” interventions that could be implemented relatively quickly, but were not tailored to IDPs' particular concerns, vulnerabilities and durable solutions needs. These obstacles were compounded by the cholera outbreak, political volatility, a “tsunami of NGOs,” many with little local expertise, and insufficient engagement of local, community-based organizations. Extensive staff turn-over and lack of accountability mechanisms generated mistrust amongst actors of various backgrounds, while high and sometimes unrealistic expectations in combination with frustration over wasted resources led to anger in many communities.



The severity of the disaster was rooted in, and further exacerbated, Haiti's development challenges, which represented perhaps the greatest obstacle to durable solutions. Those displaced by the disaster, particularly to camps, were already amongst the most socio-economically vulnerable sectors of the population (see Table 2). While very few IDPs perceived themselves to be explicitly discriminated against on the basis of their displacement, having to leave their homes further undercut the wellbeing of households that already faced precarious conditions, with 60.9% of displaced families reporting that their overall living conditions have worsened since the earthquake, compared to 38.9% of non-displaced families. Further, displacement in Port-au-Prince is associated with greater exposure to insecurity and lack of access to housing and livelihoods. Yet the perception persisted amongst many actors that IDPs were living in the same

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<sup>26</sup> Significantly, the provision of T-shelters and support for reconstruction and repairs did not focus primarily on families living in camps. 65% of the T-shelters provided were received by families outside camps. See for example IDMC, Haiti: A humanitarian crisis in need of a development solution, [www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/E8E09D496D1EAEF1C1257ADA003F5222/\\$file/haiti-overview-dec2012.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/E8E09D496D1EAEF1C1257ADA003F5222/$file/haiti-overview-dec2012.pdf), p. 20.

conditions before the earthquake, and do not face any vulnerabilities different from other poor Haitians, assumptions that have been difficult to address because of the lack of data about pre-earthquake conditions, and the conditions facing IDPs outside camps.<sup>27</sup>

The urban environment also presented a host of obstacles to durable solutions, including difficulty identifying IDPs, particularly outside camps, facilitating neglect of those outside camps. Accessing durable solutions was complicated by the threat of evictions from camps as well as from informal settlements (see Boxes 1 and 2), and by the pre-existing housing crisis in Port-au-Prince: even before the earthquake, there was a shortage of approximately 300,000 affordable housing units.<sup>28</sup> The complexity of the land tenure situation and the lack of available urban land and comprehensive urban planning exponentially increased the difficulty of identifying long-term housing solutions. The fear of creating new slums, and a broader climate of risk aversion, has deterred investment in informal communities where many IDPs are seeking durable solutions.

Overall, despite the scale of the post-earthquake displacement crisis, there was a lack of attention to the concept of durable solutions, particularly within the protection cluster, and disagreement over what durable solutions entail and what the relevant goals should be, with the provision of “temporary” support such as T-shelters and rental subsidies designed to alleviate the suffering brought on by life in deteriorating IDP camps, but disconnected in some instances from longer-term thinking. The IASC Framework was not, for the most part, well-known amongst national and international actors at all levels. Many actors understood durable solutions only in terms of camp closures or access to housing, overlooking the cross-sectoral and protection dimensions of durable solutions. Even among those actors familiar with the Framework there were unresolved questions about how it could be operationalized, and concerns that although it calls for equal treatment of IDPs and non-IDPs, supporting durable solutions as per the terms of the Framework would privilege IDPs over other poor and vulnerable populations. Amongst some actors there was a perception that international standards such as the IASC Framework are overly “academic.” For example, in explaining why the government sought to restore pre-earthquake living conditions for IDPs, rather than supporting durable solutions as laid out in the IASC Framework, one government official indicated, “We keep it simple, and that works for us.” Other practitioners suggested that adherence to international standards such as the IASC Framework could inadvertently undermine the sustainability of “solutions,” and the IDPs’ own strategies to improve their conditions.<sup>29</sup> For instance, some suggested that the criteria governing the quality of housing obtained by rental subsidy recipients meant that IDPs moved into better housing than they had before the disaster, which they could not afford to continue renting, undermining the sustainability of the intervention. Such questions, concerns and doubts were raised in various forums, but were not addressed through the timely provision of specialized assistance to raise awareness of the Framework and its implications, navigate these complexities, and support its application.

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<sup>27</sup> On the challenges facing IDPs outside of camps, see for example Brookings-LSE Project on Internal Displacement (2013) *Under the Radar: Internally Displaced Persons in Non-Camp Settings*.

<sup>28</sup> Mennonite Central Committee, *Permanent, Social Housing in Haiti: Recommendations for the US Government*, Summer 2013,

([http://washingtonmemo.files.wordpress.com/2013/10/mcc\\_housing\\_policy\\_brief\\_update\\_june\\_2013.pdf](http://washingtonmemo.files.wordpress.com/2013/10/mcc_housing_policy_brief_update_june_2013.pdf)).

<sup>29</sup> For a more detailed discussion of this tension, see ODI HPG, *Avoiding Reality: Land, Institutions and Humanitarian Action in Post-Earthquake Haiti*.

Strategic planning and coordination were complicated by the involvement of a very wide range of actors with dramatically varying capacities and lenses through which they understand the question of durable solutions. Gradually, national and international actors coordinated the delivery of solutions-related interventions such as rental subsidies, but a broader national durable solutions strategy never materialized, and opportunities were missed to integrate displacement concerns into relevant plans and policies on issues such as housing and development.<sup>30</sup> This prompted one longstanding practitioner to reflect that there was some “*cohesion* in terms of what has unfolded, but this doesn’t mean it’s strategic.” Strategic planning limitations have been exacerbated by the perception, as expressed by UN country team members present in Haiti at the time of research, that “the strategic planning was done long before we were here,” and that now it’s “just plumbing.” Increasing IDPs’ resilience by ensuring adequate support for durable solutions will certainly require revisiting and where necessary revising national and international plans related to relief, reconstruction and development in post-earthquake Haiti. Yet there is a tension between this imperative and the recognition that, as one government official put it, actors cannot always be “going back to the drawing board.” Rather, the challenge is to strike the right balance between recognizing and redressing shortcomings, and achieving continuity in policy implementation.

Cross-sector coordination and planning in support of durable solutions was particularly challenging, in part because displacement was often seen as “humanitarian turf,” despite the origins of displacement crises in development failures, and the negative implications of displacement for development goals. NGO and UN practitioners emphasized the lack of effective advocacy with donors, as well as a lack of strategic coordination among donors, to identify links between programs and secure integrated, longer term support for durable solutions and related disaster risk reduction activities. In many stakeholders’ assessment, durable solutions were also hindered by a lack of effective advocacy, particularly on the part of donors and UN agencies, with the Haitian government to change the “business as usual” approach that privileges the affluent elite over the poor majority, undercutting durable solutions to displacement, and equitable national development processes more broadly.

At the same time, the international community in Haiti took its own “business as usual” approach by not extensively involving local organizations and individuals, sacrificing the increased sustainability that might have been achieved by integrating local insights, and strengthening local capacities.<sup>31</sup> Government involvement has gradually improved, with some stakeholders indicating that the most successful element of the process is increased government ownership of projects related to the resolution of displacement. In part, local involvement and sustainability was undermined by international actors’ “institutional drive” – fueled by donor policies – to

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<sup>30</sup> Many important planning processes, including urban planning processes, are still underway. This suggests that opportunities remain to integrate displacement into local and national plans in a productive manner. However, this reality also reflects the disjuncture that often emerges in post-disaster environments between humanitarian timeframes, political officials’ timeframes, and longer-term development planning.

<sup>31</sup> Just as with the government, engagement with local organizations was limited by the fact that many of these groups lost staff members and premises in the disaster, further undercutting capacity. This led to competition among external actors to work with a small range of Haitian organizations. On the question of increased Haitian civil society involvement, see for example IRIN, HAITI: Civil society wants bigger role in reconstruction, [www.irinnews.org/report/88592/haiti-civil-society-wants-bigger-role-in-reconstruction](http://www.irinnews.org/report/88592/haiti-civil-society-wants-bigger-role-in-reconstruction) and Progressio, Haiti after the earthquake, [www.progressio.org.uk/sites/default/files/Haiti-after-the-earthquake\\_low-res.pdf](http://www.progressio.org.uk/sites/default/files/Haiti-after-the-earthquake_low-res.pdf).

**Table 2: Levels of access to key goods and services before the earthquake, compared to present context (Fall 2013)**

<b>Safety and Security</b>					<b>Health</b>				
Displaced	Worse	Better	Same	Total	Displaced	Worse	Better	Same	Total
No	101	123	1,060		No	127	70	1,093	
%	7.9	9.6	82.6	1,284	%	9.8	5.4	84.7	1,290
Yes	188	159	908		Yes	245	105	914	
%	15.0	12.7	72.4	1,255	%	19.4	8.3	72.3	1,264
<b>Total</b>	<b>289</b>	<b>282</b>	<b>1,968</b>	<b>2,539</b>	<b>Total</b>	<b>372</b>	<b>175</b>	<b>2,007</b>	<b>2,554</b>
<b>Housing</b>					<b>Jobs</b>				
Displaced	Worse	Better	Same	Total	Displaced	Worse	Better	Same	Total
No	103	78	1,107		No	358	17	911	
%	8.0	6.1	86.0	1,288	%	27.8	1.3	70.8	1,286
Yes	210	131	919		Yes	565	30	668	
%	16.7	10.4	72.9	1,260	%	44.7	2.4	52.9	1,263
<b>Total</b>	<b>313</b>	<b>209</b>	<b>2,026</b>	<b>2,548</b>	<b>Total</b>	<b>923</b>	<b>47</b>	<b>1,579</b>	<b>2,549</b>
<b>Education</b>					<b>Credit</b>				
Displaced	Worse	Better	Same	Total	Displaced	Worse	Better	Same	Total
No	77	88	1,123		No	256	24	1,005	
%	6.0	6.8	87.2	1,288	%	19.9	1.9	78.2	1,285
Yes	155	138	971		Yes	485	20	760	
%	12.3	10.9	76.8	1,264	%	38.3	1.6	60.1	1,265
<b>Total</b>	<b>232</b>	<b>226</b>	<b>2,094</b>	<b>2,552</b>	<b>Total</b>	<b>741</b>	<b>44</b>	<b>1,765</b>	<b>2,550</b>
<b>Latrines</b>					<b>Transport</b>				
Displaced	Worse	Better	Same	Total	Displaced	Worse	Better	Same	Total
No	46	121	1,120		No	59	118	1,111	
%	3.6	9.4	87.0	1,287	%	4.6	9.2	86.3	1,288
Yes	116	184	960		Yes	158	193	913	
%	9.2	14.6	76.2	1,260	%	12.5	15.3	72.2	1,264
<b>Total</b>	<b>162</b>	<b>305</b>	<b>2,080</b>	<b>2,547</b>	<b>Total</b>	<b>217</b>	<b>311</b>	<b>2,024</b>	<b>2,552</b>
<b>Water</b>									
Displaced	Worse	Better	Same	Total					
No	228	80	981						
%	17.7	6.2	76.1	1,289					
Yes	438	97	730						
%	34.6	7.7	57.7	1,265					
<b>Total</b>	<b>666</b>	<b>177</b>	<b>1,711</b>	<b>2,554</b>					

achieve high statistics on the number of beneficiaries reached, which some felt would have been compromised by taking the time to work with local groups. As one aid worker put it, “Durability is also the qualitative side of things, but this was all, ‘How many nails did we drive in?’” Where interventions in support of durable solutions did involve locals, it was often difficult to scale these up, and to ensure that they responded appropriately not only to the particular problems facing IDPs, but also to the shared and often severe challenges facing displaced and non-displaced populations alike.

### *The Durable Solutions Process*

The IASC Framework indicates that a rights-based approach to the resolution of displacement should “ensure that IDPs are in a position to make both an informed and voluntary choice on what durable solution they would like to pursue.”<sup>32</sup> As the Framework stresses, IDPs have a role to play in planning and managing durable solutions so that their rights and needs are appropriately considered within humanitarian, recovery and development strategies. A rights-based approach to durable solutions also entails that IDPs have access to humanitarian and development actors and to mechanisms that effectively monitor their situation over time.



A number of systematic efforts have been made to consult IDPs and to ensure the provision of timely and adequate information on options for post-disaster settlement. That said, both the destructive effects of the disaster and the preexisting development challenges in Port-au-Prince constrained the extent to which IDPs truly had the opportunity to make voluntary choices among a range of settlement possibilities. As the number of camp-based IDPs declines and attention to and funding for IDP-specific issues decreases, there are mixed feelings amongst national and international actors on the prospects for enhancing existing durable solutions-related processes. On the positive side, institutional capacity and coordination is improving to broaden options for IDPs. Another encouraging element of the response is that actors have been eager to stress the need for a more integrated approach to durable solutions, and to some extent have revitalized efforts to widen the scope for IDP choice and settlement possibilities. Given that a majority of IDPs have sought solutions based on their own initiative, it is important that stakeholders continue to do what they can to support the choices and decision-making capabilities of displaced households and receiving communities. In this light, post-camp monitoring efforts should be re-evaluated and revised to strengthen their capacity to track the factors that diminish IDP vulnerability and support durable solutions.

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<sup>32</sup> *IASC Framework on Durable Solutions for Internally Displaced Persons*, April 2010, pp. 15 ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).



## *Constraints on Informed and Voluntary Choice*

The IASC Framework explicitly indicates that IDPs should have meaningful choice on the type of solutions they wish to seek, and that selective assistance for particular solutions is only acceptable if it is based on “objective and serious reasons.”<sup>33</sup> Factors that may justify prioritizing certain solutions over others include: *the lack of local absorption capacity for integrating IDPs, disaster risks, the lack of availability of resources, environmental sustainability, and the overall cost of different options.*<sup>34</sup> Many of these factors have constrained settlement possibilities for IDPs in Port-au-Prince. Humanitarian stakeholders often articulated that while they felt that a “menu of options” was developed, many of the initially identified options for post-disaster settlement did not prove feasible. A number of options explored in the early days were eventually abandoned because of a lack of political will or affordability. In addition to financial cost, land availability and tenure insecurity were primary obstacles to broadening the spectrum of meaningful choice for the IDPs either in areas of return or settlement.<sup>35</sup> Settlement choices were influenced further by mounting pressures to speedily house the displaced outside camps; to close camps most disruptive to the flow of city life; and to demonstrate institutional efficiency and progress towards the resolution of a mass displacement crisis. In the beginning, few actors conceived that integrating camps into surrounding communities could actually become a settlement option, particularly for the majority of camps located on private land (see Box 1).

These factors shaped the evolution of options supported over time. The range of options presented from 2010-2011 narrowed in practice in 2011, when the mass implementation of rental subsidy cash grants for non-owners became the predominant focus in the metropolitan area, as evidenced by the fact that in 2013, 90.5% of households who were assisted to leave camps received support through rental subsidies. While there are “objective and serious” reasons for prioritizing rental subsidies, including the fact that the majority of households remaining in camps were renters before the disaster, many interviewees worried that providing rental subsidies in the absence of complementary support intended to address other barriers to durable solutions, such as lack of access to livelihoods, may perpetuate IDPs’ tenure insecurity.<sup>36</sup> A range of respondents – including humanitarians, development actors, and civil society – expressed concern that homogenized rental subsidy programs devote insufficient attention to individual vulnerabilities and the right to choice, especially for those who may desire to stay and attempt to transform their camp into a more permanent living situation (see Box 1 for discussion of regularization and integration approaches). It is promising that actors are being more reflexive about their past actions and are now advocating for other options, or complements to current

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<sup>33</sup> IASC Framework on Durable Solutions for Internally Displaced Persons, April 2010, pp. 18 ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).

<sup>34</sup> Ibid.

<sup>35</sup> See e.g. E-Shelter & CCCM Cluster Returns Working Group, *Helping Families, Closing Camps*, 2012 ([www.eshelter-cccmhaiti.info/jl/pdf/Helping\\_Families\\_Closing\\_Camps2.pdf](http://www.eshelter-cccmhaiti.info/jl/pdf/Helping_Families_Closing_Camps2.pdf)).

<sup>36</sup> Improving tenure security for IDPs and other poor populations is of course a long-term challenge. See for example Etienne, H., *Land Rights, Land Tenure, and Urban Recovery Rebuilding post-earthquake Port-au-Prince and Léogane*, 2012 (Boston: Oxfam America Research Backgrounders), and USAID. *USAID Country Profile Haiti: Property Rights and Resource Governance*, [usaidlandtenure.net/sites/.../USAID\\_Land\\_Tenure\\_Haiti\\_Profile.pdf](http://usaidlandtenure.net/sites/.../USAID_Land_Tenure_Haiti_Profile.pdf).

options, that may better fit the longer-term needs of IDPs, bearing in mind the demands of the complex environment.<sup>37</sup>

### ***Evictions, Voluntary Choice, and the Management of Durable Solutions***

A formidable consequence of the complex land situation in Haiti has been the forced eviction of approximately 16,000 families from camps on private land, and, to a lesser extent, public land.<sup>38</sup> In several instances, these actions have not only severely impeded access to assistance, but also served to conceal the special needs of IDPs within neighborhoods already suffering from high levels of poverty and marginalization (see Box 2). These dynamics have had clear, negative repercussions for the exercise of voluntary choice and the role of IDPs in planning and management of durable solutions.

