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second draft for comment

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report title

report on the

transitional settlement sector

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shelterproject.org is an informal group of physical planners and shelter specialists associated with the University of Cambridge for funded research projects. shelterproject.org team members work as consultants on policy development and in the field, in both conflict and natural disasters, with organisations such as UNHCR, DFID/CHAD-OT, ODI, IRC, CARE, MSF, and Oxfam GB. Since 1997, shelterproject.org has been involved with the Sphere Project in the development of sectoral standards, and Sphere continues to discuss revisions at the twice-yearly shelterproject.org peer review.

shelterproject.org is associated with the University of Cambridge for policy and technical research:

a) guidelines project to develop, with the aid community, a report (Phase 1) and field guidelines and training (Phase 2) for transitional settlement and shelter, funded until April 2004 by the Department for International Development (DFID);

b) shelter equipment project to develop, with the aid community, a full understanding of shelter in cold climates, funded until August 2003 by the UK's Engineering and Physical Sciences Research Council (EPSRC) and Department for Trade and Industry (DTI).

dedication

This report is dedicated to the memory of Jim Howard, a pioneer of settlement and shelter work. Jim's humanitarianism inspired us, and a great many others.

acknowledgements

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- Catholic Relief Services (CRS)
- Centre on Housing Rights and Evictions (COHRE)
- Cranfield University Disaster Management Centre (CDMC) [consultant to shelterproject.org]
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- European Commission Humanitarian aid Office (ECHO)
- GOAL
- International Committee of the Red Cross (ICRC)
- International Federation of Red Cross and Red Crescent Societies (IFRC)
- International Organization for Migration (IOM)
- International Rescue Committee (IRC)
- Lutheran World Federation (LWF)
- Médecins Sans Frontières Belgium/Holland (MSF-B/NL)
- Norwegian Refugee Council (NRC)
- Oxfam GB
- Registered Engineers for Disaster Relief (RedR)
- Shelter Now International / Shelter for Life (SNI/SFL)
- Sphere Project
- Swiss Agency for Development and Cooperation / Swiss Humanitarian Aid Unit (SDC SHA)
- United Nations Development Programme (UNDP)
- United Nations High Commissioner for Refugees (UNHCR)
- United Nations Human Settlements Programme (UN-HABITAT)
- United Nations International Children's Fund (UNICEF)
- United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA)
- United States Agency for International Development / Office of United States Foreign Disaster Assistance (USAID OFDA)
- University College London (UCL)
- University of Geneva [student observers]

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progress summary

introduction

This section will not appear in the final report and summarises the main revisions made to the report since the presentation of the first draft at the second peer review in Geneva on 3rd and 4th October 2002.

This section also summarises the progress made in the second draft towards the report's aim and objectives.

This second draft report on the Transitional Settlement Sector is intended as the basis for final comments from peer review panellists at their third meeting in Geneva, 15-16 May 2003. This feedback will then be incorporated into the final report, to be published by March 2004.

The peer review will be presented with this schedule for completion, but will also be offered the option of maintaining the report as an open document for further revisions.

revisions

The second draft of the report has been extensively revised following the feedback received during and subsequent to the second peer review in Geneva, 3-4 October 2002.

The overall **aim** of the Report has been reworded from the aim presented to peer review panellists at their first meeting, 6-7 June 2002:

The aim of this report is to provide the international aid and development community with a more coherent understanding of the nature and needs of transitional shelter following conflict and natural disaster.

The aim is now worded:

The aim of this report is to develop with the international aid and development community an understanding of the nature and needs of transitional shelter following conflict and natural disaster, and of response to those needs.

As intended, the report now incorporates details on transitional settlement following natural disasters, in addition to local and aid community response to transitional settlement needs created by conflict.

The revisions to the report incorporate comments received during the second peer review as recorded in the Summary of Proceedings (SoP 2), as well as detailed written comments submitted to shelterporject.org following the second peer review. shelterproject.org is also grateful to Professor Ian Davis, consultant for the guidelines project, for his extensive comments and additional material. Key revisions include:

- the re-working of all chapters to highlight more clearly the **aim** of both the sector and this report, and to demonstrate how the **objectives** of this report and its component parts contribute to this aim
- the inclusion of a new annex of proposed transitional shelter principles contributed by Professor Ian Davis (annex a)
- the creation of a new chapter entitled **context (chapter 2),** incorporating the

previous history and law sections. The report has also been re-numbered in an attempt to improve its clarity and function.

progress

Below is a summary of our conclusions based on comments on the first draft of the report from a number of peer review participant organisations. This charts the progress towards the objectives defined in the executive summary in light of comments received.

(chapter 1) introduction

The introduction is intended to state the aim of the report and to establish the objectives required to achieve this aim.

The introduction has been expanded to outline the objectives of each sub-section of the report, with an examination of how each sub-section contributes to the overall objectives of the report.

(chapter 2) context

The objective of the context chapter is to outline the historic, social, economic and legal influences which have shaped the development of the sector's activities. The chapter examines these factors through four distinct sections; history, characteristics, literature and law.

(section 2.2) history

The second draft of the historical review has been expanded to include information on the response to natural disasters. The review describes the origins and growth of aid communities and their accompanying legal, political, institutional and academic groups. It highlights how these groups have developed, and remain, largely focused on their individual operational sectors. With a historic record of ad-hoc provision, the development of transitional settlement response is revealed largely to comprise a high incidence of need with a low recognition of its importance.

(section 2.3) characteristics

Key sectoral characteristics discussed in this section include the perceived importance of shelter provision in comparison to water, food and health, the significant physical visibility of shelter, its capital cost and the potential length of involvement in comparison to other sectoral assistance programs. The lack of institutional learning is also highlighted as a key issue hampering the effective development of the sector.

(section 2.4) literature

The literature review has been expanded in the second draft to include coverage of literature relevant to natural disasters. Drawing on several sources including sociological, environmental and physical planning and shelter, the section examines how this literature might inform the development of aid community responses to shelter needs. The relative paucity of literature relative to other sectors and the lack of collaboration are both discussed.

(section 2.5) rights and the legal context

The overview of law introduces current law relevant to transitional settlement, and discusses its application. The review reflects the need for a common sector vocabulary and accepted definitions, as well as co-ordination and collaboration to enable the development of useful, enforceable law.

(chapter 3) need

The objective of the need chapter is to propose and examine different tools, which may be suitable for quantifying the degree of settlement and shelter needs.

Numbers of those people of concern to UNHCR can be used to give some indication of the scale of need, though these figures give only a very basic view of the precise nature of the need. Another proposed tool is using measured spend as a proxy indicator of need. Research shows that shelter spend is often well hidden within overall budget lines, though where measurable it is frequently as sizeable as other, better developed sectors.

(chapter 4) response

The objective of the response chapter is to measure and analyse sectoral resources and structures through the use of proxy indicators.

Researching these proxy indicators highlights the sector's lack of physical, analytical and human resources, and demonstrates that for many agencies transitional settlement is not viewed as a core emergency response sector. The chapter illustrates that the sector does not currently possess the tools to provide a coherent, effective response to transitional settlement needs.

(chapter 5) conclusion

The objective of the conclusion is to draw together the arguments from each chapter, to provide coherent responses to the objectives stated in the introduction.

This chapter concludes that a significant proportion of unmet settlement and shelter needs exists, but that the lack of tools to quantify these unrecognised needs is hampering response.

The lack of a clearly defined transitional settlement sector has made it difficult to draw accurate conclusions as to whether the sector is appropriately resourced; however it appears that professionals working in this area are not adequately equipped or supported by appropriate structures.

Using other sectors of aid operation as models, the conclusion suggests potential components of an ideal structure for the sector, and highlights the parallel need for both resources and commitment to achieve sustainable improvements.

executive summary

Everyone affected by conflict and natural disasters has settlement and shelter needs that have significant impacts upon their security, survival and health, in addition to social needs such as privacy and dignity.

The tens of millions of displaced persons, such as the 20 million persons of concern to UNHCR, have significant impacts upon host populations and local and regional economies and environments, in addition to local and regional political security. The choice and location of settlements for displaced populations may destabilise an entire country, or even region, however responses to these needs should instead facilitate a durable solution and offer developmental opportunities. There are often impacts on a similar scale when displacement does not occur, but when natural disasters create widespread destruction.

In the field, the design and implementation of transitional settlement programmes is often undertaken by generalists, specialists from other technical disciplines, or consultants. No specialist assessment tools are available to form an accurate understanding of the transitional settlement needs and coping strategies of affected populations, or of host populations. Tools available to design and implement responses lack both coherence and wide acceptance, both by the aid community and by governments.

This report shows that the nature of transitional settlement response has been misunderstood throughout the evolution of the aid community as being the physical shelter needs of the individual, such as protection from the elements, and that this has resulted in disproportionately small resources being committed to meeting wider needs, such as security. This, when combined with insufficient legal mechanisms to support transitional settlement as a human right, has undermined the development of the sector.

The report seeks to develop both an understanding of transitional settlement needs and coping strategies resulting from conflict and natural disasters, and an understanding of the appropriateness of response to these needs. It has been peer reviewed by humanitarian donor, coordinator and implementer organisations, and detailed comments were received during and after the peer review.

The report is the first phase in the development, with the same peer review, of field guidelines to support response to the transitional settlement needs of those displaced from their homes by conflict and natural disasters. The guidelines offer assessment, decision-making and implementation tools to maximise the benefits and minimise negative impacts of response for beneficiaries, for their hosts, and for other sectors.

aim of report

The aim of this report is to develop with the international aid and development community an understanding of the nature and needs of transitional shelter following conflict and natural disaster, and of response to those needs.

Four chapter objectives have been defined to achieve this aim.

chapter 2, context **To understand the context in which the transitional settlement sector operates.**

chapter 3, need **To understand the scale and character of all settlement and shelter needs created by conflict and natural disasters.**

chapter 4, response **To examine whether the transitional settlement sector is resourced and structured appropriately to respond to these needs, when compared with**

other sectors of response of the aid community.

chapter 5, conclusion **To explore how the aid community might improve response to transitional settlement and shelter needs.**

key definitions

The need for accurate and comprehensive terminology was described as a critical priority by the peer review at its first meeting, and this priority was emphasised by the review at its second meeting.

The aim in agreeing accurate and comprehensive terminology is to improve humanitarian response through improved communication within the humanitarian community, between donors, coordinating bodies, and implementers.

The objective in proposing these definitions is to develop and agree with the peer review a comprehensive series of descriptors for assistance to the settlement and shelter needs of those persons affected by conflict and natural disasters.

The following working definitions (see annex c6) are proposals and it is hope that they will be discussed and refined in future peer reviews and in other fora debating sectoral issues, as part of the process of the humanitarian community agreeing consistent and accurate terminology.

term	description
settlement	a community of covered living spaces providing a healthy, secure living environment with privacy and dignity to those groups, families and individuals residing within them
shelter	a habitable covered living space, providing a secure, healthy living environment with privacy and dignity to those within it
shelter non-food item (shelter NFI)	articles for distribution to beneficiaries that meet part of their transitional settlement or shelter needs, but that are not structural, such as blankets, mattresses, mosquito nets, stoves and fuels
shelter sector	an abbreviation of the “site selection, planning and shelter sector”, describing the part of the “transitional settlement sector” that responds to the transitional settlement and shelter needs of refugees, within the mandate of UNHCR
shelter system	the combination of structural shelter items and “shelter NFIs” which create shelter, possibly including local materials, such as a tent with locally-procured blankets, mattresses and a stove appropriate to a cold climate
transitional settlement	settlement and shelter resulting from conflict and natural disasters, recognising that emergency response is the first step in a process towards durable solutions for those affected
transitional settlement sector	the field of working towards sustainable settlement and shelter responses for those affected by conflict and natural disasters. Proposed aim: ‘Communities, families, and individuals affected by conflict and natural disasters should be afforded, along with any hosting populations, transitional settlement support to their security, good health, privacy and dignity, appropriate to their needs.’
transitional shelter	shelter which provides a habitable covered living space, a secure, and healthy living environment with privacy and dignity to those within it, over the interim period between being forced to leave their home and achieving a durable shelter solution; or shelter within a damaged home prior to the reconstruction of the home in a manner suitable for permanent occupation

This report seeks to adopt the definitions in use by mandated coordination bodies, such as UNHCR, while offering new terms or definitions to describe activities or groups of activities that currently do not have descriptors or definitions. If mandated coordination bodies such as UNHCR have differing definitions, or terms not identified during the research of this report, the definition or term of the mandated coordination body will be adopted in the place of the proposed definition or term.

conclusions

chapter 2, context — **To understand the context in which the transitional settlement sector operates.**

literature

a) Reasons for the gaps in the literature on the transitional settlement sector fall into two broad categories:

- the relative lack of attention paid within the aid and academic communities to policy defining the establishment of transitional settlement
- the inappropriateness of current assessment and research tools either for such studies, or for more sophisticated responses in the field

b) There is a growing body of work on the complexity of social and political contexts and it is clear that the cross-cutting issues that run through transitional settlement, other sectors and the aid community as a whole need to be drawn together at all stages of intervention: assessment, strategy choice, implementation, technical solutions and monitoring and evaluation.

rights and the legal context

a) Rights and the legal context are important because:

- rights law can be used as an advocacy tool
- an awareness of local and national law is crucial to an understanding of the socio-political context of a situation
- an understanding of rights emphasises the active character of beneficiaries who can make claims on different actors for resources and accountability
- law specific to transitional settlement needs to be developed and applied

b) Transitional settlement's relationship with international human rights law can be defined with reference to the terms 'shelter' and 'housing' as well as refugee law that asserts the inalienable and equal rights of refugees

c) Rights operate at different levels, or 'rights regimes'. Rights are socially and politically contested. The different rights regimes – from local to national to international level – may support or conflict with each other and involve a number of cross-cutting issues that the transitional settlement sector needs to be aware of

d) The most important documents relating to shelter and housing are:

- Article 25 of the Universal Declaration of Human Rights
- Article 11(1) of the ICESCR
- OCHA (1999) Guiding Principles on Internal Displacement (principles 1 and 18)
- Article 21 of the 1967 Protocol Relating to the Status of Refugees

e) With regard to resettlement and relocation, land rights are crucial. Further work is

required in this area. The Global Campaign for Secure Tenure is an attempt to take this forward.

chapter 3, need	**To understand the scale and character of all settlement and shelter needs created by conflict and natural disasters.**

The exploration of scale of transitional settlement revealed a high incidence of need relative to the recognition of its importance. The character of need was found to be different from its representation in some policy and standards: more emphasis is required on the security, society, economy and environment of affected populations and their hosts, rather than on the shelter needs of individuals.

Very little information exists on identifying and supporting the coping strategies of affected populations and their hosts, activities that are undermined by poor assessment and monitoring tools.

The proportion of all settlement and shelter needs created by conflict and natural disasters that receive no response from the aid community is significant but difficult to quantify. It is essential that tools are developed to quantify these unrecognised needs, for both humanitarian and operational reasons.

The group for which the clearest overview of numbers is available is refugees and persons of concern to UNHCR, although statistics offer only a very basic indication of their settlement and shelter needs. In 2001, of the 19 million refugees and persons of concern to UNHCR, over 13 million persons were outside camps and just under 6 million inside camps. It is assumed that all these have settlement and shelter needs. Research for this Report has not been able to achieve an overview of the scale and character of the needs of IDPs and those affected by natural disaster, although there is dispersed case-study data.

In both hot and cold climates, transitional settlement is an essential for survival. When people organise their own shelter it can present an illusion of order in a chaotic situation. The attitude that the people of hot climates can survive 'under a bush' ignores the wider role of transitional settlement and shelter. Transitional settlement is normally a contributing factor to the success of water, food and hygiene programmes, as well as to the political and socio-economic stability of the region. Adequate transitional settlement response takes into consideration factors that are not immediately apparent and therefore less likely to be tackled first. Issues of economic sustainability or access to services can involve a long-term process, and therefore have been considered less urgent.

The physical size of a transitional settlement makes it extremely visible. This visibility keeps the sector in the imagination of the media, donors, politicians and hosts. Transitional settlements may appear to donors, implementers and governments to be an open-ended commitment, not least because the long process of achieving adequate shelter becomes complicated by many factors, and crosses mandates of response.

Out of the work carried out on measuring need, several points emerge that show the necessity for a well-developed transitional settlement sector.

a) A Sustainable Livelihoods Approach (SLA) to assessing need offers a highly useful framework by concentrating on beneficiary resources rather than looking to simply assess basic needs.

b) The needs for and impacts of transitional settlement are complex, poorly understood, and critical to the success or failure of humanitarian operations. Improving the understandings of needs and impacts will improve the chances of successful operations. Developing a SLA for the relief community might be a useful starting point.

c) An indication of the scale of need is the population of concern to UNHCR , currently estimated to be around 20 million. 6 million (nearly 30%) of these are based in camps or centres.

d) Current international development goals such as MDGs do not pay any attention to the importance of transitional settlement as part of the link between relief and development. This is unlikely to change if the transitional settlement sector

remains without an advocacy base and position.

e) Need for transitional settlement is currently hard to measure. The use of spend as a proxy highlights the lack of other monitoring and evaluation tools, and spend is of limited use in understanding the complexity of the impact of transitional settlement.

f) Spend on the need for transitional settlement is often hidden in budget lines. Part of the transitional settlement sector's failure to establish itself is because its importance is not easily or immediately visible, precisely because it is not an established sector requiring close analysis of its performance.

g) As an underdeveloped sector, transitional settlement is frequently part of other projects. Our research shows that transitional settlement is a component of approximately:

- 1/5 of all DFID Emergency Relief projects
- 1/4 of all Oxfam GB projects
- 1/3 of all GOAL projects.

h) Transitional settlement need measured by spend is frequently as sizeable as other, much more well-developed sectors and is even, in some cases, larger.

i) Ideally, the clearest indicator of expenditure on the transitional settlement sector would be an absolute measure of spend per beneficiary and compare it with spend per beneficiary of other sectors. This information is difficult to obtain. Information from Oxfam GB suggests spend per beneficiary on shelter is almost equal to the health and water & sanitation sectors put together.

chapter 4, response **To examine whether the transitional settlement sector is resourced and structured appropriately to respond to these needs, when compared with other sectors of response of the aid community.**

In the field, the design and implementation of transitional settlement programmes is usually undertaken by generalists, specialists from other technical disciplines, or consultants.

This chapter shows that transitional settlement need should be responded to in a consistent, coherent manner, and that personnel involved in this response should be supported by transitional settlement-specific guidelines, programme management tools, and training. In order to respond in a coherent and consistent manner, recommended procedures and courses of action should be available to all personnel involved in transitional settlement. Whilst the organisations surveyed have saved thousands of lives through transitional settlement programmes, it is clear that staff have achieved this without specific support tools and programme management. The response to the human need should be tailored to the unique requirements of a transitional settlement programme, and fully supported by specific support mechanisms.

Any relief activity should be carried out in a consistent, coherent manner and all activities benefit from guidelines. There is a real need for such guidelines to be established specifically for the transitional settlement sector if it is to be able to maximise the benefits of assistance at all stages of intervention: assessment, strategy choice, implementation, technical solutions and monitoring and evaluation.

Currently there are no specific field assessment tools to identify and quantify, or to monitor and evaluate, settlement and shelter needs, other than tools for site selection. This report concludes that a priority for the sector must be the development of such tools, and their integration into general assessment tools and the operational structures of governments and aid organisations.

The lack of specific assessment tools, departments and staff budget lines, and sectoral development indicate that the sector is neither structured nor resourced appropriately, although there are significant exceptions and signs of progress. The scale of resources expended by the aid community on meeting beneficiary transitional settlement and shelter needs is not proportionate to the scale of resources committed within the aid organisations to support these responses.

chapter 5, conclusion **To explore how the aid community might improve response to transitional settlement and shelter needs.**

The conclusions presented in section 5.4 in response to this objective lead directly from the work undertaken in compiling this report. It is hoped that the forthcoming peer reviews, and any forums that succeed them, will further contribute to answering this question.

potential roles within the sector

Using other sectors of aid operations as models, the following roles are proposed for stakeholders in the transitional settlement sector. Each of these groups requires not only a structure and remit, but also the resources and commitment to act.

a) **international and human rights law**
Law and standards of operation developed and continually updated to ensure that they maintain relevance to the needs and mechanisms of response that they represent, involving coordinated lobbying from the groups defined below.

b) **governments**
Host governments and governments with internally displaced or disaster affected populations supported by the appropriate international, regional and domestic laws, policies and mechanisms of response, through their line ministries and emergency services.

c) **multilateral and bilateral donors**
Donors supported by the appropriate policies, budget lines, accountability tools, and specialised staff able to respond effectively to all transitional settlement need, at all phases of that need.

d) **coordinating bodies**
Mandated bodies, such as UNHCR, to coordinate response to all transitional settlement need, at all phases of response, including mechanisms to hand over responsibility from one body to another when mandates require it.

e) **implementing organisations**
Mandated organisations, such as national and international NGOs, to implement transitional settlement programmes, supported by the appropriate policy, assessment and best practice tools, sectoral integration, and specialised staff.

f) **academia**
Institutions such as universities, supported by appropriate donors and internal multi-disciplinary departments, with the expertise, experience and facilities necessary to collate best practice and form understandings of social and scientific responses.

Given the dynamic nature of humanitarian response, collectively these stakeholder groups require a forum, or fora, where coordinated progress can be discussed and achieved.

possible steps to achieve the roles of stakeholders proposed for the sector

The development of a transitional settlement sector is largely the responsibility of the aid community. By working together to raise the profile of transitional settlement and create the mechanisms and tools characteristic of other sectors, the foundations will be laid for the development of the sector.

a) Establish a forum to continue from the shelterproject.org peer reviews, to continue general sectoral development and to advocate the lobbying of initiatives to revise international, regional, domestic and human rights laws.

b) Donors, coordinating and implementing bodies develop internal policy, guidelines and management tools.

c) Donors, coordinating and implementing bodies develop internal departmental structures, with appropriate staffing.

d) Donors, coordinating and implementing bodies include within their mandates references to transitional settlement consistent with references to other sectors of operation.

e) Donors, coordinating and implementing bodies engage with governments and regional bodies to develop a consistent and resourced programme of in-country and regional capacity building.

f) All stakeholders agree consistent and comprehensive terms to describe the sector and its activities. Annex c lists a glossary of terms, including those suggested by shelterproject.org in section c6.

The process of developing policies and guidelines offers opportunities for organisations to explore what each can bring to the sector, prior to changes in internal structures, staffing, and mandates. While time is required for all departments within organisations to understand the need for such changes, it must be recognised that this process must proceed at a certain rate to avoid becoming overwhelmed by the constant pressures on the aid community.

abbreviations

CERT	CARE Emergency Response Team
CAP	Consolidated Appeals Process
CARE	Co-operative for American Remittances to Europe (historically)
CESCR	Committee on Economic, Social and Cultural Rights
COHRE	Centre On Housing Rights and Evictions
CRS	Catholic Relief Services
DFID	Department For International Development
DFID CHAD-OT	DFID Conflict and Humanitarian Affairs Department Operations Team
DMC	Disaster Management Center (Wisconsin)
DMC	Disaster Management and Coordination (IFRC), referring to the division or a team
DP	Displaced Person
ECHO	European Commission Humanitarian aid Office
EESS	Engineering and Environmental Services Section (UNHCR)
EMTP	Emergency Management Training Programme
EPSRC	Engineering and Physical Sciences Research Council (UK)
ERU	Emergency Response Unit
EU	European Union
FTS	Financial Tracking System (ReliefWeb)
IAPSO	Inter-Agency Procurement Services Office
IOM	International Organization for Migration
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IGO	Inter-Governmental Organisation
INGO	International Non-Governmental Organisation
IRC	International Rescue Committee
LWF	Lutheran World Federation
MDG	Millennium Development Goal
MDM	Médecins Du Monde
MSF	Médecins Sans Frontières
MSF-B/NL	Médecins Sans Frontières – Belgium / Netherlands
NFI	Non-Food Item
NGO	Non-Governmental Organisation
NFI	Non-Food Item
NRC	Norwegian Refugee Council
NSS	Non-Structural Shelter
NZODA	New Zealand Official Development Assistance (now The New Zealand Agency for International Development)
OAU	Organization of African Unity (now the African Union)
PRISM	Project and Research Information System Module
RedR	Registered engineers for disaster Relief
SCF	Save the Children Fund
SDC	Swiss Agency for Development and Cooperation
SDC SHA	Swiss Agency for Development and Cooperation / Swiss Humanitarian Aid Unit
SNI / SFL	Shelter Now International / Shelter For Life
SRNFI	Shelter Related Non Food Item
STS	Supported Transitional Settlement
TRCS	Tanzanian Red Cross Society
UN	United Nations
UNCA	United Nations Coordinator for Afghanistan

UNDP	United Nations Development Programme
UN-HABITAT	United Nations Human Settlements Programme
UNCHS	United Nations Center for Human Settlements (now UN-HABITAT)
UNDAC	United Nations Disaster Assessment and Coordination
UNHCHR	(Office of the) United Nations High Commissioner for Human Rights
UNHCR	(Office of the) United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Fund
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNRRA	United Nations Relief and Rehabilitation Administration
USAID OFDA	United States Agency for International Development Office of United States Foreign Disaster Assistance
WATSAN	Water And Sanitation
WHO	World Health Organization

introduction 1

1.1 introduction

This chapter introduces the aim and objectives of the report. It outlines how the report and its sub-sections are structured to contribute to the overall objectives. The chapter also details the report's scope, its intended audience and the peer review process.

