

Internal Displacement and Peacebuilding: A Contribution to the Discussion

Submitted to the Peacebuilding Commission
by the Representative of the Secretary-General on the Human Rights
of Internally Displaced Persons

1. This paper seeks to highlight the particular relationship between finding solutions to internal displacement and the long-term process of building sustainable peace as a contribution to the work of the Peacebuilding Commission. Based on a study prepared by William O’Neill¹ for the Brookings-Bern Project on Internal Displacement and the work of the Representative of the Secretary-General on the Human Rights of Internally Displaced Persons, Dr. Walter Kälin (hereinafter; the Representative),² the paper explores the relationship between the need to find durable solutions for internally displaced persons (IDPs) and Peacebuilding, explains why this relationship is of relevance to the Peacebuilding Commission and suggest some specific recommendations to the Commission to use in its on-going work.

INTERNALLY DISPLACED PERSONS

2. Over the past decade, tens of millions of people have been forced from their homes by wars, armed conflict, and systematic violence of human rights but remain within the borders of their own countries. Current estimates indicate that some 24 million people are internally displaced by wars and conflicts³ – with many more displaced by natural disasters and development projects. This is a figure far higher than 8.7 million refugees in the world⁴ – those who have sought protection from persecution and violence in the territory of another state.

The 1998 Guiding Principles on Internal Displacement⁵ define internally displaced persons as:
“Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.”

¹ William G. O’Neill, “IDPs and the Peacebuilding Commission,” November 2006.

² Unless otherwise indicated, references in the footnotes to UN documents are to mission reports and other reports submitted by the Representative to the General Assembly and the UN Human Rights Commission/Council.

³ Internal Displacement Monitoring Centre (IDMC), Internal Displacement: Global Overview of Trends and Developments in 2005, Geneva: IDMC/Norwegian Refugee Council, 2006, p. 7.

⁴ UNHCR, Measuring Protection by Numbers, Geneva: UNHCR, 2006, p. 4.

⁵ E/CN.4/1998/53/Add.2, 11 February 1998.

3. Refugees and internally displaced persons frequently flee for the same reasons, but there are some important differences. More often than refugees, IDPs remain close to the zones of conflict and thus more vulnerable to violence. Provision of humanitarian assistance to IDPs is often more difficult than to refugees – precisely because IDPs are closer to the forces which obliged them to leave their communities. While the 1951 Convention on the Status of Refugees provides certain safeguards and protections to refugees, persons who are internally displaced do not have such a special place in international law with rights specific to their situation. In fact, the term “internally displaced persons” is merely descriptive.

4. Unlike refugees, IDPs are citizens of the countries in which they are displaced. Thus despite being displaced, they remain entitled to the full range of human rights that are articulated in international human rights instruments applicable in their country and customary law.

5. While IDPs are not necessarily worse off than non-displaced civilians in armed conflict, they have specific needs not encountered by the rest of the population and face particular vulnerabilities. For example, unlike the non-displaced population, IDPs are in need of shelter, they often face the particular problems of those living in camps, they may be unable to replace or receive identity and other official documents, and most often they encounter serious problems in regaining property left behind. These specific needs and vulnerabilities require specific measures of protection and assistance as is recognized by the Guiding Principles on Internal Displacement.

6. The Guiding Principles on Internal Displacement, developed in 1998 are based on international humanitarian and human rights law and are intended to serve as an international standard to guide governments, international organizations and others in providing assistance and protection to IDPs. The Guiding Principles identify the rights and guarantees relevant to the protection of the internally displaced in all phases of displacement. They provide protection against arbitrary displacement, offer a basis for protection and assistance during displacement, and set forth guarantees for safe return, resettlement and reintegration. Although they do not constitute a binding instrument, they reflect and are consistent with international law. The Guiding Principles have been unanimously recognized by States as “an important international framework for the protection of internally displaced persons.”⁶

7. Humanitarian organizations, such as the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), the UN Children’s Fund (UNICEF) and the Office for the Coordination of Humanitarian Assistance (OCHA) have worked to protect and assist IDPs for the past decade. These humanitarian organizations are also involved in supporting durable solutions for displaced people – solutions which can have an impact on Peacebuilding activities in the country. In addition to the humanitarian work, the recent years have witnessed a growing awareness of the need to address the human rights concerns of IDPs.