### ***Access to Actors and Information***

Ensuring IDPs had adequate access to coordinated assistance was a major challenge negatively impacted by a profusion of actors with different conceptions of durable solutions and the processes associated with the resolution of displacement. While some actors felt that the post-disaster environment was an important opportunity to uphold rights-based standards such as those found in the IASC Framework, others argued that this would entail uneven assistance to IDPs and reverse discrimination against the non-displaced population, including the vulnerable urban poor. These debates contributed to some of the indecision surrounding durable solutions interventions and displaced populations' access to different types of support. IDPs' access to assistance was also influenced by some of the spatial characteristics of camps or spontaneous settlements. For example, densely populated camps on prominent public spaces, or on private land under threat of eviction, made it onto early "priority" lists for the distribution of rental subsidy cash grants. Access to assistance was also shaped by rural-urban divides, with various interviewees expressing regret that more assistance has not been provided in the beginning to rural areas that may have enabled sustainable solutions outside Port-au-Prince. There is also recognition by some of the same actors that if such assistance were to make solutions outside Port-au-Prince feasible, it would have to be complemented by development activities such as infrastructure improvement programs, livelihood activities and job creation, construction and improvement of housing, improvement of agricultural conditions and related programs which could advance durable solutions for IDPs and improve living conditions in the countryside in general.

How IDPs and former IDPs view their menu of options, their ability to input into processes, and their decision-making power varies. In camps where residents received rental subsidies, IDPs were consulted about their desire to receive the rental subsidy and camp closure timelines, and information was provided regularly in easy-to-understand communication models.<sup>39</sup> Face-to-face

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<sup>37</sup> See, for example, IFRC (2013) Revisiting RC/RC Camp Response to Haiti: 3 Years and Beyond, [www.eshelter-cccmhaiti.info/jl/images/rcrc%20camp%20strategy%20pp.pdf](http://www.eshelter-cccmhaiti.info/jl/images/rcrc%20camp%20strategy%20pp.pdf).

<sup>38</sup> On this issue, see for example Etienne, H. 2012. Land Rights, Land Tenure, and Urban Recovery Rebuilding post-earthquake Port-au-Prince and Léogane. Boston: Oxfam America Research Backgrounders.

<sup>39</sup> E-Shelter & CCCM Cluster Returns Working Group, *Helping Families, Closing Camps*, 2012 ([www.eshelter-cccmhaiti.info/jl/pdf/Helping\\_Families\\_Closing\\_Camps2.pdf](http://www.eshelter-cccmhaiti.info/jl/pdf/Helping_Families_Closing_Camps2.pdf)).

communication was the main channel for information exchange, meaning that IDPs had opportunities to discuss assistance with local community mobilizers and other staff visiting camps.<sup>40</sup> Impending camp closures may have led some camp residents to feel that they had no practical option but to accept a rental subsidy cash grant, however, a grievance process existed for those who believed they were unfairly treated or neglected.<sup>41</sup> In some cases, participation processes enhanced IDP involvement in the move from camp to community. The 16/6 program, for example, sought to include displaced groups in urban planning processes once they returned or relocated to new communities. In another example, IOM's Overcoming Land Tenure Barriers (OLTB) program helped IDPs and community members in the Delmas commune to jointly clarify property boundaries. Yet in some of the camps visited, IDPs had little information on next steps for their camp, and opportunities to access support towards durable solutions. Problematically, participatory processes were sometimes compromised by gangs hijacking camp committees, disrupting the provision of equitable assistance or preventing access to the camp.

Some IDPs clearly disagreed with access to durable solutions being expressly informed by their pre-earthquake land tenure status, especially when they saw opportunities to acquire more permanent or affordable housing. Focus groups with IDPs demonstrated some discrepancies in the vision that people held for solutions to their displacement, when compared with those articulated by the government and international actors. Whether it was in the form of permanent jobs or permanent housing, the choices preferred by interviewed IDPs usually displayed a longer-lasting character than a one-year rental subsidy, but represented aspirations far more likely to be effectively supported through development interventions than the rental subsidy program, which was implemented for primarily humanitarian purposes. The continued movements to Canaan (see Box 3) are perhaps evidence of this assertion of choice by IDPs who seek to improve their tenure security through informal land acquisition.<sup>42</sup>

### ***Effective Monitoring of Durable Solutions***

Monitoring is one of the key activities that could benefit from revision, based on the IASC Framework. Several actors involved in implementing rental subsidies lamented that they had to waste time and resources proving to donors that IDPs would not “drink the cash,” or move elsewhere, at the expense of monitoring that could have helped to provide a more realistic account of the re-integration risks and challenges faced by IDPs, through the lens of the IASC Framework criteria. More credible research, including longitudinal studies, and effective monitoring in neighborhoods could help answer some the lingering questions stakeholders have regarding IDP vulnerability and protection issues (particularly after the rental subsidy is used up), and rental sector recovery. By addressing some of these information gaps, stakeholders could provide more strategic support, and effectively design and implement follow-up activities over the long run.

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<sup>40</sup> Courbage, et.al., *Lessons from the earthquake in Haiti A survey on the IDPs and on the resettled households*, April 2012.

<sup>41</sup> E-Shelter & CCCM Cluster Returns Working Group, *Helping Families, Closing Camps*, 2012 ([www.eshelter-cccmhaiti.info/jl/pdf/Helping\\_Families\\_Closing\\_Camps2.pdf](http://www.eshelter-cccmhaiti.info/jl/pdf/Helping_Families_Closing_Camps2.pdf)).

<sup>42</sup> This perspective was expressed in interviews with key stakeholders and in focus groups conducted in informal communities in the Canaan area, in which participants who had been displaced by the earthquake indicated that part of why they moved to the Canaan area was to try to build a more stable life.

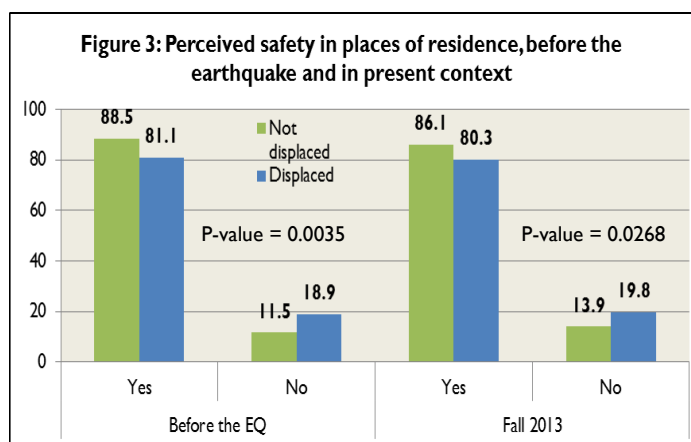
## Promoting Long-Term Safety and Security

The IASC Framework indicates that “IDPs who have achieved a durable solution enjoy physical safety and security on the basis of effective protection by national and local authorities. This includes protection from those threats which caused the initial displacement or may cause renewed displacement. The protection of IDPs who have achieved a durable solution must not be less effective than the protection provided to populations or areas of the country not affected by displacement.”<sup>43</sup>



97.7% of displaced households and 96.8% of non-displaced households indicate that trust amongst neighbors has declined since the earthquake. While this erosion of trust does not appear to have translated into pronounced increases in perceptions of insecurity, feelings of insecurity are significantly associated with displacement: 11.5% of respondents from non-displaced households did not feel safe in their places of residence before the earthquake; 13.9% of these respondents do not presently feel safe in their residences. Amongst survey respondents from households that were displaced, 18.9% did not feel safe in their places of residence before the earthquake; 19.8% do not feel safe in their current residences (see Figure 3 and Figure 4). Security challenges undermining durable solutions include thefts, violent evictions, and gang activity. In areas such as Carrefour, residents expressed concern that the persistence of camps undermines security in the surrounding communities, as camp-based gangs draw in youths separated from their families.

The IASC Framework indicates that “IDPs who have achieved a durable solution have *full and non-discriminatory* access to national and local protection mechanisms,” including police and courts, stressing that it “is important that IDPs have the same level of access as the resident population in the area to national and local protection mechanisms.”<sup>44</sup> This criteria suggests that continued, focused efforts are required to enable durable solutions in Port-au-Prince: while access to effective police services is lacking across Haiti, a significant relationship has emerged between displacement and reduced access to police and security services, with 31.4% of displaced households outside camps indicating that they currently lack access to these services, compared to 22.8% of non-displaced households. While very few respondents indicate that they have been explicitly discriminated against on the basis of their displacement, this was a concern amongst,

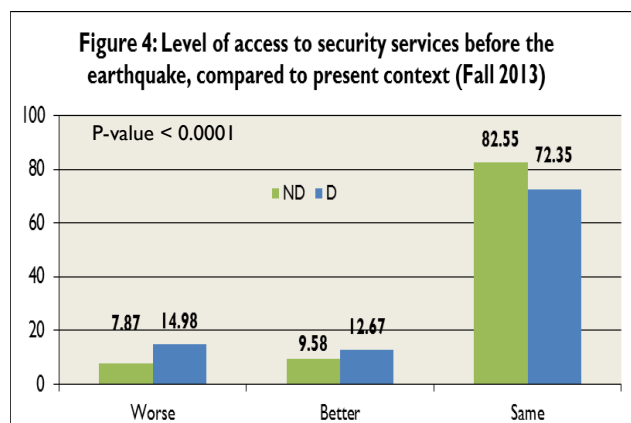


<sup>43</sup> IASC Framework on Durable Solutions for Internally Displaced Persons, April 2010, pp. 27, 29 ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).

<sup>44</sup> Ibid, pp. 30, emphasis added.

for example, residents evicted from the camp at Place Fierté in Cité Soleil (see Box 2). More generally, police have been unresponsive to the concerns of some communities at risk of eviction; in some instances, police have been actively involved in illegal evictions, explicitly undermining the conditions required for durable solutions.<sup>45</sup>

In the absence of effective access to police, courts and other national and local protection mechanisms, IDPs and other community members take what steps they can to address their own security concerns. For example, many displacement-affected community members report that security is not a major problem in their neighborhoods because displaced and non-displaced residents alike band together “like a big family” to look out for one another. In newer communities such as Tabarre Issa and Onaville, where many displaced households hope to remain in the longer term, residents are particularly concerned to ensure that their communities do not descend into violent neighborhoods. To this end, community members organize themselves and deploy strategies to increase their collective security, such as establishing community patrols, questioning new arrivals, speaking out against sexual violence, and issuing community identity cards. Initiatives such as the installation of solar lights in public spaces and other infrastructural improvements can significantly strengthen displacement-affected community members’ own efforts to improve their security and advance the goal of durable solutions, including in new areas of informal settlement.



ND = Not displaced; D=Displaced

Beyond insecurity associated with violence and crime, residing in damaged homes and in disaster-prone areas represent significant sources of insecurity, and barriers to durable solutions. The IASC Framework stresses that durable solutions may require the implementation of disaster risk reduction measures, including early warning, preparedness, adaptation and mitigation efforts, that seek to “minimize, to the extent possible and reasonable, risks stemming from natural or human-made hazards.”<sup>46</sup> Such initiatives should “reduce the vulnerability of IDPs and the general population from recurrent natural hazards or secondary hazards.”<sup>47</sup> A critical intervention in this respect was the rapid assessment and classification of earthquake-affected buildings as red, yellow or green. However, this intervention cannot substitute for the effective, ongoing enforcement of regulatory standards, and programs which make safe construction

<sup>45</sup> Amnesty International, ‘Nowhere to Go’: Forced Evictions in Haiti’s Displacement Camps, 23 April 2013 ([www.amnesty.org/en/library/info/AMR36/001/2013/en](http://www.amnesty.org/en/library/info/AMR36/001/2013/en)).

<sup>46</sup> IASC Framework on Durable Solutions for Internally Displaced Persons, April 2010, pp. 29 ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).

<sup>47</sup> Ibid. Recent studies led by the MTPTC on seismic micro-zoning of the metropolitan area of Port-au-Prince highlight high levels of seismic risk, especially in southern parts of the region, which are already urbanized. The preliminary results presented in October 2013 identify technical recommendations adapted to the specific areas of construction. See <https://haiti.humanitarianresponse.info/system/files/documents/files/MZ%20r%C3%A9sultats%20pr%C3%A9liminaires%202013.pdf>.



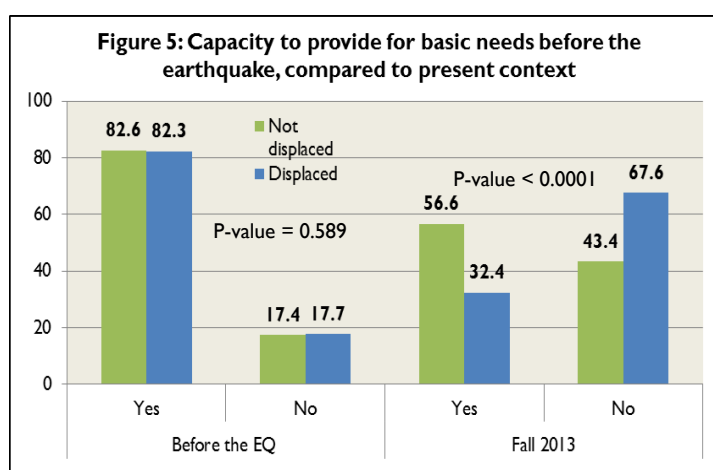
economically feasible. In particular, there is concern that while the rental subsidy program has encouraged the construction of thousands of new rental units across the city, the vast majority do not meet basic construction safety standards.

As the IASC Framework recognizes, “absolute safety and security may often not be achievable.”<sup>48</sup> Yet in Haiti, many actors have arguably been overly risk averse, declining to support IDPs’ own efforts to find a durable solution to their displacement because these “solutions” almost inevitably entail exposure to risk. For example, focus groups conducted in the area suggest that many households displaced by the earthquake are taking up residence in Canaan, Jerusalem and Onaville, despite the fact that these locations are highly vulnerable to disasters. While it is impossible to neutralize all the risks that accompany the development of this area, it is important to recognize that families’ decisions are based on their own risk assessments, and to provide appropriate support for disaster prevention and preparedness. Interventions such as flood control through watershed management and soil conservation in upstream areas could serve to reduce disaster risks and, due to the labor-intensive nature of these activities, provide employment for many local residents.

### *Enjoyment of an Adequate Standard of Living*

The IASC Framework on Durable Solutions states that IDPs who have achieved a durable solution enjoy, without discrimination, an adequate standard of living, which includes shelter, healthcare, food, water, and other means of survival. On a sustainable basis, IDPs must have equal access to the following: essential food and potable water; basic shelter and housing; essential medical services; sanitation; and at least primary school education. In the context of the IASC Framework, progress toward achieving durable solutions is measured by differences in access to these goods between IDPs and non-IDPs that are shaped by discrimination toward IDPs; the experience of displacement; or legal or administrative obstacles. Adequacy, furthermore, means that goods and services should be available, accessible, acceptable, and adaptable in the post-disaster context.<sup>49</sup>

When discussing access to basic services as an element of durable solutions, most interviewees jumped immediately to what they saw as the key difficulty in Haiti: upholding standards such as those expressed in the IASC Framework in the context of extreme poverty. Several previous studies in Haiti have also underlined the perplexity in developing interventions based on international standards because of the lack of baseline data, and the paucity of public services in Haiti



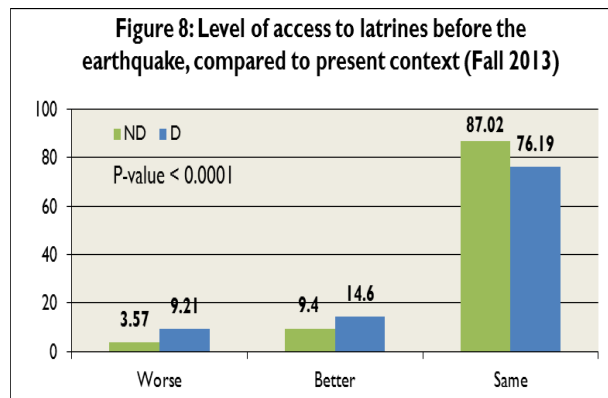
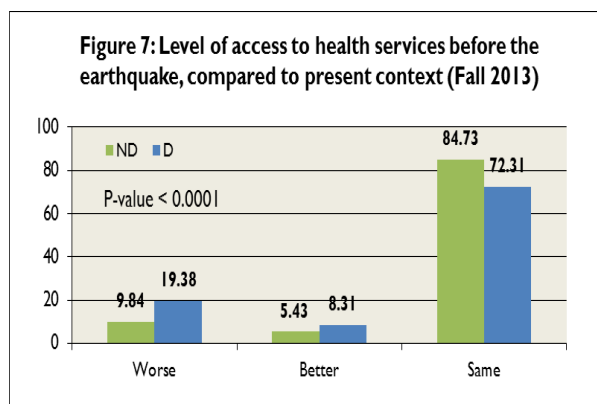
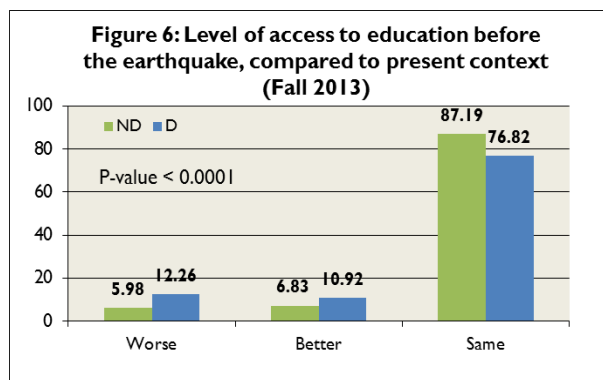
<sup>48</sup> Ibid.