This report reflects the ongoing response to a growing demand among specialists and generalists working in support of the settlement and shelter needs of those affected by natural and man-made disasters, here termed transitional settlement, for a better understanding of and increased clarity in their sector of operations. This report is intended as a step in achieving this understanding and clarity, which are seen by shelterproject.org as crucial to the sustainable development of a transitional settlement sector. The report is a 'live document' and has undergone a number of revisions in response to comments made by members of the peer review panel of shelterproject.org.

The report is the key deliverable of the first phase of a project funded by Conflict and Humanitarian Aid Department (CHAD) of the Department of International Development (DFID) of the UK Government to develop, with support from the aid community, field guidelines and training for transitional settlement and shelter, due for publication in April 2004. The structure and contents of the report have been presented to and discussed with the peer review panel of shelterproject.org.

In this report, 'transitional settlement sector' continues to be used as an inclusive term. This term was originally proposed at the June 2002 meeting of the peer review panel to describe the activities conducted in response to emergency settlement and shelter needs. In the understanding of shelterproject.org, the term includes the response to natural disasters, conflict and complex emergencies, and the closely linked processes of rehabilitation, reconstruction and possible resettlement. The beneficiaries include victims of disaster, refugees and Internally Displaced Persons (IDPs). The settlements considered include host families, rented accommodation, collective and transit centres, camps, home-based and self-settlement. The response ranges from provision of shelter Non-Food Items (shelter NFIs) such as plastic sheeting, to settlement planning and construction.

A complete glossary and structure to the terminology used in this report is presented as a diagram and a list in annex C.

1.2 intended audience

This report is intended to be useful, relevant and accessible to a wide audience. The list on the following page provides examples of some of the groups within the intended audience and outlines aspects of the report of particular relevance to each group. This list is not exhaustive but serves to highlight the intended width of the audience and the potential uses of the report.

1.2.1 primary audiences

donors

The report's focus on understanding the scale and character of transitional settlement needs (chapter 3), in particular the examination of tools to quantify need, will assist donors in assessing and providing appropriate levels of funding. These tools will help donors in both their strategic planning and also in evaluating requests for funding. Donors can expect that the report's proposals to improve the aid community's responses (chapter 5) will help them improve the efficiency, appropriateness and accountability of the transitional settlement responses for which they provide funding.

co-ordination bodies (such as UN bodies)

The report's exploration of the contexts influencing the transitional settlement sector (chapter 2) outlines the complexity of the many interlinked factors which have formed the sector. This highlights the vital role of co-ordination bodies and should help them understand and improve the effectiveness of relationships within the sector. Equally the comparison of inter- and cross-sectoral response mechanisms (chapter 4) will prove an invaluable foundation for understanding how co-ordination within and outside the sector can be improved.

implementers of transitional settlement responses

Implementers of transitional settlement responses are key members of the intended audience. The report provides practitioners with an understanding of the context in which they implement responses (chapter 2). It also provides useful inter- and cross-sectoral comparisons of the resources and structuring of response mechanisms (chapter 3). The report's suggestions for improving response to transitional settlement needs (chapter 4) are intended to be directly relevant to practitioners, enabling and encouraging resources to support practitioner-led improvements across the sector.

transitional settlement policy and advocacy bodies

Establishing the legal and historic context of the sector (chapter 2) highlights both the need and opportunities for advocacy and policy development. An improved understanding of the factors influencing the sector as a whole may also assist policy and advocacy bodies in collaborating effectively with other members of the aid community. The report's analysis of policy and organisational structure (sections 4.2 and 4.3) should help these bodies focus their work to help it address needs effectively. The report highlights the significant degree of unmet need within the sector and the report is therefore also intended to prove a valuable tool for advocacy within and beyond the sector.

1.2.2 secondary audiences

beneficiaries

The report is intended to help those with transitional settlement needs improve the accountability of those who assist them in providing responses. This improved accountability is expected to come in part from the development of tools to quantify need (section 3.4) and the parallel improvement in assessment and evaluation of responses (section 4.5). The scope of the report includes non-donor provided responses, highlighting that a significant range of transitional settlement responses do not include any donor or external involvement.

community based organisations

Community based organisations are expected to benefit from a better understanding of the scale and character of settlement need (chapter 3), in particular from the development of tools to quantify need. An improved understanding of the resources and structuring of Non-Governmental Organisations (NGOs), International Non-Governmental Organisations (INGOs) and donor agencies (chapter 4) is intended to help to improve the effectiveness, equitability and accountability of potential partnerships community-based organisations may form with these agencies.

host governments

Developing better tools to quantify the degree of transitional settlement need (chapter 3) is intended to aid host governments in planning more appropriate responses and is expected to assist them prepare requests for funding. A better understanding of the context in which the sector operates (chapter 2) and its mechanisms for response (chapter 4) is also intended to help host governments participate fully in the ongoing process of improving the sector's response to transitional settlement needs.

1.3 aim and objectives of the report

The aim of this report is to develop with the international aid and development community an understanding of the nature and needs of transitional shelter following conflict and natural disaster, and of response to those needs.

Four chapter objectives have been defined to achieve this aim.

chapter 2, context **To understand the context in which the transitional settlement sector operates.**

chapter 3, need **To understand the scale and character of all settlement and shelter needs created by conflict and natural disasters.**

chapter 4, response **To examine whether the transitional settlement sector is resourced and structured appropriately to respond to these needs, when compared with other sectors of response of the aid community.**

chapter 5, conclusion **To explore how the aid community might improve response to transitional settlement and shelter needs.**

1.4 scope of the report

The scope of the report includes local indigenous actions and aid community response to all settlement and shelter needs created by conflict and natural disasters.

The scope of the report does not include general development or upgrading unless it is directly the result of natural disaster or conflict.

The scope of the report is reflected by the breadth of organisations that have participated at the peer review. This encompasses donors, implementers, co-ordinating bodies (such as UN bodies) as well as policy and advocacy organisations.

1.5 structure of the report

The report is structured to address the objectives outlined above.

(see chapter 2) context

An understanding of the scale and character of settlement and shelter needs requires a historical understanding of the development of the sector. Similarly, any proposals to improve response to settlement and shelter needs requires a coherent understanding of the social, economic, legal and historic influences which have shaped the development of the sector's activities. A clear understanding of the contextual environment in which the sector operates is essential to understand its problems and to help in creating sustainable responses.

The objective of the context chapter is to outline this defining environment through four separate sections:

(see section 2.2) history: The objective of the history section is to review the historic provision of transitional shelter. Illustrating key factors which have previously contributed to shelter response is intended to highlight opportunities to progress and improve the sector.

(see section 2.3) characteristics: The objective of this section is to determine the particular factors which characterise the need for transitional shelter and the sector's response. This section also explores how the particular characteristics of shelter and settlement have affected the sector's development in comparison to other sectoral responses.

(see section 2.4) literature: The objective of this section is to review the available literature from several sources and provides a narrative to its development. This is intended to aid the understanding of what work exists to assist the development of the sector, and how it has shaped the current state of the sector as well as highlighting gaps in the literature.

(see section 2.5) rights and the legal context: The objective of this section is to provide an introductory overview of the resolutions and laws relevant to the transitional settlement sector. This is intended to highlight the importance of law specific to transitional settlement and illustrate opportunities to develop and apply this vital sector.

(see chapter 3) need

An improved understanding of the scale and character of settlement and shelter needs requires accepted tools to define perceived need and measure its extent.

The objective of the need chapter is to propose and examine different tools that may be suitable for quantifying the degree of settlement and shelter needs.

(see chapter 4) response

Understanding whether the transitional settlement sector is appropriately structured to respond to beneficiaries' needs requires an examination of the mechanisms and tools the sector uses to design and implement response. A cross-sectoral comparison of the transitional settlement sector's resources and structures forms a useful basis for judging the appropriateness of responses and highlights potential strengths and weaknesses.

The objective of the response chapter is to measure and analyse sectoral resources and structures through the use of proxy indicators. These indicators include policy, guidelines and training, programme design, implementation structures and equipment.

(see chapter 5) conclusion

At the heart of the report's aim is the attempt to provide the aid and development community with 'a more coherent understanding'. This requires the provision of clear and accessible information which can be effectively disseminated across the sector.

The objective of the conclusion is to draw together the arguments from each section to provide coherent responses to the three main objectives of the report. The conclusion aims to present these in a short, accessible manner that will promote their widespread dissemination and assist their understanding.

(see annex a) aim and principles

This annex proposes an aim for the transitional settlement sector in order to open a sector-wide dialogue on this important issue. The idea of defining an aim for the sector has been proposed by

Professor Ian Davis, visiting Professor Disaster Management Centre Cranfield University (CDMC) consultant for the guidelines project. The aim presented in this section has, however, been proposed by shelterproject.org.

Additionally Professor Davis has proposed establishing a series of foundation principles for use by the transitional settlement sector. It is believed that they will be of benefit to the stakeholders involved in the provision of shelter to enable them to share a common vision and understanding of well-proven basic principles that underlie effective actions.

The objective of these principles is therefore to provide the foundations on which the aid community can improve response to transitional settlement and shelter needs.

The principles presented in this annex have been contributed by Professor Ian Davis.

(see annex b) methodology

Building common shared understanding of the factors facing the settlement sector requires openness and common understanding of the basis and methods used to compile this report.

The objective of the methodology section is to create this transparency through a description of the methods, limitations and techniques used in the compilation of the report, in particular the peer review process.

(see annex c) proposed glossary of terms

An improved understanding of the needs facing the transitional settlement sector, its operational contexts and consequent improvements in its response requires common terms with commonly understood meanings. The importance of creating a framework of understanding to facilitate the achievement of all the report and sector's objectives was highlighted at the first peer review of shelterproject.org in June 2002.

The objective of the glossary annex is to create the basis of a common framework of understanding. The section includes both a glossary of terms specific to transitional shelter and settlement and a selection of general terms.

(see annex d) bibliography

The importance to the sector of a common, shared framework of understanding has been highlighted above in the outline of the glossary's objective. The inclusion of a bibliography section equally serves to address this objective. The bounds of the sector are partially defined by a common shared body of literature.

The objective of the bibliography is to facilitate the access to a common body of knowledge through a full listing of all relevant material.

1.6 peer review process

The aim, objectives and content of this report are all results of an ongoing, participatory, peer review process.

The use of peer reviews enables the relief and development community to direct the content and focus of the report through a facilitated forum. This forum also increases inter-sectoral communication by allowing the direct sharing of experiences and understandings. Feedback and comments are encouraged not only at peer reviews, but on a continuous basis. This is assisted by the publication of an email newsletter, reporting progress and eliciting feedback. To help ensure clarity of understanding between the peer review panel and shelterproject.org a Summary of Proceedings (SoP) is published

after each peer review to ensure the common interpretation of peer review comments[1].

The peer review process serves as a key link in reinforcing the accountability of shelterproject.org to the aid and development community. This accountability is a necessary condition of ensuring the usefulness and relevance of the report to the transitional settlement sector.

The peer reviews serve an additional objective by strengthening, through interaction and sharing, the capacity of transitional shelter organisations and build directly towards a coherent understanding of the nature and needs of transitional shelter.

The peer review panel is representative of the intended audience, comprising amongst others, UN agencies, donors, implementers, academic groups and policy bodies. Members of shelterproject.org, in common with a significant proportion of the peer review panel, are practitioners of transitional settlement response, ensuring that the report develops as a practical and relevant document.

Organisations that have participated in the peer review, or that have committed to do so, are:

- CARE International / Nederlands / UK
- Catholic Relief Services (CRS)
- Centre on Housing Rights and Evictions (COHRE)
- Cranfield University Disaster Management Centre (CDMC) [consultant to shelterproject.org]
- Department for International Development (DFID) and its Conflict and Humanitarian Affairs Department Operations Team (DFID CHAD-OT)
- European Commission Humanitarian aid Office (ECHO)
- GOAL
- International Committee of the Red Cross (ICRC)
- International Federation of Red Cross and Red Crescent Societies (IFRC)
- International Organization for Migration (IOM)
- International Rescue Committee (IRC)
- Lutheran World Federation (LWF)
- Médecins Sans Frontières Belgium/Holland (MSF-B/NL)
- Norwegian Refugee Council (NRC)
- Oxfam GB
- Registered Engineers for Disaster Relief (RedR)
- Shelter Now International / Shelter for Life (SNI/SFL)
- Sphere Project
- Swiss Agency for Development and Cooperation / Swiss Humanitarian Aid Unit (SDC SHA)
- United Nations Development Programme (UNDP)
- United Nations High Commissioner for Refugees (UNHCR)
- United Nations Human Settlements Programme (UN-HABITAT)
- United Nations International Children's Fund (UNICEF)
- United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA)
- United States Agency for International Development / Office of United States Foreign Disaster Assistance (USAID OFDA)
- University College London (UCL)
- University of Geneva [student observers]

[1] SoP for the first peer review is available at: http://www.arct.cam.ac.uk/shelter/downld/peer1rep/sopdraft.pdf and SoP for the second peer review is available at: http://www.arct.cam.ac.uk/shelter/downld/peer2/shelterproject_SOP2.pdf

context 2

2.1 introduction

This chapter considers the wider history of the transitional settlement activities within the aid community, and the reasons why the sector is in the state it is, as described in the conclusions in chapter 8 and in the executive summary. This chapter provides historical context for the forces that have shaped the development of transitional settlement activities.

This chapter asks:

a) how has the sector developed? (sections 2.2 and 2.3)
b) what work exists that can assist with current objectives and with the development of the sector? (sections 2.4 and 2.5)

The value of this historical analysis is to show how current issues become the opportunities to progress and improve sector. This chapter will focus on the recent history of emergency shelter provision in Refugee/Displaced Person (DP) contexts and the parallel history of natural disasters.

The chapter is organised as follows:

2.2 history
2.3 characteristics
2.4 chronological literature review
2.5 rights and the legal context
2.6 conclusions

2.2 history

This section, along with section 2.3, explores the first question raised above:

a) how has the sector developed?

The conclusions to this report describe a sector that, relative to other sectors of operation, lacks integration into the operational and managerial structures of humanitarian organisations, lacking even an assessment tool appropriate to its specific requirements. Response remains highly variable in terms of effectiveness, while effectiveness remains difficult to judge as the wider impacts upon affected populations of transitional settlement needs and response remain poorly defined and understood.

This section reviews the development of transitional settlement response. It describes the events, the responses and the groups involved in order to illustrate historically the contributing factors to the present situation. The subsequent section discusses the inherent complex characteristics of transitional settlement.

2.2.1 historic overview

The provision of temporary shelter for people displaced in a disaster, whether from wars, urban fires, or natural disasters, has historically been the task of the surviving community. They may have secured

some help from others, but the growth of the assisting community that provides shelter units or temporary housing to the temporarily homeless is a comparatively recent development, that probably first occurred after the 1906 San Francisco Earthquake.

Throughout recorded history, disaster survivors have generally used whatever survival skills they possess to improvise some protection using any available building materials they have been able to find. An early example came when Evelyn (1666) described the plight of 200,000 people who were displaced from their dwellings by the London Great Fire of 1666 to adjacent rural areas just outside the devastated area :

> "People of all ranks and degrees dispers'd, and lying along by heapes of what they could save…"

Perhaps the first detailed documentation of disaster shelters came from the records of the scientific expedition of Charles Darwin of HMS Beagle from 1831-6. The expedition was in Conception, Chile in 1835 when an earthquake occurred. Captain Robert Fitzroy, a hydrographer, carefully documented the spontaneous shelter building process, which is graphically illustrated by a very precise woodcut:

> "The higher classes immediately set people to work, to build straw-covered huts and temporary houses of board, living meanwhile in the open air under trees. Those who soonest obtained shelter or contrived shelter, collected as many about them as they could assist, and in a very few days all had temporary shelter, under which they tried to laugh at their misfortunes…"
>
> (Darwin, ed. by Keynes, 1979)

Turning to recent history the refugee crisis after World War Two was the largest mass need for shelter seen until then in the North. It prompted a surge in shelter relief as people displaced by war were housed in temporary camps awaiting relocation. At this time, the few aid organisations such as the International Committee of the Red Cross (ICRC) dealt with short-term shelter needs, borrowing military methods. The United Nations Relief and Rehabilitation Administration (UNRRA), and the military itself were heavily involved, while national governments took responsibility for long-term reconstruction (Corsellis, J, 1993).

By the 1940s, when Oxfam was founded, public awareness of third world refugees emerged through the media:

> "…the provision of shelter can be seen as coinciding with the development of aid, rapid transportation, and the growing spirit of internationalism…and also the continual increases in disaster casualties."
>
> (Davis, 1978)

Growth in populations, rapid urbanisation and the adoption of new construction materials and techniques also led to increased vulnerability to some natural disasters, especially in Southern countries. By the 1950s, the withdrawal of colonial powers in the South caused a new wave of instability. These factors led to increased population migration, which in turn increased the need for transitional settlements.

In 1951, the office of the United Nations High Commissioner for Refugees (UNHCR) was established to provide protection and assistance to one million European refugees. The organisation has been involved in assisting Internally Displaced Persons (IDPs) since the early 1970's and is often called upon to undertake specific programmes for IDPs, who are outside its core mandate. UNHCR became involved with emergency shelter as a consequence of its mandate to protect refugees.

In the 1970s crises such as war, tropical cyclones, and flooding in Bangladesh raised the question of what role should be played by the humanitarian sector. This sector had evolved into a series of mandated United Nations coordinating bodies, and specialist and generalist donor and implementing humanitarian organisations. When this sector responded to needs for settlement and shelter, developmental concerns emerged, as long-term progress towards adequate housing could not be sustained by countries with such few resources. The history of shelter after natural disasters intertwined with the history of temporary and permanent housing developments in disaster-prone areas as a result of pressures on land use.

The first detailed research into post- disaster shelter began in the early 1970's, and growing from this research base the first official guidelines for international agencies, UNHCR's *Handbook for Emergencies*, were published a decade later (UNHCR, 1982).

The next thirty years saw a growth in the humanitarian sector as relief organisations expanded to respond to the rise in migration. The proliferation of specialist, sector-focused United Nations (UN) agencies demonstrated a trend that was paralleled by Non-Governmental Organisations (NGOs). The mission statements of NGOs started to become far more specialised, partly in response to public and donor demand for accountability. The various groups that were developing the aid community, including donors, UN organisations, implementers and line ministries began to lobby governments for international law advocacy for their specialist sectors. Transitional settlement, with little of this type of support, remained underdeveloped. The United Nations Human Settlements Programme (UN-HABITAT) did, however, achieve significant progress in lobbying for international law for housing and permanent settlements.

2.3 characteristics

This section discusses the characteristics of transitional settlement. Using case studies, it explores how the history of transitional settlement has prevented its full development.

2.3.1 survival needs

Traditionally, water, food and health have been seen as the three essentials for survival. In both hot and cold climates, however, shelter can be equally vital providing protection from natural elements and human effects. In cold climates, shelter is likely to be more of an immediate priority in emergencies than other types of assistance:

> "While starvation occurs over a period of weeks, death from exposure can occur in a single night"
>
> (UNCA, 2001)

Transitional settlement has been less apparent as a fundamental need in hot climates, where recent relief procedures developed. Here, it is perceived that people can often survive for longer without shelter:

> "In India after the Gujarat earthquake [January, 2001], people were in some villages living under the trees as there was no urgency due to climatic problems at that time. "[2].

The attitude that regards it as acceptable for the people of hot climates to survive 'under a bush' may have significantly coloured the early stages of development of the sector. This attitude ignores the coping strategies of affected populations that often count for far more than external assistance, as well as ignoring the wider role of transitional settlement and shelter, such as in security and the economy.

Drought, famine and spread of disease have often been a focus for aid, but shelter can slow the onset of shivering caused by malnutrition, provide a more hygienic environment and lower the risk of malaria due to insect bites if nets can be provided (MSF, 1997). Transitional settlement is normally a contributing factor to the success of water, food and hygiene programmes, as well as to the political and socio-economic stability of the region.

People have often self-settled and appear to be coping. When people organise their own shelter it can present an illusion of order in a chaotic situation. This can give the wrong impression that people are adequately sheltered and therefore have no need of a shelter relief programme. Robert Chambers drew upon case studies involving Barundi refugees in South Kivu in 1972 and Bakongo refugees in Bas Zaire

[2] personal communication from C. Nixon, freelance, NZODA 07.11.2001.

from 1961 onwards to warn of the negative side of self-settlement:

> "instant impoverishment; mixed reception; cheap labour, dear food; poor access to land; political and legal vulnerability; the first to suffer, the last to gain; costs to the poorer hosts."
>
> (Chambers, 1979)

Non-structural aspects of durable shelter, such as economic sustainability or access to services, have been invisible. Adequate shelter takes into consideration factors that are not immediately apparent and therefore less likely to be tackled first. Issues of economic sustainability or access to services can involve a long-term process and therefore be considered less urgent.

2.3.2 controversial area

The physical size of a transitional settlement makes it extremely visible. The visually striking presence of shelter keeps it in the imagination of the media, donors, politicians and hosts[3]. The act of sheltering people outlines their presence to these groups in a very clear way by providing a visible resource for each family unit.

Transitional settlement programmes have necessarily involved land use, occupancy and ownership. A shelter occupies a plot of ground that in most situations is owned or controlled by an individual or group. UNHCR requires host governments to contribute land for refugee camps, however negotiating land titles presents a considerable obstacle to transitional housing, as experienced recently by Oxfam in Afghanistan, when a 10-year land dispute undermined the process of land acquisition at Tortangi, near Roghani (Howard, 2001).

Providing this type of shelter can become a long-term activity. Transitional settlements may appear to donors, implementers and governments to be an open-ended commitment, not least because the long process of achieving adequate shelter becomes complicated by many factors, including requiring different UN organisations to be involved in different phases, in accordance with their mandates.

In the context of reconstruction:

> "…donors for humanitarian aid are extremely cautious about involvement in shelter projects as the likely cost and length of involvement is so much greater than for other sectoral assistance programs"
>
> (shelterproject.org, 2001a)

The above factors, and the physical requirement of implementing a transitional settlement programme, make it a comparatively expensive sector. The capital cost per family unit has often been greater for shelter than for other types of assistance, which is related to the physical scale of requirements for shelter response; however, consumables such as food, fuel, and sometimes water can cost far more over time. Although the initial capital involved is therefore comparatively great, over the life of shelter materials, the impact of their value might be compared with other essential types of assistance. Zetter describes this paradox:

> "The scale and speed of refugee movements and presumed temporary status of refugees contrasts with the relatively high costs and durable nature of shelter provision"
>
> (Zetter, 1995b)

Agencies are sometimes faced with the dilemma of whether to provide minimal shelter to many or good shelter to a few[4]. Trying to establish the scale of need and then prioritise response is a dilemma that all actors involved in aid provision face and the transitional settlement sector is no different.

[3] personal communication from C. Nixon, freelance, NZODA 07.11.2001.
[4] personal communication from G. Browne, Lecturer in Construction Technology, Southampton University, RedR Trainer 16.11.2001.

2.3.3 specialist expertise

Those who facilitate shelter-specific activities in the field have rarely trained specifically in shelter. Factors such as the hidden nature of agency shelter spend have discouraged agencies from employing permanent specialist staff, with any shelter provision being handled by contract staffing, other technical staff, or generalists. This has tended to retain shelter knowledge within the realm of the individual rather than that of the institution. Even UNHCR only employs a few specialist in-house staff and hires consultants, or has seconded consultants from other agencies which pay their salaries. Supporting transitional settlement and shelter does not appear to be considered an exact discipline, as Clarke observes: "The attitude is that anyone can get a bit of plastic sheeting and do shelter."[5] The paucity of institutional knowledge hampers the building of sectoral guidelines and leads to lessons being continually re-learnt. Shelter provision evaluations have for some time demonstrated that the lessons learnt from shelter projects are not new, they just are not learnt.

In conclusion, the historical development and the character of transitional settlement response reveal a high incidence of need with a low recognition of its importance. The present situation for support to emergency transitional settlement need is largely the result of a history of *ad-hoc* provision.