⁶ General Assembly Resolutions A/60/L.1 [2005 World Summit Outcome], para. 132 and A/60/168, para. 8

8. The Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons was appointed at the request of the Commission on Human Rights to address the human rights issues of internally displaced persons. His mandate calls upon him to engage in dialogue and advocacy with Government and other actors concerning the rights of IDPs, strengthen the international response to internal displacement, and mainstream human rights throughout the UN system. His activities include promoting and disseminating the rights articulated in the Guiding Principles on Internal Displacement, undertaking country visits, engaging Governments and other actors with regard to specific situations of internal displacement, sponsoring national and regional seminars, engaging UN agencies and departments, undertaking research on issues of IDPs' human rights, and reporting annually to the UN Human Rights Council and the UN General Assembly.

INTERNALLY DISPLACED PERSONS AND DURABLE SOLUTIONS

9. Once armed conflicts come to an end, IDPs can hope that their plight will be ending, too. In accordance with the Guiding Principles on Internal Displacement, three possible durable solutions for those displaced can be identified:

- Return to one's place of origin
- Remain and integrate into the area where the IDP has sought refuge
- Resettle into a different section of the country, different from one's original area or the place of temporary refuge⁷

Guiding Principle, no. 28

1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons.
2. Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration.

10. The Guiding Principles emphasize both the voluntariness of the decisions made by IDPs and the importance of their participation in planning their durable solutions. IDPs have the right to choose freely where they want to live and therefore, have the right to choose between staying where they have fled to, settling elsewhere in the country or returning to their places of origin.⁸

11. To determine whether and to what extent a durable solution has been achieved it is necessary to examine both the *processes* through which durable solutions are determined

⁷ UN Guiding Principles on Internal Displacement, Principles 28-29

⁸ See e.g., the Representative's reports to the General Assembly, A/61/276, para. 38 and the Human Rights Council, A/HRC/4/38, para 30.

to have been achieved, and secondly the *conditions* which characterize a durable solution to displacement.⁹

- Examples of indicators in the *process* leading to durable solutions to include (i) ensuring free and informed choices of IDPs as to which durable solution (above para. 9) they prefer and their participation (including that of women) in the planning for return or resettlement; and (ii) the role of national authorities in establishing conditions and providing the means to enable IDPs to return or resettle voluntarily in safety and dignity as well as facilitating the (re)integration of the returned or resettled IDPs; and in granting and facilitating safe, unimpeded and timely access of humanitarian organizations and other relevant actors to assist IDPs and returnees.
- As regards *conditions*, it is important to consider whether (i) the national authorities have established the conditions conducive to safe and dignified return or resettlement; (ii) formerly displaced persons are able to assert their rights on the same basis as other national; (iii) international observers are able to provide assistance and monitor the situation of the formerly displaced; and ultimately, (iv) the durable solution is sustainable.

12. Conditions that must be met for the individual IDPs include (i) physical safety and security; (ii) legal protection before the law, such as absence of discrimination of formerly displaced persons for reasons related to their displacement; full and non-discriminatory access to national and sub-national protection mechanisms, including police and courts; access to personal documentation; and access to property restitution or compensation mechanisms, regardless of whether they return or (re)settle; and (iii) economic, social and cultural reintegration possibilities, such as access to adequate standards of living, including shelter, food, water and other means of survival; family reunification; and access to political rights by being able to exercise the right to participate fully and equally in public affairs.

13. While there are important differences between refugees and IDPs (as noted above), there are also many similarities and many areas where coordinated approaches are needed. When refugees return to their countries, but are unable to return to their home communities, they may join the ranks of the internally displaced. Repatriation programmes implemented by UNHCR to assist returning refugees need to be cognizant of the specific situation of both returning IDPs and those who remained behind during the conflict. The perception of preferential treatment for particular groups may cause resentment among other groups which can impede efforts at reconciliation.

PEACEBUILDING AND THE NEED TO FIND DURABLE SOLUTIONS FOR INTERNALLY DISPLACED PERSONS

14. Given the sheer size of the displaced population in many countries, the complexity of its impact on society and the destructiveness of modern conflicts, peacebuilders face daunting challenges to achieving durable solutions for the internally displaced. But it is a

⁹ A/HRC/4/38, paras. 36-41.

sound investment. Helping IDPs – as well as refugees – to reintegrate and return will simultaneously address the root causes of the conflict and help prevent further displacement or “renewed displacement.” Finding durable solutions for the displaced thus should be seen as a necessary element of effective Peacebuilding.