<sup>49</sup> Ibid, pp. 32.



altogether.<sup>50</sup> Widespread homelessness, the inability to pay school fees, a lack of health centers, and poor water and sanitation all pre-date the earthquake and afflict the poor at alarming levels (see Figure 5). Furthermore, international assistance has arguably substituted for national service provision in Haiti for decades, producing a particular accountability deficit on the part of local and national government to respond to public needs.<sup>51</sup> In sum, few stakeholders thought challenges in accessing services were experienced by the displaced alone. On the contrary, it was popularly believed that IDPs in camps might have actually benefitted from increased standards of living because of the humanitarian provision of water, sanitation, schools and healthcare.<sup>52</sup>

With these issues in mind, the stakeholders interviewed had a high level of interest in information that could indicate differences, if any, in levels of access between IDPs and non-IDPs, and the nature of any such distinctions. Briefly stated, this study has revealed evidence of discrepancies between the two groups at the household level in terms of perceptions of access to basic services. Across sectors including housing, education (see Figure 6), health (see Figure 7), sanitation (see Figure 8), water (see Figure 9), security, livelihoods and access to credit, IDP households reported a greater decrease in their access to basic services than non-IDP households after the earthquake. This difference has a range of explanations that warrant further exploration.



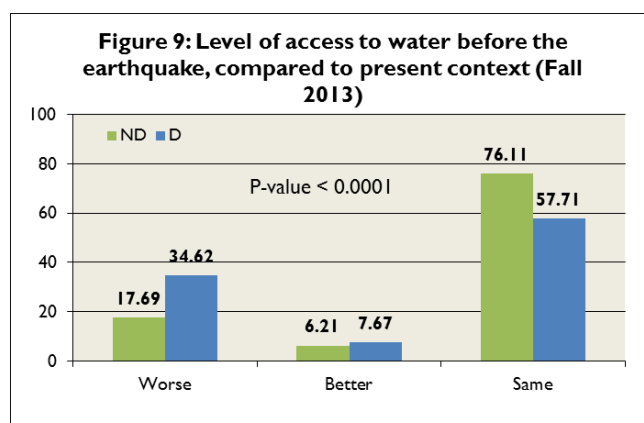
ND = Not displaced; D=Displaced

<sup>50</sup> See e.g. Mark Schuller, *Killing with Kindness: Haiti, International Aid, and NGOs*, (New Brunswick: Rutgers University Press, 2012); Mark Schuller, *Homeward Bound? Assessing Progress of Relocation from Haiti's IDP Camps*, 16 November 2012 ([www.ijdh.org/2012/11/topics/housing/homeward-bound-assessing-progress-of-relocation-from-haitis-idp-camps/](http://www.ijdh.org/2012/11/topics/housing/homeward-bound-assessing-progress-of-relocation-from-haitis-idp-camps/)); Levine, et.al., *Avoiding Reality: Land, Institutions and Humanitarian Action in Post-earthquake Haiti*, September 2012, ([www.urd.org/IMG/pdf/7930.pdf](http://www.urd.org/IMG/pdf/7930.pdf)); Margaret Satterthwaite, "Indicators in Crisis: Rights-Based Humanitarian Indicators in Post-Earthquake Haiti," *N.Y.U. Journal of International Law and Politics*, vol. 43, no. 11-26, 2011.

<sup>51</sup> See Schuller 2012, *Homeward Bound*.

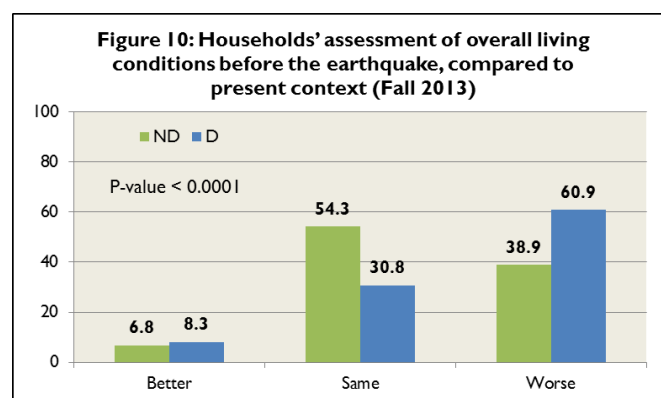
<sup>52</sup> Ibid. Health and sanitation standards in camps have declined over the course of 2013.

The study found few instances of discrimination around access to public services based explicitly on displacement, with only one household reporting “because of the earthquake” as a reason for discrimination in accessing basic services. Overall, only 3% of IDP households stated discrimination as the nature of their difficulty in accessing public services. When discrimination was given as a cause for inadequate access, IDPs were most likely to attribute it to their social class. This finding points to the connection between socio-economic status, displacement, and achieving an adequate standard of living as an element of durable solutions. IDP households reported slightly lower access to basic services prior to the earthquake than households that were not displaced. Furthermore, IDP households were generally of lower socio-economic standing, assessed in terms of factors such as home ownership and paid employment, than non-displaced households. In addition to clear differences in *perceptions* of access to services between the two groups, survey data concretely showed differences in household wealth based on the proxies of homeownership and access to paid jobs (i.e. more stable income). For example, 57% of households that were not displaced owned their homes; this percentage did not change after the disaster. In contrast, only 37% of households that were displaced had owned homes before the earthquake; this rate of home ownership remained unchanged after the disaster. 34.6% of displaced households had a member with a paid job, in comparison to 41.4% amongst non-displaced households.



ND = Not displaced; D=Displaced

It therefore appears that to a certain extent, prior socio-economic problems are reflected in exposure to displacement, and in current difficulties accessing an adequate standard of living (see Figure 10, Table 3 and Table 4). In comparing their access to services before the earthquake with now, IDP households registered the following percentage drops in household access to services: water (16.6%), housing (10.5%), latrines (8.6%), education (6.5%), and health (4.1%).<sup>53</sup> Loss of access was experienced to



ND = Not displaced; D=Displaced

a lesser extent by non-displaced households, who reported the following percentage decreases in access to services: water (6.0%), housing (5.7%), latrines (3.4%), education (6.5%), and health (0.8%). Education is an exception to this statistical trend. Focus groups with community groups and IDPs both highlighted the unaffordability of schools as a major and widespread concern. The emphasis that parents put on school was both

<sup>53</sup> This means, for example, that while 58% of IDP households reported that they had access to water prior to the earthquake, only 41% reported they have access now, registering a 16.6% drop in access.

encouraging and disheartening, given parents' frustration in not being able to invest in their children's future because of a lack of money.

Noting the gaps related to accessing essential services, these findings underscore the importance of effectively integrating IDPs and durable solutions into poverty alleviation strategies, given the particular difficulty this population faces in accessing an adequate standard of living. There are multiple gains to be made in developing pro-poor strategies that appropriately reflect IDPs' needs. For example, displacement-sensitive poverty reduction efforts may facilitate access to durable solutions, and reduce the potential for forced migration during disasters, as displacement is associated with prior poor living conditions. As the IASC Framework articulates, national and local authorities have the primary responsibility to ensure that budget allocations reflect core needs corresponding to the progressive realization of economic and social rights. It also maintains that humanitarian and development actors should assist states when these resources are not sufficient. This study's results suggest that resolving the current displacement crisis and reducing future occurrences of displacement are connected objectives, meaning that policies should better account for social class and neighborhood disparities that shape the nexus between development failures and displacement risks.

Finally, it is important to note that according to IASC Framework "adequate" means that public goods and services need to be "provided in ways flexible enough to adapt to the changing needs of IDPs."<sup>54</sup> This means that stakeholders need to stay abreast of the shifting migration patterns of IDPs to informal settlements (see Box 3), especially in light of on-going evictions and the lack of urban space, in order to ensure that respect for the right to an adequate standard of living is not arbitrarily tied to residence within an established neighborhood.

Table 3: Household access to key goods and services before the earthquake				Table 4: Present household access to key goods and services (Fall 2013)			
<b>Safety and Security Services*</b>				<b>Safety and Security Services</b>			
Displaced	No	Yes	Total	Displaced	No	Yes	Total
<b>No</b>	256	1,039		<b>No</b>	294	996	
%	20	80	1,295	%	23	77	1,290
<b>Yes</b>	301	964		<b>Yes</b>	397	869	
%	24	76	1,265	%	31	69	1,266
<b>Total</b>	557	2,003	2,560	<b>Total</b>	691	1,865	2,556
<b>Housing</b>				<b>Housing</b>			
Displaced	No	Yes	Total	Displaced	No	Yes	Total
<b>No</b>	123	1,166		<b>No</b>	197	1,096	
%	10	90	1,289	%	15	85	1,293
<b>Yes</b>	236	1,031		<b>Yes</b>	370	899	
%	19	81	1,267	%	29	71	1,269
<b>Total</b>	359	2,197	2,556	<b>Total</b>	567	1,995	2,562

<sup>54</sup> IASC Framework on Durable Solutions for Internally Displaced Persons, April 2010, pp. 32 ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).

<i>Education</i>				<i>Education</i>			
Displaced	No	Yes	Total	Displaced	No	Yes	Total
No	139	1,156		No	159	1,136	
%	11	89	1,295	%	12	88	1,295
Yes	184	1,087		Yes	267	1,004	
%	14	86	1,271	%	21	79	1,271
Total	323	2,243	2,566	Total	426	2,140	2,566
<i>Health*</i>				<i>Health*</i>			
Displaced	No	Yes	Total	Displaced	No	Yes	Total
No	451	846		No	462	834	
%	35	65	1,297	%	36	64	1,296
Yes	494	776		Yes	547	724	
%	39	61	1,270	%	43	57	1,271
Total	945	1,622	2,567	Total	1,009	1,558	2,567
<i>Stable employment*</i>				<i>Stable employment*</i>			
Displaced	No	Yes	Total	Displaced	No	Yes	Total
No	1,046	250		No	1,119	175	
%	81	19	1,296	%	86	14	1,294
Yes	1,052	218		Yes	1,142	127	
%	83	17	1,270	%	90	10	1,269
Total	2,098	468	2,566	Total	2,261	302	2,563
<i>Transportation*</i>				<i>Transportation*</i>			
Displaced	No	Yes	Total	Displaced	No	Yes	Total
No	258	1,037		No	275	1,019	
%	20	80	1,295	%	21	79	1,294
Yes	306	965		Yes	338	933	
%	24	76	1,271	%	27	73	1,271
Total	564	2,002	2,566	Total	613	1,952	2,565
<i>Water*</i>				<i>Water*</i>			
Displaced	No	Yes	Total	Displaced	No	Yes	Total
No	595	702		No	673	622	
%	46	54	1,297	%	52	48	1,295
Yes	533	738		Yes	744	527	
%	42	58	1,271	%	59	41	1,271
Total	1,128	1,440	2,568	Total	1,417	1,149	2,566
<i>Latrines*</i>				<i>Latrines</i>			
Displaced	No	Yes	Total	Displaced	No	Yes	Total
No	109	1,187		No	124	1,171	
%	8	92	1,296	%	10	90	1,295
Yes	139	1,130		Yes	192	1,077	
%	11	89	1,269	%	15	85	1,269
Total	248	2,317	2,565	Total	316	2,248	2,564

\*Association with displacement not significant.

## Box 1: Regularization and Integration of Camps as a Contribution to Durable Solutions

*For the residents of particular camps, regularization and integration may be key steps towards durable solutions.*

Camp regularization refers to transitioning an existing camp into a planned neighborhood, with the accordant access to tenure security and services. Community integration refers to transforming camps located inside neighborhoods into the surrounding neighborhood. Regularization and integration should be seen as a continuum of one process, namely transforming camps into communities. While regularization “normalizes” displaced communities by strengthening occupancy rights and access to basic services, integration completes this normalization process by integrating residents of the regularized site into the folds of the surrounding community. What camp regularization and community integration entail concretely is improved tenure security, access to public works such as mitigation works (e.g. canal cleaning, construction of retaining walls) to reduce disaster risks and public toilets, as well as affordable housing at the site. Upgrades can be made to address any acute difficulties faced by residents for former camps, such as increased exposure to environmental risks, health concerns, and protection-related issues.

At the outset of the crisis, regularization and integration were not broadly adopted as approaches to durable solutions, given the government and property owners’ reluctance to concede land for IDP settlements. However, four years into the response, with a much smaller population remaining in camps, and limited places to reside elsewhere, stakeholders are now more willing to consider alternative options. Although camp regularization processes are only in an embryonic phase, they can be understood to include the following elements:

1. *Tenure security*: Regularization requires clarifying the tenure status of the site itself and the individual plots eventually built upon by beneficiaries. Public land is generally more feasible for such projects, though agreements with some private landowners were under discussion.
2. *Environmental feasibility*: Supporters of regularization processes must determine the level of risk to natural hazards on the land selected, and must also consider factors such as the height of the water table. Some risks and concerns can be mitigated with a reasonable amount of investment, while others cannot; this factor helps to determine the feasibility of potential regularization efforts. Additional risks include those of a social nature, such as population density of the site, security concerns in the camp and in surrounding areas, availability of water sources and related issues.
3. *Economic viability*: Government policy and most donors now favor supporting solutions in ways that require IDPs to contribute financially to accessing benefits such as land or housing, particularly over the long term. Some IDPs have the capacity to pay at least minimum levels of rent, or contribute towards the purchase of land, others do not. Various approaches to addressing the economic dimensions of regularization have been proposed, from cash subsidies to credit schemes. Haitian law permits the government to sell public land to private residents after five years provided certain conditions are met; in late 2013 and early 2014, this option was under discussion in relation to a variety of sites.

4. *Site planning, construction and project implementation:* Regularization involves identifying the types of housing support that may be provided. Options include new construction; t-shelter conversions; and “sites and services” models. The latter provide tenure security including the demarcation of individual plots, and the installation of basic services at the site, including for example electricity, water drainage and sewage systems, and the construction of, for instance, sanitary blocks (bathrooms), basic kitchens, and common spaces. Beneficiaries would then be able to use their own resources to expand their houses over time around the existing solid structures. Additional important elements to address include the provision of public green areas, and promoting social cohesion and community-building.

The following examples illustrate how regularization and integration processes can support the transformation of camps into communities.

**Tabarre Issa:** Tabarre Issa is an IDP site originally established as relocation site for IDPs from flood prone areas, and has begun to take on characteristics of a permanent community. At the site, 512 families (2,770 individuals) were provided with t-shelters and a range of other services. Although residents’ tenure security remained in question in early 2014, the land is public and local authorities have expressed willingness to regularize this site if investment is attracted. Most residents who participated in a focus group indicated that their preference was to stay at the site rather than return to their prior neighborhoods or receive a rental subsidy. Residents generally enjoyed good relations with the surrounding community, who see the settlement as an asset where WASH services are available, and commercial activity can take place.

**Santo 17:** Santo 17 was once a spontaneous camp site hosting approximately 250 IDPs in Croix des Bouquets. Due to the size of the land made available for the camp, the site hosts both IDPs and 308 families from the community. Through cooperation between the mayor’s office, community members, the camp committee, and humanitarian partners, the camp could be integrated into the surrounding community. Preliminary steps have already been taken, notably through a community planning mechanism, which informed the construction of, for example, public infrastructure, modifiable T-shelters, and sanitary and kitchen facilities. The community also has a health clinic, three schools, sport fields, and solar street lighting operated by community members. The 358 families living in this neighborhood engage socially and economically with the surrounding communities. Maintenance responsibility for the site is assumed by the mayor’s office of Croix des Bouquets. See Annex 2 for a flow chart illustrating potential decision-making procedures concerning whether particular camps may be appropriate candidates for community integration support.