2.4 chronological literature review

2.4.1 introduction

The section reviews the literature available concerning refugees and displaced persons by summarising how it might inform the development of responses by the aid community to the shelter needs of forced migrants. This literature review is ordered chronologically and seeks to present a record of the development of the sector, as well as an overview of approaches. The following areas are discussed:

2.4.2 paucity of literature
2.4.3 socio-economics and dependency
2.4.4 assessment
2.4.5 self-settlement
2.4.6 displaced populations and the environment
2.4.7 physical planning
2.4.8 other sectors, UN bodies, policy groups, NGOs and other academic disciplines

Most studies in refugee settlement and shelter bridge a range of both scales and disciplines, but there is only a very limited literature across this range for this study to compare. The sector shares with other sectors the complex and dynamic nature of response: either IDP law or controlling mosquitoes may hold the key to the success of a transitional settlement programme.

2.4.2 paucity of literature

A number of limited studies exist on aspects of transitional settlement, seen from a variety of disciplines, such as the environment. The aid community has produced a number of papers, guidelines and manuals on physical planning and other sectoral activities. A few studies exist of primary sources of alternative settlement typologies, such as resettlement, or residence with host families (e.g. Hansen, 1990; Harrell-Bond, 1994).

Reasons for the gaps in the literature fall into two broad categories: the relative lack of attention paid within the aid and academic communities to policy defining the establishment of transitional settlement; and the inappropriateness of current assessment and research tools either for such studies, or for more sophisticated responses in the field. The lack of suitable assessment tools for emergency phase operations has not only limited the quantity of data produced, but also their relevance in analysis and in offering opportunities for comparison between fields. This affects both the operations themselves, as it is difficult to find sufficient data to inform sophisticated decision-making processes, and research by the aid and academic communities intending to improve practice and policy.

[5] personal communication from J. Clarke, IFRC, IRC, CARE, RedR Trainer 18.11.2001.

2.4.3 socio-economics and dependency

Research into socio-economic conditions for both migrants and their hosts is an essential component of a literature for the study of transitional settlement.

The gender considerations in physical planning have been explored in some depth by Tara Rao. In a section entitled ‘site selection’ she concludes:

> The conditions within ‘camps’, although created for security reasons, do not create a secure environment from within, especially for women. Furthermore, isolating conditions of containment within these camps may have a greater tendency of continuing the traditional gender roles, especially for women.
> (Rao, 1997)

Rao pointed to a general lack of gender distinction in aid programmes and called for greater disaggregation of assessments, using gender analysis. A number of assumptions made in some aid operations, such as programmes in which the distribution of aid to families was made through the male representative of the household, were given as indicators of a male bias within the aid community (see also Nguyen-Lazarus, 1995). Many of these observations might be considered equally important when considering vulnerable or minority groups within a migrant population, such as different ethnic groups and the elderly.

Cuny (1977) identified that over-centralised control and management of camps resulted in disabling and destabilising the refugees and their communities, an effect which was later described as the 'dependency syndrome'.

The 'vulnerability and capacity' of refugees in Croatia in terms of their shelter and socio-cultural needs has been investigated by Sue Ellis, in her doctoral thesis on cold climate refugee shelter completed in 1996. She explored, referring to the work of Ian Davis (1978) and of Blaike et al. (1994), the reasons why particular groups are continually vulnerable to particular hazards. Ellis looked for ways to change their situation, to prevent or mitigate the impacts of those hazards:

> In order to be effective, aid needs to address the root causes of problems and not merely deal with the physical manifestations of the disasters themselves.
> (Ellis, 1996)

Ellis concluded that for migrants it was lack of resources, rather than lack of will or ability, that was the prime reason for the perception of a 'dependency syndrome'. The capacity of migrants to cope with their situation is therefore determined by the resources available to them, as much as by the participation allowed them in decision-making and in the operation of refugee camps.

Future studies into socio-economic contexts could be considerably more valuable in improving settlement options for forced migrants if they were able to:

- extend into the emergency phase, requiring the development of new study tools, to inform pro-active decision-making by the aid community
- produce comparable data on a variety of different settlement typologies, looking holistically at the actions of all the groups involved and the constraints under which they operate, sufficient to identify both best practice and options for progress in response by the aid community

The ‘dependency’ discourse might inform site selection in two ways, by:

- reinforcing arguments for the participation of migrant populations in the decision-making process and in later planning and settlement management (see Cuny’s work in section 2.4.7)
- seeking methods of temporary settlement programme design, implementation, organisation and management that reflect and incorporate migrant traditional representation and living patterns (UNHCR, 1982 and 1999; RedR, 2002)

2.4.4 assessment

shelterproject.org (2001b) proposed an emergency assessment tool for site selection intended provide baseline data to inform both pro-active decision-making and later evaluations. This tool has been included in edited forms in the Sphere and RedR guidelines (2003; 2002). In involving migrants from the outset in discussions with host communities and authorities, coping strategies would be practised and integrated into the development of appropriate support programmes. The relevant UN and NGO manuals (UNHCR, 1982 and 1999; RedR, 2002) call for such participation, but offer few tools with which to undertake it.

2.4.5 self-settlement

The 'self-settlement' discourse is productive in that it draws attention to a temporary settlement typology other than camps. Self-settlement very rarely constitutes a preferable alternative to camps, but the breadth of other typologies adopted by migrants indicates that considerable work is required to integrate them into aid community operations (Black, 1998). Achieving this objective will be difficult and will require concerted informed pressure, both from inside and outside the aid and donor communities:

> "More attention to supported self-settlement implies a more staff-intensive and more development-oriented approach than has been common in the past. Assisting the establishment of poor refugees among an existing rural population, especially where there is a shortage of land, requires fine-pointing, which in turn requires funds, and perceptive and imaginative staff."
>
> (Chambers, 1979)

Migrants and their hosts, the host government, the donors and the aid community itself have a great many valid, complex and often contradictory needs, which change over time, presenting the aid community with many moving goals. The immediate needs of an exhausted influx of migrants, who cross over a border or front-line into comparative safety, are usually to be sheltered, rest, drink, eat, and receive medical attention. The impacts of their presence may, in the longer-term, imperil both their own security and that of their hosts. shelterproject.org (2001b) argues for a series of temporary settlement typologies to be considered, and re-considered, to meet both these short and longer term needs. It has been noted that:

> "from the experience of [UN Relief and Rehabilitation Administration] onwards, the avoiding of the creation of camps and the emptying of those that did exist has been a constant aim of the international agencies dealing with refugees."
>
> (Schmidt, 1998, quoting Gordenker, 1987)

Since UNRRA, camps have been the main response of international agencies (Chalinder, 1998) and even the earliest have achieved a considerable degree of success (Corsellis, J, 1993). This suggests that camps have a role to play in meeting the needs of migrants and their hosts, but also that significant obstacles exist to ensuring that other typologies of temporary settlement (such as host families) are able to play their roles.

2.4.6 displaced populations and the environment

To date, most work by UNHCR and others on the environment in migrant situations had been on mitigating strategies. Most of the impacts these strategies seek to mitigate can be avoided or reduced through the choice of an appropriate transitional settlement type and, if a camp is the most appropriate for a given migrant group, through good site selection and planning. This proactive decision-making can only be achieved through the development and adoption of emergency environmental assessment guidelines for use by non-specialists, as it is highly unlikely that environmentalists will be included in emergency teams. Donors and implementers need to understand the importance and cost effectiveness of involving as soon as possible specialists in response to a forced migration.

2.4.7 physical planning

The work that does exist on physical planning and shelter has been mainly directed at, or undertaken by, UNHCR. The implementing NGOs, which establish or work within camps, need to show greater interest in understanding more about transitional settlement. More is being understood of the optimal forms of camps for migrants and for aid delivery. These optimums are rarely contradictory: small low-density camps often have many advantages for migrants and their hosts and large high-density camps are not necessarily easier to supply and service. Better assessment of migrants, their hosts, and environmental resources is required in order to inform site selection and physical planning. Disaggregation of assessments is essential (Anderson, 1994), both to improve the understanding of needs and capacities, and to counter male bias and a bias towards considering a migrant population as homogeneous that exist within some parts of the aid, migrant and host communities. The principle of equitable humanitarian aid has been agreed to by the majority of aid organisations as part of the Red Cross Code of Conduct (SPHERE Project, 2000).

1970s

Significant work on improving the physical planning of refugee camps, including site selection, was done during the late 1970s and early 1980s but very little progress has been made since. The material pertinent to this study comes largely from Fred Cuny, who was tragically murdered in Chechnya in 1995, and the company he founded INTERTECT. The legacy of Cuny's work can be found in the Disaster Management Centre of the University of Wisconsin and a private organisation called INTERWORKS led by Paul Thompson who had been a colleague of Fred Cuny in INTERTECT. These bodies have jointly assisted in the development of the physical planning component of the UNHCR Emergency Management Training Programme (EMTP).

Guidelines and papers on the physical planning of camps, defining how settlements should be laid out, usually include brief references to site selection. Such material offers general insights into the changing attitudes towards camps and temporary settlement. A comparison of this material with that from related disciplines, such as refugee health and international law, indicates how little attention has been given to temporary settlements (Zetter, 1995b).

The architects and planners who became involved in forced migration studies during the explosive growth of refugee crises and subsequent media attention in the 1970s did so more from the perspective of emergency shelter response to disasters than from the perspective of relief or development experience at that time. Proposals for shelter systems were criticised by Davis (1978), who pointed out that a number of the proposed pre-fabricated 'solutions' to refugee housing were wholly inappropriate in terms of culture, climate and cost. Some of these 'solutions' were adopted by aid agencies in response to natural disasters, such as the Red Cross polyurethane igloo in Nicaragua in 1973 and the OXFAM Emergency House-Making Unit, in Turkey in 1975.

Fred Cuny and Intertect were pioneers in developing an holistic approach to the planning and operation of camps, similar to that of Davis (1978) on shelter after disasters. Cuny (1977, 1979, 1980, and 1983) proposed detailed practical responses that reflected migrant needs, as well as emphasising the need for external agencies to develop comprehensive operational programmes as early as possible. While arguing in favour of management with clear objectives, Cuny supported the fullest possible participation by migrants in the running of camps:

> "Perhaps the biggest problem within the international aid community is that of not learning the lessons from previous experience. Camps are still laid out in grid fashion, despite the preponderance of evidence suggesting that this is the worst possible layout. … Refugee camp management and administration is often unenlightened and ignores participatory management processes. Saddest of all, host countries often compound the problems of providing aid with their policies of indifference and restrictions upon aid programs."
>
> (Cuny, 1979)

Cuny criticised the international aid community and the host governments for their strong centralised control and management of camps. Indeed, the concerns listed in Cuny (1977) include many of those explored in this study:

> "First, refugee camps are manageable. If properly laid-out and organised from the outset, problems can be substantially reduced.
>
> Second, camps can be cost-effective. If properly planned, and if adequate resources are committed at the outset, refugee camps can be run with a minimum of administrative cost, with the refugees operating most - if not all - of the camp sub-systems. Furthermore, the total costs of designing and installing a liveable refugee camp are less than the continuing operational costs of a sub-standard camp.
>
> Third, in high exposure environments such as the tropics, good physical layouts or plans can save lives. Designs, which facilitate sanitation and encourage refugee organisation reduce the incidence of disease and promote participation by the site occupants in activities ultimately leading to self-dependence."
>
> (Cuny, 1977)

Cuny touched upon most of the other impacts and needs of the sector, including local land use, refugee density, social organisation, and the up-grading and sustainability of camp infrastructures. The major changes in emphasis from his work that this study contributes are the involvement of local populations and the management of natural resources.

At the same time, Harris and Hulse's (1977) document was produced which does not add significantly to Cuny's work.

1980s

The UNHCR Engineering and Environmental Services Section, previously the Programme and Technical Support Service, have continual workshops and meetings to improve their response to refugee crises, but little of what is discussed reaches or is taken up by the agencies and interested academics. Public records do exist of the workshop 'Rural Refugees in Africa' (1981), where Omar Bakhet spoke on UNHCR's experiences of implementing rural settlements (Bakhet, 1981) and on the 'Basic Needs Approach' to self-sufficiency, to be integrated with host development programmes (Bakhet, 1981). At the same workshop, Antonio Carlos Diegues of UNHCR (Diegues, 1981) and the Lutheran World Federation in conjunction with the Tanzanian Red Cross Society (LWF/TRCS, 1981) presented background papers.

The first edition of the UNHCR Handbook for Emergencies (1982, revised 1999), based on the work of Cuny and others, presents physical planning in a thematic, non-specialist manner, and remains the overall guide in this sector. Sadly many of the approaches, principles and aims put forward by both Cuny and the Handbook have neither been implemented in the field, nor supported by the development of detailed implementation techniques, and many have been consistently ignored.

UNHCR organised an Emergency Managers Training Workshop in Nairobi in 1985, where the United Nations Children's Fund (UNICEF) gave a series of lessons on physical planning (UNICEF, 1985). UNICEF has since produced and up-dated a handbook for emergencies similar in scope to that of UNHCR.

In a further meeting held in Dar es Salaam in 1987, the 'International Conference on The Management of Planned and Spontaneous Refugee Settlements', Allen Armstrong talked on the planning and management of camps in Tanzania (Armstrong, 1987). Permanent resettlement in the host country was, at that time, considered a viable option by both the aid community and host government, however many governments have since become less supportive of this settlement option.

The same year, UNHCR held an 'Emergency Managers Training Workshop' at the Disaster Management Centre in Madison, Wisconsin. Hardin presented a paper entitled 'Refugee Camp Planning' (1987), and there was a general text distributed, 'Refugee Camp Planning' (UNHCR/DMC, 1987). Useful illustrative diagrams presented have since been adopted in UNHCR training.

All the texts and guidelines until 1987 offered similar broad advice, varying in scope and detail. Most

tacitly or actively supported standardised responses to establishing an STS, which duplicated the local provision of infrastructure and services. Reception, transit and repatriation centres, when described, are also on this model.

The texts also recognised the importance of refugee participation in decision-making, their widely differing degrees of self-sufficiency, and the general needs of the host community (Cuny, 1979). Little attention was given to managing environmental resources or to levels of infrastructural, operational, or economic integration with the local population. No longer-term plan was offered for camps, other than suggestions that they might in some way be turned into permanent self-sufficient settlements if repatriation was impossible. Camps were generally intended to perpetuate as holding centres, maintaining a strong separation between refugees and locals.

The advice offered was often very general, such as "The land use should meet as closely as possible the objectives of the settlement" (Bakhet, 1987). It recommended the use of various skills and techniques, such as "The following preparatory information should be gathered for each settlement site.... Aerial photographs and photomosaics..." (ibid). It also recommended detailed and broad levels of assessment, such as "Different soil types should be roughly identified and delineated on a map" (Bakhet, *op cit*). Little regard was given to time or budgetary restraints, or to collecting, co-ordinating and processing the assessed material. There was also little elaboration on best practice: on how each recommendation should be, or had been, implemented in the field.

Logistics and the management of engineering works in the construction of the infrastructure of camps have received considerable attention by Registered Engineers for Disaster Relief (RedR). McAdam, a member of RedR, noted that there were optimum sizes for camps in terms of supplying them and building infrastructure, although these optimums needed to be balanced against security, socio-economic, environmental and site considerations (McAdam, 1987). He also noted that both the programme of work for, and the financial commitment to, an STS influenced its success over the longer-term. He recognised the difficulty in estimating the likely duration of operation of an STS, and recommended that longer-term planning was required to ensure that emergency-phase provisions had a place in later phases.

The next significant step that UNHCR took was in 1988, when it commissioned Reinhard Goethert and Nabeel Hamdi jointly to write two parallel manuals on establishing refugee camps and settlements, entitled "Refugee Camps, A Primer for Rapid Site Planning" and "Refugee Settlements, A Primer for Development". Neither was published. The first (1988a) presented options, checklists, and worksheets for basic needs assessment, for site selection, and physical planning. The second (1988b), in the same format, looked at establishing economically and socially sustainable refugee settlements, as re-settlement in a host country. The manuals reflected a rigid distinction between camps and settlements, which had crystallised in the attitudes and actions in the field of UNHCR and some donors and NGOs.

The definitions were seen as generally mutually exclusive. The 'Primer for Camp Planning' did not explore any change in operation if the camp or STS remained in use beyond the emergency phase. Camps were considered fundamentally as extension infrastructure for the provision of aid, although a degree of self-sufficiency in terms of food production was considered. In terms of planning, emphasis was given to socio-cultural patterns, to be reflected in the design process through basic social surveys. Again, the local population and management of natural resources were not major considerations.
The underlying premises for settlements and camps vary in the following fundamental ways:

settlements	**camps**
Settlements are planned to be durable, self-sufficient and an integral part of the region, spatially and economically.	Camps are planned to address basic survival needs, regional integration is a low priority.
They generally take more time to plan, for they must consider a broader range of issues, with a longer time horizon.	They focus on rapid response to immediate demands.
They require long-term planning, dependent on host country political support.	They may require less political support, because of their temporary nature.
They require the involvement of development agencies.	They involve relief and protection agencies.
They assume that refugees are there to stay.	They assume that refugees are short-term and temporary.

(Goethert & Hamdi, 1988)

Then in June 1993 UNHCR held its 'First International Workshop on Improved Shelter Response and Environment for Refugees'. The 'Summary of Proceeding' (UNHCR, 1993) presented the objectives of the Workshop as focused around practical improvements to shelter provision, although it touched upon many areas of physical planning and the management of camps. It outlined future areas for research

and recommended the establishment of a system of shelter case studies for comparison, which was started but unfortunately not continued or widely disseminated.

Drawing upon his experience in organising the Workshop, Roger Zetter published his state of the art review 'Shelter Provision and Settlement Policies for Refugees' in 1995. He also drew upon a thorough literature search, including the restricted UNHCR 'Environmental & Engineering Services Section' library, which contains field mission and evaluation reports. The review provided a synthesis of the migrant, local and environmental factors, described in the first of the review's list of objectives, to:

> advance a conceptualisation of the role of shelter provision and settlement policies which is essentially developmental rather than relief oriented
> (Zetter, 1995b)

Zetter made a number of recommendations for the retooling of planning practice for migrants emphasising 'alternatives' to encampment, such as the conversion of existing buildings for shelter, rented accommodation, and supporting permanent resettlement through finance initiatives, planning codes, and housing strategies such as providing sites and services to aid and control development. The circumstances under which these strategies do constitute genuine replacement for camps have yet to be demonstrated: permanent resettlement in a country of asylum, for example, is very difficult to achieve sustainably (Harrell-Bond, 1994) and is rarely the preferred settlement typology of migrants wishing to return to their homes and land.

Increasing population densities in camps has been recommended by Nimpuno (1995), using a developmental urban model in order to reduce infrastructure costs to a level where the proper and consistent provision of services is affordable. It can, however, be argued that while high-density well planned settlements may offer a solution in some cases, any failure in the functioning of service infrastructure would have catastrophic health repercussions (Cosgrave, 1998; MSF, 1997), and high-density semi-urban living is alien to many migrant cultures.

The implications of the size of camps on migrant dependency and vulnerability have been investigated by John Cosgrave. He demonstrated that smaller and lower density camps are likely to have better internal security, access to natural resources, communicable disease containment, contacts with the host community, participatory management opportunities, and efficient resource expenditure (Cosgrave, 1998).

2.4.8 other sectors, UN bodies, policy groups, NGOs and other academic disciplines

It is essential that academic disciplines and corresponding operational sectors such as international law, medicine, nutrition, sanitation and water supply participate more actively in studies of shelter, and in the development of comprehensive guidelines for the sector. These disciplines and sectors offer primary evidence of the success or failure of temporary settlement typologies, for example of mortality and morbidity rates. An understanding of transitional settlement is also required to inform each discipline, and the role of each sector in relation to it.

Independent and inter-agency policy development, such as 'POP' assessments (Andersen, 1994) and the SPHERE Project (2000), offer useful tools and operational framework. Permanent settlement options, such as sustainable re-settlement, should be considered separately to responses to temporary settlement needs. Aid organisations do not currently have the skills to support such operations and donor structures are similarly inappropriate. Specialist development agencies and departments should be considered as partners for such operations, including UN-HABITAT.

There is a growing body of work on the complexity of social and political contexts (see section 2.4.3) and it is clear that the cross-cutting issues that run through transitional settlement, other sectors and the aid community as a whole need to be drawn together at all stages of intervention: assessment, strategy choice, implementation, technical solutions and monitoring and evaluation.

2.5 rights and the legal context

2.5.1 introduction

This section presents an introductory overview of rights regimes and international and human rights law relevant to transitional settlement following both conflicts and natural disasters. The section is included because the shelterproject.org peer review panel recognises that:

- rights law can be used as an advocacy tool
- an awareness of local and national law is crucial to an understanding of the socio-political context of a situation
- an understanding of rights emphasises the active character of beneficiaries who can make claims on different actors for resources and accountability
- law specific to transitional settlement needs to be developed and applied

This chapter is organised as follows:

2.5.2 legally defining transitional settlement in relation to 'shelter' and 'housing'
2.5.3 rights regimes
2.5.4 transitional settlement and international and human rights law
2.5.5 legal status of human rights law and progressing this law
2.5.6 resettlement and relocation

2.5.2 legally defining transitional settlement in relation to 'shelter' and 'housing'

Currently, legal documents relating to the transitional settlement sector use the terms 'housing' or 'shelter'.

shelter
The UN-HABITAT Agenda and Istanbul Declaration on Human Settlements definition of shelter is:[6]

> "Adequate shelter means more than a roof over one's head. It also means adequate privacy; adequate space; physical accessibility; adequate security; security of tenure; structural stability and durability; adequate lighting, heating and ventilation; adequate basic infrastructure, such as water-supply, sanitation and waste-management facilities; suitable environmental quality and health-related factors; and adequate and accessible location with regard to work and basic facilities: all of which should be available at an affordable cost. Adequacy should be determined together with the people concerned, bearing in mind the prospect for gradual development…[and] depends on specific cultural, social, environmental and economic factors."
>
> (UNCHS, 1996, section IVB, paragraph 60)

Whilst otherwise comprehensive, this definition makes no specific mention of the rights of those living with the threat of natural disasters, or of the rights of an individual to live within a family unit within a community.

housing
The Office of the United Nations High Commissioner for Human Rights (UNHCHR, 1991) lists the characteristics of "adequate housing" as:

- legal security of tenure
- availability of services, materials, facilities and infrastructure
- affordability
- habitability
- accessibility

[6] The legal status of this definition is not legally binding, although a declaration can become binding if it achieves the status of customary law (see section 2.5.4).

- location
- cultural adequacy

UNHCHR's (c. 2002) "Right to Adequate Housing" states that "Having a secure place to live, is one of the fundamental elements for human dignity, physical and mental health and overall quality of life, which enables one's development". UN's (1992) Agenda 21, Chapter 7.6, Programme Area A "Providing adequate shelter for all" concurs by noting "Access to safe and healthy shelter is essential to a person's physical, psychological, social and economic well-being and should be a fundamental part of national and international action".

There are some links between housing law and transitional settlement provision for refugees and IDPs with regard to law on 'forced evictions':

> "Although the practice of forced evictions might appear to occur primarily in heavily populated urban areas, it also takes place in connection with forced population transfers, internal displacement, forced relocations in the context of armed conflict, mass exoduses and refugee movements. In all of these contexts, the right to adequate housing and not to be subjected to forced eviction may be violated through a wide range of acts or omissions attributable to States parties."
>
> CESCR, 1997

Such interpretations reinforce the need for the development of a common vocabulary and for accepted definitions, which have both been requested by the peer review panel (see annex c). Using 'transitional settlement' is proposed in the context of forced migrants because the connotation is wider than 'shelter'. Furthermore, 'transitional settlement' does not appear to condone permanent settlements which 'housing' might.

2.5.3 rights regimes

Rights approaches involve understanding the full pattern of rights and how they may be embedded in different social, economic and political institutions – 'rights regimes'.

The consequences of transitional settlement decisions have a wide range of impacts on communities, families, individuals, and governments, and which need to be considered within the context of existing international and human rights law, as well as local rights. Advocating the use of law in support of transitional settlement and being aware of different types of rights regimes should be based upon an understanding of the range of impacts.

Transitional settlement responses which match the cultural expectations of the forced migrants are less likely to fracture social structures or to disrupt existing communities within the forced migrant population. Inter-family and intra-family friction may be reduced through appropriate transitional settlement responses, including community and family shelter design. Communal facilities such as religious centres, recreational areas, and administrative quarters, and their placement within a community, can impact the acceptance of transitional settlement responses. The provision and siting of adequate water, sanitation, and health facilities can reduce disease incidence. Individuals' health is protected by having a relatively secure and comfortable living locale with provisions for control of environmental variables such as temperature, air infiltration, and biota. These are cross-cutting issues that run from living and customary law right through to international human rights law.

