

**Address by Mr. Walter Kälin,
Representative of the Secretary-General on the
Human Rights of Internally Displaced Persons**

**at the event of the presentation of the draft of the
National Strategy for Internally Displaced Persons in Georgia**

Tbilisi, 15 December 2006

Honorable Ministers, Excellencies, colleagues, ladies and gentlemen,

I am honoured to have been invited, in my capacity as Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons, to participate in this presentation of the draft National Strategy for Internally Displaced Persons (IDPs). When I undertook an official mission to Georgia one year ago, I recommended that the Government design and implement a comprehensive policy addressing the multitude and complexity of problems related to internal displacement in Georgia. I am very pleased that the draft Strategy has now been completed, and I am impressed with the open manner in which it acknowledges current challenges. I also appreciate the commitment of the Government to overcoming them, in cooperation with national and international stakeholders. Before turning to substantial matters, please allow me to express my sincere thanks to the distinguished Minister for Refugees and Accommodation, for hosting this event and for presenting to us the National Strategy for IDPs in Georgia. I would also like to thank the Ministries involved, the many of civil society groups from all parts of Georgia and the international community for their active contribution to the process, in particular the Danish and Norwegian Refugee Councils, the Swiss Agency for Development and Cooperation, and UNHCR, who co-chaired the Working Groups.

This Strategy enshrines a significant break with the past. As I was informed during my visit last December, the Georgian Government no longer considers those citizens displaced from the conflict zones as only temporarily accommodated until they return. Instead, the Government acknowledged and acknowledges that IDPs should be allowed to live a normal life under dignified conditions, with suitable accommodation and improved access to livelihoods and economic opportunities, without prejudice to their right to return. I very much welcome this development. I would also like to underline the Government's reaffirmation in the Strategy of a rights-based approach, in full conformity with the Georgian Constitution, international human rights law and the UN Guiding Principles on Internal Displacement.

The draft Strategy and this meeting show that the plight of the displaced has not been forgotten in Georgia. Clearly, the authorities as well as civil society organizations care about their suffering and are committed to solving it. The international community is here to help. For too long, many of the displaced have not been aware of the Government's efforts on their behalf. In fact, some of them are not even aware of their

rights as citizens and displaced persons, as spelt out in Georgian laws and in the Guiding Principles on Internal Displacement. Let me encourage the Government to realize its intention of widely disseminating this Strategy and related documents without delay. I would suggest that special attention be paid to reaching out to those IDPs who are not gathered in collective centres. Many IDPs live with host families or in private apartments and are often equally disadvantaged, but their problems may be more hidden from the public eye.

One of the most important principles of this National Strategy lies in the fact that it equally embraces two essential goals: first, the ability of displaced persons to return to their home communities once safe and sustainable conditions are in place, and second, the guarantee of dignified living conditions, through economic, political, social and legal integration into Georgian society, wherever they choose to live. As I pointed out last year, these two principles are not mutually exclusive, but in fact reinforce each other. People who are well-integrated will have the courage, the skills and the capacity to start a new life in their home communities if and when they wish to return.

I understand that Georgia faces significant challenges related to the peaceful resolution of its conflicts. It is all the more important that public discourse and opinion now recognize that vulnerable persons and their welfare, human and citizens' rights should clearly not be held hostage to broader political developments which these people cannot influence. The Strategy document should avoid any politicization, and reflect this by maintaining its humanitarian character.

Today is the time to take stock and reflect on the progress made over the last few months. But there certainly is no time for any of us to relax and rest on our laurels. Still today, more than a decade after their displacement, tens of thousands of victims of displacement live under abysmal conditions as a result of their forced displacement. We all agree that this is no longer acceptable. And as we all know, strategies and plans in themselves do not make a difference – what matters is that they are eventually implemented. Experience from other countries has shown that the mere existence of an IDP Strategy, however good it may be, is not enough to make a real difference for the people it aims to benefit. I am therefore encouraged by the Government's intention to complement this Strategy with a more detailed Action Plan in the coming weeks. Such Action Plan must translate this somewhat more abstract Strategy into very concrete activities with a tangible impact on improving the lives of the displaced that can be felt by them in the very near future. As during any reform process, it is extremely important to ensure that no unintended gaps arise from transitory arrangements or legal amendments, as a result of which IDPs could lose out. For this purpose, Government assistance, such as monthly allowances or subsidized accommodation, needs to be maintained for those in need, before and until new schemes granting them at least the same level of support are firmly in place. Targeted support must be continued for particularly vulnerable groups among the IDPs, such as the elderly without family support, traumatized victims, persons with disabilities, women-headed households, and families of missing persons. Similarly, IDPs should continue to be exempt from general administrative or financial regulations concerning, for example, court fees for property

registration or the issuance of personal documents, whenever these procedures are related to any losses or difficulties arising as a result of their displacement. Otherwise, IDPs would remain victims of the injustices committed against them in the past.