## Access to Livelihoods and Employment

The IASC Framework states that IDPs who find a durable solution have access to employment and livelihoods that fulfill at least their core socio-economic needs, in particular where these are not guaranteed by the public welfare system. In Haiti, it is commonly assumed that livelihood situations are not profoundly different between displaced and non-displaced households. International actors described Haiti's prior economic situation as a "ball and chain" for its recovery; for example, only 20% of Haitians held stable employment before the earthquake's disruption to the economy.<sup>55</sup>

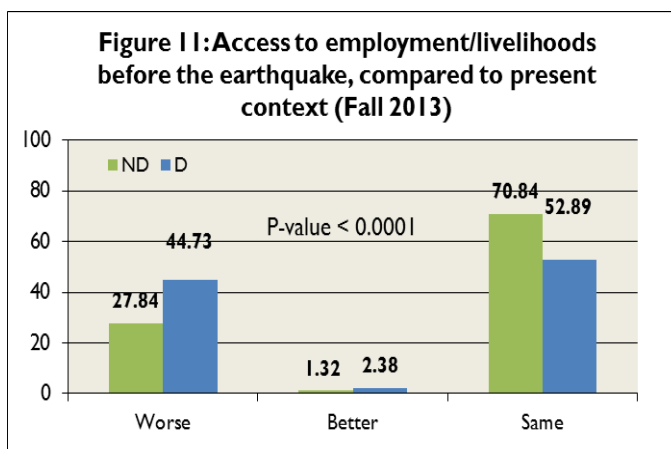


Economic challenges are aggravated in another sense by the city's spatial re-configuration, whereby some centers of commerce have moved away from harder-hit, poorer areas and toward better-off locations. Such macro-level observations shaped the view that the earthquake has had a sweeping, negative effect on the urban population, including but not limited to the displaced. Results from the survey partially validate this position, showing that 29% of interviewed households – both IDP and non-IDP households – have experienced job loss since the earthquake, and 55.4% of them have experienced significant difficulties in meeting their basic needs (see Figure 11 and Figure 12).

Yet the survey results clearly show that IDP households face particular vulnerabilities, which hinder the durable resolution of their displacement. 67% of IDPs surveyed stated that they currently lack the means to provide for their basic needs, compared to 43% of non-IDP households. This difference is statistically significant, although there was no statistically significant difference between the groups' reported capacity to provide for their basic needs before the earthquake,

when only 18% of families surveyed were unable to cover their basic needs. In terms

of the ability to find jobs and make ends meet, both quantitative and qualitative data support the conclusion that there is not one, overriding factor that explains the differences in access to livelihoods between IDPs and non-IDPs. Factors such as lost jobs, destroyed productive assets,



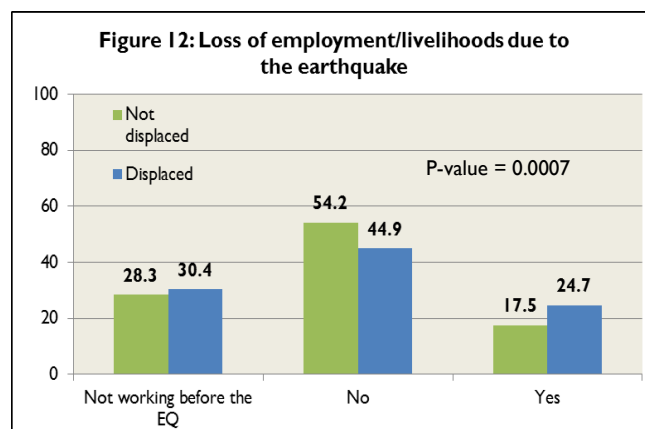
ND = Not displaced; D=Displaced

<sup>55</sup> IRC, *The Earthquake in Haiti: The IRC Responds*, January 2011 ([www.rescue.org/sites/default/files/resource-file/IRC\\_Report\\_HaitiAnniversary.pdf](http://www.rescue.org/sites/default/files/resource-file/IRC_Report_HaitiAnniversary.pdf)). On the links between the earthquake and employment, see for example Échevin, Damien. "Livelihoods and the Allocation of Emergency Assistance after the Haiti Earthquake." 2011. World Bank Working Papers and Research Publications, and Échevin, Damien. "Vulnerability and Livelihoods before and after the Haiti Earthquake." 2011. World Bank Working Papers and Research Publications.

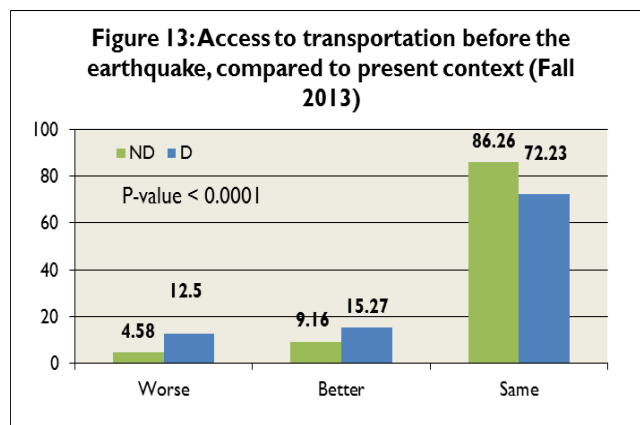
greater distances between former jobs and new houses, new transportation necessities, and variations in coping mechanisms converge and make it particularly difficult for IDP households to recover from the effects of displacement. Amongst IDPs, the socio-economic issues that increased exposure to displacement in the first place also shape many of the challenges they currently face in accessing livelihoods, credit and employment. In general, assessments of living situations now compared to before the earthquake showed a strong association with displacement, with 60.9% of displaced households declaring it had worsened, compared to 38.9% of those not displaced (see Figure 10 and Table 5).

Table 5: Main sources of income					
Paid employment					
Displaced	Primary source	Secondary source	Not a source		Total
No	533	41	728		1,302
%	40.9	3.2	55.9		
Yes	434	41	799		1,274
%	34.1	3.2	62.7		
Total	967	82	1,527		2,576
Informal Jobs					
Displaced	Primary source	Secondary source	Tertiary	Not a source	Total
No	359	143	1	799	1302
%	28	11.0	0.1	61.4	
Yes	429	125	3	717	1274
%	33.7	9.8	0.2	56.3	
Total	788	268	4	1516	2576

Earthquake-related job loss is a particular area of difference between IDPs and non-IDPs (see Figure 12). 24.7% of IDP households reported losing their jobs due to the earthquake while only 17.5% of non-displaced households faced a similar situation. Focus groups revealed narratives of frustration on the part of IDPs. Whether they had left or were still in camps, some IDPs linked their specific livelihood problems to a loss of productive assets during the earthquake. According to survey data, IDP households were almost four times more likely to report a loss of productive assets than non-displaced households (8.1% in comparison with 2.5%); the majority spoke of this loss as a consequence of house collapse (75%). In these cases, the destruction of homes directly implied a loss of livelihoods as well.

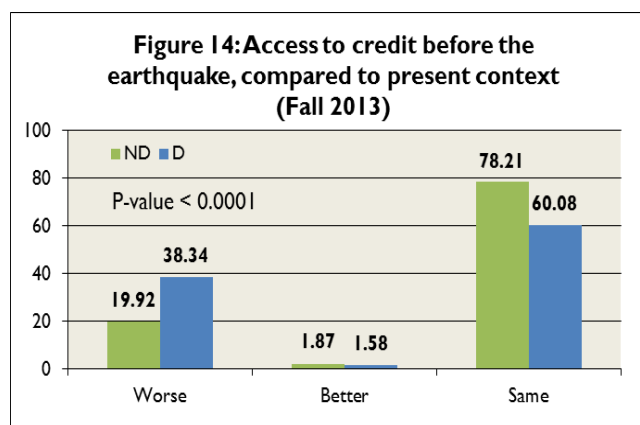


Job loss was not always a proxy for economic disadvantage. It appears that remaining in their places of residence provided some non-displaced households with better coping strategies and access to opportunities, especially if the neighborhood offered economic opportunity prior to the earthquake, and if residents were quicker to recover because of a mix of household savings and community support. For example, residents of an economically well-situated community indicated that they were able to receive loans from community-based employers to help them get back on their feet; others were able to access microfinance institutions within the neighborhood. Some IDPs in camps believed that their surrounding community benefitted from being “more established.” In other words, these IDPs perceived the existence of community networks, plans, and structures as improving the capacity to cope in a harsh economic climate. Additionally, some IDPs surveyed or interviewed identified a problematic relationship between job access and transportation (see Figure 13). Those interviewed in areas of relocation – now residing away from pre-earthquake neighborhoods – sometimes raised the need for transportation to city centers in order to work. This IDP-specific concern over transportation was confirmed by the survey results, which found that IDP households (12.5%) were twice as likely as non-IDP households (4.5%) to express discontent over their access to transportation.



ND = Not displaced; D=Displaced

After the earthquake, the percentage of IDP households that could access credit dropped from 7.1% to 4.8% after the earthquake; in the same time period, access to credit remained constant for non-displaced households (7%) (see Figure 14). Many IDPs still in camps were quick to point out that without a home, people could not even dream of becoming a candidate for credit. Overall, there is a dire need for greater access to credit for poor Haitians to facilitate the recovery process. An overwhelming 93% of non-IDP households and 95% of IDP households were unable to access credit, which is often essential to housing construction or livelihood activities. Regardless, both IDPs and communities see micro-credit as an important strategy for their household improvement.



ND = Not displaced; D=Displaced

Whether or not they were displaced, job creation is high on the priority list for Haitians interviewed or surveyed. Both IDP and non-IDP households rated “not enough jobs in the neighborhood” as the key reason they were not able to provide for their basic needs. Numerous times, IDPs stated their preference for jobs, not housing interventions, in order to cope with the rising costs of rent and daily living. Some focus groups revealed that IDPs had left relocation or

resettlement sites because of a lack of affordable transportation to access former jobs, choosing to prioritize jobs over safe and adequate housing. Interviewed stakeholders, however, did not echo this structure of priorities. For the most part, the government and international community emphasized housing, not jobs, as the preferred sector in which to invest in support of durable solutions. International and government actors pointed out that livelihood creation had been a difficult element to successfully incorporate into the disaster response for several reasons. Some attributed these challenges to a lack of cohesion between humanitarian and development actors, while others pointed to gaps in donor support for such interventions. Stakeholders commonly felt that a lack of socio-economic data prevented such programs from targeting the “real” or most vulnerable beneficiaries.

For some of these reasons, livelihoods support – often provided in the form of trainings or cash grant supplements to rental subsidies – received mixed reviews amongst IDPs, communities, and the various stakeholders interviewed. While they are not widely available, and vary considerably in their approach, livelihoods programs were certainly an important step toward improving Haiti’s approach to durable solutions. Yet the short-term nature of the assistance provided has been criticized as detached from market realities. Community groups argued that cash-for-work and livelihood grants were simply too little for people to convert into sustainable income-generating opportunities. They pessimistically viewed these initiatives as creating more street sellers with similar trade profiles, who would eventually be chased away by public officials given the lack of authorized marketplaces. The 16/6 program attempted to address such shortcomings through an integrated livelihoods approach that included livelihood training and financial and management support to community businesses to create jobs. An evaluation of its approach could help identify the successful elements that could be replicated through other livelihood initiatives in support of durable solutions.

There are a variety of promising opportunities that could be leveraged to better address access to livelihoods for IDPs, especially for those who are challenged by the effects of relocation to new neighborhoods. For one, while the project has faced many setbacks, it is hoped that the Caracol Industrial park, a \$300 million partnership by the Haitian government, USAID, the Inter-American Development Bank and private sector companies, will target earthquake-affected populations; IDPs could be amongst the participants in this initiative. A number of reconstruction programs, funded by development donors and the private sector, are also in the works to construct and revitalize Port-au-Prince neighborhoods and improve public infrastructure devastated by the earthquake. Some noted that if more investments are made in the public housing sector, IDPs could be incorporated as part of the workforce.<sup>56</sup> More clarity on job creation opportunities within the reconstruction sector could help identify potential livelihood opportunities for IDPs and other vulnerable populations, recognizing that effective housing interventions cannot be undertaken in isolation, but must be connected to analysis of and responses to broader concerns including access to sustainable livelihoods. Finally, the implementation of the international “resilience agenda” could help IDPs and other vulnerable groups move from the circumstances of extreme poverty into a situation where they can better

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<sup>56</sup> While the development of social housing in Haiti would be a longer-term endeavor, the closure of camps on public land could provide an opportunity for decision makers to evaluate the economic and social value of released space, and potentially allocate some of the released land for public housing.



participate in development plans and private sector initiatives.<sup>57</sup> Data collection on the use and impact of rental subsidies and livelihoods grants would be an important first step to building knowledge on how to better integrate IDPs and other vulnerable populations into neighborhood economies. At the broadest level, the challenge is to ensure that the approach to economic growth advocated by the Haitian government, which focuses on private sector investment and the creation of a larger middle class, is complemented by clearer and more concerted efforts to ensure that the employment and poverty reduction needs of the poor and “ultra-poor,” including IDPs, are effectively addressed.

### ***Effective and Accessible Mechanisms to Restore Housing, Land and Property***

The IASC Framework states that “IDPs who have achieved a durable solution have access to effective mechanisms for timely restitution of their housing, land and property, regardless of whether they return or opt to integrate locally or settle elsewhere in the country.”<sup>58</sup> While many displaced homeowners were able to reclaim their properties with relatively little difficulty through informal, community-mediated processes, no specialized mechanisms were established to address disputes that could not be



resolved in this manner, or to ensure respect for the rights of displaced renters, who comprised the majority of the displaced population in Port-au-Prince (see Table 6). Indeed, there was a lack of clear normative guidance to inform responses to and durable solutions for displaced renters, many of whom lived in units that had been damaged or destroyed. This issue is unfortunately not addressed in detail in the Framework, which focuses primarily on restitution processes involving property owners.<sup>59</sup> Improved, rights-based guidance on supporting durable solutions for renters is particularly important in urban situations such as Port-au-Prince where a majority of IDPs are renters who had low levels of socio-economic resources prior to their displacement.

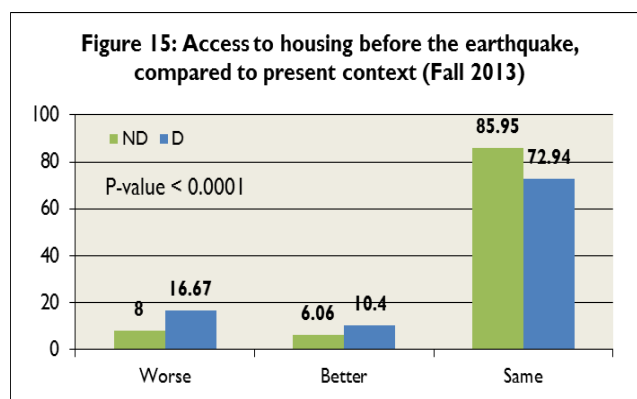
There is virtually unanimous agreement that housing, land and property (HLP) issues represented a critical challenge to the pursuit of durable solutions in Haiti. National and international actors who have attempted to initiate shelter and housing projects or urban planning exercises have had to navigate the complex constraints on HLP access and governance in Haiti. Challenges include

<sup>57</sup> The Political Champions for Disaster Resilience was established in 2012 and consists of high ranking officials from leading international and national institutions (including CARICOM, UNDP, OCHA, the UK, USAID, the World Bank, and the European Commission). The goal of the agenda in Haiti is to increase Haitian resilience to prepare and recover from disasters, and to integrate support for disaster resilience into Haiti’s development initiatives.

<sup>58</sup> *IASC Framework on Durable Solutions for Internally Displaced Persons*, April 2010, pp. 35 ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).

<sup>59</sup> The Framework (pp. 36) simply indicates that “Appropriate solutions should be found for persons whose tenancy rights have been compromised in the course of displacement.”

limited urban land access; insufficient housing stock; the absence of a clear and comprehensive cadastre and formal redress mechanisms to resolve HLP disputes; the need for clearer, updated and more systematically implemented laws and policies to govern HLP relations, including renting; extensive recourse to squatting amongst the urban poor; and regular evictions carried out without respect for human rights standards (see Box 2). These challenges are not unique to the post-earthquake setting, but have severely impacted the pursuit of settlement options. Displaced households were twice as likely as non-displaced households to experience a decline in their housing situation since the earthquake, with 16.7% of displaced households indicating that their situation is now worse, compared to 8% of non-displaced households (see Figure 15).