The table below describes the different levels of rights regimes in the context of how groups can make claims on these rights and how these rights might be implemented:

rights regime analysis					
social and political contestation	**rights regime**	**form of rights & domain**	**relevance for transitional settlement and refugees/IDPs**	**level of operation, institutional framework & authority structures**	legal & administrative implementation
Economic and social groups seeking to make claims on the means for a sustainable livelihood →	International human rights law	Human rights with universal application	▪ Article 25 of the Universal Declaration of Human Rights ▪ Article 11(1) of the ICESCR ▪ Guiding Principles on Internal Displacement (principle 1, 18) ▪ 1967 Protocol Relating to the Status of Refugees in Article 21	International/global level, implemented & monitored through UN	← Rights regimes are implemented through the operation of the legal system, the allocation of resources, and the administration of services
	Regional law	Human rights which apply to regional populations	E.g. African Charter on Human and People's Rights, Article 14 ('right to property')	International/regional, increasingly with statutory power of endorsement	
	Constitutional law	National constitutional rights (mainly civil & political, starting to include economic & social, e.g. South Africa)	Approximately 40 per cent of the world's countries have enshrined the right to adequate housing in their respective constitutions	National level, enforced through constitutional courts and other national legal mechanisms	
	Statutory law	Statutory rights deriving from criminal, commercial & other law	No direct relevance, but local justices systems will inform some project management	National or, under devolved government, resources, local; formal legal system	
	Religious law	Religious rights and norms (mostly re: domestic sphere, in some cases extended)	Communal buildings for worship	Can operate at multiple levels (global through local): forms of authority depend on relations with the state	
	Customary law	Customary rights (mostly re: kinship and resource rights), specific to localities and social/ethnic groups	Planning for community structures	Local level - enforced through customary authorities (e.g. chiefs)	
	Living law	Informal rights and norms (mostly re: kinship and resource rights), applying to localities through varying (including institutional) cultures	Planning for community structures Planning family-level responses	Micro level. Not formally incorporated into national legal system, but local élites may be able to co-opt elements of the state to help enforce living law	

Adapted from Conway et al, 2002

2.5.4 transitional settlement and international and human rights law

Law offers the framework for implementing sustainable responses to transitional settlement needs. Both international law and human rights law are applicable - the two are separate but overlap.

International law tends to refer to intergovernmental conventions negotiated at high diplomatic levels, while human rights law may be enacted at any level from local to international (see section 2.5.3).

UN-HABITAT and OHCHR assert the legal importance of 'adequate housing':

> "Since the adoption of the Universal Declaration of Human Rights in 1948, the right to adequate housing has been reaffirmed and explicitly recognised in a wide range of international instruments as a component of the right to an adequate standard of living, and joined the body of universally accepted and applicable international human rights law.

> The strongest references to housing rights in the international legal context is the right to adequate housing as enshrined in Article 25 of the Universal Declaration of Human Rights and article 11(1) of the ICESCR."
>
> UN-HABITAT and OHCHR (2002), p.1

This table provides an overview of the most important conventions, declarations, principles and documents relating to transitional settlement and the rights of refugees and IDPs (it should not be considered to be totally comprehensive, nor are all documents considered to be 'legal rights' see section 2.5.5). Some documents are universal in their intended application, others specific to refugees or IDPs.

Document	Relevant text
Universal Declaration of Human Rights (UN 1948) http://www.un.org/Overview/rights.html	Article 25(1) "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including…housing…"
International Covenant on Economic, Social and Cultural Rights (ICESC 1966) http://www.hrweb.org/legal/escr.html	"The States Parties to present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the international co-operation based on free consent."
The Draft International Convention on Housing Rights (UN 1994) http://www.cesr.org/ESCR/draftconvhousing.pdf	Section IX, Article 4 of UN, 1994 "1. The housing rights of chronically ill-housed groups and/or those with special housing requirements or those with difficulties acquiring adequate housing shall be accorded a measure of priority, in both the housing laws and policies of all governments. "2. Chronically ill-housed groups shall be defined as…refugees…"
Agenda 21 (UN, 1992), Ch. 7, Programme Area A: "Providing adequate shelter for all":	7.9 (g): "All countries, where appropriate, should develop and implement resettlement programmes that address the specific problems of displaced populations in their respective countries".
Fact Sheet No.21, The Human Right to Adequate Housing (UNHCHR, circa 2002):	"the international community as a whole is legally obligated to ensure protection of this right [to adequate housing] through a number of measures, such as…Ensuring the provision of shelter and/or housing to displaced persons and international refugees".
The Istanbul Declaration and The Habitat Agenda (UNCHS, 1996) http://www.unhabitat.org/unchs/english/hagenda/ch-3a.htm	Paragraph 39 states: "We reaffirm our commitment to the full and progressive realization of the right to adequate housing, as provided for in international instruments. In this context, we recognize an obligation by Governments to enable people to obtain shelter and to protect and improve dwellings and neighbourhoods." Paragraphs 96 and 204 specifically mention refugees as a group to be targeted for ensuring they have adequate shelter.
UNHCHR's (2001) "Adequate housing as a component of the right to an adequate standard of living"	"10. Calls upon all States: (a) To give full effect to housing rights, including through domestic development policies at the appropriate level of government and with international assistance and cooperation… (e) Without distinction of any kind, such as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status
OCHA (1999) Guiding Principles on Internal Displacement	Principle 1: 1. Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced. Principle 18: 1. All internally displaced persons have the right to an adequate standard of living. 2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to: (a) Essential food and potable water; (b) Basic shelter and housing; (c) Appropriate clothing; and (d) Essential medical services and sanitation. 3. Special efforts should be made to ensure the full participation of women in the planning and distribution of these basic supplies.
Convention on the Elimination of All Forms of Racial Discrimination (UN 1969a) http://www.hrcr.org/docs/CERD/cerd3.html	Article 5(e)(iii) "In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights…The right to housing"

Convention on the Elimination of All Forms of Discrimination Against Women (UN 1969b) http://www.hrweb.org/legal/cdw.html	Article 14(2/h) "States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right: To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications."
Convention on the Rights of the Child (UN 1989) http://www.unicef.org/crc/crc.htm	Article 27(3) "States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing."

These documents lack an unambiguous statement that adequate transitional settlement and shelter is a right for all forced migrants. This right is implied. Considering the documents together suggests that adequate shelter is a right for everyone including, for example, IDPs and refugees. A categorical statement in a prominent international legal document, along with a definition of shelter (transitional settlement), would assist in cementing the rights-based approach to shelter activities. *The Istanbul Declaration and The Habitat Agenda* (UNCHS, 1996) come close to achieving this goal.

An awareness of national law is important for establishing recognised rights. The 1967 Protocol Relating to the Status of Refugees (UNHCR, 1951/1967), in Article 21 on Housing, states:

> "The Contracting States…shall accord to refugees lawfully staying in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances."

According to this document, a country which does not provide shelter rights to "aliens" would not be obliged to provide shelter to refugees.

Some human rights documents emphasise property over shelter or housing. For example, the African Charter on Human and People's Rights (OAU, 1981), Article 14, states "The right to property shall be guaranteed" with no other commentary on shelter. The Charter of Fundamental Rights of the European Union (EU, 2000), Article 17, provides the "Right to property" while Article 34 notes "the Union recognises and respects the right to social and housing assistance". The right to shelter should complement the right to property and should be part of human rights documents.

2.5.5 legal status of human rights law and progressing the law

The UN may be party to international law or to any form of human rights law. For example, the 1951 Convention and 1967 Protocol Relating to the Status of Refugees are UNHCR documents (UNHCR, 1951/1967), but have been passed into national law by many states. UNHCR (http://www.unhcr.ch) states "the 140 parties to the Convention [now 143] and/or the Protocol are obliged to carry out its provisions. UNHCR maintains a 'watching brief', intervening if necessary to ensure bona fide refugees are granted asylum and are not forcibly returned to countries where their lives may be in danger". In contrast, the Universal Declaration of Human Rights (UN, 1948) was "adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948" but the UN has no enforcement powers.

The Centre on Housing Rights and Evictions (COHRE) publishes compilations of sources in international and domestic law for housing rights. COHRE's extensive work on housing rights includes the aim to apply standards to "cases of post-conflict reconstruction and the rights of refugees to have their homes restored to them" and they provide some useful distinctions in terminology:

Covenants and Conventions
Covenants and Conventions are legally binding treaties for the countries that have ratified or acceded to them. Countries that have only signed a Covenant or Convention are generally not legally bound to enforce the rights contained in such a text, however, they do undertake not to actively violate any of the rights established under a signed human rights treaty…
Resolutions
…For the most part, resolutions are not considered to be legally binding. However, when a Government votes for a resolution it indicates at the very least a political willingness to work towards the achievement of its contents. Resolutions adopted by the UN Security Council are legally binding. Nonetheless, the adoption of a resolution constitutes a significant political pledge of the international community towards a particular aim.
Declarations and Recommendations
Declarations and Recommendations are generally documents of intent, but do not in most circumstances create legally binding obligations on the countries that have signed them. Declarations cannot be ratified in the same way treaties can. In some instances, declarations may gain the force of binding law if the declaration in question achieves the status of customary law. Many lawyers now believe the Universal Declaration on Human Rights, for instance, has achieved this legal status.
Regional human rights instruments
Regional human rights instruments are those treaties and declarations adopted under the auspices of a particular regionally-based organisation.
(COHRE, 2000, p.13)

Issues of enforcement are significant. Statutory human rights laws may only be enforced within the jurisdiction of the area to which the law applies. Voluntary human rights laws require the cooperation of the signatories for enforcement, so the laws are easily flouted. Education, awareness, and publicising breaches are often required to get results which need not include prosecutions or punishments. The Red Cross and Amnesty International, for example, have used these techniques to gain the release of hostages and political prisoners and to prevent further such incidents, but the alleged perpetrators do not necessarily face a law court.

Those interested in progressing the law with respect to the transitional settlement sector should use both international law and human rights law of various forms to advocate sustainable solutions and a rights-based approach. Tackling both areas will formalise the appropriate principles, while aiming for enforceable and widely-ratified legal instruments. The challenges are significant, but the principles and the practice are needed to adopt sustainable transitional settlement and shelter as a fundamental human right.

> "As part of its mandate as the lead agency within the United Nations system for co-ordinating activities in the field of human settlements…UN-HABITAT launched the Global Campaign for Secure Tenure in 2000 (http://www.unhabitat.org/campaigns/tenure/introduction.asp). The Campaign is designed to take forward the commitment of Governments to provide Adequate Shelter for All…The primary purpose of the Campaign is to give a voice to the hundreds of millions of people living without adequate housing, including those living in slums and in shacks, the homeless, and those living in temporary shelter."
>
> (UN-HABITAT and OHCHR, 2002 p.27)

2.5.6 resettlement and relocation

Host populations and governments are frequently reluctant to give up the needed land for transitional settlement, especially if resettlement or relocation appear the likely durable solutions. Concerns include the security and political implications of the following:

- the current value and possible depreciation of the land
- the forced migrants refusing to leave their new location
- growing resentment if the forced migrants appear to receive better shelter than the local population
- competition for resources
- resource use exceeding the area's capacity
- the ethnic balance within the host community or country being altered by the arrival of forced migrants
- dealing with the potential animosity of the country from where the migrants fled
- the siting and structure of transitional settlements may have political or

environmental destabilising effects locally or nationally.

Issues surrounding land rights are crucial to the transitional settlement sector. More work is needed in this area.

2.6 conclusions

2.6.1 literature

a) Reasons for the gaps in the literature fall into two broad categories:

- the relative lack of attention paid within the aid and academic communities to policy defining the establishment of transitional settlement
- the inappropriateness of current assessment and research tools either for such studies, or for more sophisticated responses in the field

b) There is a growing body of work on the complexity of social and political contexts and it is clear that the cross-cutting issues that run through transitional settlement, other sectors and the aid community as a whole need to be drawn together at all stages of intervention: assessment, strategy choice, implementation, technical solutions and monitoring and evaluation.

2.6.2 rights and the legal context

a) Rights and the legal context are important because:

- rights law can be used as an advocacy tool
- an awareness of local and national law is crucial to an understanding of the socio-political context of a situation
- an understanding of rights emphasises the active character of beneficiaries who can make claims on different actors for resources and accountability
- law specific to transitional settlement needs to be developed and applied

b) Transitional settlement's relationship with international human rights law can be defined with reference to the terms 'shelter' and 'housing' as well as refugee law that asserts the inalienable and equal rights of refugees

c) Rights operate at different levels, or 'rights regimes'. Rights are socially and politically contested. The different rights regimes – from local to national to international level – may support or conflict with each other and involve a number of cross-cutting issues that the transitional settlement sector needs to be aware of

d) The most important documents relating to shelter and housing are:

- Article 25 of the Universal Declaration of Human Rights
- Article 11(1) of the ICESCR
- OCHA (1999) Guiding Principles on Internal Displacement (principles 1 and 18)
- Article 21 of the 1967 Protocol Relating to the Status of Refugees

e) With regard to resettlement and relocation, land rights are crucial. Further work is required in this area. The Global Campaign for Secure Tenure is an attempt to take this forward.

need 3

3.1 introduction

This chapter uses information from participating organisations to examine why transitional settlement is important for individuals and families and to understand the extent or nature of the need for transitional settlement.

This chapter aims to do two things: first, to demonstrate how a sustainable livelihoods approach (SLA) might feed into the transitional settlement sector, second, to look at how we can quantify the need for shelter. These two activities are crucial in order to clarify the importance and increase the effectiveness of the transitional settlement sector.

This chapter is organised as follows:

3.2 what are needs?
3.3 sustainable livelihoods approaches (SLA)
3.4 measuring need
3.5 spend as an indicator of need
3.6 investigating spend
3.7 organisation spend on transitional settlement
3.8 conclusions

3.2 what are needs?

Quantifying need is a complex process. In development literature there has traditionally been something of a divide between measuring absolute basic needs (or 'poverty') and relative need. Absolute need with regard to food, for example, is measured as calorie intake whilst relative need would place greater emphasis on what the social norms are for food consumption within a group and take need to be the inability to meet the social norms. Thus, relative need analysis goes beyond on the 'basic' physiological needs to emphasise the social nature of need.

Within the relief community, assessment of need often has to be carried out very quickly and consequently tends to follow an absolute, or 'basic needs', approach. Basic needs are listed by IFRC (2000) in a needs assessment checklist as being:

- water
- shelter
- nutritional
- sanitation
- fuel
- health care

For some of these needs, the IFRC recommends using the Sphere minimum standards to calculate the magnitude of need in a population.

While there is a clear difference between emergency relief and development programmes, an awareness of developments in poverty assessments in development literature could a produce a highly useful framework for assessing the magnitude of 'need' in the transitional settlement sector.

Since the early 1990s, there has been a shift towards looking at people's resources rather than their needs. This approach has been taken forward by those working on household livelihood strategy frameworks which seek to emphasise the resources households mobilise in times of hardship and what can be done when assets are lost or lacking.

This is an approach that offers the chance for the transitional settlement sector to emphasise the complexity of shelter provision and the cross-cutting issues involved in transitional settlement strategies. By treating shelter as an integral part of people's capital assets, it opens up an appreciation of the wide variety of impacts that transitional settlement has on livelihoods.

3.3 sustainable livelihoods approach (SLA)

3.3.1 capital assets

A Sustainable Livelihoods Approach (SLA) emphasises the importance of looking at the resources of those in difficulty rather than assuming they are helpless:

> "Analyzing vulnerability involves identifying not only the threat but also the 'resilience'…The means of resistance are the assets and entitlements that individuals, households, or communities can mobilize and manage…the greater the erosion of people's assets, the greater their insecurity."
>
> (Moser, 1998, p.3)

Using the SLA to identify people's assets, linkages are then found with current thinking around both sustainable development and human rights. Assets are broken down into five types of capital: physical, financial, human, social and natural.

The table below defines the five types of capital assets and offers some examples of how transitional settlement is related to those assets. For example, at the most basic level, transitional settlement is a key part of natural capital in terms of providing a resource of some land (though not land rights) or shelter.

How transitional settlement relates to the sustainable livelihoods approach (SLA)

capital asset	definition	transitional settlement relevance
Natural capital	Includes the stocks of environmentally provided assets such as soil, atmosphere, forests, minerals, water and wetlands. In rural communities the critical productive asset for the poor is and; in urban areas it is land for shelter.	▪ Key natural capital asset – unlike in development literature, there is no distinction here between rural and urban
Physical capital	Comprises the stock of plant, equipment, infrastructure and other productive resources owned by individuals, the business sector or the country itself.	▪ Shelter offers a place to store tools/work ▪ Strategies key to infrastructure planning
Financial capital	The financial resources available to people (savings, supplies of credit)	▪ Informal credit may be supplied on basis of shelter as capital guarantee ▪ In pastoralist situations, where cattle is financial capital, provision may be made for housing livestock
Human capital	Includes investments in education, health, and the nutrition of individuals. Labour is a critical asset linked to investments in human capital; health status determines people's capacity to work, and skill and education determine the returns from their labour.	▪ Labour employed by transitional settlement strategies ▪ Shelter contributes to health – particularly in prevention of respiratory diseases ▪ Strategies may involve siting of schools/clinics
Social capital (inclusive of 'political capital')	Is defined as the rules, norms, obligations, reciprocity, and trust embedded in social relations, social structures, and societies' institutional arrangements, which enable its members to achieve their individual and community objectives. Social capital is embedded in social institutions at the micro-institutional level – communities and households – as well as referring to the rules and regulations governing formalised institutions in the market-place, the political system, and civil society.	▪ Siting of shelters will have political consequences – proximity to political representatives; proximity to access to aid workers etc. ▪ Strategies will affect social capital in terms of communal buildings – especially meeting centers, places of worship etc. ▪ Strategies will affect people's community organisation

(Adapted from Moser et al. 2001, p.6)

Not only does transitional settlement contribute to capital assets in a planned way (in the case of the infrastructure strategy for a camp) but resources will be modified, adapted, sold and bought at the

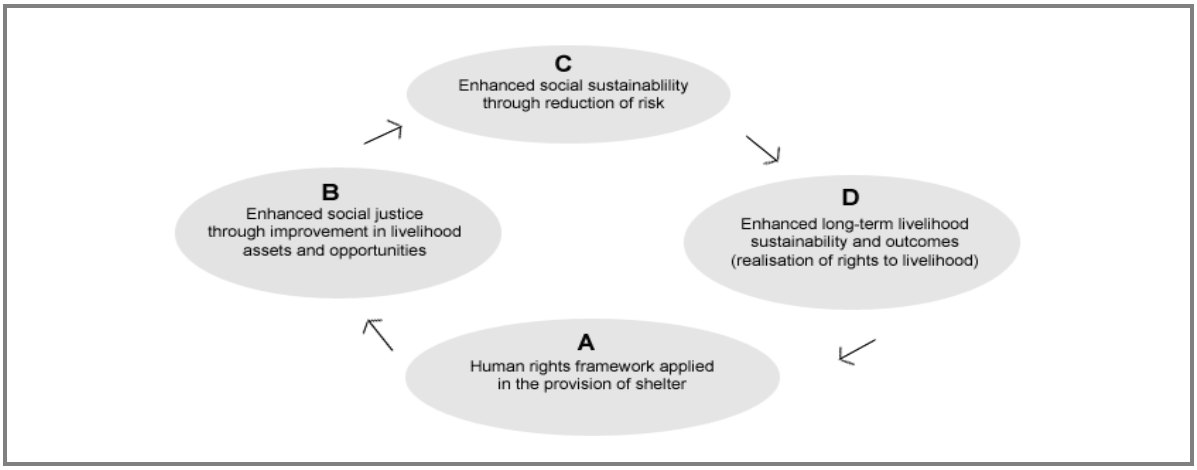
informal level by beneficiaries. The SLA helps to make sure that the full social and political context is considered at all stages of assessment, strategy-making, implementation and monitoring and evaluation.

3.3.2 rights and livelihoods

Building on section 2.5.3 on rights regimes, this section looks at the links between the SLA and rights.

Moser et al. (2001) attempted to bring together people's development needs with human rights in order to provide a framework of operation for sustainable development. While this framework is development orientated, it helps to demonstrate how rights can impact directly on livelihoods.
reducing suffering.

Using Moser's 'minimum scenario' (Moser et. Al 2001) for the reduction of risk through the application of human rights in public policy as a model, we can construct a scenario for the support of transitional settlement:



While this is a very broad picture, and does not fully allow for the complexities of supporting transitional settlement in different types of emergency situations or in the context of development, it does demonstrate how rights to transitional settlement and a SLA to transitional settlement interlink. An awareness of customary and living law (section 2.5.3) feeds in directly to the components of social capital and finally relates to international human rights law.

Commenting on the work of Amartya Sen, Moser et al. (2001) suggest:

> "…if human development focuses on the enhancements of the capabilities and freedoms that the members of a community enjoy, human rights represent the claims that individuals have on the conduct of individual and collective agents, and on the design of social arrangements to facilitate or secure these capabilities and freedoms."
>
> Moser et al. (2001)

The rights based approach is a way of helping to ensure that the provision of transitional settlement is carried out accountably and serves the people that require it.

3.3.3 adapting the SLA for relief work

Perhaps the first problem with adapting the SLA for relief work is the term 'sustainable'. However, 'sustainability' should not be seen as committing strategies to long-term support (the emphasis in this sector is 'transitional') but instead should be seen as developing shelter solutions of whatever character (e.g. host families) that support those that require assistance for as long as the need remains.

While there is currently little work on using livelihood frameworks in emergency situations, the examples that exist show some positive results. Integrated Marine Management (IMM) have carried out work for DFID on livelihood rehabilitation after the Orissa cyclone in India. Although the study was conducted in the rehabilitation phase, it documents the first time a SLA had been taken with regard to disaster rehabilitation by a DFID country office. The study looked at the livelihoods of those affected over three time periods: before the cyclone, immediately afterwards and 3-9 months later. The study found that:

> …the structured format of the SL [Sustainable Livelihoods] framework, provides an excellent tool for understanding how people can and do respond to a disaster and how they interact with the structures and processes of government, NGOs and wider society to transform their livelihoods.
>
> (IMM 2001, p.11)

The study emphasized the holistic nature of the Sustainable Livelihoods Approach (SLA) and how this allowed for greater understanding of the involvement of people themselves in rehabilitating their livelihoods, rather than just assessing the activities of relief and development agencies. It also argues that the SLA could prove to be a useful tool in disaster preparedness. However, for this to be effective:

> …the SLA will need to be converted into tools and language that are easily assimilated and used by different groups of practitioners.
>
> (IMM 2001, p.11)

As far as shelterproject.org is aware, at the moment there are no rapid assessment livelihood tools or any adaptations of the SLA for the emergency phase. This offers the transitional settlement sector the chance to lead the way in this area as part of its emphasis on the complex nature of the sector.

3.4 measuring need

3.4.1 introduction

Measuring need is extremely difficult. The needs and resources of each individual will depend on the specific situation. The reconstruction needs of people in the Balkans are enormously different to those in Afghanistan. It is crucial that difference in needs and resources is appreciated and integrated. Furthermore, the proportion of all settlement and shelter needs created by conflict and natural disasters that receive no response from the aid community is significant but difficult to quantify (often termed as 'forgotten emergencies' – see Macrae 2002). It is essential that tools are developed to quantify these unrecognised needs, for both humanitarian and operational reasons.

This section looks at two brief, broad overviews of need, while sections 3.5 to 3.7 is an attempt to quantify need through organisation expenditure.

3.4.2 population of concern to UNHCR

The following table demonstrates the need for transitional settlement by showing location type of the population of concern to UNHCR at the end of 2001. The table illustrates the obligation to respond to the transitional settlement needs of over 19 million persons in 2001. Research for this report has not been able to achieve an overview of the scale and character of the needs of IDPs and those affected by natural disaster, although there is dispersed case-study data.

Nearly 6 million, or around 30 percent, of the population of concern to UNHCR were in camps and centres; while 14 million, or 70 percent, of these people lived outside camps and centres and would have used alternative transitional settlement strategies such as 'self-settling' or living with host families.

A very rough calculation can be made from this information to give an indication of the scale of transitional settlement needs. If we consider those in camps only and assume that every person in a camp requires shelter and if we assume this shelter to be a family tent for six people then the shelter need for this group of people alone is around $250,000,000 per year (an average tent is around $250). This figure can be doubled to $500,000,000 to include storage and transport costs, and doesn't even

begin to include all the other costs associated with setting up and running camps and centres. As a comparison, UNHCR's annual budget is around $880,000,000[7].

While this is an extremely unscientific approach to measuring need, it gives an idea of the scale the transitional settlement sector needs to operate on.