15. The process of Peacebuilding is a multi-faceted one, generally involving:

- Re-establishing security and demilitarizing armed groups, as well as reestablishing law and order
- Reconstruction and economic rehabilitation, which should include property restitution or compensation for lost property
- Reconciliation and social rehabilitation including measures of addressing impunity and transitional justice
- Political transition and creation of more accountable governance structures and institutions; this will have to include a certain redefinition of how the “new” society is to function, namely in terms of a more equitable access to resources, services and positions, as well as a redefinition of how the various sectors of society can become stakeholders

16. The way in which IDPs benefit from these processes may well affect the success of country-wide peacebuilding initiatives. Or, to put it another way, if IDP concerns are not taken into account in these areas, the sustainability of peace in the country may be jeopardized.

- When displaced people are not able to recover their land or property or otherwise find solutions allowing them to live decent lives and when they feel that they have suffered injustice, reconciliation becomes more difficult. Yet resolution of such issues can be a positive force for social rehabilitation and thus lasting peace.
- If durable solutions are not found for IDPs, their potential for contributing to economic reconstruction and rehabilitation is limited and poverty reduction becomes more difficult. Yet experience has shown that IDPs who return can play an important role in re-building their homes and communities and thus in contributing to the economic development of the country.
- The exclusion of IDPs from political participation can reinforce feelings of marginalization and make it more difficult for a new government to claim legitimacy. Conversely, ensuring that IDPs are able to participate in the political process can be a tangible expression of a commitment to inclusivity and can serve to encourage the new government to adopt policies which are responsive to the needs of displaced or returnee populations.

17. On the other hand, neglecting peacebuilding measures may seriously undermine efforts to find durable solutions for the displaced. For example, if the situation in communities of origin is not perceived as safe by displaced persons, they will not return. Or, if they do return, they may move again if security is inadequate. Similarly, if reconstruction and economic rehabilitation are not sufficient to enable the displaced to resume economic livelihoods, return is not sustainable. Political transitions need to take into account the particular needs of IDPs, e.g. to enable them to vote on interim political

arrangements and to participate in the political life of the country – even before they return to their communities of origin. Finally, issues of reconciliation are closely related to issues of justice and to demands for restitution or compensation for losses which have been experienced. The way in which these issues are resolved will have a major impact on the sustainability of peace in the country.

18. In light of its mandate to advise on, propose and support the development of integrated strategies for post-conflict peacebuilding and recovery and given the fact that implementing durable solutions for those displaced by conflict is an integral component of peacebuilding,¹⁰ it is incumbent on the Peacebuilding Commission to seek ways of ensuring that governments and the international community address concerns of the displaced in their peacebuilding activities. While the Peacebuilding Commission does not have direct operational capacity, it is tasked with providing recommendations and information to improve the coordination of all relevant actors within and outside the United Nations and therefore could become an important advocate, catalyst, forum and monitor for ensuring that the UN family addresses the needs of displaced persons in the broader context of peacebuilding. This also falls squarely within the notion of the Responsibility to Protect and constitutes another reason for the Commission to make IDPs one of its priorities.¹¹

DISPLACEMENT-RELEVANT PEACEBUILDING MEASURES

19. It may be useful to distinguish between peacebuilding activities that are:

- *Displacement-specific*, i.e. address exclusively or at least primarily the needs of displaced persons (IDPs and refugees) and returnees;
- *Displacement-relevant*, i.e. address needs of the civilian population in general but also respond to the needs of displaced persons (IDPs and refugees) and returnees

20. Some activities relevant for peacebuilding are displacement-specific by nature, such as restitution of property left behind by IDPs and refugees. The circumstances of a particular situation will dictate whether an activity is displacement-specific or relevant for displaced persons alongside the non-displaced population but it is displacement-specific if its purpose is to open up a return route or if it covers an area that had been totally depopulated during the conflict. While both types of activities are relevant for peacebuilding purposes, it is important to ensure that displacement-specific activities are not neglected because one assumes that their needs are automatically covered by measures addressing the situation of the civilian population in general.