ND = Not displaced; D=Displaced

Efforts to promote durable solutions were limited by the lack of effective engagement at the political level to address HLP issues. Many international actors were reticent to push the government to address a highly sensitive issue; instead, HLP issues were addressed in a piecemeal manner by NGOs and international organizations attempting to support durable solutions. In 2010, the Préval government, under pressure from a range of international actors, exercised its powers of eminent domain to make a swath of land north of Port-au-Prince available for the resettlement of earthquake victims. The controversy surrounding this process and the relocation of IDPs to Corail – specifically the lack of jobs and services in the area – discouraged the government from granting additional tracts of land to support durable solutions for IDPs. At the same time, a National Housing and Habitat Policy was released in draft form in October 2013. While the development of this policy is an important step for the government, it does not directly address the ongoing displacement situation, and the need to support durable solutions for those uprooted by the earthquake. Instead, the policy focuses on encouraging private sector development, offering tax breaks to construction actors. The lack of explicit attention to these challenges in the policy signals that HLP issues related to displacement and durable solutions will continue to be addressed in an ad hoc manner, rather than through systematic consideration of variations in household recovery, needs, and constraints. Expressing some concern over the housing policy, interviews with key stakeholders stressed the need for sustained government leadership to address the HLP dimensions of durable solutions.

While the lack of comprehensive urban planning remains a major challenge in Haiti, with important repercussions for HLP rights, the government has, to its credit, taken a number of key steps vis-à-vis HLP issues by establishing institutions mandated to address HLP concerns. At the outset of the crisis, it was not clear to implementing actors which actors and agencies within the government they should coordinate with when addressing HLP issues. To rectify this, the government ultimately empowered two Executive Agencies with this task. The Comité Interministériel d'Aménagement du Territoire (Inter-Agency Commission on Land Use Planning, CIAT) was to take on the establishment of a cadaster system, working in cooperation with the Inter-American Development Bank, mostly in rural areas. The Unité de Construction de



Logements et de Bâtiments Publics (Unit for Construction of Housing and Public Buildings, UCLBP) was to tackle three issues pertinent to HLP matters, namely, return of IDPs from camps and neighborhood upgrading, housing, and reconstruction of administrative buildings, relying on CIAT to address land and property questions. Although eminent domain regulations were no longer used to increase IDPs' access to land, and government-supported social housing was ultimately targeted for lower-middle income beneficiaries, in effect excluding the vast majority of IDPs, the government ultimately addressed some displacement-related HLP issues in the context of the 16/6 project. Importantly, the rental subsidy cash grant mechanism that was implemented in connection with 16/6, and subsequently more broadly, attempted to strengthen tenure security for renters by ensuring that recipients moved into properties that met minimum safety standards, raising awareness of renters' rights, and by requiring the signing of a formal lease. It was hoped that this would reduce vulnerability to abuses on the part of landlords. Some actors suggested that the contributions the rental subsidy mechanism made to the HLP dimensions of durable solutions could have been further strengthened through complementary, broader initiatives to "condition" rental market recovery and promote the safe construction of additional housing units. Others raised concerns about the sustainability of the approach and its broader effects on the rental market, suggesting that the program added to the trends of rising rents driven by the destruction of thousands of rental units in the earthquake. The view that rents are becoming unaffordable was echoed by former IDPs who relocated to Onaville, many because they were no longer able to pay their rents.

The interventions described above were complemented by initiatives such as participatory enumeration activities that sought to clarify land tenure situations on a neighborhood basis, with a view to facilitating reconstruction. At the same time, various UN agencies and NGOs attempted to negotiate with landlords and government officials to prevent forcible evictions of IDPs in camps; these interventions were unfortunately not supplemented by a broader strategy to address the HLP concerns and durable solutions needs of those who were evicted. A local NGO also raised the concern that negotiations, even though conducted with good intentions by humanitarians, did not provide IDPs with legal representation, and were therefore often disproportionately weighted towards the demands of landowners. As the response evolved, approaches such as the integration of camps into surrounding communities, and the implementation of "sites and services" models came into consideration as it became clear that a more tailored approach was required to effectively address the HLP concerns of IDPs, particularly those remaining in camps. In communities in the Artibonite region, cash grants were provided to encourage landlords to build extra rooms; overall, stakeholders found that addressing the HLP dimensions of durable solutions was simpler and arguably more effective in rural settings where land was less congested and more readily available.

Achievements in HLP interventions included increased awareness of the problems and the need to address them, as the challenges international actors confronted *vis-à-vis* HLP forced attention to an issue that had long been ignored. Increased attention to often longstanding "informal" settlements, and the need to address the development concerns – including urban development, housing and tenure security – facing these communities as part of the earthquake response and the resolution of the displacement crisis may also be considered a positive development. Several actors stressed the need to address HLP issues in new settlements including Canaan, Jerusalem and Onaville, recognizing that moving to these communities is seen by many IDPs as their best

chance to end their displacement, despite the risks.<sup>60</sup> Residents of these areas are of the opinion that the presidential decree provides them land usage rights given the original purpose of the expropriation to provide land for the resettlement of earthquake victims, and that the provision of land also helps to decongest Port-au-Prince. Many have invested their own resources towards constructing permanent homes on the land, investments that could benefit from careful and sustained governmental and international support, particularly from development actors. Moving forward, HLP interventions related to durable solutions for IDPs would undoubtedly benefit from political champions within the Haitian government (at the national and municipal levels) and the international community to advocate on HLP issues, especially as they relate to displacement, and the provision of increased technical assistance to navigate the HLP challenges that continue to obstruct durable solutions for IDPs.

**Table 6: Tenure status before the earthquake, and in present context (Fall 2013)**

<b>Before the Earthquake</b>				<b>At Present</b>			
<b>Displaced</b>	<b>Other</b>	<b>Owner</b>	<b>Total</b>	<b>Displaced</b>	<b>Other</b>	<b>Owner</b>	<b>Total</b>
<b>No</b>	557	745	1,302	<b>No</b>	553	749	1,302
%	42.8	57.2		%	42.5	57.5	
<b>Yes</b>	800	474	1,274	<b>Yes</b>	808	466	1,274
%	62.8	37.2		%	63.4	36.6	
<b>Total</b>	1,357	1,219	2,576	<b>Total</b>	1,361	1,215	2,576

## Box 2: Evictions: Undercutting Durable Solutions

*IDPs forced from Place Fierté in Cité Soleil face poverty compounded by stigma*

Leaving a camp does not necessarily mean an end to displacement. This fact is made clear by the experiences of many of the 16,000 displaced families who have been evicted from camps, the vast majority without assistance or access to remedies. Some evictions are undertaken or condoned by Haitian authorities, while others are carried out independently by gangs or private landowners. In part due to fears that providing emergency aid to evicted IDPs could incentivize further evictions, no systematic support has been provided for evicted families, some of whom face stigma and other problems tied to their displacement.

For example, on 21 September, 2011, thousands of IDPs in Cité Soleil, one of the poorest areas of Port-au-Prince, were ousted from the camp at Place Fierté. The camp was torched by local gangs in retaliation for the death of a gang leader, which was wrongfully blamed on the camp residents. In the absence of assistance, some camp residents returned to their damaged homes, or sought shelter with friends or family. Others had nowhere to go. Some IDPs who lost their rented homes in the earthquake came together to seek shelter in the only empty space they could find, amidst the ruins of some buildings that had been abandoned years before when gangs

<sup>60</sup> Notably, many of the neighborhoods within Port-au-Prince where IDPs settled after the earthquake also face significant disaster risks.

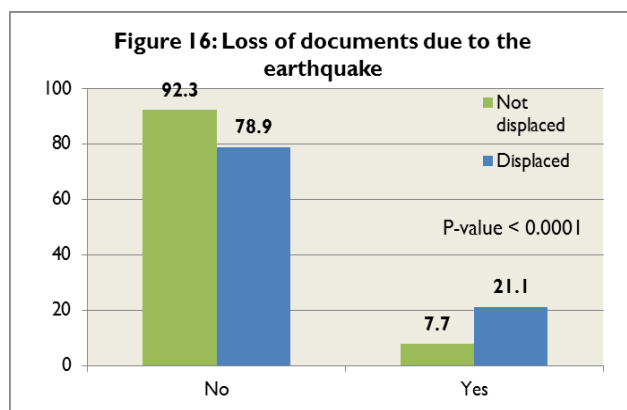
forced the residents out, and prevented anyone else from living there. The area had been regularly used as latrines by people from the neighborhood. The IDPs cleaned the space with their own hands to create a space to live. Like many others, their living conditions have declined since the earthquake: they lost their assets, struggle to find work and educate their children, and are intimidated by the claimed owner of the land where they live. But beyond this, they are humiliated and harassed by neighbors who look down on them for living where they do. The stigma of coming from Place Fierté and living in a “contaminated” area limits their access to local services, as the service providers come from the community that discriminates against them. For these IDPs, their current conditions are worse than what they faced at Place Fierté. Even in the context of widespread poverty, their experiences of displacement have compounded their suffering and marginalization, demonstrating how displacement can exacerbate the discrimination on the basis of socio-economic status that exists in varying degrees, and at various levels, throughout Haitian society. As the victims of eviction, they have slipped through the cracks of efforts to support solutions to displacement in Haiti.

## Access to Personal and Other Documentation

According to the IASC Framework, IDPs who have achieved a durable solution have access to personal and other documentation necessary to, for example, access public services, reclaim property and possessions and vote. In post-disaster contexts, documentation strengthens human rights protection, for instance by decreasing vulnerability to sexual and labor exploitation and human trafficking. Survey data showed strong association between displacement and the loss of documentation, with 21.1% of displaced households reporting the loss of documents as a result of the earthquake in comparison with 7.7% of non-displaced households (see Figure 16).<sup>61</sup> Few families within either group have received assistance to recover lost documents by the government, NGOs or international organizations. However, displaced households have been particularly active in seeking to replace lost documents: 268 of the displaced households surveyed lost documents in the earthquake; 141 of these households (53%) have since replaced them. In comparison, 100 of the non-displaced households surveyed lost documents in the disaster; 37% have since replaced their lost documents. Replacement of lost documentation by displaced families was facilitated by efforts such as a UNHCR-funded program in 2011 through which the Haitian organization ACAT assisted 10,000 IDPs with their civil documentation needs.



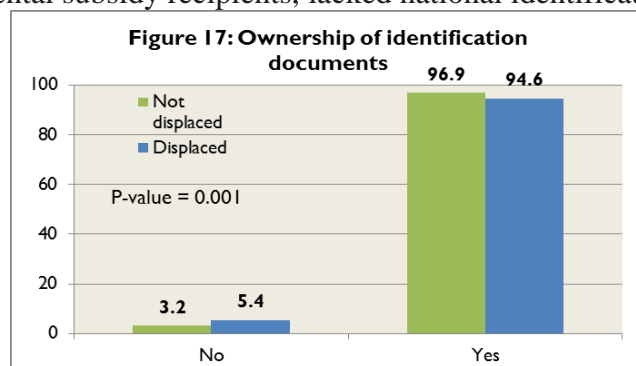
The most common problem identified by displaced and non-displaced families resulting from the loss of personal documentation is hindered access to civil and political rights, namely the ability to participate in public affairs and the ability to vote. Few associated their current lack of documentation with problems in establishing property ownership, buying a property or proving rental agreements. This meshes with the view expressed by IDPs, community members, and other stakeholders that community confirmation of tenure status is the primary way to verify property and housing claims. Nevertheless, some actors did raise the concern that incomplete documentation represents an obstacle to increasing access to housing through formal credit or microcredit mechanisms, which is a central component of the government's strategy to improve access to housing.



Stakeholders underlined that obtaining birth certifications and national identification cards is a costly and complex process in Haiti that marginalizes the poorest members of society, including

<sup>61</sup> Interestingly, the survey data shows that 84.4% of individuals under 20 years of age do not own a personal document, compared to 6.5% of individuals 20 years of age or older. These percentages are the same in displaced and non-displaced households.

parts of the IDP population. The survey illustrated this concern, finding that a significantly higher proportion of IDP heads of household (5.4%) lacked any kind of personal identity document, compared to 3.2% within non-displaced households (see Figure 17). In 2013, IOM camp registration data collected in Port-au-Prince estimated that 15-20% of IDP heads of household, including rental subsidy recipients, lacked national identification documents.



The aid community has progressively devoted increased attention to documentation challenges, strengthening the overall approach to durable solutions. For example, during the implementation of rental subsidy programs, stakeholders systematically observed that undocumented families were unable to receive their cash grants from participating banks. In some cases international actors assisted people to obtain new identification documents, or referred them to specialized agencies for help. In other cases, implementing organizations created new identity cards for heads of households that were temporarily accepted by banks as a valid form of identification to access rental subsidy cash grants. More promisingly, “*Provide documentation to IDPs to facilitate socio-economic integration*” has been identified as a goal within the UN’s 2014 Haiti Strategic Response Plan. This objective complements government efforts to improve Haitians’ access to personal documentation, including through a program supported by the Organization of American States (OAS) to modernize the Haitian civil registration system.<sup>62</sup> Humanitarian and development actors have a role to play in ensuring that IDPs are included within and can equitably access programs that aim to help vulnerable citizens obtain civil identity documents.

<sup>62</sup> See OAS press release, OAS-Implemented Civil Registry Project Concludes in Haiti, but Challenges Remain, [www.oas.org/en/media\\_center/press\\_release.asp?sCodigo=E-238/12](http://www.oas.org/en/media_center/press_release.asp?sCodigo=E-238/12).



## *Family Reunification as an Element of Durable Solutions*

As the IASC Framework emphasizes, “families separated by displacement should be reunited as quickly as possible,” and those who wish to reunite should be able to seek a durable solution together.<sup>63</sup>

In Haiti, the vast majority of families separated during the disaster were reunited, including with the support of a number of family reunification and tracking services. Family separation, however, continues to occur for a range of reasons related to the dynamics of displacement and settlement. The

quantitative and qualitative data collected through this study confirm other research findings showing that IDP household composition has indeed changed over the course of the response and is influenced in part by available aid.<sup>64</sup> Survey data shows that 15% of displaced households experienced family separation as a result of the earthquake.



Family life has adapted to the post-disaster context in various ways. For example, the differences in age distribution amongst IDP and non-IDP households suggests that a number of young IDPs have moved away from their pre-earthquake households and formed new households. Whereas individuals aged 20-29 were head of 20.7% of the displaced households surveyed, a significantly lower percentage of non-displaced households fell into this age bracket (15.6%). Similar findings were revealed for families with a head of household aged 30-39 (28.8% of displaced households, in comparison with 25.2% of non-displaced households). This finding likely validates local and international actors’ perception that rental subsidy cash grants have provided both a motivation and an opportunity for young people to exert their independence by starting new households at the same time as they seek out durable solutions to their displacement. This trend is further substantiated by DTM camp-based registration data showing an increase in single-headed houses from 48% to 57% over a two-year period (2010 to 2012), and a decrease in average household size from 4.6 to 3.5.<sup>65</sup>

Households that were displaced by the earthquake appear to experience a higher degree of change in their composition; in some instances, these changes are part of IDPs’ efforts to improve their situation, and obtain a solution to their displacement. IDPs were more likely to report the presence of a new member(s) in their post-disaster households than non-IDPs (14.3% and 11.7% respectively). A number of reasons were mentioned by displaced families for the changes in household composition. For example, among those who are not currently living with the same family members, 11.1% said that some household members had moved to the provinces; 6.2% indicated that their residence is too small to accommodate the entire family. The same percentage indicated that some family members are still living in camps. Visits to the homes of rental subsidy recipients conducted as part of study, however, revealed some instances

<sup>63</sup> IASC Framework on Durable Solutions for Internally Displaced Persons, April 2010, pp. 40 ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).

<sup>64</sup> See e.g. Schuller 2012, *Homeward Bound*.

<sup>65</sup> RCRC, *Revisiting RCRC response to Internally Displaced People in Haiti*, 2013 (<https://dl.dropboxusercontent.com/u/106105981/rcrc.pdf>).



in which separate IDP households – sometimes with no prior acquaintance before the disaster – had decided to live together in order to improve their security of tenure. The unification of two households within a single rental unit allowed rental subsidy recipients to stretch their one-year grants into two years of more secure housing.

## *Participation in Public Affairs*

According to the IASC Framework, “IDPs who have achieved a durable solution are able to exercise the right to participate in public affairs at all levels on the same basis as the resident population and without discrimination owing to their displacement.”<sup>66</sup> The Framework further specifies that those who have accessed a durable solution should be able to participate in community affairs and undertake public service. While equitable participation in public affairs is often a major challenge in post-conflict situations, it is often assumed that this is not a major obstacle in post-disaster scenarios. In this case, the survey bore out this assumption, as it did not find any significant differences between displaced and non-displaced households in their ability to vote or take part in community life. For example, similar percentages of displaced and non-displaced households voted in the last election (72% and 71% respectively). Displaced and non-displaced households reported nearly identical interactions with their communities in terms of discussing common neighborhood issues. Nearly half of both groups reported that they sometimes or frequently discussed common problems, whereas the majority had never done so. Overall, 54.7% of households report that at least one of their members belongs to an organization or association. Of these, 85% belong to a church organization, followed by 6.6% belonging to a community organization and 5% to a youth association. Although no association was found regarding displacement and participation in community groups or organizations, displaced households that remained within their original neighborhoods do have a more active civic life than displaced families who left and have not returned to their pre-earthquake neighborhoods.