Total population of concern to UNHCR by country/territory of asylum and type of location, end-2001

Country/territory of asylum (residence)	Total population of concern*	Total population of concern by location type			Population in camps/ centers (%)
		Camps/ centers	Urban	Other/unknown	
Africa	4,173,527	2,190,606	430,735	1,552,186	52.49%
Asia	9,996,104	3,574,338	1,179,413	5,242,353	35.76%
Europe	3,680,030	27,067	281,304	3,371,659	0.74%
Americas	1,852,116	11,529	25,417	1,815,170	0.62%
Oceania	81,251	432	0	80,819	0.53%
Totals	**19,783,028**	**5,803,972**	**1,916,869**	**12,062,187**	**29.34%**
Further breakdown					
Cold Climates **	9,475,092	3,322,383	1,074,302	5,078,407	35.06%
Great Lakes#	1,364,539	755,711	23,023	585,805	55.38%

* Total population of concern: the total number of asylum-seekers, refugees and others of concern to UNHCR in the country.
** Includes Afganistan, Armenia, Azerbaijan, Bosnia, Croatia, FYR Macedonia, Georgia, Iran, Kazakhstan, Kyrgyzstan, Pakistan, Russian Federation, Tajikistan, Turkmenistan, Uzbekistan, FR Yugoslavia
# Includes Burundi, Congo, DRC, Rwanda, Tanzania

Based on figures obtained from UNHCR website, available at: http://www.unhcr.ch/cgi-bin/texis/vtx/statistics
Source: UNHCR/Governments. Compiled by: UNHCR, Population Data Unit, PGDS.

3.4.3 Millennium Development Goals and need

The Millennium Development Goals (MDGs) (UN 2000) set global targets for social and economic development around the world. They are, in one sense, an assessment of the perceived needs of the disadvantaged. There are eight MDGs, each with specific targets plus indicators to measure the success of achieving those goals. While the established sectors of nutrition, education and health are heavily represented (Goals 1; 2 and 3; 4, 5 and 6 respectively) the importance of housing is specifically recognised only as target 11 under Goal 7: "By 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers";

The lack of recognition of the relief-development continuum in the MDGs means that important relationships between development goals and emergencies are lost. Christiansen et al. (2002) suggested that:

> "The MDGs have nothing substantive to say about the role of crises…The link between crisis prevention and resolution on the one hand and the reduction of poverty on the other is obvious and incontrovertible."
>
> Christiansen et al. (2002)

The under-valuing by the aid community of the transitional settlement sector is unlikely to change as the community is unable to quantify need in the sector, and currently lacks the commitment to develop this understanding:

> "There is a danger that the effort to operationalise outcome targets leads organisations to focus on what is measurable, ignoring other factors which may be as important but not easily measurable"
>
> Christiansen et al. (2002)

It is crucial that the transitional settlement sector is able to develop to a point where, in response to

[7] See http://www.unhcr.ch/cgi-bin/texis/vtx/admin

people's right to transitional settlement, it can assess need effectively, deliver an effective response and make claims on organisations to support this work. The MDGs will dominate the discourse of development and, by proxy, relief for the years to come. They are also unlikely to undergo any revision in the near future. The fact that they ignore emergency issues generally, and shelter/housing specifically, means that it is vital that the transitional settlement sector is able to articulate the complex shelter needs of people.

3.5 spend as an indicator of need

3.5.1 introduction

One way of understanding need is to calculate the assistance given by agencies in the form of support to transitional settlement. Spend can act as a proxy, in offering an indication of inputs, however it must not be assumed that spend offers a quantification of the accuracy, quality or timeliness of support.

Ideally, the clearest indicator of expenditure on the transitional settlement sector would be an absolute measure of spend per beneficiary and compare it with spend per beneficiary of other sectors. Unfortunately this is very difficult, if not impossible (though there is some data available from Oxfam GB on this – see section 3.7).

shelterproject.org attempted to quantify the magnitude of the transitional settlement sector through trying to calculate the expenditure on shelter by selected agencies. The work revealed some interesting figures for the size of the sector, but also highlighted the problems of trying to quantify a sector that does not officially exist.

It should be noted that there are some fundamental problems with using spend as an indicator of need.

3.5.2 not all needs are met

To state the obvious, not all beneficiary needs are met by development and relief agencies each year. However, this is not just a case of being able to provide a finite level of resources for a particular project, there is the much larger issue of 'forgotten emergencies'. Need is often politicised, with the needs of a population in one country seen as being more pertinent to foreign policy than needs in another.

3.5.3 spend does not indicate the success or otherwise of a project

Humanitarian assistance is not necessarily positive. The growing pressure on agencies to become more accountable is an indication of how seriously institutions are taking the problems of ineffective or detrimental aid.

Money spent with the intention of satisfying a need does not automatically mean that the need is then satisfied.

3.5.4 spend does not indicate the effective impact on someone's livelihood

The character of transitional settlement's contribution is different to, say, the nutrition sector. Transitional settlement can be a form of capital investment.

Not only can expenditure on transitional settlement 'last', it can reduce the vulnerability of people's livelihoods and therefore make a 'saving'. The expenditure shows up on only one annual financial report, but it can satisfy need over a much longer period of time.

3.5.5 spend does not take account of the differing costs of provision between countries

The cost of meeting a need in different countries varies greatly. In the Balkans, shelter reconstruction is much more expensive than in Southern African countries. Spend represents the economic cost rather than the human need.

3.5.6 using spend as a proxy indicates the more general problem of a lack of indicators

The fact that spend is required to be used as a proxy for measuring need highlights the paucity of sectoral evaluation and monitoring tools (also demonstrated by the 2002 ALNAP review's reliance on a small number of case studies for a sectoral assessment (ALNAP, 2002)). The limitations of spend serve as a reminder of the problems in assessing an underdeveloped sector.

3.6 investigating spend

3.6.1 introduction

With these limitations expressed in section 3.5 in mind, an attempt was made to determine the magnitude of beneficiaries' needs for transitional settlement and shelter. The biggest challenge in investigating spend was the problem of transitional settlement and shelter being 'hidden' amongst other budget lines. The following case study of DFID demonstrates this problem.

3.6.2 transitional settlement as a hidden need – DFID case study

DFID's database of projects, Project and Research Information System Module (PRISM), stores all DFID projects and classifies them with codes related to sector or policy objective. There is no specific code for transitional settlement, or its equivalent term, though codes do exist for certain development categories such as 'Low-Cost Housing'. Trying to identify the needs for transitional settlement and shelter in emergency situations was therefore very difficult.

Under the code 'Emergency Relief' (a total spend of £576m), it was found that 70 out of 550 projects definitely had a transitional settlement and shelter component (using the terms shelter, non-food, tents, housing/houses, accommodation, sheeting, return, settlement). Further projects were identified that were general or vague in their description of what the relief provided consisted of. For example, project number 303615011 "Flood victims emergency relief" has the description: "To provide emergency relief to flood victims in Tajikistan."

Since most of these 'generalised' projects were responses to natural disasters such as flooding and earthquakes, it would seem reasonable to assume that the provision of transitional settlement and shelter was likely to be important in them.

The findings showed that, despite it being impossible to reveal easily the need for transitional settlement and shelter in DFID's PRISM database:

- 2000/2001, 13% of DFID Emergency Relief projects definitely involved a shelter component.
- 2000/2001, 22% of DFID Emergency Relief Projects involved, or were *likely* to involve, a shelter component.

It is clear that a lot of transitional settlement and shelter projects are 'hidden' under generalised project categories, both at the code level and within the code level, making transitional settlement and shelter appear to be less significant than it actually is. Consequently, transitional settlement and shelter may not be adequately resourced.

3.7 organisation spend on transitional settlement

3.7.1 introduction

Given the constraints illustrated above, research did uncover strikingly high commitments to the provision of transitional settlement and shelter within a number of organisations. Below, we can see examples of the extent of commitment to transitional settlement and shelter in terms of its presence in projects and the amount spent on it as well as comparisons with other, well-developed sectors.

We are particularly grateful to GOAL and Oxfam for their assistance in collecting and analysing their information. Their inputs contributed considerably to previous shelterproject.org research (shelterproject.org 2002a),

3.7.2 involvement in transitional settlement and shelter

GOAL

GOAL's projects were searched for transitional settlement and shelter components and the findings showed that for 2000/2001, 29% of all GOAL projects involved a transitional settlement and shelter component. GOAL spent £14,726,310 on relief and development in 2000/1.

CARE Netherlands

Care Netherlands started dealing with transitional settlement in 2001 and deals mainly with the rehabilitation of houses. The total agency spend for the period June 2001-June 2002 was 12,376,000 Euros. The breakdown of spend on transitional settlement and shelter was not available for disaster type or programme type, but a breakdown was available regionally:

Region	Total regional spend (Euros)	Regional spend on shelter (Euros)
Middle East (incl. Caucasus) and Europe	9,885,000	7,413,000
Latin America and Caribbean	0	0
Asia and West Africa	1,382,000	1,070,000
South and East Africa	395,000	0

This meant that spend on transitional settlement constituted 73% of CARE Netherlands' regional spend and 69% of the agency's total spend. CARE Netherlands is the agency that concentrates the greatest amount of its resources on meeting transitional settlement and shelter need out of all the organisations studied.

UN/OCHA

Through its Financial Tracking System (FTS), displayed on ReliefWeb (www.reliefweb.int), UN/OCHA offers a web-based, searchable contribution tracking system which reflects all humanitarian assistance reported to it (by donor, sector, emergency type, etc). Contributions to Consolidated Appeals, Natural Disaster appeals and additional humanitarian aid, be they in cash form or in-kind, are recorded.

Previous work carried out by shelterproject on the FTS revealed the following contributions in the sector of family shelter and non-food items, demonstrating that the value of shelter and non-food items is frequently equivalent to or greater than more established sectors.

Year	Value of sector (family shelter + non food items)	% of total contributions	For comparison:
2000	Approx. 30 million US$	1.18%	▪ Education 0.98% ▪ WatSan 0.57%
2001	Approx. 101 million US$	2.41%	▪ Equivalent with Education and Agriculture sectors ▪ Watsan 0.93%
2002 (as of NOV)	Approx. 72 million US$	2.12%	▪ Equivalent with Economic Recovery and Infrastructure ▪ Watsan 1.24%

Notes: Only assistance for which the donor provides data is recorded by the FTS (contributions not notified to OCHA are not taken into account in this table). Some more assistance for the family shelter and non-food items may also have been recorded as multi-sectoral assistance, in which case it would not appear in the above amount.

Oxfam GB

Research for the last shelterproject.org (2002a) study of spend and additional research this time on Oxfam's expenditure for the financial year of 2000/2001 (a total of £46.1 million on emergency response) shows:

- around **6%** of Oxfam GB's expenditure is on transitional settlement;
- **23%** of Oxfam GB projects contained a transitional settlement component;
- more is spent on transitional settlement in total than on the education sector.

The average spend per beneficiary in 2000/1 within the four sectors of nutrition, shelter, health and water & sanitation was:

Oxfam GB's spend per beneficiary 2000/1			
Nutrition	**Shelter**	**Health**	**Water & sanitation**
£3.83	£1.38	£0.82	£0.62

While these figure do not indicate whether this money has any 'multipler' effect, whether it is well spent or whether it is too much or too little, it does show shelter's importance in relation to health and water & sanitation.

These statistics add to evidence that transitional settlement as a sector is significant, particularly when compared to other sectors and not just as a percentage of total expenditure.

IFRC

At a regional level, IFRC report their expenditure by sector. Three sample regions were selected: Central Africa (Appeal 01.05/2002[8]); Central Europe (Appeal 01.42/2002[9]) and East Africa (Appeal 01.07/2002[10]). The table shows that transitional settlement and shelter forms a considerable part of IFRC spending on supplies (the other spending categories are capital, programme support, transport and storage, personnel, and training, information & general):

programme budgets 2002 – spend on supplies	**Central Africa**		**Central Europe**		**East Africa**	
	CHF (Swiss francs)	%	CHF	%	CHF	%
shelter & construction	23100	9	90000	10	80000	53
clothing & textiles	22750	9	10000	1	0	0
food & seeds	0	0	5000	1	0	0
water	15600	6	50000	6	35000	23.5
medical & first aid	62400	24	54000	6	35000	23.5
teaching materials	105650	41	95000	10	0	0
utensils & tools	23600	9	0	0	0	0
other relief supplies	6000	2	601000	66	0	0
total supplies	259100		905000		150000	

Clearly there are different needs in different regions and, in the case of the report on the Pan American Disasters Response Unit for 2002, transitional settlement did not feature at all. However, IFRC's budget information shows us that transitional settlement need is regularly greater in magnitude than water and

[8] Available at: http://www.ifrc.org/cgi/pdf_appeals.pl?annual02/010502.pdf, accessed 10/03/2003
[9] Available at: http://www.ifrc.org/cgi/pdf_appeals.pl?annual02/014202.pdf, accessed 10/03/2003
[10] Available at: http://www.ifrc.org/cgi/pdf_appeals.pl?annual02/010702.pdf, accessed 10/03/2003

sanitation and sometimes greater than health or education.

3.7.3 summary of findings

It is highly likely that the transitional settlement sector is not described in budget lines in a coherent or consistent manner and is therefore underfunded. Unfortunately, the very lack of coherent budget structures means that this assertion can only remain 'highly likely'. A detailed breakdown of spend per beneficiary would make the scale of need/resources clearer, but requires considerable further research shelterproject.org is unable to undertake.

However, the research gives some strong indications as to the scale of spend on transitional settlement:

DFID – 2000/2001, £576m spent on Emergency Relief

- 13% of DFID Emergency Relief projects definitely involved a shelter component.
- 22% of DFID Emergency Relief Projects involved, or were *likely* to involve, a shelter component.

GOAL – 2000/2001 £14,726,310 spent on relief and development

- **29%** of all GOAL projects involved a transitional settlement and shelter component

CARE Netherlands – 2001/2 12,376,000 Euros spent on all activities

- 69% of the agency's total spend was spent on shelter

Oxfam GB – 2000/1 £46.1million spent on emergency response

- **6%** of Oxfam GB's expenditure is on transitional settlement
- Oxfam GB spent £1.38 per beneficiary on shelter in 2000/1 compared to £0.82 on health, £0.62 on water & sanitation and £3.83 on nutrition
- **23%** of Oxfam GB projects contained a transitional settlement component

3.8 conclusions

Out of the work carried out on measuring need, several points emerge that show the necessity for a well-developed transitional settlement sector.

a) A Sustainable Livelihoods Approach (SLA) to assessing need offers a highly useful framework by concentrating on beneficiary resources rather than looking to simply assess basic needs

b) The needs for and impacts of transitional settlement are complex, poorly understood, and critical to the success or failure of humanitarian operations. Improving the understandings of needs and impacts will improve the chances of successful operations. Developing a SLA for the relief community might be a useful starting point

c) An indication of the scale of need is the population of concern to UNHCR - currently estimated to be around 20 million. 6 million (nearly 30%) of these are based in camps or centres

d) Current international development goals such as MDGs do not pay any attention to the importance of transitional settlement as part of the link between relief and development. This is unlikely to change if the transitional settlement sector remains without an advocacy base and position

e) Need for transitional settlement is currently hard to measure. The use of spend as a proxy highlights the lack of other monitoring and evaluation tools, and spend is of limited use in understanding the complexity of the impact of transitional settlement support

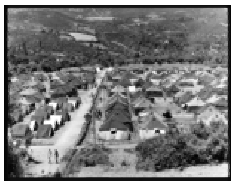
f) Spend on the need for transitional settlement is often hidden in budget lines. Part of the transitional settlement sector's failure to establish itself is because its importance is not easily or immediately visible, precisely because it is not an established sector requiring close analysis of its performance

g) As an underdeveloped sector, transitional settlement is frequently part of other projects. Our research shows that transitional settlement is a component of approximately:

- 1/5 of all DFID Emergency Relief projects
- 1/4 of all Oxfam GB projects
- 1/3 of all GOAL projects

h) Transitional settlement need measured by spend is frequently as sizeable as other, much more well-developed sectors and is even, in some cases, larger

i) Ideally, the clearest indicator of expenditure on the transitional settlement sector would be an absolute measure of spend per beneficiary and compare it with spend per beneficiary of other sectors. This information is difficult to obtain. Information from Oxfam GB suggests spend per beneficiary on shelter is almost equal to the health and water & sanitation sectors put together



response 4

4.1 introduction

This chapter looks at the capacities within the international aid and development communities to respond to transitional settlement needs. It explores whether organisation mandates and policies support the sector, and whether organisational mechanisms, tools, procedures and processes are tailored to the unique nature of transitional settlement programmes. The analysis is limited to the information shelterproject.org has received from the organisations surveyed. Although local NGOs and Community Based Organisations (CBO) are not represented, the information is a reasonable reflection of the rest of the aid community.

The chapter is organised as follows, covering the end-to-end shelter response process:

4.2 policy
4.3 organisational structure
4.4 guidelines and training
4.5 assessment, monitoring and evaluation
4.6 programme design
4.7 implementation structures
4.8 shelter equipment
4.9 conclusion

The response to transitional settlement need is a complex process, involving a high level of expertise and large quantities of bulky materials. The scale of response required for transitional settlement programmes is therefore significant when compared with that for other sectors. For example, to respond to the needs of 1,000 families in a refugee camp, the health sector may require one clinic; the water sector may require a tank, pipes and tap stands; and the sanitation sector may require local sanitation materials. The transitional settlement sector plans for the placement of all of these as part of site planning and layout; and engages in large-scale procurement and transportation of tents and building and drainage materials. In addition, the sector is required to manage large teams of skilled construction workers, involving large-scale project and contract management.

Given the complexity of the sector, it is useful to look at the mechanisms for response within the transitional settlement sector, to understand the differences between the approaches of different organisations, to assess whether they are adequate, and to learn from good practice and past experience.

In the following tables, ‘transitional settlement’ is a catch-all term for mentions of phrases such as ‘shelter’ or ‘emergency housing’.

4.2 policy

4.2.1 introduction

In this section we compare the approaches towards the transitional settlement sector of donor co-ordinating and implementing organisations. These approaches are defined, where a public statement exists, in the organisations’ policy publications.

In this report, ‘policy’ is used to describe the level at which organisations officially describe their sectoral activity. Whilst some organisations have generic mandates or mission statements to assist, others specifically mention particular sectors as priority areas. For example, World Health Organization

(WHO), MSF, UNICEF, IFRC, ICRC and Médecins du Monde (MDM) include health in their mandates, and health therefore receives particular attention within those organisations.

The following table is an analysis of the inclusion of the transitional settlement sector within organisation mandates and mission/policy statements. It describes whether organisations have specific transitional settlement references in the mandate and mission/policy statements, and which other sectors are referenced. Where there is no specific transitional settlement reference, the table lists the closest non-specific references.

organisation	transitional settlement references	other sectors referenced in mandate	most appropriate references
donor			
DFID CHAD-OT	none found	none found	"refugee and other forced migration issues" "emergency response preparedness and contingency planning arrangements" "disaster and vulnerability initiatives"
UN			
UNHCR	yes	protection	"offers protection and assistance to refugees" "By assisting refugees to return to their own country or to settle in another country, UNHCR also seeks lasting solutions to their plight."
UNOCHA	none found	coordination of humanitarian response, policy development and humanitarian advocacy	"co-ordinating emergency aid to disaster sites" "to establish and maintain the closest cooperation with all organizations concerned and to make all feasible advance arrangements with them for the purpose of ensuring the most effective assistance"
UNDP	none found	health, poverty reduction, information technology	"timely response to an emerging crisis" "post conflict recovery" "providing basic services…to support the reintegration of returnees"
UNICEF	none found	health, water, sanitation	"to provide emergency assistance to refugee and displaced women and children"
Inter-Governmental Organisations (IGOs)			
IFRC	none found	health	"disaster response" "disaster preparedness"
ICRC	none found	none found	"The ICRC Water and Habitat Unit aims to assure that victims of war have access to water for drinking and for domestic use, and to preserve the habitat that protects the population against environmental hazards. The ultimate goal is to contribute to a reduction in morbidity, mortality and suffering caused by a collapse of the water and habitat system."
IOM	none found, but mentions assistance to migrants	health, education, protection.	"Rapid humanitarian responses to sudden migration flows" "stabilization of populations affected"
NGOs			
Oxfam	none found	poverty alleviation	"coming to the aid of victims"
MSF	none found	health	"rehabilitation of hospitals"
CARE NL	none found	education, health	"support of refugees" "reconstruction and rehabilitation [economic and social]"

4.2.2 analysis

Only one of the organisations surveyed specifically mentions emergency transitional settlement in their mandate as their responsibility. This has the following impacts:

- organisations do not perceive transitional settlement activities as their responsibility, and therefore gaps may occur in their understanding of transitional settlement and response to need
- transitional settlement is not viewed as a core emergency response sector
- transitional settlement is not adequately resourced with specialist staff and training and there is an insufficient supply of consultant expertise

- there is a lack of integration with other sectoral activities, as well as a need to develop coherent and consistent policies and programmes

4.3 organisational structure

4.3.1 introduction

In this context, 'organisational structure' describes organisational attitude towards transitional settlement, looking at the priority given to it: whether a transitional settlement department exists and whether transitional settlement is perceived as an important part of operations. This is analysed for the same organisations surveyed in section 4.2:

organisation	dedicated transitional settlement department or specialists	definition of transitional settlement	priority given to transitional settlement	extent of transitional settlement activities
donor				
DFID CHAD-OT	there is no department in DFID, CHAD, or CHAD-OT. however DFID has dedicated developmental housing specialists	none found	while there has been an increase in expressed interest in transitional settlement activities, the transitional settlement sector has not in the past been valued to the extent of other sectors	CHAD-OT hires specialist consultants for specific shelter projects. DFID also funds posts within organisations such as UNHCR to support transitional settlement activities
UN				
UNHCR	EESS contains specialists, and other units contain specialists with shelter expertise in resettlement, environment, GIS and logistics.	yes, refer to UNHCR handbook for emergencies.	while protection is the core priority for UNHCR, physical planning has the greatest profile in UNHCR of all the major implementing relief organisations.	UNHCR is seen as the de facto lead in physical planning, although in refugee situations only.
UNOCHA	none found	none found	low priority - the coordination role of UNOCHA has not to date included the regular coordination required for transitional settlement activities. significant logistics capacity exists	involvement in transitional settlement work includes the procuring and indirect distribution of shelter equipment (i.e. not direct to the beneficiary), and the co-ordination of emergency programmes with transitional settlement elements. Publications including Davis (1982) and co-sponsoring of Inter-Agency Procurement Services Office (1995)
UNDP	transitional settlement activities are part of the emergency response division	none found	low priority - whilst UNDP does get involved in emergency shelter, the organisation is more focused on recovery and rehabilitation	limited in emergency situations
UNICEF	none found	none found	low priority	a considerable quantity of tents is distributed annually

continued overleaf

organisation	dedicated transitional settlement department or specialists	definition of transitional settlement	priority given to transitional settlement	extent of transitional settlement activities
IGOs				
IFRC	the limited transitional settlement expertise is held in the Logistics and Emergency Preparedness Departments. National Societies have expertise which has resulted in isolated regional guidelines	there is no definition, though the accountancy label is 'tents and sheeting'. descriptive references in guidelines	low priority - transitional settlement is well described and represented in assessment tools, and little attention is given in policy or programme design	a very large quantity of tents is distributed, mainly through National Societies, and mainly in response to natural disasters. without policy support, there have been a number of transitional settlement programmes involving local materials and construction techniques
ICRC	no department, however there is a dedicated specialist in WATHAB, and capacity in ECOSEC, and Logistic Centre	none found, although descriptive references in guidelines	transitional settlement might be seen as having a lower priority than watsan, food aid and primary health care	significant and varied activities including capacity to respond to urban infrastructural needs and assistance to prevent population movements
IOM	no department, however there are specialists in the field	there is a definition of the construction component in IOM programmes.	low priority, with an emphasis on migration issues rather than shelter structures or site planning, i.e. transitional shelter in relation to movement	IOM has been involved in a number of transitional settlement activities, including the development of what is currently the most credible cold climate tent
NGOs				
Oxfam	no department, however the Environmental Engineering Team has a dedicated specialist	none found, although descriptive references in guidelines	increasing interest, but transitional settlement is not considered as important as other sectors	significant activities mainly in response to natural disasters
MSF	no department, however MSF Belgium has a dedicated specialist and shelter logistics expertise is based at MSF Logistique	none found, although descriptive references in guidelines	low priority, principal interest is relating to medical infrastructure. execution of building activities is usually the responsibility of the Logistics Coordinator	undertakes a significant amount of medical infrastructure work, and family shelter response where alternatives do not exist and it will reduce morbidity
CARE NL	no department, however transitional settlement staff are registered on CARE International's aCERT (CARE Emergency Response Team) emergency register	none found	low priority, transitional settlement is considered within a wider developmental and rehabilitation programme	significant family shelter and camp infrastructure programmes over many years, and there is currently an interest in developing a specialism in refugee camps

4.3.2 analysis

While transitional settlement activities are recognised by some organisations as a significant part of their operations, the majority consider transitional settlement to be a series of activities that are carried out on an ad hoc basis as need arises in the field. Very few organisations have a policy definition of transitional settlement activities collectively.