For a truly effective response, joint efforts are required. Of course, it is ultimately the Government's responsibility to create the political, economic, social and legal conditions favourable to the reintegration of IDPs, and to set aside the necessary resources to the extent possible, as provided in the Law on Forcibly Displaced Persons. The Ministry for Refugees and Accommodation must be commended for its efforts to take a lead role, under the Prime Minister's office, in the development and implementation of the Strategy and its Action Plan. At the same time, all relevant ministries are equally called upon to develop and oversee programmes for IDPs within their sphere of competence. For their efforts to be effective, it is of crucial importance that coordination mechanisms and responsibilities are clearly defined and function smoothly. Agencies' responsibilities should be communicated to the beneficiaries. As recommended in the Strategy, channels of communication should be created for them to obtain information and submit their concerns. Finally, strong commitments from both the Government, and international donors, to provide the necessary funds will be needed to make the Strategy a success.

I was impressed with the open, inclusive process through which the National Strategy was designed, and I would strongly encourage the Government to develop and monitor the implementation of the Action Plan through a similar forum, and a similarly participatory process. IDP associations whom I consulted deeply appreciate that their opinions have been heard. Close cooperation with IDPs, affected communities, and civil society during the implementation phase will ensure that policy responses are both effective and comprehensive. They will be more effective in the sense that programmes can be tailored to IDPs' specific needs. Surely, IDPs themselves and local organizations working directly with them are in the best position to be aware of these needs. Georgia is in the fortunate position to benefit from an active and vibrant civil society which is eager to assist with the implementation of the Strategy. In other countries, where the opinions of IDPs have not been sufficiently considered, Government programmes were often not practical and sometimes even unacceptable to the beneficiaries. There, it was shown that it was not enough, for example, to build houses and repair infrastructure for IDPs or returnees, when there is not also access to farmland or employment opportunities at those locations. As a result, valuable human and financial resources may be lost instead of being invested in other projects for IDPs and their host communities. Through the active participation of the displaced and their advocates, solutions are more likely to be considered as a whole, and potentially negative side effects of any policy response can be minimized. When IDP settlements, collective centres, or separate schools are closed, as I already mentioned it must be ensured that IDPs continue to have access to public services, and that no new obstacles for them are created, and this is exactly foreseen in the Strategy. To avoid these difficulties in Georgia, I can only highlight the importance for the Action Plan to be reviewed on a regular basis and in a fully transparent manner, as foreseen in the Strategy document.

I would also like to share with you an example of an excellent Action Plan, of which some elements could perhaps be of interest for Georgia. In my capacity as Representative of the Secretary-General on the Human Rights of Internally Displaced Persons, I have recently participated in the launch of the Action Plan for IDPs in the Province of Van in Eastern Turkey. All stakeholders, including local businesses and professional associations, were actively involved in the development of that plan. The plan now presents not only the envisaged programmes themselves. It also spells out in detail the expected improvement of living conditions for IDPs, returnees and host communities. It gives a precise timeframe for its implementation, and designates the agencies or authorities responsible for yielding satisfactory results. The accompanying budget includes funds committed by both local and central Government, as well as support sought from the international community. This example shows how a participatory and inclusive process can lead to tangible results.

Of course, the best way to help the displaced would be the resolution of the conflicts that caused their displacement. In this context, I would like to appeal to all parties to vigorously strive for peaceful solutions in line with the requirements of and their obligations under international law. I also would take this opportunity to express my concerns about the situation in areas of return and to appeal to the *de facto* authorities in Abkhazia to fully respect and protect the human rights of returnees. Concrete measures in the Gali region that build trust would be an important step towards a peaceful solution of the conflict, including the opening of a Human Rights Office in the Gali district and the deployment of international police forces, and the verification of the number and living conditions of returnees. In this context, return movements should not only be seen as a possible outcome of the peace process but also as an element which could contribute to the process itself.

In the meantime, however, let me encourage you to finalize the adoption of the Georgian National Strategy and of the envisaged Action Plan without delay and proceed to its immediate implementation. After all, the ultimate yardstick for the success of all efforts will be accommodations in line with basic requirements of human dignity, access to quality education for IDP children, access to employment opportunities for their parents, adequate health services and meaningful support to the vulnerable among the IDPs. I sincerely hope that this one will be the last winter that sees so many displaced struggle to survive in run-down buildings without running water, electricity, or insulation against the cold.

It is of utmost importance to keep the current momentum and to build on the trust and cooperation already created - within, among and beyond governmental agencies. In my capacity as Representative of the Secretary-General, I stand ready to continue to support the efforts of all relevant national and international actors in your efforts to enable the displaced in Georgia to rebuild their lives as full and productive members of the Georgian society.