There is some reason for concern over the future direction of community life in Port-au-Prince given that the overwhelming majority – 96.7% of non-displaced households and 97.6% of displaced households – felt that levels of trust within their neighborhood had declined. While this is a finding in established neighborhoods, it is interesting to note that in several “new settlements” that were visited as part of the research (i.e. areas in which residents hoped to turn camps or informally settled areas into established communities), residents described community trust in very positive terms. These groups alternatively described their communities as tight-knit “families” bonded together by the trauma of the earthquake, who were committed as “agents of peace” to collective development goals. In some instances, this social cohesion appeared to be influenced by the smaller size of the camps/informal settlements, and the existence of pre-

<sup>66</sup> IASC Framework on Durable Solutions for Internally Displaced Persons, April 2010, pp. 41 ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).

earthquake relationships. In other cases, this trust seemed to be developed amongst individuals with no prior relationship who needed to rely on collective action strategies to withstand harsh post-earthquake conditions.

### *Access to Effective Remedies and Justice*

In this section of the IASC Framework, concepts related to justice and remedies for human rights violations are primarily framed around the harms experienced in conflict settings. The Framework states that IDPs who have been victims of violations of international human rights or humanitarian law, including arbitrary displacement, should have effective remedies, including equal and effective access to justice mechanisms; adequate, effective and prompt reparations; and access to relevant information concerning past violations and reparation mechanisms. The question of justice for IDPs uprooted by natural disasters is under-examined; although some of the harms caused by natural disasters may be inevitable, it is also clear that these crises are often exacerbated and perpetuated by a range of socio-economic injustices. While Haiti's displacement crisis has not generally been portrayed as a justice issue, various interviewees suggested that a pre-2010 "development crisis" in Haiti was the real, underlying cause of large-scale displacement, rather than the effects of the earthquake itself. Interlinked factors such as corruption, inadequate protection of socio-economic rights, and the inequitable distribution of land and other resources heightened the displacement crisis, and have clear implications for the pursuit of justice and durable solutions in post-earthquake Haiti.



The IASC Framework urges all stakeholders to undertake a careful analysis of the type, nature, and patterns of violations associated with the causes and effects of displacement. Displacement in Haiti fostered adverse circumstances specific to the IDP population. Exposure to cholera, violent evictions, and sexual abuse were some of the more commonly identified harms suffered especially by displaced people in camps (although these harms were certainly not always limited to IDPs, or to those in camps and spontaneous settlements). None of these harms have been sufficiently redressed given the country's weak institutions, and the reticence of international organizations, particularly the UN, to shoulder its responsibility for harms such as the cholera epidemic. Compensation for victims of the cholera epidemic should be provided in a manner sensitive to the needs and priorities of displaced Haitians, such that it strengthens the pursuit of durable solutions.

Efforts to prevent and provide redress for unlawful evictions should be a priority for aid agencies and the government, as the on-going failure to sanction or provide remedies for forced evictions is severely undermining the pursuit of durable solutions. CCCM actors currently identify 11,763 families (approximately 42,563 individuals) in 35 sites as facing a high risk of forced evictions. Forcible evictions in Haiti usually involve physical abuse and the loss of assets of considerable value to the IDP population, and may generate trauma. Current assistance programs and plans to

help camp-based IDPs find alternative settlement or shelter options do not cover 80% of the households threatened with eviction, although some efforts are being made to scale up prevention and mediation of evictions, and provide assistance to victims if an eviction does occur. More must also be done to strengthen the awareness of police and local government officials on the international principles and conditions that must be respected when evictions are carried out.

Finally, IDPs interviewed as part of this study embraced particular ideas about their victimization during the earthquake and the remedies appropriate for the injustices they experienced as a result economic loss, emotional trauma, and displacement. IDPs in the Canaan area vigorously pointed out that public land had been granted to them by the government because they were “earthquake victims,” appearing to equate land access as a partial remedy for their suffering (see Box 3). On the other end of the spectrum, some families residing in homes near ravines and other environmentally precarious areas felt that they were dealt with unjustly when aid providers refused to assist them to rebuild homes, yet at the same time neglected to provide them with alternative options. These concerns are only some of the many that could be helpfully addressed in the context of a longer-term effort to identify and redress the injustices associated with Haiti’s displacement crisis. Such an exercise could provide valuable insight into the broader question of accountability and redress in the aftermath of disasters.

### Box 3: Durable Solutions in Situations of Urban Informality

*Breaking out of traditional post-disaster settlement paradigms, thousands of people, including many displaced by the earthquake, have established new, informal settlements in a peri-urban area north of Port-au-Prince.*

The possibility of accessing cheap, speculative land has drawn some 120,000 individuals to a sizeable area just outside Port-au-Prince colloquially referred to as “Canaan,” the name of the largest informal settlement in the location. However, this “small growing city” unofficially includes three large informal settlements (Onaville, Canaan, and Jerusalem), two planned resettlement sites (Corail Sector 3 and Sector 4), and five new spontaneous settlements in an adjacent area farther north (“St. Christophe”).<sup>67</sup> All these settlements continue to grow, depending on how much land remains available, despite offering a harsh, treeless terrain with no services and varying levels of environmental risk.<sup>68</sup> A portion of this land has been officially designated for public use; the precise boundaries of this area are unclear, but it appears that population settlement has extended beyond the area declared for public use. This reality poses major difficulties in terms of land tenure regularization and protecting newer settlers from evictions. As a further complication, issues around private ownership and compensation for the expropriated land remain murky at best and raise unresolved legal questions. In spite of these obstacles, mass expansion and the construction of permanent homes seem to provide a progressing degree of tenure security for inhabitants. This however is not always the case. The recent eviction of newer settlers from comparatively valuable land near the sea shows that some individuals and areas are more protected than others.

Various stakeholders describe Canaan as a new “Wild West,” owing to the conditions of informality that characterize the development of the area. In Canaan, there is a diverse spectrum of migration profiles, levels of social organization, land tenure arrangements, and threats of eviction. Visits to these sites show that they have attracted IDPs, as well as rural-urban migrants, members of other sectors of the poor urban population, and investors in a new land tenure market – including people speculating on the rising value of land in new settlements. The IDPs identify the destruction of their homes and the unaffordability of rental housing as reasons for moving to the outskirts of the city. While not definitively known, some believe that rental subsidy recipients have used parts of their cash grants to purchase land in the informal market and build homes in order to secure a more stable life.

In focus groups in Canaan, IDPs surprisingly spoke with hope that is not often found in Haiti. The efforts undertaken to make this area habitable and to “do one’s best to get things done” demonstrate remarkable levels of determination and household resilience. Many IDPs interviewed conveyed a special sense of solidarity coming from the experience of working

<sup>67</sup> These five villages are named Village Découverte, Village Grace de Dieu, Village des Pêcheurs, Village Mormond, and Village Mozaik. Residents of Village Mozaik were subject to forced eviction in late 2013.

<sup>68</sup> URD, *Reconstruction et environnement dans la région métropolitaine de Port-au-Prince: Cas de Canaan ou la naissance d’un quartier ex-nihilo* (2012).

together to forge a new life. They appreciated the chance to start over and expressed determination to prevent settlements from disintegrating into slums like those found within Port-au-Prince. To this end, they have established community committees, constructed schools and churches, planted olive and papaya trees, purchased solar panels for electricity, mapped out roads, and started a growing, informal economy.<sup>69</sup> Haitians are reported to have invested more than \$60 million Haitian gourdes in building homes in the area made of material ranging from tin and wood to cement blocks.<sup>70</sup>

Even with these self-driven initiatives, continued future development is dependent on external recognition and assistance. These settlements are sorely lacking basic services for adequate living, especially water, sanitation, electricity, transportation and health services. Informality also entails a long list of governance, security, and law enforcement challenges. Unhelpfully, Canaan and its proximate sites are often greeted with a high degree of uncertainty and even derision, as some dismiss the settlement as a “slum” not worth developing, even though neither its density nor residents’ present living conditions exhibit such characteristics. Others have declined to engage with these communities because of the complex political, economic and environmental issues these settlements face, which would need to be addressed in the context of aid efforts.

The key challenge for durable solutions is to recognize that informal settlements are part of the urban system, and their residents need to be treated fairly. Equally important, there is a need to recognize and work with what residents, including former IDPs, have already invested in these areas. IDPs and other settlers crucially lack a political voice and even an identifiable municipality they can work with to express their concerns and advance their long-term development. The Haitian government has recently signaled political will to incorporate these settlements into plans for city expansion. This is a step in the right direction as addressing land tenure issues, basic services, and livelihoods in informal settlements can help large numbers of IDPs to reach progressively more durable solutions. In order to achieve the best outcomes, national and international stakeholders are advised to consolidate a baseline understanding of the community-led initiatives already taking place in these areas; identify and address the political sensitivities undermining support for an adequate standard of living for inhabitants; and maximize opportunities to involve new settlers (including IDPs) in new, participatory approaches to urban development.

<sup>69</sup> BBC, “Haiti - Live from Canaan Camp,” 19 June 2013 ([www.bbc.co.uk/programmes/p019p6c8](http://www.bbc.co.uk/programmes/p019p6c8)).

<sup>70</sup> Caribbean Journal, “In Haiti’s Land of Canaan, a Promised Land Empty of Promise,” 17 August 2012 ([www.caribjournal.com/2012/08/17/in-haitis-land-of-canaan-a-promised-land-empty-of-promise/](http://www.caribjournal.com/2012/08/17/in-haitis-land-of-canaan-a-promised-land-empty-of-promise/)).



## REFLECTIONS ON DURABLE SOLUTIONS IN URBAN, POST-DISASTER CONTEXTS

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Efforts to enable durable solutions to displacement in Port-au-Prince have important implications not only for the rights and wellbeing of displaced Haitians and their neighbors, but also for other urban, post-disaster displacement situations. This section reflects on the significance of the Haitian experience for other contexts.



### *Challenges Posed by Post-Disaster Environments*

It is often assumed that advancing durable solutions to displacement is easier after natural disasters than in post-conflict environments often characterized by continued security risks, social divides, and unaddressed human rights violations. The difficulties posed by such challenges are reflected in the predominant focus of tools such as the IASC Framework on post-conflict situations. Yet post-disaster contexts present a range of sometimes under-appreciated challenges that can compromise the realization of durable solutions. Most obviously, the massive scale of destruction caused by sudden onset natural disasters such as major earthquakes, tsunamis and tropical cyclones, and continued vulnerability to relatively unpredictable future disasters, combine to hinder the sustainable resolution of displacement in the aftermath of major disasters. Depending on the type of disaster, return may simply be impossible if the land IDPs lived on before the disaster has disappeared, or been rendered unsafe for habitation. This necessitates a rethinking of the typical focus on return and restitution of lost homes in the context of efforts to support durable solutions. In such contexts, “recovery should not be conceived as either purely market-driven or planning-driven, and the goal of recovery should usually be a ‘new normal’ that avoids reproducing previous hazard exposure, physical vulnerability, and social vulnerability.”<sup>71</sup>

Over the course of the past decade, the humanitarian world has been involved in supporting durable solutions in the aftermath of a number of “mega” natural disasters, with large-scale emergencies following disasters such as the Indian Ocean tsunami, floods in Pakistan, Typhoon Haiyan in the Philippines, and the earthquake in Haiti. These disasters did not simply affect a part of a community or a group of persons in the affected area. Rather, whole settlements were wiped away, making reconstruction particularly difficult as there was a lack of clear landmarks and no detailed record of what was lost (owing both to the destruction of records and, in many cases, a prior lack of comprehensive, neighborhood-level documentation). While the destruction of whole communities is sometimes also a dimension of conflict situations, this tends to be more common in major, rapid-onset natural disasters. Furthermore, while many conflicts causing displacement are protracted in nature, major natural disasters often occur in an instant, which may dramatically undercut or even eviscerate the capacity of government institutions and local administrations to respond, particularly if many officials are killed, as in Haiti, or if disaster

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<sup>71</sup> M. Lindell, “Disaster Studies,” *Current Sociology* 61(5-6), pp. 797-825 (2013). Conceived in this manner, “recovery” extends well beyond traditional humanitarian timeframes.

preparedness efforts have been inadequate. The rapid onset of crisis means that some displaced individuals and communities may lack the coping mechanisms that would otherwise be developed in gradually emerging or protracted displacement situations. In addition to these losses, some natural disasters can cause environmental damage creating greater risks of landslides and floods, threatening the durability of solutions to displacement. In such situations, options for durable solutions narrow, with return in many cases rendered impossible, and relocation and integration confined to increasing scarce or already crowded safe zones.

The IASC Framework underscores that actors should take measures to provide “protection from those threats which have caused the initial displacement or may cause renewed displacement.”<sup>72</sup> Particularly in natural disaster situations, disaster risk reduction efforts are a critical element of durable solutions, although the connections between these areas of work are sometimes not effectively made. Further, disaster risk reduction interventions may be seen as overly costly, particularly when it is not certain that a hazard will recur, and at what scale.<sup>73</sup> Governments operating on paltry budgets and facing high needs may be tempted to forgo these investments to address more imminent issues; striking the right balance in investments is a challenge that merits more careful consideration, alongside the identification of cost-effective ways to reduce risks posed by future disasters, thereby strengthening resilience and the durability of solutions to displacement. The question of durable solutions to displacement in the context of slow-onset natural disasters also demands further analysis, but is outside the scope of this study.

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<sup>72</sup> *IASC Framework on Durable Solutions for Internally Displaced Persons*, April 2010, pp. 28 ([www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx)).

<sup>73</sup> It is however important to recognize that given Haiti’s geographic location, vulnerability to future disasters, including hurricanes and earthquakes, is high. Based on various disaster risk analyses, the Haitian National System for Disaster and Risk Management (*Système National de Gestion des Risques de Désastres*, SNGRD) and the Directorate of Civil Protection (*Direction de la Protection Civile*, DPC) have developed several disaster contingency and response plans, which incorporate protection concerns including disaster-induced displacement. Multi-risk contingency planning and the development of shelter-response guidelines are currently under discussion, both of which should also address displacement issues. Maximizing the efficacy of these processes and systems will require the early and sustained involvement of development actors, who can make long-term investments in rights-based disaster risk reduction activities that can increase resilience and reduce future vulnerability to displacement. On the government of Haiti’s 2013 disaster response planning, see for example *Strategie de Preparation Saison Cyclonique 2013*, [www.eshelter-cccmhaiti.info/jl/images/activitespreparationsaison%20cyclonique%202013mise%20a%20jourmai.pdf](http://www.eshelter-cccmhaiti.info/jl/images/activitespreparationsaison%20cyclonique%202013mise%20a%20jourmai.pdf) and *Saison Cyclonique 2013 Plan de Contingence National*, [www.eshelter-cccmhaiti.info/jl/images/plan%20de%20contingence%20national%20dpc%20juin%202013.pdf](http://www.eshelter-cccmhaiti.info/jl/images/plan%20de%20contingence%20national%20dpc%20juin%202013.pdf).

## Challenges Posed by Urban Environments

Haiti's experiences demonstrate that many of the key challenges affecting durable solutions in urban settings are political, and therefore technical and "innovative" approaches cannot be the only areas of focus.<sup>74</sup> From a durable solutions perspective, experiences in Port-au-Prince show that post-disaster settlement can be a highly politicized process that requires negotiating with a fluid terrain of actors, each with different interests and ideas about recovery, development of the city, and resource distribution. Aside from providing



resources and implementing programs, humanitarian and development actors have key roles to play as interlocutors and strategists in urban environments, ensuring that post-disaster policies and planning maintain an appropriate durable solutions focus. These roles have been assumed on a piecemeal basis in Haiti; in Haiti and elsewhere, the execution of this function could be improved through the articulation of a broader platform of common goals, strategies and advocacy commitments by the international community, including donors and specialized agencies. The robust engagement of government and local actors, including civil society and municipalities, is crucial in this process. This is however a particularly significant challenge in "fragile" states where government capacity and civil society mobilization is modest.