None of the organisations surveyed for this report has a dedicated transitional settlement department, although a number have specialists. Many organisations view transitional settlement as a part of their logistics operations, and as an equipment distribution activity.

Some organisations may need to re-evaluate whether the resources they direct to developing and maintaining appropriate policy, procedures, staffing, assessment and learning tools for the sector are proportionate to the scale of activities undertaken by those organisations.

Some organisations may need to re-evaluate whether the policy definitions of the sector reflect accurately the scale and nature of both the needs of affected populations, and other impacts upon their hosts, security, economies, and the environment.

4.4 guidelines and training

4.4.1 introduction

An indicator of a well-established and supported sector is a strong body of supporting literature, robust guidelines and extensive training. The health, water and sanitation sectors are extremely well supported by a constantly evolving body of such support tools. The following table is an analysis of the transitional settlement-specific guidelines, and training used by the organisations surveyed.

organisation	transitional settlement specific training	transitional settlement specific guidelines
donor		
DFID CHAD-OT	internal CHAD training includes a role play involving site selection and physical planning.	none found, well defined developmental policies.
donor / implementer		
SDC SHA	site planning courses, includes role play involving site selection and physical planning.	site planner's pocket guide
UN		
UNHCR	Outsources to the Disasters Management Centre, Wisconsin, or SDC	Well developed chapter in 'Handbook for Emergencies'.
UNOCHA	none found	"Shelter After Disaster – Guidelines for Assistance" (UNDRO, 1982)
UNDP	none found	none found
UNICEF	none found	none found
IGOs		
IFRC	during a disaster management workshop there is a site planning day.	brief entries in general organisational guidelines.
ICRC	none found	none found
IOM	none found	generic guidance may be found in Chapter 4 of IOM's Emergency Operations Manual (IOM, 2001). Guidelines are now available on construction.
NGOs		
MSF	shelter and site planning training – 1 afternoon. training CD-ROM on shelter and site planning MSF Holland runs a technical logistics course with a shelter component.	several sets of guidelines on shelter, e.g. Tendering for construction Refugee health (shelter chapter) Medical structure construction in refugee camps Public health engineering – section on site planning.
Oxfam	some individuals attend RedR and SDC training.	brief entries in the general 'Oxfam Handbook' (Oxfam 1995). engineering CD-ROM (2002) contains guidelines on plastic sheeting, site selection and assembling tents.
CARE NL	none found	internal DRA field guidelines used

4.4.2 analysis

Significant work as been done, and continues to be done, to develop appropriate responses to transitional settlement needs. This work is fragmented and poorly integrated, and requires consolidation.

Several of the organisations surveyed featured site planning as part of training programmes, which is a positive sign that organisations recognise that their employees may become involved in transitional settlement and shelter in the field. However, there was only one course offered by one organisation that was devoted to transitional settlement, and there were few transitional settlement-specific guidelines, handbooks, or other support tools. Without such tools, people involved in the transitional settlement process are impeded from developing shelter-specific skills, and the opportunity for the evolution of an accessible base of knowledge and good practice is lost.

4.5 assessment, monitoring and evaluation

4.5.1 introduction

The assessment, monitoring and evaluation processes are crucial to the success of any transitional settlement project. These processes are a significant part of the project cycle, and involve the following key tasks:

- determining beneficiary need
- determining required transitional settlement response
- evaluating the capacities of options for implementing response (e.g. local labour)
- assessing sites and circumstances, including risk mapping and the risk management capacity
- monitoring the project's progress and feeding this back into the project cycle
- evaluating the project's success and using this to develop best practice

The health, water and sanitation sectors have established processes and procedures to support this part of the project cycle. The following table looks at the processes and procedures that exist to support the transitional settlement sector.

organisation	transitional settlement - specific assessment procedures	transitional settlement - specific monitoring procedures	transitional settlement - specific evaluation procedures
donor			
DFID CHAD-OT	none found, general procedures only.	none found, general procedures only.	none found, general procedures only.
UN			
UNHCR	None found, except in proforma reporting of physical planners to EESS.	None found, except in proforma reporting of physical planners to EESS.	None found, except in proforma reporting of physical planners to EESS.
UNOCHA	UNDAC (1997) Field Handbook includes a number of specific assessment procedures.	none found, general procedures only.	none found, general procedures only.
UNDP	none found, general procedures only.	none found, general procedures only.	none found, general procedures only.
UNICEF	none found, general procedures only.	none found, general procedures only.	none found, general procedures only.
IGOs			
IFRC	included in emergency assessment tool, and is the first item on emergency materials request proformas.	none found, general procedures only.	none found, general procedures only.
ICRC	none found, general procedures only.	none found, general procedures only.	none found, general procedures only.
IOM	generic guidance may be found in Chapter 4 of IOM's Emergency Operations Manual (IOM, 2001).	examples of monitoring procedures can be found in activity reports and internal evaluations of completed programmes	None found, though an evaluation of IOM's emergency shelter interventions, conducted in 2000, is used as the evaluation template.
NGOs			
MSF	none found, general procedures only.	yes, there are indicators for 'Building and Basic Rehabilitation'.	yes, there are indicators for 'Building and Basic Rehabilitation'.
Oxfam GB	yes, there is a transitional settlement chapter within assessment guidelines.	none, though exist for WATSAN. SPHERE Project (2000) is used for shelter.	consultant specialist engaged for specific or high value responses.
CARE NL	none found, general procedures only.	none found, general procedures only.	none found, general procedures only.

4.5.2 analysis

Very few of the organisations surveyed have coherent, consistent processes or procedures to support the assessment, monitoring and evaluation processes, though these do exist for other sectors. The likely impact of this is that transitional settlement programmes are not always carried out in a consistent manner, and that transitional settlement and other sector staff are not supported by recommended procedures during this process.

4.6 strategies

Designing a transitional settlement strategy, or implementation programme, is a process that must include participation from all stakeholders and several specialist disciplines, including beneficiaries and their hosts, CBOs, host governments, local and international NGOs, coordinating UN organisations, donors, and technical specialists, site planners, logisticians, and managers. The process should involve creating a phased plan, with agreement from all implementing partners about tasks and responsibilities. The plan should also include design of the management and handover processes to support the sustainability and manageability of the response.

As with the assessment, monitoring and evaluation part of the project cycle, the success of programme design is maximised through the use of procedures and guidelines specific to the transitional settlement sector, enabling consistency, and giving the transitional settlement professional the support required. While many of these tools have yet to be developed, they may refer to the sophisticated programme management and assessment tools developed within a number of spheres, including government, the construction industry, and the aid community.

4.7 implementation

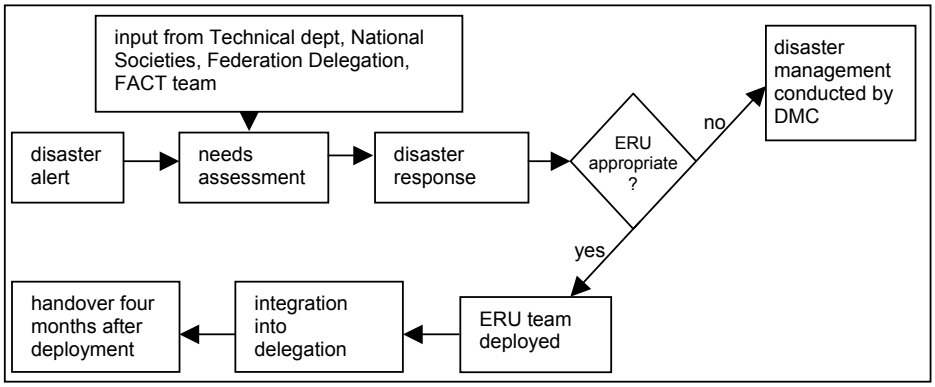
4.7.1 introduction

An implementation structure in this context is the structure that is in place for undertaking a strategy in the field. It includes:

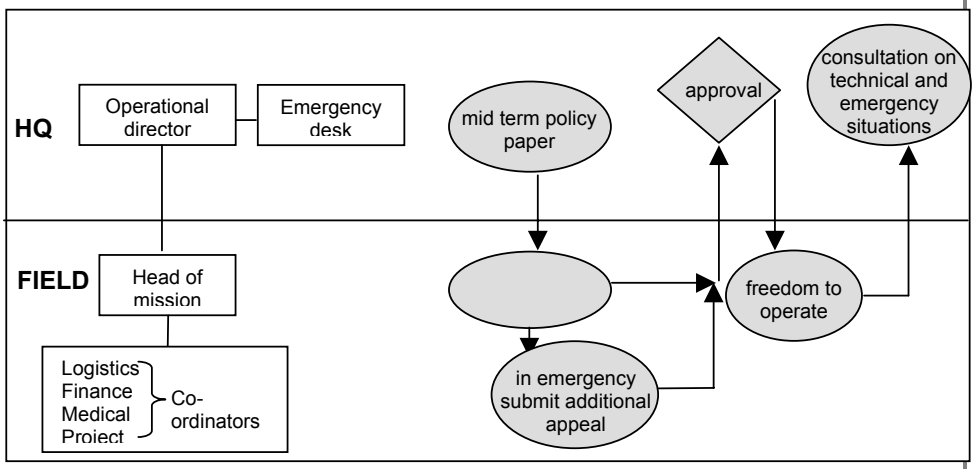
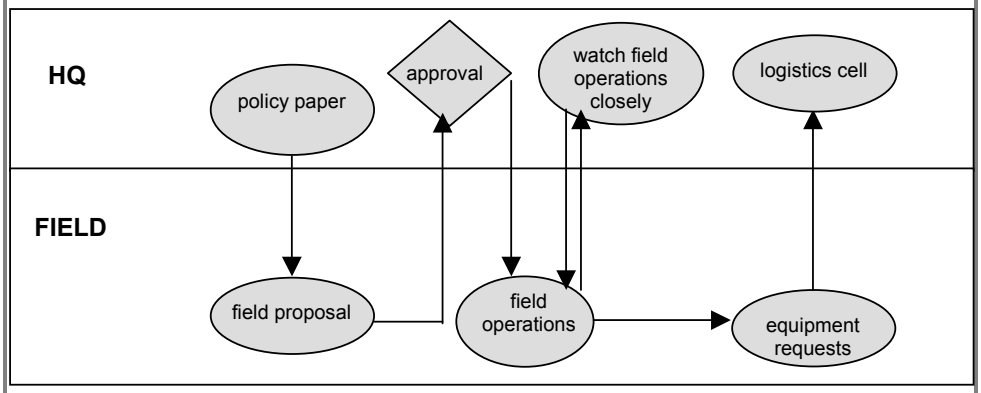
- the way in which sets of tasks are allocated and organised
- the reporting and decision-making frameworks between and within the field and headquarters
- management of logistics
- the balance of local to international staff
- relationships with implementing partners
- the handover process

The following table describes the way organisations manage transitional settlement strategy implementation between headquarters and the field, how logistics is organised, and how working with other organisations is managed:

organisation	HQ – field structure of operations	logistics organisation	working with other organisations
donor			
DFID CHAD-OT	CHAD-OT has a desk officer for each programme country, and uses independent shelter experts	CHAD-OT has no in-house capacity for logistics, and all logistics takes place in the field, within the operation	the independent shelter experts sub-contract most of the work in the field to local organisations
SDC, Department of Humanitarian Aid and SHA	desk officers for geographical regions, regional coordination offices, uses shelter experts from their own pool (SHA Swiss Humanitarian Aid Unit)	in-house and field logistics within operation	a) SHA shelter experts from own pool seconded to multi-lateral orgs (UNHCR, etc.) b) SDC funded and implemented operations using experts from SHA pool in collaboration with local orgs

UN			
UNOCHA	desk offices are allocated by country, and the field office is part of the desk. desk officers deal directly with the relevant country, whilst UNCP and local authorities implement the programme	other UN bodies make formal requests to UNOCHA for the procurement and transport of standard relief items. Some stocks are held at Brindisi.	UNOCHA is, by mandate, a coordination body
UNDP	[no data found in survey]	procurement is centralised, and local people are employed for distribution and for assessment	where possible, as part of self help programmes, post war reconstruction is managed by the local authority
UNICEF	[no data found in survey]	[no data found in survey]	[no data found in survey]
IGOs			
IFRC	the Disaster Management and Coordination (DMC) team leads for the first 90 days of the emergency, but the country desk also has a presence. 'Emergency Response Units' (ERU) are used to improve rapid response capacity. The units consist of equipment and trained specialists, which are backstopped by specialisms within National Socieities. The deployment process is illustrated below:	IFRC engages in both field based and centralised procurement. Requests are centrally tendered from Geneva above a threshold of 50,000 CHF, whilst local materials are procured where possible. shelter stocks are kept in regional warehouses.	the vast majority of work undertaken is coordinated between IFRC HQ, National Societies, and leading National Societies acting internationally.
			
ICRC	need assessed by field teams, with specialist input from WATHAB and ECOSEC. Field based personnel are responsible for decision making within the project. HQ is responsible for monitoring and evaluation of selected projects.	the majority of shelter logistics activity is run from the field. International procurement of a value over a designated threshold is conducted at headquarter level. shelter equipment is procured locally and internationally	collaborate and communicate with other organisations, but do not subcontract or use implementing partners.
IOM	transitional settlement and shelter programmes are locally driven using locally available expertise and materials.	materials are procured locally, and all procurement is conducted through the field office. Materials not locally available are procured at international level.	collaborations are not the norm. Local architects, engineers and beneficiaries are trained and employed wherever possible.

Continued overleaf

organisation	HQ – field structure of operations	logistics organisation	working with other organisations
NGOs			
MSF – NL	HQ to field operations are as illustrated in the diagram below:	procurement and transport for imported items are organised at headquarters level. local items procured in the field	collaborate and communicate with other organisations, but do not subcontract or use implementing partners
			
MSF – B	construction is led by field staff unless it is a specialist job, in which case a construction specialist is brought in. The HQ - field structure of operations is as follows:	logistics run by separate company in HQ, Transfert; responsible for all logistics requests from field. In the field staff either procure materials locally or order through Transfert	collaborate and communicate with other organisations, but do not subcontract or use implementing partners
			
Oxfam	all programmes are designed, coordinated and managed by Regional Management Centres. emergency programmes are authorised and funded by HQ	logistics is run by the regional Centres. shelter stocks used to be kept in regional warehouses, however recentralisation is being explored	Oxfam does, on occasion, engage local implementing partners
CARE NL	emergency response is co-ordinated by regional offices, which request specialists from the aCERT register of CARE International staff.	all procurement done locally in the field or through regional offices. if there is difficulty procurement goes through one of the lead offices (CARE US/Aus/Can).	CARE does, on occasion, engage local implementing partners.

4.7.2 analysis

All of the structures described in this table are generic, rather than specific to transitional settlement and shelter. By not designing structures specifically for transitional settlement operations, it is possible that organisations risk being inadequately prepared for large scale transitional settlement programmes. For example, construction programmes require large scale local recruitment, and if the structures are not in place to manage such a large workforce, there are likely to be problems with co-ordination of tasks and contract management. Crucially, if relations with implementing partners are not maintained through effective frameworks, implementation and handover will be severely hampered.

While logistics departments in many of the organisations surveyed can be highly effective (e.g. MSF), there may not always be structures and procedures in place specific to the unique requirements of transitional settlement projects. A unique relationship is required between transitional settlement and logistics whereby the opportunities and constraints in the capacities and experience of both are developed together. The worst scenario is where transitional settlement and shelter is considered as a product that can simply be distributed. Supporting transitional settlement may require a very wide range of materials, and because transitional settlement is a process, these needs are likely to change over time. Logistics departments must have the capacity to react accordingly.

Additional implementation tools should be developed specifically tailored to the needs of the transitional settlement and shelter sector, in order to enhance current implementation structures.

4.8 shelter equipment

4.8.1 introduction

While it is widely accepted that, where possible, most shelter equipment should be procured at a local or regional level, the equipment stockpiled and imported by organisations offers an indicator of the degree of integration and sophistication of transitional settlement within the organisation. It also offers an indicator of the range of responses undertaken by an organisation, for example whether they solely distribute non food items, or offer a wide range of shelters and reconstruction materials.

The following table describes the equipment catalogued or significantly distributed by the organisations surveyed (a shaded box indicates the item is catalogued or significantly distributed). N.B. this table has been compiled from information gathered from organisations by shelterproject.org and there may be omissions.

	family shelters	community shelters	plastic sheeting	other building material	flooring for family shelter	stoves	blankets	clothes	kitchen equipment	mattresses	other Non-Food Items (NFIs)
DFID											
UNOCHA	■	■	■	■		■	■				■
UNDP				■							■
UNICEF	■	■	■	■		■	■	■		■	■
IFRC	■	■	■	■	■	■	■	■	■	■	■
ICRC	■	■	■	■		■	■		■		■
IOM	■	■	■	■							■
MSF NL	■	■	■	■			■			■	■
MSF B	■	■	■	■			■		■		■
Oxfam	■	■	■	■			■	■	■		■
CARE NL			■			■	■		■	■	
SDC	■	■	■	■		■	■		■	■	■

4.8.2 analysis

The organisations surveyed varied widely in their approach to shelter equipment. Organisations had differing views as to what constituted shelter equipment, suggesting there is a need for a common understanding of which materials are part of the transitional settlement sector.

The majority of organisations surveyed procure a very wide range of shelter equipment. This suggests that organisations are actively involved in the procurement of shelter equipment, but because there is no clear definition of shelter, many of these items may not be recognised as being part of the transitional settlement sector remit.

4.9 conclusion

In the field, the design and implementation of transitional settlement programmes is usually undertaken by generalists, specialists from other technical disciplines, or consultants.

This chapter has shown that transitional settlement need should be responded to in a consistent, coherent manner, and that personnel involved in this response should be supported by transitional settlement-specific guidelines, programme management tools, and training. In order to respond in a coherent and consistent manner, recommended procedures and courses of action should be available to all personnel involved in transitional settlement.

Currently there are no specific field assessment tools to identify and quantify, or to monitor and evaluate, settlement and shelter needs, other than tools for site selection. This report concludes that a priority for the sector must be the development of such tools, and their integration into general assessment tools and the operational structures of governments and aid organisations.

The lack of specific assessment tools, departments and staff budget lines, and sectoral development indicate that the sector is neither structured nor resourced appropriately, although there are significant exceptions and signs of progress. The scale of resources expended by the aid community on meeting beneficiary transitional settlement and shelter needs is not proportionate to the scale of resources committed within the aid organisations to support these responses.

conclusion 5

5.1 introduction

In drawing together the arguments from the report, this chapter attempts to respond to the four chapter objectives presented in the executive summary and in section 1.3:

chapter 2, context **To understand the context in which the transitional settlement sector operates.**

chapter 3, need **To understand the scale and character of all settlement and shelter needs created by conflict and natural disasters.**

chapter 4, response **To examine whether the transitional settlement sector is resourced and structured appropriately to respond to these needs, when compared with other sectors of response of the aid community.**

chapter 5, conclusion **To explore how the aid community might improve response to transitional settlement and shelter needs.**

In turn, these chapter objectives seek to respond to the aim of this report, which is to:

'… develop with the international aid and development community an understanding of the nature and needs of transitional shelter following conflict and natural disaster, and of response to those needs.'

This chapter is organised as follows:

5.1 introduction
5.2 context
5.3 need
5.4 response
5.5 conclusions

5.2 context

To understand the context in which the transitional settlement sector operates.

5.2.1 literature

a) Reasons for the gaps in the literature on the transitional settlement sector fall into two broad categories:

- the relative lack of attention paid within the aid and academic communities to policy defining the establishment of transitional settlement
- the inappropriateness of current assessment and research tools either for such studies, or for more sophisticated responses in the field

b) There is a growing body of work on the complexity of social and political contexts and it is clear that the cross-cutting issues that run through transitional

settlement, other sectors and the aid community as a whole need to be drawn together at all stages of intervention: assessment, strategy choice, implementation, technical solutions and monitoring and evaluation.

5.2.2 rights and the legal context

a) Rights and the legal context are important because:

- rights law can be used as an advocacy tool
- an awareness of local and national law is crucial to an understanding of the socio-political context of a situation
- an understanding of rights emphasises the active character of beneficiaries who can make claims on different actors for resources and accountability
- law specific to transitional settlement needs to be developed and applied

b) Transitional settlement's relationship with international human rights law can be defined with reference to the terms 'shelter' and 'housing' as well as refugee law that asserts the inalienable and equal rights of refugees

d) Rights operate at different levels, or 'rights regimes'. Rights are socially and politically contested. The different rights regimes – from local to national to international level – may support or conflict with each other and involve a number of cross-cutting issues that the transitional settlement sector needs to be aware of

d) The most important documents relating to shelter and housing are:

- Article 25 of the Universal Declaration of Human Rights
- Article 11(1) of the ICESCR
- OCHA (1999) Guiding Principles on Internal Displacement (principles 1 and 18)
- Article 21 of the 1967 Protocol Relating to the Status of Refugees

e) With regard to resettlement and relocation, land rights are crucial. Further work is required in this area. The Global Campaign for Secure Tenure is an attempt to take this forward.

5.3 need

To understand the scale and character of all settlement and shelter needs created by conflict and natural disasters.

The exploration of scale of transitional settlement revealed a high incidence of need relative to the recognition of its importance. The character of need was found to be different from its representation in some policy and standards: more emphasis is required on the security, society, economy and environment of affected populations and their hosts, rather than on the shelter needs of individuals.

Very little information exists on identifying and supporting the coping strategies of affected populations and their hosts, activities that are undermined by poor assessment and monitoring tools.

The proportion of all settlement and shelter needs created by conflict and natural disasters that receive no response from the aid community is significant but difficult to quantify. It is essential that tools are developed to quantify these unrecognised needs, for both humanitarian and operational reasons.

The group for which the clearest overview of numbers is available is refugees and persons of concern to UNHCR, although statistics offer only a very basic indication of their settlement and shelter needs. In 2001, of the 19 million refugees and persons of concern to UNHCR, over 13 million persons were outside camps and just under 6 million inside camps. It is assumed that all these have settlement and shelter needs. Research for this Report has not been able to achieve an overview of the scale and character of the needs of IDPs and those affected by natural disaster, although there is dispersed case-study data.

In both hot and cold climates, transitional settlement is an essential for survival. When people organise their own shelter it can present an illusion of order in a chaotic situation. The attitude that the people of hot climates can survive 'under a bush' ignores the wider role of transitional settlement and shelter. Transitional settlement is normally a contributing factor to the success of water, food and hygiene programmes, as well as to the political and socio-economic stability of the region. Adequate transitional settlement response takes into consideration factors that are not immediately apparent and therefore less likely to be tackled first. Issues of economic sustainability or access to services can involve a long-term process, and therefore have been considered less urgent.

The physical size of a transitional settlement makes it extremely visible. This visibility keeps the sector in the imagination of the media, donors, politicians and hosts. Transitional settlements may appear to donors, implementers and governments to be an open-ended commitment, not least because the long process of achieving adequate shelter becomes complicated by many factors, and crosses mandates of response.

5.4 response

To examine whether the transitional settlement sector is resourced and structured appropriately to respond to these needs, when compared with other sectors of response of the aid community.

5.4.1 resource

Significant work as been done, and continues to be done, to develop appropriate responses to transitional settlement needs. This work is fragmented and poorly integrated, and requires consolidation.

Because transitional settlement does not exist as a sector in its own right in the eyes of many organisations, and arguably of the aid community as a whole, few organisations document or analyse the level of resource channelled into transitional settlement activities. It is therefore difficult to draw accurate conclusions about whether the sector is appropriately resourced. The lack of information available, compared to that about other sectors of response, is indicative of the low priority accorded to transitional settlement activities.

The fact that organisations do not calculate their spend on transitional settlement raises questions as to how budget is allocated to transitional settlement activities. As there is very little information on resources used, and budgeting is on an ad hoc basis, it is likely that the need for transitional settlement, discussed in chapter 6, is not being adequately resourced.

5.4.2 structure

In the field, the design and implementation of transitional settlement programmes is usually undertaken by generalists, specialists from other technical disciplines, or consultants.

The lack of a formal transitional settlement sector has impacts beyond budgeting and resourcing. Within and between relief organisations there is no structure of support or implementation tailored to transitional settlement activities.

Organisation mandates and policies do not actively support or encourage transitional settlement activities, and none of the organisations surveyed had a transitional settlement department. Transitional settlement activities are seen as lower priority than the activities of other sectors. For these reasons, there are very few procedures, processes, mechanisms or tools specific to transitional settlement. Professionals working in this arena are therefore not adequately equipped or supported by a structure tailored to the unique nature of transitional settlement activities.

5.5 conclusions

To explore how the aid community might improve response to transitional settlement and shelter needs.

