Domestic Law for Resettlement of Persons Displaced by Climate Change

Leslie A. Stein

Columbia Law School
Center for Climate Change Law

Primary Assumptions

Move primarily as a Group not Individually

No possibility or intention to return

Host country willing to accept them

Host country willing to accommodate them
Adequate Housing

Definition arose for temporary refugees

What entails has not been clarified

The Human Rights Dimension

Adequate Housing is a human right

- Arises from the Right to Shelter
- Arises from UN Human Settlements declarations

“the United Nations human rights treaty bodies all recognize the intrinsic link between the environment and the realization of a range of human rights, such as the right to life, to health, to food, to water, and to housing.”

Housing Assumptions

Creation of Social Capital
- Social Coherence by reforming connections
- Social Support

Cultural Markers

Work opportunities

Regulatory Disconnect

Regulatory Framework

Social / Cultural Aspirations
**New Urbanism**

**Planning for Social Effect:** A Sense of Community

**Planning for Aspirations:** Charettes, Goal Formulation

Using **Physical Design** to Accomplish Goals

**Regulatory System** for Implementation

---

**Community: Walkable Neighborhood**

A corner store, child care center, post box, bus stop, small businesses provide a walkable focus for a local community, together with diversity in housing choice.

About 1,320 feet walkable radius
New Urbanism Process

- Aspirations
- Community Physical Structure
- New Urbanist Principles
- Regulatory Form
New Urbanism Process

Aspirations
Community Physical Structure
New Urbanist Principles
Regulatory Form

Design Charette

Scenarios for Testing
New Urbanism

Aspirations
Community Physical Structure
New Urbanist Principles
Regulatory Form

✓ Design Charette
Building form
Spacing
Open Space
Housing Type

Building Morphology

Haiti 2010

Source: Duany, Plater-Zyberk
New Urbanism Process

- Aspirations
  - Design Charette

- Community Physical Structure
  - Building form
    - Spacing
    - Open Space
    - Housing Type

- New Urbanist Principles
  - Walkable Neighborhoods
  - Sense of Community

Regulatory Form

Smart Code: Specific Building Types

Source: Dover Kohl
Antigua / Jocotenango, Sacatepequez, Guatemala

Jeddah, Saudi Arabia
Sabkha, Thuwal, Saudi Arabia

Koramangala, India
Conclusions

Need sense of cohesion

Need to create social capital

Need to translate aspirations to law

Concepts of New Urbanism best match