One of the key factors affecting urban settlement is that land in cities is typically of high value and in short supply. Conflicts between the right to housing and the right to private property are already common in many developing cities, even without the constraints of a major disaster.<sup>75</sup> Aid providers, with donor support, should incorporate understanding of these land dynamics into their responses, acknowledging that urban displacement is bound to intensify eviction threats and restrict settlement processes more generally. Diligent advocacy with and on behalf of the displaced and the landless can help strike an appropriate balance between private interests and public necessities during periods of intense urban reconstruction.<sup>76</sup> Forced evictions – as well as eviction threats – run counter to a broad range of rights and processes that must be respected if the search for durable solutions is to be successful. As experiences in Haiti so aptly illustrate, evictions are highly disruptive to efforts to strengthen resilience to future disasters, as evictees usually lose everything and have no access to housing alternatives or compensation.<sup>77</sup>

Several stakeholders highlighted discord between "humanitarian" and "development" timeframes as a major obstacle to effectively supporting durable solutions in urban contexts, with short and strict funding cycles undermining efforts to respond effectively to constantly changing urban

<sup>74</sup> A similar conclusion was drawn in ODI's Humanitarian Policy Group Working Paper, *Avoiding Reality: Land, Institutions and Humanitarian Action in Post-earthquake Haiti*. For a more detailed discussion of protection challenges and the urban environment in Haiti, see Ferris, E. and Ferro-Ribeiro, S., "Protecting People in Cities: the Disturbing Case of Haiti," *Disasters*, 36:1, S43-S63, 2012.

<sup>75</sup> Durand-Lasserve and Royston, *Holding Their Ground: Secure Land Tenure for the Urban Poor in Developing Countries*.

<sup>76</sup> See Birch, E. and Wachter, S. (eds.) *Rebuilding Urban Places After Disaster: Lessons from Hurricane Katrina*.

<sup>77</sup> The provision of grants to support victims of eviction is now being piloted by IOM with support from ECHO.

dynamics. Some international actors remarked that no matter what they were doing, the city was usually “building itself” at a faster rate than they could match. Broadening settlement options and securing access to livelihoods and services requires both sets of actors to work in unison in order to promote the best set of possible outcomes for people and their communities - who will take action regardless of prescriptive ideas for settlement, reconstruction and development. Complementing rental subsidy cash grants with increased support for rental sector recovery could be a promising area for better-harmonized aid efforts in Haiti, and in other urban contexts where rental subsidies are used to advance durable solutions.

Urban planning, which is both a political and technical process, is another important area for partnership between different actors, with potentially important implications for durable solutions. While humanitarians often lack expertise in urban planning, they may for example help to facilitate the involvement of IDPs in urban planning processes and reconstruction activities. Inclusive urban planning can help the displaced expand their options on where and how to live. In contrast, city planning that takes place without a wide spectrum of input and consultation risks decreasing the already limited number of settlement options for the displaced. Planning processes should also be mindful that populations should be involved regardless of their tenure status (thus including both renters and owners).<sup>78</sup> On top of this, humanitarian and development actors need to cooperatively promote appropriately phased, incremental approaches to promoting durable solutions. In environments characterized by unequal distribution of HLP resources, in which the majority of people live on marginal land, the immediate aftermath of a natural disaster is rarely the time to limit settlement options for environmental reasons, unless alternative, acceptable places are provided for people to reside.

Haiti’s recovery process raises valuable lessons for the pursuit of durable solutions in urban environments. Five main areas would benefit from more in-depth study to better understand durable solutions in urban displacement contexts. These include: (i) the impact of cash on urban household resilience; (ii) rental sector recovery in displacement contexts; (iii) leveraging reconstruction funds to stimulate livelihood creation and improved access to credit; (iv) tackling chronic vulnerabilities related to urban poverty and displacement-eviction cycles; and (v) the transformation of informal settlements associated with displacement crises into officially-recognized urban neighborhoods. Further research (including longitudinal studies) into these areas could shed light on some of the core factors underpinning the successful transition of displaced households from a position of vulnerability to resilience within urban neighborhoods.

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<sup>78</sup> See Hooper and Cadstedt (2013) on new research suggesting that renters are increasingly marginalized from urban planning processes based on perceptions of their transience in urban environments, and that concerted engagement efforts are needed in order to reduce these effects.



## ***Challenges Posed by Promoting Durable Solutions in Contexts of Extreme Poverty***

A challenge at the best of times, effectively supporting durable solutions to displacement is particularly difficult in contexts of extreme poverty, where the achievement of even minimum humanitarian standards represents a development gain for the majority of the population. As experiences in Haiti demonstrate, durable solutions can be hindered by several unquestioned assumptions about the relationship between displacement and poverty. First, political, humanitarian and development actors alike often



assume that there is simply no difference between the problems facing IDPs and other poor populations. This assumption sometimes evolves into stigma, as IDPs are portrayed not as disaster victims in need of durable solutions, but profiteers looking to “take advantage” of assistance. Second and relatedly, untenable generalizations are often made about the concerns facing IDPs and the barriers to durable solutions, overlooking the diverse effects of poverty and displacement. The relationship between poverty and displacement is dynamic, and needs to be regularly assessed in each context in which national and international actors seek to support durable solutions. While IDPs and other poor people in Port-au-Prince generally face many similar problems, experiences of displacement are significantly associated with particular obstacles, such as disproportionately greater difficulty accessing housing, water and sanitation. Displacement has generally deepened the poverty of uprooted households: as one IDP expressed it, the earthquake turned the scar of poverty into an open wound. But the specific impacts have varied, sometimes dramatically, between individuals, households and communities. If IDPs are to benefit equally from longer-term development processes, they must be able to access durable solutions that address these diverse obstacles. This requires a differentiated approach that recognizes the range of ways in which poverty affects people and the pursuit of durable solutions.

Third, it is sometimes assumed that extreme poverty means that IDPs cannot effectively participate in the pursuit of durable solutions. Lack of financial resources, education and other forms of social capital can constrain participation in decision-making and planning processes, but IDPs nonetheless actively devise and seek to implement their own durable solutions strategies. For example, residents of Onaville describe the development of their community as a “struggle” or “movement,” for which they are actively seeking international support. In some cases, the ways in which IDPs seek to improve their situation, and ultimately resolve their displacement, are at odds with the preferences of national and international actors. For instance, dividing and renting out parts of T-shelters on the outskirts of the city may be seen by some actors as problematic or even “cheating,” but this kind of strategy can in some cases improve the sustainability of the solutions IDPs are pursuing for themselves by providing the resources necessary for commuting into the city to work. Assumptions that poor IDPs are not responsible and effective decision-makers has also limited the use of cash grants, despite “proof upon proof,” as one humanitarian practitioner put it, that IDPs make effective use of cash grants in post-



disaster situations, and could potentially also put unrestricted cash grants to good use in support of durable solutions (according to individual household needs and preferences).

Beyond more effective use of cash grants, micro-finance and financial services programs in support of durable solutions, in Haiti and elsewhere, IDPs' own durable solutions strategies may be strengthened through more timely support for host families, and through careful analysis of the relationship between residing in camps and accessing durable solutions. In some instances in Port-au-Prince, enabling families to remain in communities that were initially established as camps, and integrating these communities into the surrounding neighborhood, may now be most conducive to durable solutions and should be strategically supported (see Box 1). Mobility is an essential element of many poor people's livelihoods strategies in Haiti and elsewhere; particularly in impoverished contexts it therefore should not be assumed that durable solutions will necessarily entail that former IDPs will be completely sedentary.

Fourth, the development of effective durable solutions strategies may be hindered by the mistaken assumption that supporting durable solutions as per the criteria identified in standards such as the IASC Framework entails "privileging" IDPs over other groups that are also in need. In impoverished circumstances, some actors have concluded that the most appropriate approach is to strive to restore the *status quo ante*, recognizing that, as one humanitarian expressed it, "bringing people back to their prior level would be *development* work here." However, restoring pre-disaster conditions would simply re-establish the circumstances that perpetuate vulnerability to displacement, and exacerbate the marginalization of the poor. For example, under such an approach homeowners will typically receive more ample support than renters and the landless, regardless of their levels of need. Rather than changing the goal from the attainment of durable solutions to the restoration of the *status quo ante*, the challenge is to raise awareness of the concept of *progressive realization* of durable solutions, as per the IASC Framework criteria, for the equal benefit of all. This also means identifying the concrete steps that may be taken in each context to gradually achieve these criteria, using a mix of humanitarian, recovery and development interventions (see Annex 1).

While the focus in post-disaster, urban environments is often on access to housing, the IASC Framework suggests and experiences in Haiti confirm that addressing housing issues on their own is not sufficient to enable durable solutions, particularly in impoverished contexts where access to sustainable livelihoods is often the lynchpin to the resolution of displacement. Indeed, conditions of extreme poverty make it all the more important to link humanitarian aid with longer-term development efforts in support of durable solutions: supporting durable solutions can represent "low hanging fruit" from a development policy perspective, insofar as relatively modest, well-targeted initiatives to address the negative impacts of displacement (such as the repair of homes, or the provision of microfinance support to revive lost businesses) can potentially make concrete and catalytic contributions to poverty reduction. Yet in Haiti, some actors suggested, temporary measures such as the provision of T-shelters did not generally segue into longer-term development support for



durable solutions, in part because the persistence of sub-standard humanitarian conditions continuously detracted attention from the need to focus on longer term issues. It is increasingly well recognized in Haiti and internationally that displacement and durable solutions need to be integrated into broader development processes, including the creation and implementation of housing policies, microfinance and financial services schemes, territorial/urban development and spatial plans, and poverty reduction plans. But the sustainable resolution of displacement ultimately depends on the quality of development that is being pursued: unless the rights and aspirations of the poor are at the center of the process, “solutions” to displacement will be fleeting at best.

## CONCLUSIONS AND RECOMMENDATIONS

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Achieving durable solutions to displacement may begin with, but certainly does not end with, closing camps. As the IASC Framework on Durable Solutions for Internally Displaced Persons indicates, and the results of this study underscore, the sustainable resolution of displacement is a long-term process requiring close cooperation between governments and a range of development and humanitarian actors, supporting the solutions IDPs themselves take the lead in crafting. In Port-au-Prince, displacement was associated with prior, high levels of impoverishment and vulnerability. IDPs and other members of the urban poor population continue to face many similar challenges, but IDPs encounter particularly significant obstacles to accessing basic rights and services, and are at risk of being further marginalized in ongoing national reconstruction and development processes.



As the earthquake response moves into its fifth year, attention continues to focus on the camps. While supporting the closure or regularization and integration of the remaining camps is a key goal, it is also essential to look beyond the camps to support a range of durable solutions at the community level, for the benefit of those who were displaced and their neighbors. At the same time, the lessons that Haiti's experiences raise for other crises need to be recognized and internalized. With this in mind, the following general and country-specific recommendations are offered.

### ***General Recommendations for Supporting Durable Solutions in Urban, Post-Disaster Contexts***

#### ***Strengthen the Application of the IASC Framework in Post-Disaster and Urban Situations***

Many of the actors working in post-disaster, urban contexts will not necessarily be familiar with the issues of internal displacement and durable solutions. Increased efforts are needed, under the leadership of IASC members, to raise awareness of the IASC Framework, the *concept* of durable solutions, and the *process* of supporting the sustainable resolution of displacement, including the leading role of IDPs themselves (moving beyond the mistaken notion that international actors “provide” solutions to displacement) and the need for close collaboration between humanitarian and development actors. Improved training on durable solutions and the IASC Framework is needed for government officials and donors, as well as the staff of international organizations and NGOs. Such training should address the practical implementation of the Framework through the progressive attainment of the IASC criteria.

To support the more effective application of the IASC Framework, the IASC should issue a complementary guidance note addressing issues particularly relevant to post-disaster and urban contexts, including integrating IDPs in urban planning processes; the relationship between durable solutions and rental markets; the integration of disaster risk reduction activities; and the

management of public space. Such a guidance note should emphasize practical steps towards the progressive realization of durable solutions in post-disaster contexts, recognizing that the right to housing is critical to durable solutions, but is not the only element that needs to be considered.

### ***Recognize Durable Solutions as a Development Concern***

Displacement is often seen as a humanitarian issue, but effectively supporting durable solutions depends on the recognition that displacement crises are often rooted in development failures, and can only be sustainably resolved through long-term development support focused on strengthening the rights, wellbeing and resilience of the poorest sectors of society.

### ***Develop and Implement Contextualized Durable Solutions Strategies***

The ways in which emergency responses shape prospects for durable solutions merit more careful consideration, recognizing that as much as possible, relief should be provided in communities rather than in camps. Durable solutions should be addressed earlier on in responses to displacement crises, on the basis of cross-sectoral durable solutions strategies. These strategies should be sensitive to rural as well as urban dynamics. For example, strategies should include a careful assessment of urban rental markets, and be sensitive to issues of housing availability and affordability. When disasters strike cities where populations are dense due to rural-urban migration, IDPs may return to the countryside and seek shelter with host families. Prompt support should be provided to these host families, in part with a view to making remaining in rural areas a viable option for those who prefer to remain outside the city (recognizing that the number of people opting for rural returns is likely to be modest, given the broader socio-economic factors that encourage urbanization). Strategies should be revisited and adapted as necessary to account for changing circumstances and the potential role of camp regularization and integration processes.

### ***Increase Advocacy and Accountability for Providing Effective Durable Solutions Support***

Donors and international organizations should dedicatedly advocate rights-based, cross-sectoral approaches to durable solutions. So that this responsibility is taken seriously, training and performance assessments conducted by international organizations should be geared to ensure that in all countries facing displacement crises, protection clusters actively address durable solutions, and UN Resident Coordinators/Humanitarian Coordinators (RC/HCs) take on leadership roles in preparing and implementing cross-sectoral durable solutions strategies.

### ***Strengthen Long-term Engagement and Analysis***

Longitudinal studies should be undertaken to better understand the durable solutions process and the long-term implications of different interventions. Detailed reviews of rental subsidy cash grant programs by actors including the World Bank would be particularly helpful, as well as analyses of camp regularization and integration efforts, and IDPs' own "self-help" approaches. Insights from these studies should be communicated to key stakeholders and integrated into future programming.

## ***Recommendations for Supporting Durable Solutions in Haiti***

### ***Enhance Cross-Sectoral Support for Durable Solutions***

Interventions such as the provision of rental subsidy cash grants provide a stepping stone out of camps. These efforts should be linked to other short term and long-term interventions tailored to support the sustainable resolution of displacement, such as livelihoods programs (including, but not limited to cash grants and trainings), and programs to increase access to micro-credit and financial services in displacement-affected communities. Interventions in support of durable solutions should benefit both IDPs and other community members. Indeed, the aim of such interventions is not to “privilege” IDPs in comparison to other populations, but rather to address the vulnerabilities and inequalities that continue to be associated with displacement. This is an opportunity to “pick the low-hanging fruit”—that is, to maximize the important and accessible development and resilience gains that can come with the resolution of displacement. Making the most of this approach requires greater flexibility on the part of donors in terms of funding timeframes.



### ***Integrate Displacement and Durable Solutions into Relevant Plans and Policies***

Displacement and durable solutions should be systematically integrated into relevant plans and policies at the local, national and international levels, including urban plans, the current draft housing plans, and development plans (e.g. poverty reduction strategy papers). These policies and plans should articulate clear strategies to ensure that poor Haitians, including IDPs, can access essential goods and services. While the private sector has an important role to play in enabling solutions, these plans should also ensure that public sector support is available.

### ***Consider Alternative and Differentiated Support for IDPs Remaining in Camps***

There is no “one size fits all” solution for IDPs remaining in camps. In line with the IASC Framework, a range of options should be supported, depending on the circumstances facing each camp and its residents. Considering the city’s housing shortage and the fact that many IDPs who remain in camps have begun integrating into the surrounding communities, formalization and integration approaches may play an important role. This entails supporting IDPs, particularly through development interventions, to successfully integrate into the surrounding communities, including some form of tenure security, housing assistance, and basic services. In other instances, the continued use of rental subsidies may be appropriate, with complementary initiatives to promote sustainability. An equitable and systematic approach is required to ensure, for example, that the needs of residents of smaller camps are not ignored.



### ***Support the Safe Expansion of the Rental Market, and the Construction of New Housing Units***

Considering the scale of the housing shortage and the fact that the vast majority of IDPs were renters, programs to increase access to safe, affordable and decent rental housing should be prioritized. In addition, programs including social housing, facilitation of private credit for housing reconstruction, subsidies and technical instruction for self-construction, and “sites and services” approaches should be considered on scale. Programs to make long-term land leases, tenure upgrades and land ownership more accessible should be expanded, including rent-to-own options on public or private land. Such initiatives can assist IDPs and others in similarly difficult situations to own land which, in combination with assistance in safe construction, can serve as the basis for vibrant communities.

### ***Facilitate the Replacement or Issuance of Official Documentation***

Many IDPs lost their identification in the earthquake, others never had any. The government should take a leading role, with international support, in facilitating affordable access to documentation as it can help to regularize people in their communities, increase access to services, and access loans and credit.

### ***Invest in Disaster Risk Reduction Efforts as Key Elements of Durable Solutions***

In order to increase the safety and viability of land where some IDPs have settled and reduce chronic disaster vulnerability, large-scale reforestation, soil conservation, watershed management, drainage improvement and other disaster risk reduction programs should be implemented on scale. Many of these programs have the added benefit of being highly labor-intensive, which may increase economic opportunity in surrounding communities. In addition, programmes engaging communities in the process of preparing for new disasters – including through programmes to train IDPs and other vulnerable populations in basic first aid, basic principles of disaster preparedness, identification of evacuation routes from dangerous areas and related issues – serve not only to reduce exposure to new disasters or repeated displacement, but also empower IDPs to take charge of their own situations.