5.5.1 introduction

The peer review may be used to develop agreed aims for the sector and establish principles to support that aim.

This report has argued that the development of the transitional settlement sector is crucial to the ability of organisations to respond effectively to the high level of need that exists. Effective response entails ensuring the following core needs are met:

- protection, as communities, families, and individuals
- preservation of good health, involving the provision of appropriate services
- protection of and from environment
- privacy and dignity

shelterproject.org proposes potential roles for stakeholders in the sector (5.5.2), and proposes some first steps towards achieving these roles (5.5.3).

5.5.2 potential roles for the sector

Using other sectors of aid operations as models, the following roles are proposed for stakeholders in the transitional settlement sector. Each of these groups requires not only a structure and remit, but also the resources and commitment to act.

a) **international and human rights law**
Law and standards of operation developed and continually updated to ensure that they maintain relevance to the needs and mechanisms of response that they represent, involving coordinated lobbying from the groups defined below.

b) **governments**
Host governments and governments with internally displaced or disaster affected populations supported by the appropriate international, regional and domestic laws, policies and mechanisms of response, through their line ministries and emergency services.

c) **multilateral and bilateral donors**
Donors supported by the appropriate policies, budget lines, accountability tools, and specialised staff able to respond effectively to all transitional settlement need, at all phases of that need.

d) **coordinating bodies**
Mandated bodies, such as UNHCR, to coordinate response to all transitional settlement need, at all phases of response, including mechanisms to hand over responsibility from one body to another when mandates require it.

e) **implementing organisations**
Mandated organisations, such as national and international NGOs, to implement transitional settlement programmes, supported by the appropriate policy, assessment and best practice tools, sectoral integration, and specialised staff.

f) **academia**
Institutions such as universities, supported by appropriate donors and internal multi-disciplinary departments, with the expertise, experience and facilities

necessary to collate best practice and form understandings of social and scientific response to need.

Given the dynamic nature of humanitarian response, collectively these groups require a forum, or fora, where coordinated progress can be discussed and achieved.

5.5.3 proposed steps to achieve an ideal structure for the sector

The development of a transitional settlement sector is largely the responsibility of the aid community. By working together to raise the profile of transitional settlement and create the mechanisms and tools characteristic of other sectors, the foundations will be laid for the development of the sector.

a) Establish a forum to continue from the shelterproject.org peer reviews, to continue general sectoral development and to advocate the lobbying of initiatives to revise international, regional, domestic and human rights laws.

b) Donors, coordinating and implementing bodies develop internal policy, guidelines and management tools.

c) Donors, coordinating and implementing bodies develop internal departmental structures, with appropriate staffing.

d) Donors, coordinating and implementing bodies include within their mandates references to transitional settlement consistent with references to other sectors of operation.

e) Donors, coordinating and implementing bodies engage with governments and regional bodies to develop a consistent and resourced programme of in-country and regional capacity building.

e) All stakeholders agree consistent and comprehensive terms to describe the sector and its activities. Annex c lists a glossary of terms, including those suggested by shelterproject.org in section c6.

The process of developing policies and guidelines offers opportunities for organisations to explore what each can bring to the sector, prior to changes in internal structures, staffing, and mandates. While time is required for all departments within organisations to understand the need for such changes, it must be recognised that this process must proceed at a certain rate to avoid becoming overwhelmed by the constant pressures on the aid community.

annex

aim & principles a

a1 introduction

This section is intended to promote discussion on two key issues; agreeing an aim for the transitional aid and settlement community and establishing a set of principles to serve as the shared common foundation for underlying effective action.

The importance of establishing an aim for the transitional settlement sector has been suggested by Professor Ian Davis, Visiting Professor Disaster Management Centre Cranfield University (CDMC, i.davis@n-oxford.demon.co.uk), consultant for the guidelines project. However the aim proposed below is the work of shelterproject.org.

The principles set out below are also the work of Professor Ian Davis and the material presented in this section has been contributed entirely by Professor Davis.

a2 aim

Proposing an aim for the transitional settlement sector allows the opening of a discussion within the sector on this key issue. Establishing an aim for the sector in turn creates a target against which objectives for the sector can be defined and set. Formalising these objectives creates an aspirational framework within which this report can then establish its own aim and the objectives required to meet it.

shelterproject.org proposes the following aim:

Communities, families, and individuals affected by conflict and natural disasters should be afforded, along with any hosting populations, transitional settlement support to their security, good health, privacy and dignity, appropriate to their needs.

a3 principles

A 'Principle' is defined in the Oxford Dictionary as a 'beginning' or a 'fundamental source of action''. Thus at the outset of this report it is necessary to set out a series of foundation principles for shelter and settlements. It is believed that they will be of benefit to the stakeholders involved in the provision of shelter to enable them to share a common vision and understanding of well proven basic principles that underlie effective actions. The following principles are the first revision attempted in the twenty years that have elapsed since their original publication in the last major international guidelines on 'shelter after disaster'. They grew out of the research between 1976-1982 into post-disaster shelter conducted by the project team of consultants drawn from disaster management, physical planning and architecture: Fred Cuny, Fred Krimgold, Ian Davis (project leader), as well as from the insights of the project's co-ordinator in UNDRO, Ludovic Van Essche.

Office of the United Nations Disaster Relief Co-Ordinator (UNDRO, 1982) ***'Shelter After Disaster, Guidelines for Assistance' New York: United Nations (pp. 3-4)***

The original set of Principles specifically related to Shelter following Natural Disasters, however the wider context of this report, primarily focussed on Transitional Shelter following Complex Disasters, has inevitably required a series of changes to be made to them. In addition the vast experience of post-disaster shelter gained in the past two decades has resulted in new insights that are incorporated into the following principles. In 1994 the 'Code of Conduct' was first introduced by the Red Cross.[11] The Code has subsequently been widely accepted by the international aid community. It contains ten 'Principle Commitments', and where they relate to any of the principles for shelter they have been cited below.

a3.1 resources of disaster survivors

The primary resource in the sheltering process, in anticipation or following natural disasters, comes from the grass roots motivation of survivors, their friends and families. Assisting groups can help the development of these local capacities, but they must avoid duplicating anything best undertaken by survivors.

In the case of transitional shelter created by conflict situations that involve the displacement of persons or refugees, this local resource may require additional external support, but this needs to be provided in a manner that builds from survivors' planning, building, implementation and decision-making capacities, rather than discounting or replacing such vital coping abilities.

The involvement of survivors in their own sheltering process has a triple benefit:

- It takes pressure off hard pressed authorities
- It provides a vital psycho-social function for survivors that converts them from being spectators, (as others seek to sort out their future) to the role of active participants in the provision of shelter.
- It makes economic sense by reducing the financial costs of recovery action by assisting groups

Red Cross Code of Conduct No. 7
'Ways shall be found to involve programme beneficiaries in the management of relief aid.'

a3.2 sheltering: an active process rather than static product

Sheltering of disaster survivors is a social, technical, logistical and developmental process. It can take a galaxy of forms that comprise:

- supply of blankets or plastic sheeting,
- delivery of local stockpiles of building materials and tools,
- voluntary evacuation to stay with host families,
- creation of improvised structures,
- temporary use of existing buildings, (such as schools)
- provision of shelter structures.

If shelter is perceived in these terms as a dynamic process, this opens the way to recognise the value of this range of options. It also develops an awareness of patterns of continual change, as one mode of shelter may be rapidly replaced by another within the recovery process.

However, if shelter is perceived as a finite product, (as is the prevailing view of many assisting groups), this creates a false understanding of the rich and varied approaches that are available. Furthermore, the narrow 'product perception' can result in exaggerated assumptions concerning the volume of shelter units that are needed, thus wasting valuable resources that can be deployed in other more needy sectors.

[11] International Federation of Red Cross and Red Crescent Societies (1994) 'Code of Conduct' Geneva: IFRCS

a3.3 allocation of roles for assisting groups

The success of any programme of shelter provision depends on a correct and logical distribution of roles for all stakeholders. Ideally this allocation should be undertaken by local authorities who are best qualified to decide who should do what, when and where. However, if the local administration is too weak to assume this responsibility, or if the political dynamics of the movement of displaced persons and refugees result in a lack of effective governmental authority, then it will be task of assisting NGO's and international agencies to strengthen Governmental capacity rather than replace it.[12]

a3.4 the assessment of transitional shelter needs and capacities

In assisting the sheltering process, the accurate assessment and continual monitoring of survivors' needs is in the long-term more important than a detailed assessment of damage to houses and property. It is vital that the assessment process should consider the capacities of survivors in parallel to assessing their needs. Particularly important assessment questions include[13]:

- Are there any particularly vulnerable groups who are among affected communities?
- Do all groups have equal access to sites, cash support and building materials?
- Do households without male labour suffer severe disadvantages?
- Are there beliefs or social practices, which have a bearing on the design and construction of shelters?
- Is space available for the construction of shelters?

Partial or inaccurate assessments of human needs and capacities by assisting groups have been a frequent cause of past failure in relief/rehabilitation efforts. The assessments of shelter needs, (as opposed to shelter 'wants'), require the skills and experience of local personnel who are familiar with local living conditions, cultural patterns and building/settlement traditions.

Red Cross Code of Conduct No. 6
'We shall attempt to build disaster response on local capacities'

Red Cross Code of Conduct No. 2
'….Aid priorities are calculated on the basis of need alone'

a3.5 the movement or evacuation of survivors

The compulsory evacuation or movement of disaster survivors, (whether after conflict or natural disasters), can seriously retard the recovery process and cause bitter resentment. On the other hand, in the case of shelter following natural disasters the voluntary movement of survivors, where their choice of venue and return is timed to satisfy their own needs, can be a positive asset. (In most natural disaster situations a high proportion of surviving families tend to seek shelter for the emergency period with family and friends living outside the affected area, and this spontaneous 'coping strategy' is very useful to authorities in reducing the shelter problem they have to face)

a3.6 pre-planning for transitional shelter

From the observation and documentation of disaster experience in varied contexts, all post disaster needs, including shelter requirements, can be anticipated with some accuracy in natural disaster contingency planning following detailed risk assessment. However, this preparedness process may not be possible in areas where there is the potential for conflict for political reasons. This pre-planning needs to be undertaken by varied stakeholders who provide shelter products, but is primarily the

[12] It is exceedingly rare for NGO 'Emergency Response Manuals' to make any reference to the role of local host governments in the rapid assessment of shelter needs or strategies in disaster situations.
[13] The questions that follow are drawn from: OXFAM (2002) 'Emergency Response Manual' Second Edition page 44 'Oxfam Checklist for Rapid Assessment in Emergencies' Oxford: Oxfam

responsibility of governments.

a3.7 relocation of settlements

The relocation of any community poses serious problems, due to the attachment of communities to their settlement location on account of ethnic traditions, kinship ties, livelihood security and cultural/ historical associations. However, there are situations where relocation is unavoidable, and thus needs to be managed with skill and sensitivity.

Relocation of settlements can be a temporary or permanent option. In the case of flood victims, relocation is temporary with their settlement land inundated and therefore they need to be relocated, with possible external assistance, until flood waters recede. However, when flood waters erode land, or landslides destroy settlements, then relocation has to become a permanent reality. Relocation after conflict can be both temporary or permanent, depending on the extent and continuation of hostilities. In some areas where there are high levels of vulnerability to natural hazards, authorities attempt permanent relocation but this is very rarely a feasible option, since it is normally opposed by residents, who resent such imposed actions and fear the economic consequences. Another objection is that the vacated unsafe land resulting from relocations is normally rapidly re-occupied by incoming families, thus re-establishing the vulnerable status-quo.

a3.8 land use and land tenure

If relocation or the creation of new settlements is proposed, then the issue of land ownership has to tackled and resolved before implementation. Local systems of land-tenure, all aspects of land-use planning and infrastructure planning need to be considered in consultation with governmental planning authorities. It is a popular myth to assume that these issues do not apply when creating 'temporary settlements' that have a planned expiry date, since the vast majority of post-disaster temporary settlements evolve into permanent environments. In such situations, if the land ownership issues and conflicts have not been resolved, these can persist as major long-term problems for a given society.

a3.9 financing of transitional shelter

One of the most important components of post disaster shelter concerns the financing system. Here there are a series of options: cash grants or outright gifts, micro-credit loans, sale of shelter materials or units to those able to afford the costs, and insurance compensation for those with protection policies. The principles are to avoid creating dependency relationships between survivors and assisting groups, and wherever possible to aim for a pattern where individuals and communities participate in the financing of their own shelter programmes, (especially when this is a transitional stage that will evolve into permanent reconstruction). Traditionally, assisting groups tend to favour cash grants rather than become involved with loan systems since they want to evade the problem of repayment collection in the long-term. However revolving funds can be a powerful developmental tool in retaining funds for subsequent investment.

a3.10 political opportunities and constraints

Shelter provision is perhaps the most politicised sector of disaster response. Therefore all stakeholders need to recognise the reality of the opportunities and constraints resulting from this political concern. The opportunities are to take effective action while there are 'windows of opportunity' still open, in response to enhanced political concerns that are normally fanned by media coverage.

The constraints to guard against are varied, firstly the desire of politicians to advocate shelter programmes for selected groups based on their political affiliations. Secondly there is the risk of politically motivated facile solutions that advocate 'rapid and highly visible shelter responses', often proposed with strong commercial links to firms that provide them with political support. (Such

responses can collide with the approaches advocated under Principles 1, 2, 4, 7, 8 and 9) The best protection from such short-term opportunistic responses comes from a well developed disaster plan, based on careful pre-planning based on the best technical advice available as advocated under Principle 6

Red Cross Code of Conduct No. 3
'Aid will not be used to further a particular political or religious standpoint'

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a3.11 accountability of donors of transitional shelter to recipients

Since most effective relief and reconstruction policies result from the participation of survivors in determining and planning their own needs, the successful performance of assisting groups is dependent on their accountability to the recipients of their assistance.

> "…the concept of accountability to the victims of a disaster is a concept long overdue in relief practice. Without accountability, programmes inevitably become paternalistic in nature or end up serving the needs of the donors and agencies rather than the needs of the victims"

Fred Cuny (1983) Disasters and Development
New York: Oxford University Press

Red Cross Code of Conduct No. 9
'We hold ourselves accountable to both those we seek to assist and those from whom we accept resources.'

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a3.12 safety factors in shelter provision

The present and future safety of the occupants of shelters has to become a priority concern of all stakeholders. This protection will cover many aspects of shelter design and management:

- Addressing the needs of the most vulnerable groups in the surviving communities, by reducing their future risks through public awareness programmes, the safe siting of buildings and the management of shelter and settlements.
- Making certain that all transitional shelters, as well as shelter materials, are provided with expertise, and the training of builders to build safely against local hazard threats.[14]
- Making certain that the land on which shelters are built is not prone to local hazards such as flooding, landslides etc.
- In shelters following conflict, to manage the risk to the occupants of sexual harassment of female occupants from combatant forces operating in the area
- Developing public awareness education programmes within the post disaster settlements, so that the occupants of shelters (particularly children) are made aware of the reasons for any safety features in their shelters as well as ways to reduce the risks they face.

Red Cross Code of Conduct No. 8
'Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs'

[14] In 2002 an internal evaluation of a major UK based NGO, that will remain nameless, revealed that their shelter programme in Kosovo, that led into permanent reconstructed housing, totally ignored the seismic threat despite the reality that this programme was based in a highly active seismic zone.

a3.13 guidelines on transitional shelter for use at local levels

Guidelines on transitional shelter and settlements for individual communities can only be formulated by qualified local personnel in the light of local conditions (climate/ natural hazards/ shelter and building traditions/ living patterns/ cultural concerns/ local building materials/ land ownership patterns/ the economic base/ social system, political and administrative structure). However, such locally applicable guidelines can be modelled on the generic advice contained in this report.

Red Cross Code of Conduct No. 5
'We shall respect culture and custom'

annex b methodology

b1 introduction

The intention of this report is to inform the aid community about the need for transitional settlement and shelter. This need has been examined through the use of spend as an indicator, and the response to this need has been explored through an investigation of current response mechanisms. In order to conduct a realistic analysis of spend and response, shelterproject.org chose to use primary data volunteered by participating organisations. Though there are significant limitations to this method (see the 'limitations' section below), this appeared to be the most appropriate method of collecting the information required to analyse the current transitional settlement-related activities of relief organisations.

b2 peer review process

Central to the methodology of the report has been the use of a peer review process. This enables the aid and development community to direct the content and focus of the report through a participatory facilitated forum. The aim, objectives and content of this report are all the results of this peer review process.

Feedback and comments are encouraged not only at peer reviews but on a continuous, ongoing basis. This is partially assisted by the publication of an email newsletter, reporting progress and eliciting feedback. To help ensure clarity of understanding between the peer review panel and shelterproject.org a Summary of Proceedings (SoP) is published after each peer review to ensure the common interpretation of peer review comments.

The peer review panel is reflective of the intended audience comprising amongst others, UN agencies, donors, implementers, academic groups and policy bodies. Members of shelterproject.org in common with a significant proportion of the peer review panel are practitioners of transitional settlement responses, ensuring that the report develops as a practical and relevant document.

b3 data collection

To collect the information required, shelterproject.org conducted semi-structured interviews with personnel from participating organisations. A questionnaire was sent out in advance of the interviews, allowing interviewees to prepare and collate the information requested. Where possible, several people from each organisation were interviewed, and experts in particular areas, for example finance, were sought. In the majority of cases, organisations gave shelterproject.org electronic or paper-based information to take away and analyse.

b4 data analysis

Data on spend was very limited (see chapter 6 for further information), and as a result sophisticated statistical analysis techniques were not appropriate. All the data was analysed by sorting it into spend and non-spend related information. Comparisons were then made between spend on transitional settlement related activities and spend on other activities. Unfortunately it was not possible to make useful comparisons between the data from different organisations, owing to the lack of consistency in data.

Information relating to response was collated from the many different information sources lent to shelterproject.org at interviews, and from the detailed minutes taken during interviews. Comparative analysis between organisations was used where possible, structured by information matrices.

b5 limitations

There were several limitations to the collection and analysis of the required information: the period of research was short, resources were little, and the material was difficult to access.

It is doubtful whether sufficient material exists to answer in a statistically significant manner the questions posed by the aims of this Report.

proposed glossary of terms

annex **C**

c1 introduction

This glossary is divided into five parts:

c2	diagrammatic representation of the language proposed
c3	sources used for annex c4 and c5
c4	glossary of sourced terms specific to the transitional settlement sector
c5	glossary of other relevant sourced terms
c6	proposed terms and descriptions for discussion

The aims of this glossary are to consolidate, and to suggest consistent descriptions for, the terms which apply to both conflict and natural disasters and to emergency and development phases of response.

A short glossary of acronyms used in the report can be found in the executive summary.

c2 diagrammatic representation of proposed transitional settlement terms

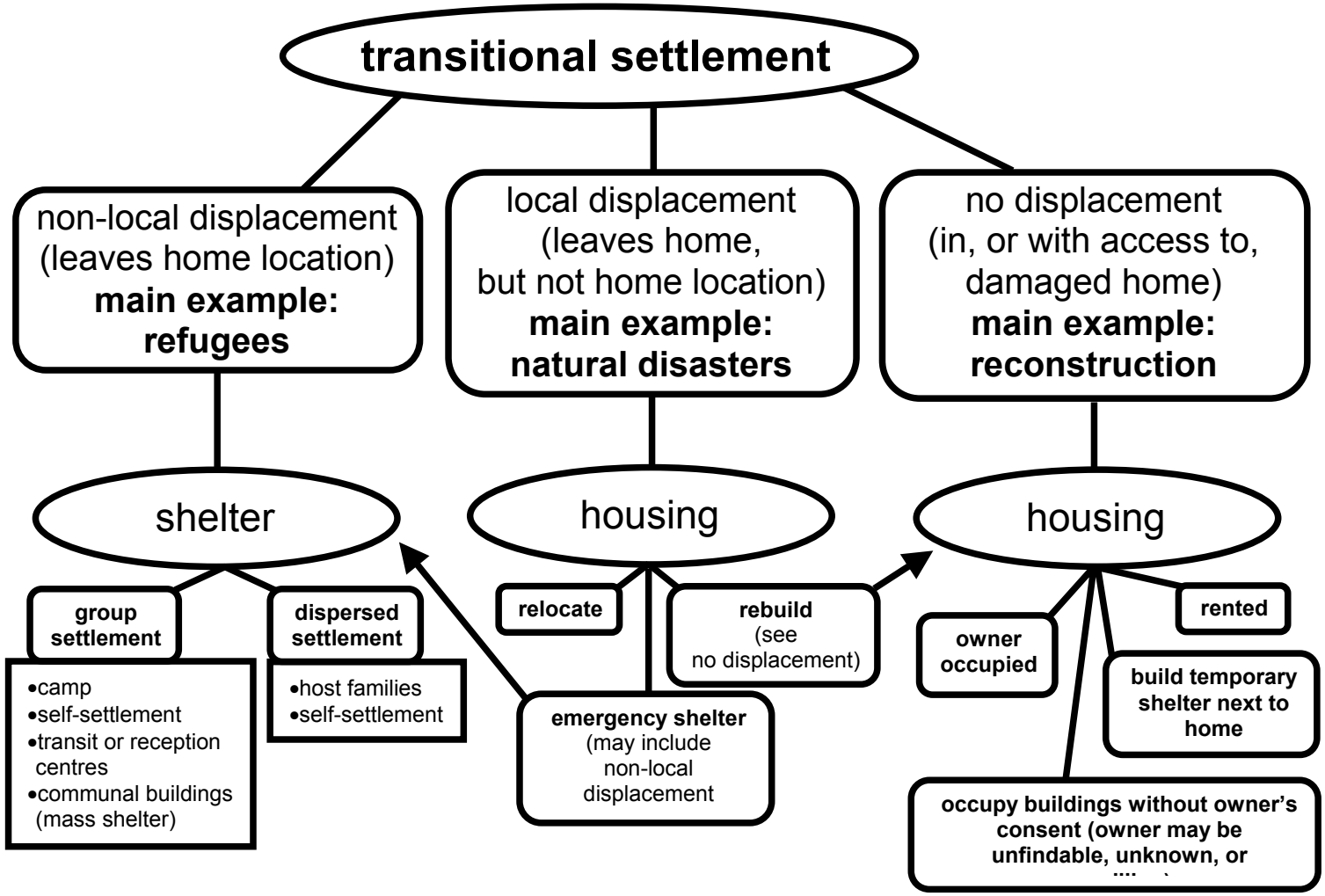
proposed term for field

situation

sector term

proposed terms for specific options include:

(note: these options may involve finished or unfinished structures)



c3 sources used for annex c4 and c5

Notes:

- We are awaiting our order of UN-HABITAT's *Multilingual Glossary Of Human Settlements Terms*, hence this glossary's terms have not been included here
- Online glossaries from USAID and SDC/SHA were not found, but if these agencies have standard descriptions for terms which they use, then those would be important to include in this table

Chalinder, A. (1998). *Temporary Human Settlement Planning for Displaced Populations in Emergencies*. Good Practice Review number 6, Overseas Development Institute, London

DFID. (2003) *Glossary of Development Terms and Abbreviations*, http://www.dfid.gov.uk/aboutdfid/files/glossary_•.htm where • is replaced with the first letter of the term.

Jensen, Eva. (1996) *Introduction and Overview: Typology and Causes of Emergency Settlement*, The First International Emergency Settlement Conference Papers, New 'Approaches to New Realities', University of Wisconsin – Disaster Management Centre, Department of Engineering Professional Development

MSF. (1997). *Refugee Health.* Macmillan: London

OED. (2003). *Oxford English Dictionary*. Oxford University Press, http://dictionary.oed.com

shelterproject.org (2001) *The Selection of sites for temporary settlements for forced migrants*. Corsellis, T.