21. Displaced persons and returnees face many problems that need to be addressed by their governments, often with the help of the international community. Experience shows

¹⁰ Security Council Resolution 1645 (20 December 2005); General Assembly Resolution 60/180 (20 December 2005).

¹¹ International Commission on Intervention and State Sovereignty, The Responsibility to Protect, Ottawa: International Development Centre, December 2001.

that the successful return of IDPs and refugees to their homes and former places of habitual residence is based on three elements: (a) ensuring the safety of returnees; (b) returning property to the displaced and reconstruction of their houses; and (c) creating an environment that sustains return, that is, which allows life under adequate conditions in the area of return.

22. Many elements of these basic conditions are, at the same time, important elements of any peacebuilding efforts, and the extent to which durable solutions or displaced persons can be found may very much depend on whether or not such efforts are successful in a particular situation. An analysis of mission reports by the Representative of the Secretary-General on the Human Rights of Internally Displaced Persons shows that in post-conflict situations, peacebuilding activities in the following areas are particularly relevant for displaced persons and returnees:

- Providing *security* through demobilization, de-mining, re-establishing the rule of law, combating impunity, etc.
- Solving *property-related problems* (reconstruction and restitution of property; resolution of property related disputes)
- Furthering *reconciliation* between local communities and returnees
- Undertaking *post-conflict reconstruction*, i.e. re-establishing basic infrastructure and services as well as ensuring access to services, resources and livelihoods
- Ensuring the *political transition* to and the establishment of an effective and legitimate government in which the various sectors of society, including IDPs and returnees, can become stakeholders

23. *Security*: Creating or maintaining an environment that is safe enough for displaced persons to return to their homes and places of origin is an important task of peacebuilding efforts:

- In many countries coming out of an armed conflict, landmines and unexploded ordnance pose a significant obstacle to the safety of returnees, to reconstruction efforts and to the development of economic activities. This is especially true where returns are taking place to rural areas where agriculture and livestock breeding are essential means of subsistence.¹²
- The presence of armed groups, whether belonging to regular forces or militias, may create a serious obstacle to return and may be considered as a threat by potential returnees,¹³ e.g., due to their past behaviour, ethnic origin or lack of discipline. This is especially true where these forces have caused the displacement suffered by returnees. In such cases, it is necessary to either disarm such groups or to integrate them into the post-conflict armed forces of the country concerned; in addition, there might be a need to relocate them to other parts of the country to give returnees a sense of security.¹⁴

¹² E/CN.4/2006/71/Add.4 (Bosnia-Herzegovina), para. 37; A/HRC/2/7 (Lebanon), paras 81 and 84; and E/CN.4/2006/71/Add.6 (Sudan), paras. 46, 47 and 52.

¹³ A/HRC/4/38/Add.3 (Colombia), para 61.

¹⁴ E/CN.4/2006/71/Add.6 (Sudan), para. 44; A/HRC/4/38/Add.2 (Cote d'Ivoire), para. 56.

- Where impunity prevails, whether because of lack of political will to hold those responsible for crimes accountable or due to understaffing of law enforcement personnel, durable solutions for displaced persons are not possible¹⁵ and such impunity may create new tensions, endangering a fragile peace
- Often, the safety of displaced persons and returnees can be threatened by criminal elements among the local population or by returning combatants who have been demobilized but do not find their way back into civilian life. In this case, return will not take place or will not be sustainable if law enforcement agencies are absent in areas of return. Thus, deployment of civilian police in sufficient numbers and rebuilding or strengthening the judiciary is of paramount importance; where relevant, this must be preceded by shifting the responsibility for law and order from the military back to civilian authorities.¹⁶

24. *Property*: Experience shows that tensions between local communities and displaced persons and returnees may be couched in ethnic, religious or political terms but are often related to disputes over resources and property. Population movements usually create conflicts over land and dwellings. Lack of reconstruction of destroyed houses or non-return of property left behind and taken over by either the local population or persons who themselves have been displaced to the areas of origin of returnees create serious obstacles to return.¹⁷ The judiciary may be overburdened or otherwise unable to solve property disputes.¹⁸ Female heads of household may face additional problems. They often lack property titles in their own names, have lost access to their pre-displacement property due to divorce or because their husbands have abandoned them, or cannot inherit their deceased husbands' property. All this can prevent them from submitting claims for both repossession and reconstruction of their houses. Orphans or unaccompanied children may experience similar problems. The situation of certain minorities or indigenous peoples may be particularly problematic, especially when they were holding traditional but informal titles not recognized by the authorities.¹⁹ Specific problems also arise where persons cannot return to their original lands, such as those who have been displaced for two or more generations and are no longer considered entitled to particular areas of land, or where land has become unusable due to landmines or ongoing occupation by militias.²⁰ In all these cases, creative solutions are necessary to address property problems that, if unresolved, may become the cause of new conflicts. The following measures may contribute to reducing property disputes and thus stabilizing peace:

- Registration of land left behind by displaced persons, and up-dating – or where necessary creation of – land cadastres.

