

CLOSING STATEMENT

By Roberta Cohen on behalf of the Asia Pacific Forum of National Human Rights Institutions and the Brookings-Bern Project on Internal Displacement

The purpose of the meeting was to bring together eight national human rights institutions (NHRIs) to discuss and strengthen the roles they play in addressing situations of internal displacement. Over the past year and a half, six had been visited by APF and Brookings-Bern representatives to explore how to build up their capacities for dealing with IDPs.

That national human rights institutions have become increasingly involved with internally displaced populations was evident at this October meeting. Their involvement has accelerated over the past five years. The Sri Lankan Human Rights Commission, our host, has done a great deal of groundbreaking work on this issue as have other commissions.

Most striking at this meeting was the strong interest and commitment of the national commissions to having a comprehensive approach to the problem of internal displacement, that is one that extends to persons displaced by conflict, by natural disasters and by development projects. The meeting made clear that solidarity with the displaced cannot be limited to one group or another. Persons forcibly uprooted, whatever the cause, must compel the attention of NHRIs, and this attention must encompass the full range of civil, political, economic, social and cultural rights.

Also striking at this meeting was the dedication and resourcefulness of the national commissions despite the many obstacles they face. Whereas some have severe resource problems – insufficient staff and funds, others have to struggle to maintain their independence and integrity in difficult political environments in which they have to balance national security and human rights concerns. Still others face problems of safety because of the sensitive nature of their work. Nonetheless, NHRIs demonstrated at this meeting creative energy, enthusiasm and ideas for promoting and protecting the rights of IDPs. The range of their programs and activities was impressive, encompassing:

- Data collection;
- Monitoring the human rights of IDPs, with particular attention to vulnerable groups – women, children, indigenous groups, and ethnic and religious minorities;
- Investigating and acting upon individual cases involving violations of the human right of IDPs;
- Bringing cases to higher courts, including the supreme court;
- Promoting laws and policies based on the Guiding Principles on Internal Displacement;
- Conducting educational awareness programs;
- Providing legal aid to IDPs;
- Registering IDPs to vote;
- Helping IDPs to secure documents;

- Advocating with local and national authorities;
- Training government officials in the rights of IDPs and the obligations of national and local authorities toward them;
- Establishing networks among IDPs; and
- Working together with civil society, in particular NGOs, to enhance the effectiveness of the programs and activities.

NHRIs that have just begun to consider activities or that wish to expand what they are doing will find a lot of instructive models and best practices here.

In the course of the meeting, many challenges were also mentioned and should be noted as well. First and foremost is persuading governments to recognize IDPs as a human rights issue within the mandate of the NHRIs. Several pointed out that IDPs are often not recognized as a special category of persons requiring protection and assistance from governments. Other challenges include:

- The difficulty of monitoring IDPs in areas controlled by armed non-state actors, applying government policies in these areas, and promoting the return of those evicted by these groups;
- The absence of mechanisms for dealing with disputes over land and property;
- Elevating attention to education and psychosocial needs, which are often neglected;
- Ineffective coordination of aid distribution and reconstruction;
- An overextended role played by the military in certain areas, in particular in overseeing housing and in coordinating aid.

One of the recommendations made at the meeting bears special emphasis. That is the need to consult regularly with IDPs. Governments, international organizations and NGOs often do not set up consultative mechanisms with the IDPs. This was evident in the visit we paid to Galle where IDPs did not know when they would receive permanent housing and also were insufficiently consulted by NGOs working with them. One, for example, did not consult the IDPs when it organized games for the children, unaware that their parents would have preferred to see their children studying. Nor did the NGO provide any needed training in growing food. The IDP families were actually pleased when the NGO finally left. Mechanisms of accountability are called for in the meeting's concluding statement.

Let me emphasize in closing that the APF and Brookings-Bern Project stand ready to lend support to strengthen the work of the NHRIs in promoting the rights of IDPs. The APF has already received several proposals from NHRIs to expand their programs with IDPs. It looks forward to receiving additional proposals. The Norwegian Refugee Council is also prepared to provide training to NHRIs that request it. Clearly, the potential exists for constructive partnerships; in fact they have already begun.

A special thanks for this well organized, well attended meeting goes to the Sri Lankan Human Rights Commission, to the APF and to all the participants whose ideas and interventions have made for such a stimulating, constructive and successful meeting.