SPHERE Project. (2000). *Humanitarian Charter and Minimum Standards in Disaster Response.* Oxfam Publishing, Oxford

UN DHA. (1992). *Internationally Agreed Glossary of Basic Terms Related to Disaster Management*. UN DHA (United Nations Department of Humanitarian Affairs), Geneva http://www.unisdr.org/unisdr/glossaire.htm

UNHCR. (1951/1967). Convention and Protocol Relating to the Status of Refugees. UNHCR. Geneva

UNHCR. (2000). *Handbook for Emergencies.* UNHCR. Geneva

UNHCR (2002a) *Environmental Considerations in the Life Cycle of Refugee Camps* Draft 2.2 UNHCR. Geneva

UNHCR (2002b) *Refugee Protection: A Guide to International Refugee Law*. UNHCR. Geneva

c4 glossary of sourced terms specific to the transitional settlement sector

This table lists many terms which are frequently used in the transitional settlement sector. The various descriptions from different sources indicate the diversity which exists. Neither judgement nor endorsement are implied by the appearance of any entries in this table. Additionally, the table is not intended to be entirely comprehensive. Instead, it is illustrative of the main terms which the sector uses and which the sector should consider defining according to consensus. As well, it indicates the foundation for the common vocabulary proposals suggested by diagrams in this report.

term	description (direct quotations from the given source)	source
camps	This type of settlement is where refugees find accommodation in purpose built sites where a full range of services, for example water, sanitation, are provided, usually exclusively for the population of the site. High density camps with very large populations are the worst possible option for refugee accommodation. However, this may be the only option because of decisions by the host country or simply because of a lack of alternatives. They are common in areas with little or no pre-existing infrastructure or where the size of the refugee population is such that it would put an intolerable strain on the local resources if [dispersed settlement or mass shelter] were used.	**UNHCR 2000**
	Camps are artificial creations for a specific, unknown, period of time. Camps rely to various degrees on external inputs in terms of their management, service provision as well as food and other livelihood support.	**UNHCR 2002a**
camp management	▪ the administrative organisation of the camp and its population, ▪ organisation of the site itself and the installation of the necessary infrastructure, ▪ setting up of a reception structure for new arrivals, including screening and registration, ▪ installation of an efficient and equitable system of general distributions, ▪ organisation of staff working in different programs.	**MSF 1997**
cluster planning	Aims at creating decentralised clusters of communities, where shelters are grouped together, to clearly define social units.	**UNHCR 2002a**
communal buildings	mass shelter	**UNHCR 2002a**
dispersed settlement	This type of arrangement is where the refugees find accommodation within the households of families who already live in the area of refuge. The refugees either share existing accommodation or set up temporary accommodation nearby and share water, sanitation, cooking and other services of the pre-existing households.	**UNHCR 2000**
family plot	A small piece of land allocated to an individual family for their own management.	**UNHCR 2002a**
grid planning	Creates repetitive patterns of longs rows of plots and/or shelters.	**UNHCR 2002a**
local settlement	Assimilation within the country of asylum.	**UNHCR 2000**
mass shelter	This type of settlement is where refugees find accommodation in pre-existing facilities, for example, in schools, barracks, hotels, gymnasiums. These are normally in urban areas and are often intended as temporary or transit accommodation.	**UNHCR 2000**
physical planner	The UNHCR term for an aid worker specialising in temporary settlement and shelter, and specifically the layout of camps [supported temporary settlements], also termed 'site planner' and 'camp planner'.	**shelterproject.org 2001**
refugee centres	Locations where refugees reside or may gather to receive information, counselling, material assistance or other services.	**UNHCR 2002b**
resettlement	Actions necessary for the permanent settlement of persons dislocated or otherwise affected by a disaster to an area different from their last place of habitation.	**UN DHA 1992**
	Assimilation within another country. [that is, not within the country of asylum]	**UNHCR 2000**
	The transfer of refugees from the country in which they have sought refuge to another State that has agreed to admit them. The refugees will usually be granted asylum or some other form of long-term resident rights and, in many cases, will have the opportunity to become naturalised citizens. For this reason, resettlement is a durable solution as well as a tool for the protection of refugees.	**UNHCR 2002b**

settlement	I. The placing of persons or things in a fixed or permanent position. 1. The act of fixing (a thing, material or immaterial) in a secure or steady position; the state of being so fixed; a fixed or steady position. 2. Establishment of a person in life, in marriage, in an office or employment. 3. Legal residence or establishment in a particular parish, entitling a person to relief from the poor rates; the right to relief acquired by such residence. 4. The act of settling oneself, or state of being settled, in a fixed place or position, in a permanent abode, etc. 5. In Presbyterian churches: The placing or installing of a minister in a pastoral charge. 6. The act of settling as colonists or new-comers; the act of peopling or colonizing a new country, or of planting a colony. (Cf. sense 14.) Phrase, to effect a settlement.	**OED 2003**
	[…] IV. An assemblage of persons settled in a locality. 14. a. (Cf. sense 6.) A community of the subjects of a state settled in a new country; a tract of country so settled, a colony, esp. one in its earlier stages. back settlement: see BACK a. 1a. Straits Settlements (now Hist.), the collective name given to the British possessions in the Malay Peninsula. b. Of a religious community. 15. In the outlying districts of America and the (former) Colonial territories: A small village or collection of houses. Also, the huts forming the living quarters of the slaves on a plantation. 16. An establishment in the poorer quarters of a large city where educated men or women live in daily personal contact with the working class for co-operation in social reform.	
	V. 17. attrib. and Comb., as (senses 6, 14) settlement area, pattern; (sense 9b) settlement price, terms; settlement day = settling day s.v. SETTLING vbl. n. 3b; settlement house U.S., an institution in an inner city area, usu. sponsored by a church or college, that gives educational, recreational, and other social services to the community (cf. sense 16).	
	Settlements are viable human habitats, often planned and designed to be self-sufficient and even sustainable.	**UNHCR 2002a**
shelter	1. a. A structure affording protection from rain, wind, or sun; in wider sense, anything serving as a screen or a place of refuge from the weather. Now often applied to a small slight building (commonly of wood or iron) erected in a park or other public place to serve as a refuge from the weather. b. Something which affords a refuge from danger, attack, pursuit, or observation; a place of safety; Mil. a wall or bank behind which persons can obtain safety from gunshot; an enclosed shelter from air-raids, nuclear fall-out, etc., usu. underground. c. transf. and fig. d. Protection from the weather; trees, walls, or the like, which afford such protection. e. A covering to protect an object from injury, 'spec. a box, cage or hut used for the proper exposure of meteorological instruments' (Funk's Stand. Dict. 1895). f. A place of temporary lodging for the homeless poor. g. A (temporary) home for animals. U.S. 2. a. The state of being sheltered; the state of being protected from the elements; security from attack. Chiefly in to seek, find, take, etc. shelter. in, under, shelter. under the shelter of = protected by. b. fig (not reproduced here).	**OED 2003**
	Shelter is a critical determinant of survival in the initial stage of an emergency. Beyond survival, shelter is necessary to enhance resistance to disease and provide protection from the environment. It is also important for human dignity and to sustain family and community life as far as possible in difficult circumstances. The purpose of shelter, site selection and physical planning interventions is to meet the physical and primary social needs of individuals, families and communities for safe, secure and comfortable living space, incorporating as much self-sufficiency and self-management into the process as possible	**SPHERE 2000**

	Physical protection requirements of disaster victims who no longer have access to normal habitation facilities. Immediate post-disaster needs are met by the use of tents. Alternatives may include polypropylene houses, plastic sheeting, geodesic domes, and other similar types of temporary housing	**UN DHA 1992**
	-Refugee shelter must provide protection from the elements, space to live and store belongings, privacy and emotional security; -Blankets and clothing must be provided if necessary; -Refugee housing should be culturally and socially appropriate and familiar. Suitable local materials are best, if available; -Shelter must be suitable for the different seasons; -Except for tents in certain circumstances, prefabricated or special emergency shelter has not proved to be a practical option on either cost or cultural grounds; -Wherever possible, refugees should build their own housing, with the necessary organisational and material support	**UNHCR 2000**
site	A site is in this guideline understood as a relatively small piece of land that can be clearly defined in terms of its extension and management. Areas are understood as wider and less clearly defined in terms of their extension and management.	**UNHCR 2002a**
site selection	The identification and choice of an area in which an STS [supported temporary settlement] may be established.	**shelterproject.org 2001**
supported temporary settlement (STS)	A planned area of habitation for forced migrants, also termed a 'temporary human settlement' or a 'planned settlement', or a 'refugee camp' if it accommodates only refugees. The temporary accommodation for migrants is laid out to defined agency standards, involving service infrastructure, communal facilities, and areas for habitation. Camps comprise planned settlements, transit centres, reception centres, and the extension of existing settlements and centres.	**shelterproject.org 2001**
temporary human settlement (THS)	A THS refers to a location where DPs [displaced populations] are assisted with shelter and other forms of humanitarian assistance. It refers to human settlements and as such argues in favour of employing human settlement planning practices. Crucial to the term is the notion of community. A THS is considered to be a collection of dwellings forming a community, which is planned for on the understanding that assistance may be provided on a short term or semi-permanent basis. It refers to the built environment in which DPs are temporarily accommodated. It does not refer to nor is it intended to cause any confusion with the term 'settlement' or 'resettlement' as used by UNHCR.	**Chalinder 1998**
transit centre	A small facility built and operated by NGOs, UNHCR or the host government in order to distribute essential food, water and medical assistance to forced migrants who are in the process of migrating, offering accommodation for a day or a few days.	**shelterproject.org 2001**
transit or reception centres	-Are specifically designed to accommodate refugees for only a short period of time (a few days to a few weeks). -Rely even heavier than camps on external inputs and require massive efforts in terms of management, servicing and maintenance. -Risks for prolonged stay of refugees exist.	**UNHCR 2002a**
way station	A place designated by NGOs, UNHCR or the host government in order to distribute essential food, water and medical assistance to forced migrants who are in the process of migrating.	**shelterproject.org 2001**

c5 glossary of other relevant sourced terms

term	description (direct quotations from the given source)	source
asylum	The grant, by a State, of protection on its territory to persons from another State who are fleeing persecution or serious danger. A person who is granted asylum is a refugee. Asylum encompasses a variety of elements, including *non-refoulement*, permission to remain on the territory of the asylum country, and humane standards of treatment.	**UNHCR 2002b**
	1. A sanctuary or inviolable place of refuge and protection for criminals and debtors, from which they cannot be forcibly removed without sacrilege. 2. gen. A secure place of refuge, shelter, or retreat. 3. abstr. Inviolable shelter; refuge, protection. 4. A benevolent institution affording shelter and support to some class of the afflicted, the unfortunate, or destitute; e.g. a 'lunatic asylum,' to which the term is sometimes popularly restricted.	**OED 2003**
asylum seeker	People who cross borders and appeal for refugee status on grounds of fear of persecution for political, ethnic, or religious reasons or membership in a particular social group.	**Jensen 1996**
	A person whose request or application for asylum has not been finally decided on by a prospective country of refugee.	**UNHCR 2002b**
	An individual whose refugee status has not yet been determined.	**UNHCR 2000**
case load	A specific migrant population, identified by UNHCR or NGOs for the purposes of project management.	**shelterproject.org 2001**
convention refugees	Convention refugees, within the meaning of the *1951 UN Convention Relating to the Status of Refugees*, are people whom governments have determined that "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, are outside the country of [their] nationality and [are] unable or, owing to such fear, unwilling to avail [themselves] of the protection of that country; or who, not having a nationality and being outside the country of [their] former habitual residence, [are] unwilling to return to it." Recognising that many externally displaced persons are not covered by this definition, 42 African and 10 Latin American governments signed regional instruments which expand this definition.	**Jensen 1996**
	Persons determined to be refugees by the authorities of States that have acceded to the Convention and/or Protocol. As such, they are entitled to claim the rights and benefits which those States have undertaken to accord to refugees.	**UNHCR 2000**
	Persons recognised as refugees by States under the criteria in Article 1 A of the 1951 Convention, and entitled to the enjoyment of a variety of rights under that Convention.	**UNHCR 2002b**
de facto refugees	A sub-category of externally displaced persons. They are persons not recognised as refugees within the meaning of Article 1 of the *1951 UN Convention Relating to the Status of Refugees*, and who for reasons recognised as valid (especially war and generalised violence), are not willing to return to their country of nationality or, if they have no nationality, to the country of their habitual residence. They are externally displaced persons who are generally treated as refugees but lack the formal designation.	**Jensen 1996**
	Those people who flee generalised danger instead of individual persecution and who come in large groups. The refugee definition of the 1951 Convention was never adapted to this new reality.	**MSF 1997**
disaster affected person/people/ population (DAP)	All people whose life or health are threatened by disaster, whether displaced or in their home area.	**term based on SPHERE 2000**
displaced person	Persons who, for different reasons or circumstances, have been compelled to leave their homes. They may or may not reside in their country of origin, but are not legally regarded as refugees.	**UN DHA 1992**
displaced population (DP)	'International Refugees' and 'Internally Displaced Persons'.	**Chalinder 1998**

durable solutions	Any means by which the situation of refugees can be satisfactorily and permanently resolved to enable them to live normal lives. UNHCR traditionally pursues the durable solutions of voluntary repatriation, local integration and resettlement.	**UNHCR 2002b**
externally displaced person/people (EDP)	People who, as a result of armed conflict, internal strife, systematic violations of human rights, natural or human-made disasters, or development projects, have been forced to flee their homes and have crossed an international border, but who are not legally recognised as refugees.	**term based on Jensen 1996**
externally displaced person/people (EDP)	People who, as a result of armed conflict, internal strife, systematic violations of human rights, natural or human-made disasters, or development projects, have been forced to flee their homes and have crossed an international border, but who are not legally recognised as refugees.	**term based on Jensen 1996**
habitat	The sum of environmental conditions at a particular locality.	**DFID 2003**
	1. a. Nat. Hist. The locality in which a plant or animal naturally grows or lives; habitation. Sometimes applied to the geographical area over which it extends, or the special locality to which it is confined; sometimes restricted to the particular station or spot in which a specimen is found; but chiefly used to indicate the kind of locality, as the sea-shore, rocky cliffs, chalk hills, or the like. b. Hence generally: Dwelling-place; habitation.	**OED 2003**
host government	The internationally-recognised dominion with jurisdiction over a nation.	**shelterproject.org 2001**
	Government of the country in which humanitarian assistance takes place.	**SPHERE 2000**
housing	1. The action of the verb HOUSE, in various senses: building of houses (obs.); putting or enclosing in a house; furnishing or provision of houses; dwelling or lodging in a house. 2. a. Shelter of a house, or such as that of a house; house accommodation; lodging. b. Houses or buildings collectively; house-property; spec. a collection of outhouses or adjoining buildings attached to a house (dial. sometimes confused with housen, pl. of HOUSE). c. A house or building.	**OED 2003**
internal displacement	Involuntary movement of people inside their own country. This movement may be due to a variety of causes, including natural or human-made disasters, armed conflict, or situations of generalised violence	**UNHCR 2002b**
internally displaced persons (IDPs)	May be defined as persons displaced from their habitual place of residence by disaster, fear of persecution or fear of physical harm, but who remain within the territorial limits of their country of origin. Unlike refugees, IDPs have no internationally defined legal status.	**DFID 2003**
	People who, as a result of armed conflict, internal strife, systematic violations of human rights, natural or human-made disasters, or development projects, have been forced to flee their homes but remain within the territory of their own country.	**Jensen 1996**
	Groups who have fled their homes for the same reasons as refugees and seek safety in the outskirts towns or other areas where there is less violence and insecurity, but within the borders of their own countries. Displaced by fighting or repression, their situation is generally even more precarious than that of refugees; yet they do not qualify for any form of international protection.	**MSF 1997**
	A person who has left their home, but not their country of origin. Unlike the term 'refugee', 'IDP' is not currently defined under international law, although it is assumed that IDPs similarly fear persecution or violence	**shelterproject.org 2001**
	IDPs can be broadly defined as persons who have been forced to flee their homes suddenly or unexpectedly in large numbers as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters and who are within the territory of their country	**UNHCR 2000**

	Those persons forced or obliged to flee from their homes, "...in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised State border" (according to the *Guiding Principles on Internal Displacement*)	**UNHCR 2002b**
local integration	A durable solution to the problem of refugees that involves their permanent settlement in a country of first asylum.	**UNHCR 2002b**
mandate refugees	People recognised by the High Commissioner for Refugees according to the *1951 Convention Relating to the Status of Refugees* which specifies the following inclusion elements: well-founded fear; persecution; reasons of race, religion, nationality, membership of a particular social group, or political opinion; and outside the country of origin.	**Jensen 1996**
	Persons considered by UNHCR to be refugees according to the Statute and other relevant General Assembly resolutions. This determination is not dependent upon the state of asylum being party to the 1951 Convention or 1967 Protocol. Mandate refugees can benefit from the High Commissioner's action. They do not, however, benefit from the rights accorded to Convention refugees, unless they are also recognised as refugees by a State party to the Convention	**UNHCR 2000**
	Persons who are recognised as refugees by UNHCR acting under the authority of its Statute and relevant UN General Assembly resolution. Mandate status is especially significant in States that are not parties of the 1951 Convention or its 1967 Protocol	**UNHCR 2002b**
non-refoulement	Of cardinal importance is the principle of non-refoulement. This principle is set out in Paragraph 1 of Article 33 of the 1951 Convention [see "refoulement].	**UNHCR 2000**
	A core principle of refugee law that prohibits States from returning refugees in any manner whatsoever to countries or territories in which their lives or freedom may be threatened. The principle of non-refoulement is a part of customary international law and is therefore binding on all States, whether or not they are parties to the 1951 Convention.	**UNHCR 2002b**
prima facie refugees	In the case of mass influx, the aim is to secure treatment in accordance with universally recognised humanitarian principles not necessarily directly linked to the legal status of those in need. Speed of intervention to secure protection is thus the first priority. In such circumstances, UNHCR and states usually resort to refugee status determination for the entire group based on their knowledge of objective conditions in the country of origin. Every member of the group is thus considered a refugee *prima facie*, i.e. a refugee in the absence of evidence to the contrary.	
	Group determination of refugee status. A practice by which all persons forming part of a large-scale influx are regarded as refugees on a *prima facie* basis. Group determination ensures that protection and assistance needs are met without prior individual status determination.	**UNHCR 2002b**
refoulement	Article 33 Prohibition of Expulsion or Return ("Refoulement") 1. No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion. 2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgement of a particularly serious crime, constitutes a danger to the community of that country.	**UNHCR 1951/1967**
	The removal of a person to a territory where she/he would be at risk of being persecuted, or of being moved to another territory where she/he would face persecution. Refoulement constitutes a violation of the principle of non-refoulement, and is therefore a breach of refugee law and of customary international law.	**UNHCR 2002b**

refugees [many other sources not listed here refer to UNHCR 1951/1967]	Persons who are outside their country of origin and who due to well-founded fear of persecution, are unable or unwilling to avail themselves of that country's protection. Under the agreed international instruments concerning refugees, persons meeting this basic criteria are considered to be refugees, regardless of whether or not they are formally recognised as such by a national authority or by UNHCR.	**DFID 2003**
	1. a. One who, owing to religious persecution or political troubles, seeks refuge in a foreign country; orig. applied to the French Huguenots who came to England after the revocation of the Edict of Nantes in 1685. b. A runaway; a fugitive from justice, etc. rare. c. transf. of migratory birds. Obs. rare1. d. Someone driven from his home by war or the fear of attack or persecution; a displaced person. Also fig.	**OED 2003**
	According to international legislation persons having a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion mostly outside the country of nationality and unable to return or avail himself of the protection of that country. Includes mass exodus of peoples for reasons of conflict moving outside their country of origin.	**UN DHA 1992**
	[Article 1 Definition of the Term "Refugee" is not reproduced here due to length, but contains different categories and exclusions for terming someone a refugee. The essence of the definition is below]. For the purposes of the present Convention, the term "refugee" shall apply to any person who…owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.	**UNHCR 1951/1967**
	For convenience, the word refugee is used in this handbook to describe any person of concern to UNHCR.	**UNHCR 2000**
	Who is a refugee? According to the 1951 Convention relating to the Status of Refugees, a refugee is someone who: •Has a well-founded fear of persecution because of his/her - Race, - Religion, - Nationality, - Membership in a particular social group, or - Political opinion; •Is outside his/her country of origin; and •Is unable or unwilling to avail him/herself of the protection of that country, or to return there, for fear of persecution. The Organization of African Unity [OAU] Convention Governing the Specific Aspects of Refugee Problems in Africa, a regional treaty adopted in 1969, added to the definition found in the 1951 Convention to include a more objectively based consideration, namely •Any person compelled to leave his/her country owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality. In 1984, a colloquium of Latin American government representatives and distinguished jurists adopted the Cartagena Declaration. Like the OAU Convention, the Declaration adds a more objectively based consideration to the 1951 Convention refugee definition to include: •Persons who flee their countries "because their lives, safety or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order".	**UNHCR 2002b**
refugees sur place	Persons who were not refugees when they left their country, but who have become refugees due to developments in their country of origin or because of their actions outside of the country.	**Jensen 1996**

	Persons who were not refugees when they left their countries of origin, but who become refugees at a later date, owing to intervening events. Refugees *sur place* may owe their fear of persecution to a change in the country of origin, such as through a *coup d'Etat*, or to *bona fide* political activities undertaken in the country of refuge.	**UNHCR 2002b**
re-integration	The process by which refugees resume a normal life in their country of origin. Ideally, reintegration should follow from the durable solution of voluntary repatriation.	**UNHCR 2002b**
statutory refugees	Persons considered refugees under the provisions of the international instruments that were in force before the 1951 Refugee Convention.	**UNHCR 2002b**
voluntary repatriation	Voluntary repatriation is usually characterised either as: i. "Organised" – i.e. where refugees return in an organised manner assisted by UNHCR, or ii. "Spontaneous" – i.e. where refugees return by their own means rather than as part of an organised operation.	**UNHCR 2000**
WATSAN	water and sanitation	standard field term
whole-systems design	Address complex planning and design situations in a holistic manner. By addressing all issues comprehensively, in the same process, physical elements can be located and/or designed so that they support each other in a mutually beneficial manner. Typically, whole-systems approaches minimise waste and optimise the use of (natural) resources.	**UNHCR 2002a**

c6 proposed terms and descriptions for discussion

This table proposes the consolidation of descriptions of some terms which appear in the previous two tables, and also lists some new terms which are not generally described at present. For the latter, some terms do not have a description, while some descriptions do not yet have a term.

These items are all open for feedback and further suggestions.

suggested term	description
aid infrastructure	facilities in direct support of aid organisations, including warehousing, offices and access
cold climate shelter	?
community infrastructure	existing or new facilities in support of populations
community shelter	shelter for families, individuals and communities
DAP	see disaster affected person/people/population in annex c4
EDP	see externally displaced person/people/population (EDP) in annex c4
environmental EDP	a forced migrant fleeing a natural disaster who has crossed an international border
environmental IDP	a forced migrant fleeing a natural disaster but within their country of origin
environmental refugee	a forced migrant fleeing a natural disaster who has crossed an international border and been granted asylum by the host country
forced migrant	a person who has unwillingly moved from their home
grouped settlement	many displaced people find accommodation in close geographical proximity, either in camps, collective centres, transit centres or encamped self settlements
host infrastructure	facilities of a host group such as schools, clinics roads and water and sanitation
hot climate shelter	?
illegal immigrant	a migrant outside their country of origin who has neither entered their current country legally nor applied for asylum there
prefabricated shelters	shelters made in sections prior to delivery on site which ned to be assembled on delivery
settlement	a community of covered living spaces providing a healthy, secure living environment with privacy and dignity to those groups, families and individuals residing within them

shelter	a habitable covered living space, providing a secure, healthy living environment with privacy and dignity to those within it
shelter non-food item (shelter NFI)	articles for distribution to beneficiaries that meet part of their transitional settlement or shelter needs, but that are not structural, such as blankets, mattresses, mosquito nets, stoves and fuels
shelter sector	an abbreviation of the "site selection, planning and shelter sector", describing the part of the "transitional settlement sector" that responds to the transitional settlement and shelter needs of refugees, within the mandate of UNHCR
shelter system	the combination of structural shelter items and "shelter NFIs" which create shelter, possibly including local materials, such as a tent with locally-procured blankets, mattresses and a stove appropriate to a cold climate
structural shelter	the structural element of the shelter sector, e.g. physical reconstruction, erection of tents
tent	a self-contained shelter, normally consisting of poles, pegs, ropes and tailored material
transitional settlement	settlement and shelter resulting from conflict and natural disasters, recognising that emergency response is the first step in a process towards durable solutions for those affected
transitional settlement sector	the field of working towards durable settlement and shelter for those affected by conflict and natural disasters. Proposed aim: 'Communities, families, and individuals affected by conflict and natural disasters should be afforded, along with any hosting populations, transitional settlement support to their security, good health, privacy and dignity, appropriate to their needs.'
transitional shelter	shelter which provides a habitable covered living space, a secure, and healthy living environment with privacy and dignity to those within it, over the interim period between being forced to leave their home and achieving a durable shelter solution; or shelter within a damaged home prior to the reconstruction of the home in a manner suitable for permanent occupation
warehouse	a structure for the storage of items
?	an forced migrant fleeing a combination of natural disaster and conflict
?	a person who remains in their own home to reconstruct it after it has been damaged (rather than fleeing)
?	a collective technical term for the covering element of a shelter that goes over the structure e.g. plastic sheeting, canvas, vegetation

annex d bibliography

Listed below is a bibliography of material discovered so far which is relevant to the transitional settlement and shelter sector. Items are included on conflict, environmental refugees, and natural disasters along with incidental references in the text used to substantiate arguments. Copies of most of these documents are held in the shelterproject.org library; however, some references to, and documents from, websites have not been downloaded.

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