¹⁵ E/CN.4/2006/71/Add.7 (Georgia), paras. 35-36; E/CN.4/2006/71/Add.4 (Bosnia-Herzegovina), para. 35.

¹⁶ A/61/276, para. 33 regarding Northern Uganda.

¹⁷ E/CN.4/2006/71/Add.4 (Bosnia-Herzegovina), paras 38-41; E/CN.4/2006/71/Add.5 (Serbia-Montenegro, including Kosovo), paras. 57-58; E/CN.4/2006/71/Add.6 (Sudan), paras. 47-49; A/HRC/4/38/Add.2 (Cote d'Ivoire), paras. 58-60; E/CN.4/2006/71/Add.7 (Georgia), paras 37-39; A/61/276, para. 34 regarding Northern Uganda; A/HRC/4/38/Add.3 (Colombia), paras. 57-61 and 71-74.

¹⁸ E/CN.4/2006/71/Add.3 (Croatia), para. 41; A/61/276, para. 34 (Northern Uganda); E/CN.4/2006/71/Add.6 (Sudan), para. 48.

¹⁹ E/CN.4/2006/71/Add.4 (Bosnia-Herzegovina), para. 39; A/61/276, para. 34 (Northern Uganda).

²⁰ E/CN.4/2006/71/Add.6 (Sudan), para. 47.

- Taking of appropriate legal measures to (i) recognise, where necessary, property rights of women and orphans, (ii) formalize informal forms of property traditionally held by minorities or other vulnerable groups, and (iii) restore collective forms of property to indigenous peoples.
- Establishment of administrative or quasi-judicial mechanisms able to handle large numbers of property disputes or – where property has been destroyed or cannot be restituted – to provide compensation for damages occurred.
- Establishment of efficient law enforcement mechanisms to enforce orders to vacate and restitute property belonging to displaced persons and returnees. These mechanisms need to be linked to the local reconciliation and transitional justice mechanisms, since they can often be the source of further conflict if badly managed.
- Transparent and equitable alternatives need to be found if the restitution of property involves the eviction of other displaced persons.

25. *Reconciliation and transitional justice*: In certain situations, displaced persons cannot return to their places of origin and homes or their return is not sustainable because they are not welcomed by local communities and encounter discrimination or even acts of violence in many areas.²¹ Sometimes, inter-communal and intra-communal tensions over access to land and water may further exacerbate IDPs' and returnees' fear for their physical safety and lead to further outbreaks of violent clashes endangering the sustainability of returns.²² In all these situations, robust steps aimed at reconciling communities and restoring justice should be considered.²³ Mechanisms of reconciliation and transitional justice should be without prejudice to displaced persons' rights to restitution, compensation, rehabilitation, reparation and guarantees of non-repetition.²⁴

26. *Post-conflict reconstruction*: In many post-conflict situations, creation of adequate economic, social and political conditions to make return for displaced persons sustainable remains a huge challenge. Without any schools or even the most basic health services, people will prefer to remain displaced. As experience shows, limited or no access to education is a major factor deterring IDPs from returning to and returnees from settling in rural areas.²⁵ Where basic infrastructure such as water, roads or electricity is destroyed, economic activities may become impossible.²⁶ Very often, limited or lack of access to employment and other forms of livelihood is a major factor deterring people from returning; pre-displacement patterns of discrimination based on ethnicity, political affiliation and gender adds to the difficulties for returnees to access already strained labour markets.²⁷ The absence of or high interest rates for micro-credit and bank loans make it difficult to restart business or to bridge the time until agricultural land becomes

²¹ E/CN.4/2006/71/Add.4 (Bosnia-Herzegovina), para. 36; E/CN.4/2006/71/Add.5 (Serbia-Montenegro including Kosovo), para. 56.