### ***Strengthen the Protection Focus***

Specific potential vulnerabilities linked to factors such as disability, age, and single-parent household status should be taken into account from the earliest stages of humanitarian assistance, through to the longer-term, development-related interventions seeking to support durable solutions. Monitoring efforts, for example in relation to rental subsidy cash grant programs, should be adapted so that they are more attuned to human rights protection concerns, and trigger more reliable responses to identified problems. More concerted and sustained advocacy on the part of donors and international organizations is also needed, particularly in terms of the continued threat that illegal evictions (from camps as well as from return and settlement sites) pose to the attainment of durable solutions. Appropriate forms of durable solutions assistance should be provided to the victims of forced evictions, alongside renewed efforts to ensure

accountability for this violation, and strengthened human rights training for police involved in conducting evictions.

### ***Increase Support for and Engagement of Local Actors***

Rhetorically, it is often recognized that durable solutions require working with local groups, yet this rarely translates into adequate and effective support for and engagement with these actors. Moving forward, strengthened efforts are required to support local organizations in advancing durable solutions. At the same time, international organizations should ensure that national staff are engaged on a strategic level, and not just in terms of program implementation.

### ***Support IDPs' Own Durable Solutions Efforts***

As much as possible, national and international efforts should support the solutions to displacement that IDPs themselves are carving out, recognizing and complementing the investments displaced families make, including in informal settlements. Careful, incremental support (including for disaster risk reduction) is needed for IDPs who are seeking out durable solutions in, for example, the Canaan area. Such support should seek to strengthen the community organizations that are emerging in informal settlements, and working to promote the healthy development of these areas. In some cases this will require rethinking the perceptions of risk that have shaped the provision of aid in Haiti.

### ***Concluding Remark***

It is sometimes assumed that achieving durable solutions to displacement is easier in the aftermath of disasters than in the wake of conflict. The struggle to sustainably resolve the displacement crisis triggered by the January 2010 earthquake shows that this is not necessarily the case. The confluence of a major disaster, entrenched poverty, and a complex urban environment, in combination with coordination and capacity problems, insufficient advocacy, and strategic shortcomings have undermined the sustainable resolution of displacement in Port-au-Prince. Yet in camps and communities across the city and on its outskirts, this struggle continues.



## ANNEX 1: THE IASC FRAMEWORK ON DURABLE SOLUTIONS FOR INTERNALLY DISPLACED PERSONS: IMPLICATIONS IN PORT-AU-PRINCE

**Background:** The IASC Framework on Durable Solutions for Internally Displaced Persons addresses the characteristics of a rights-based durable solutions process, and identifies a range of criteria for determining the extent to which a durable solution has been achieved. This table:

- Identifies some of the relevant actions organizations involved in supporting durable solutions for IDPs in Haiti have undertaken, or could in the future, to ensure that the process is rights-based, as per the IASC Framework; and
- Lays out the criteria identified in the IASC Framework for determining the extent to which a durable solution has been achieved and identifies possible indicators of progress towards achieving durable solutions in Port-au-Prince.

The table was developed on the basis of consultation with staff from a range of national and international NGOs, as well as international organizations. (Not all of the activities listed here were undertaken with the explicit goal of upholding the criteria for the attainment of durable solutions identified in the IASC Framework. However, many were informed by the rights-based approach that underpins the IASC Framework.) The table is not intended to be a checklist of activities that must be undertaken in all cases, or an exhaustive list of all activities conducted in Haiti in support of durable solutions for IDPs. Rather, the table highlights activities and indicators relevant to the realization of durable solutions that could be included or enhanced in future programming.

<i>Organizing a rights-based process to support durable solutions</i>	
<b>Principles</b>	<b>Possible activities relevant to organizing a rights-based process to support durable solutions</b>
<b>Voluntary and Informed Choice of a Location for Durable Solution</b>	<ul style="list-style-type: none"> <li>• Communication programs for IDPs (in local language) are established that provide opportunities to identify, discuss, propose and receive information concerning options for durable solutions.</li> <li>• Intentions surveys implemented in camps (tent-to-tent as possible) and in communities (for IDPs living with host families) to verify individual preferences regarding durable solutions, and concerns with options and processes.</li> <li>• Establishment of mechanisms (such as hotlines at the camp and community levels) to capture complaints/concerns regarding ineffective or unfair aid delivery, as well as the reporting and referral of protection issues associated with durable solutions processes.</li> <li>• Voluntary consent procedures established for participation in programs such as the provision of rental subsidy cash grants.</li> <li>• Support for different durable solutions provided to the extent possible, with a view to maximizing choice.</li> <li>• Opportunities for IDP choice provided within the context of particular durable solutions-related interventions (e.g. rental subsidy</li> </ul>

	cash grant recipients choose a rental property, bearing in mind minimum safety standards).
<b>Participation of IDPs in the Planning and Management of Durable Solutions</b>	<ul style="list-style-type: none"> <li>• Development of durable solutions strategies (on national and/or more local levels) that reflect assessment of the general situation, criteria pertaining to the range of settlement options available to IDPs, and incorporates IDPs' views and preferences.</li> <li>• Establishment of representative camp committee(s) that can be used to facilitate discussion of settlement options, and manage the equitable provision of aid.</li> <li>• IDPs included in community-based reconstruction and participatory urban planning processes prior to movement into former/new communities. (This can also include identifying and mitigating potential tensions over limited community resources through service upgrades, such as the establishment of new marketplaces or water points.)</li> <li>• Participatory enumeration with IDPs and community members to establish community-level information/records on land tenure.</li> <li>• Co-design of T-shelters and permanent shelters with IDPs to reflect IDP needs and preferences.</li> </ul>
<b>Access to Actors Supporting Durable Solutions</b>	<ul style="list-style-type: none"> <li>• Case management and referral processes established to facilitate access to key actors involved in providing support for different aspects of the durable solutions process. IDPs receive equal access to aid regardless of land tenure status, meaning that the distribution and prioritization of housing and reconstruction aid is balanced between IDP homeowners and IDPs with other tenure status (e.g. renters).</li> <li>• Monitoring and assistance to IDPs evicted from places of displacement, ensuring they have equal opportunities to access support for durable solutions.</li> <li>• Early, written agreements concluded with relevant government entities and landowners laying out the specific conditions and timelines for IDPs to reside on public or private land and access services; copies provided to IDPs to clarify status and relevant actors.</li> <li>• Legal aid provided to IDPs to strengthen access to key actors and services related to durable solutions.</li> </ul>
<b>Access to Effective Monitoring</b>	<ul style="list-style-type: none"> <li>• Community monitoring mechanisms established that prioritize the collection of disaggregated data (sex, age, socio-economic status) over time, and according to IASC Framework criteria.</li> <li>• Monitoring efforts incorporate an explicit protection focus, and are directly tied to follow-up procedures, including in response to evictions.</li> </ul>

<b>Peace Processes and Peace-building Must Involve IDPs and Reinforce Durable Solutions (where relevant)</b>	<ul style="list-style-type: none"> <li>While this element of the IASC Framework is not directly relevant in the aftermath of natural disasters, in future post-disaster situations opportunities could be helpfully explored to consider how IDPs may participate in the development of reconstruction plans, and how these plans can most effectively address the question of durable solutions for IDPs.</li> </ul>
<i>Determining the extent to which a durable solution has been achieved</i>	
<b>IASC criteria</b>	<b>Possible indicators of progress towards achieving a durable solution</b>
<b>Long-term Safety and Security</b>	<ul style="list-style-type: none"> <li>Percentage of IDPs benefitting from protection monitoring in camp closure programs.</li> <li>Number of national and local actors trained on protection issues to assist IDPs in return, relocation, or resettlement processes, and to prevent and respond to violations of human rights, including forced evictions.</li> <li>Civil-military coordination mechanisms established, particularly in high-risk areas, to ensure the equitable and reliable provision of aid during camp closure processes.</li> <li>Number of return and/or settlement communities in which lighting is provided/available.</li> <li>Accessibility of police and legal services in areas with high rates of IDP return or settlement, compared to national averages.</li> <li>Reduction of the number of persons facing risks emanating from natural hazards in IDP return or settlement sites.</li> <li>Percentage of IDPs assisted through disaster risk mitigation and reduction interventions that are mainstreamed into settlement processes (such as the inspections of rental accommodations in areas of return/relocation; assessment of environmental hazards and mitigation work; structural safety assessments of damaged homes; provision of training for safe reconstruction etc.).</li> </ul>
<b>Enjoyment of an Adequate Standard of Living Without Discrimination</b>	<ul style="list-style-type: none"> <li>IDPs are aided to progressively access basic social and economic rights regardless of the characteristics of their neighborhood of return, relocation or integration, including through support for “regularization and integration” approaches (support for construction of latrines, “sites and services” models, etc.).</li> <li>Number of cash grants and other forms of support provided to help IDPs leaving places of displacement to access key services, e.g. education and health care.</li> <li>Percentage of IDPs who live in overcrowded conditions, and who lack an adequate standard of living, compared to the non-displaced population.</li> </ul>

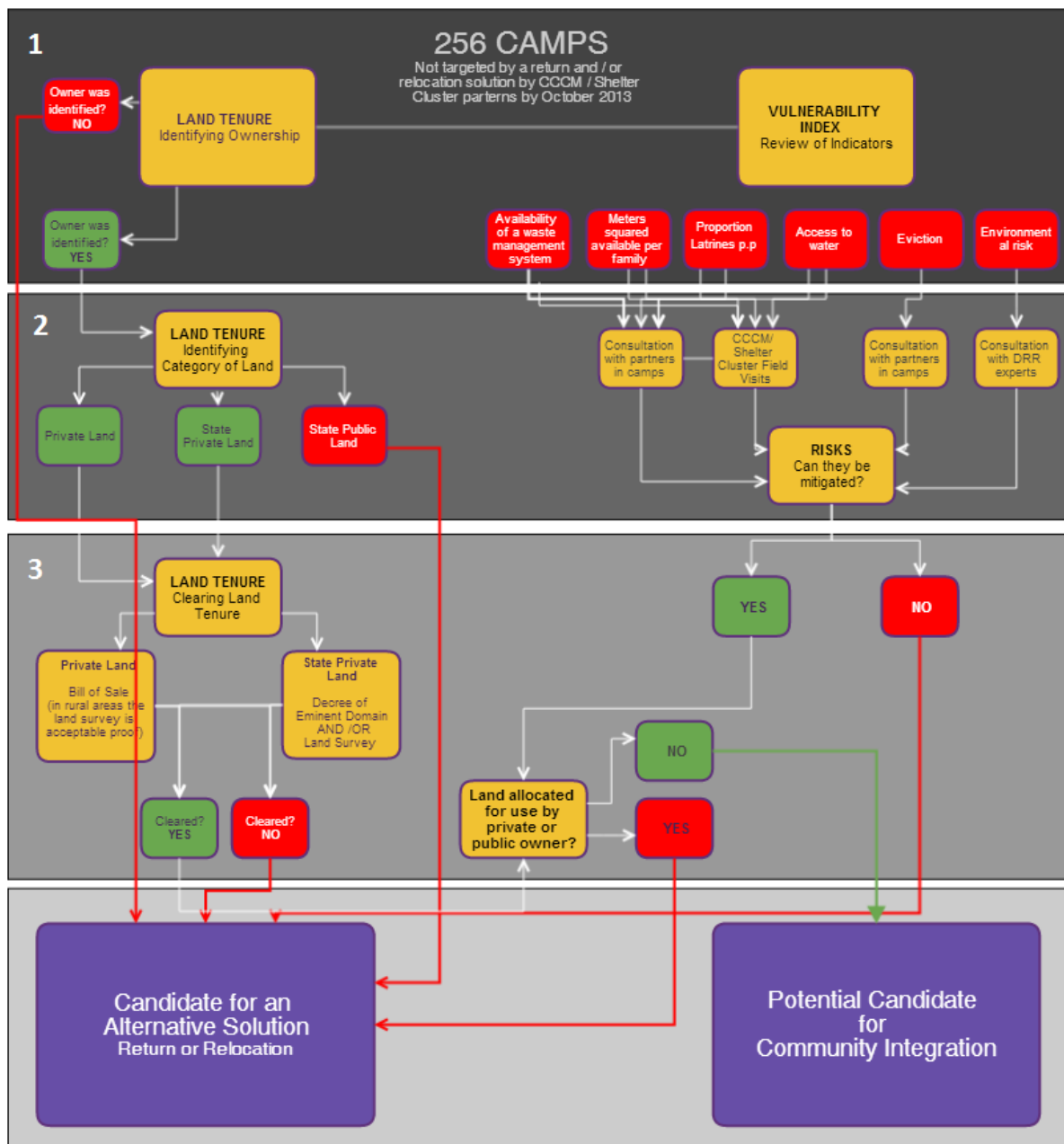


<b>Access to Livelihoods and Employment</b>	<ul style="list-style-type: none"> <li>• Percentage of IDPs assisted through cash-for-work programs or cash transfers to replace lost assets and livelihoods, particularly for IDPs unable to return to areas of former work.</li> <li>• Low-income and vulnerable IDP populations targeted in activities intended to strengthen resilience.</li> <li>• Percentage of IDPs benefitting from livelihood programs initiated in new settlement areas.</li> <li>• Percentage of IDPs engaged in short or long-term employment within reconstruction programs.</li> </ul>
<b>Effective and Accessible Mechanisms to Restore Housing, Land, and Property</b>	<ul style="list-style-type: none"> <li>• Number of communities assisted to partake equally in participatory enumeration activities that clarify land tenure and remove barriers to reconstruction.</li> <li>• Inclusion of displacement and durable solutions issues in housing and densification strategies and plans.</li> <li>• Percentage of IDPs with adequate and affordable housing (including rental housing), and an increase in this percentage over time in comparison with national averages.</li> <li>• Percentage of private landowners assisted with cash grants, technical support, and other related incentives to increase the availability of safe, adequate and affordable housing for displaced populations.</li> <li>• Percentage of IDPs assisted to access public land for sustainable post-disaster settlement, and percentage of IDPs assisted to negotiate long-term land leases or land transfers of private land for sustainable post-disaster settlement.</li> <li>• Percentage of IDPs receiving assistance to address tenure insecurity, including by improving access to housing and urban public services, with special attention to those residing in informal (or unauthorized) settlements.</li> <li>• Lower-income and vulnerable IDP households have access (on an equal basis with the non-displaced population) to support programs (e.g. social housing, access to credit) in order to address barriers to adequate and affordable housing.</li> <li>• IDPs assisted to find alternative, adequate housing in places of return or settlement if their prior residences are inaccessible due to land-use planning or zoning restrictions for new construction.</li> </ul>
<b>Access to Personal and Other Documentation Without Discrimination</b>	<ul style="list-style-type: none"> <li>• IDPs assisted to replace lost documentation/access necessary documentation to improve access to housing and public services (such as national ID cards to apply for credit to rebuild or construct housing).</li> <li>• Percentage of IDPs with personal documents compared to the local population.</li> </ul>
<b>Family Reunification</b>	<ul style="list-style-type: none"> <li>• Mechanisms established to reunite separated family members.</li> <li>• Aid and support for durable solutions distributed in manners sensitive to post-earthquake changes in family composition, such as increase in single-headed households.</li> </ul>

<b>Participation in Public Affairs Without Discrimination</b>	<ul style="list-style-type: none"> <li>• Percentage of adult IDPs registered and eligible to vote, compared to non-displaced population.</li> <li>• IDPs in new, informal settlements assisted to improve community cohesion and achieve full representation within a designated political jurisdiction.</li> </ul>
<b>Access to Effective Remedies and Justice (for violations of international human rights and humanitarian law)</b>	<ul style="list-style-type: none"> <li>• Number of SGBV victims provided legal aid and support services.</li> <li>• Number of IDPs provided legal aid and information to counter eviction threats and pursue legal recourse for unlawful and violent evictions.</li> <li>• Number of cases in which mediation occurs between IDPs and landlords to address eviction threats (mediations to include appropriate government and international stakeholders, community and camp mediators, with outside legal aid where possible to ensure that negotiations are inclusive, fair and balanced).</li> </ul>

## ANNEX 2: FLOW CHART: DETERMINING FEASIBILITY OF COMMUNITY INTEGRATION APPROACHES IN PARTICULAR CAMPS

In coordination with the Government, humanitarian and development actors have begun the process of identifying which of the remaining IDP sites may prove conducive to regularization and integration programs. The flow chart below was produced by the CCCM/Shelter Cluster.



# ANNEX 3: AREAS SURVEYED DURING QUANTITATIVE RESEARCH