²² E/CN.4/2006/71/Add.6 (Sudan), para. 46.

²³ A/HRC/4/38/Add.2 (Cote d'Ivoire), para. 56.

²⁴ A/HRC/4/38/Add.3 (Colombia), para. 70.

²⁵ E/CN.4/2006/71/Add.6 (Sudan), para. 52.

²⁶ E/CN.4/2006/71/Add.6 (Sudan), para. 50.

²⁷ E/CN.4/2006/71/Add.4 (Bosnia-Herzegovina), para. 43.

productive again.²⁸ This is particularly crucial for people returning to lands that have not been worked for several seasons. In order to make return sustainable and thus to stabilize the situation, it is therefore important to closely coordinate and combine humanitarian assistance for returnees with recovery and development efforts from the very beginning instead of planning these activities as consecutive phases.

27. *Political transitions*: The process of peacebuilding requires the establishment of a functioning legitimate government which in turn usually involves setting up a transitional administration, referenda on a constitution, elections, and activities to ensure that the context in which elections take place is conducive to full participation of the population. In post-conflict situations, political participation can effectively contribute to peace, recovery and to long-term development. Thus, taking political rights seriously, including the right to vote and take part in elections and referenda is highly relevant to societies trying to emerge from conflict and build a more stable and prosperous future. At the same time, the right of IDPs to vote may be jeopardized by the simple reason that in most countries one has to cast the ballot at one's place of residence or origin, which is a place IDPs by definition cannot go to as long as they are displaced. Protecting the civil and political rights of displaced – the right to vote, to freedom of assembly and association and of expression – allows displaced persons to play an active role in shaping their own future and that of their nation.²⁹

RECOMMENDATIONS

28. Cognizant of the fact that the agenda of the Peacebuilding Commission is already very full, this document refrains from presenting an exhaustive list of recommendations. Rather this paper suggests that in carrying out its work, the Peacebuilding Commission *systematically addresses the issue of finding durable solutions for internally displaced persons* and returning refugees when dealing with particular situations and in doing so consider the following issues:

- Support the efforts by governments to facilitate return of displaced people wherever possible and to consider alternative durable solutions, such as integration in their places of current residence or resettlement elsewhere in the country when return is not possible (combined with the necessary assistance to fully restart their lives and reclaim their dues), in consultation with displaced communities.
- Support the development of a strong human rights regime that addresses the full range of needs of returnees, in particular their rights to compensation and restitution, as well as their right to reparation for having been the victims of forced displacement,³⁰ and encourage governments that have not yet done so

²⁸ A/HRC/4/38/Add.3 (Colombia), para. 56; E/CN.4/2006/71/Add.4 (Bosnia-Herzegovina), para. 45.

²⁹ A/HRC/4/38/Add.2 (Cote d'Ivoire), para. 50; E/CN.4/2006/71/Add.2 (Nepal), para 57. Walter Kälin, "Keynote address: political rights of persons displaced by conflict," Colloquium at the International Organization for Migration, 13 June 2006.

³⁰ See Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian law, General Assembly Resolutions 60/147 of 16 December 2005.

to incorporate the Guiding Principles on Internal Displacement into national legislation.

- Encourage governments to ensure property restitution or compensation for returnees. In this respect, the following key indicators³¹ may be useful:
 - Repeal of any laws and regulations which are designed to, or result in, the loss of tenancy, use, ownership or other rights connected with housing, land or property;
 - Establishment of efficient dispute settlement mechanisms
 - Removal of obstacles preventing the successful recovery of IDPs' properties
- Advocate within the international community to ensure that the specific concerns of IDPs are addressed in the context of planning for early recovery and long-term development as well as in humanitarian assistance and that in this context both displacement-relevant but also displacement-specific measures (see para. 19) are taken.
- Encourage civil society groups to play an active role in monitoring the return of displaced persons and identifying problems which may arise, in particular those linked to discrimination against returnees.
- Advise the Security Council on how to address IDPs in its upcoming resolutions, and use its privileged relationship with the Security Council to enlist the international financial institutions in supporting its recommendations

18 January 2007

³¹ See UNHCR, Global Consultations on International Protection, 4th Meeting Voluntary Repatriation, 25 April 2002, EC/GC/02/05, Annex II.