**REGIONAL MEETING ON REFUGEES AND INTERNALLY DISPLACED PERSONS
IN THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC)**

<u>SEMINAR ON INTERNAL DISPLACEMENT</u>

Gaborone, Botswana, 24-26 August 2005

Background Paper

Introduction

In addition to the 9.2 million refugees worldwide, there are more than twice as many people who have been uprooted from their homes but who, unlike refugees, remain within their own countries and are called internally displaced persons (IDPs). Around the world, some 25 million women, men and children have been internally displaced by conflict, communal violence, and internal strife. Many millions more have been displaced by natural disasters and development projects. Africa bears a disproportionate and truly staggering toll of the global problem of internal displacement. Of those internally displaced by conflict and communal violence, more than half -- an estimated 13.2 million persons -- are in Africa, with some 2.9 million in the countries comprising the Southern African Development Community (SADC).

Governments have the primary responsibility for addressing the needs of displaced persons within their borders. Indeed, sovereignty generally is recognized as entailing national responsibility for ensuring the welfare and security of one's citizens and other populations residing within a country's territorial jurisdiction. To this end, governments are expected to undertake measures, such as adopting policies and laws, setting up national institutions, allocating resources, and cooperating as appropriate with international and regional organizations as well as non-governmental organizations, to ensure the provision of assistance, protection and reintegration and development aid to their internally displaced populations.

In dealing with internal displacement, governments often face difficult challenges and questions: What are the most effective ways to address displacement? What is the relevant normative framework? What role should national, regional and international institutions play? What constitutes a durable solution to displacement?

Purpose of the Seminar

The purpose of this seminar is to provide a forum to discuss these questions at the regional level, thereby enabling governments and other relevant actors to develop their thinking on these issues, review current trends in internal displacement in the SADC region, pinpoint best practices, and identify steps that could be taken to enhance policies and practices at the national, regional and international levels.

Internal Displacement in the SADC region

Internal displacement is by no means a recent phenomenon in the SADC region. The apartheid policies of South Africa forcibly displaced an estimated 3.5 million people. Civil wars in Mozambique and Angola in the 1970s, 1980s and 1990s internally displaced millions in each country. The resolution of these conflicts subsequently has led to the return of many of those uprooted. Nonetheless, internal displacement remains a significant problem in the region. Indeed, more than ten percent of the world's internally displaced persons currently are found in SADC member states. Particularly affected is the Democratic Republic of Congo (DRC), where as a result of the ongoing conflict more than 2.3 million persons are internally displaced. Significant numbers also can be found in Zimbabwe where added to the figure of 150,000 internally displaced persons that was reported by the Norwegian Refugee Council's Global IDP Project in 2004, more than half a million more people have been displaced in recent months. Moreover, in Angola, there remain sizeable numbers (estimates range from 40,000 to 340,000) of IDPs who, despite the end of conflict in 2002, lack a durable solution to their plight.

Much of the internal displacement in the SADC region has occurred in the context of armed conflict. The civil war that ravaged Mozambique from 1977 to 1992 forcibly uprooted more than 3.5 million people within the country. In Angola, the long-standing conflict from 1975 to 2002 between the insurgent group UNITA and Angolan government forces internally displaced some 4 million – more than a third of the population. Despite the cessation of hostilities in the rest of the country, in the northwestern province of Cabinda, a violent separatist struggle persists and continues to displace civilians.

In the ongoing conflict in the DRC, national military forces clash with insurgent groups in an ethnically charged conflict that is further complicated by the periodic involvement of several foreign armies. The signing of the Global and Inclusive Agreement on Transition in the DRC in 2002, the establishment of the Transitional Government in June 2003, and the strengthened deployment of the UN peacekeeping mission in the country has brought a degree of stability. However, especially in the eastern parts of the country, the situation remains volatile. Although some 900,000 Congolese IDPs have returned to their homes since 2003, 150,000 people were uprooted between May and August 2004 as a result of an intensification of the conflict in South Kivu. Today there remain more than 2.3 million IDPs in the country. Many have suffered the trauma of displacement not just once but multiple times; in the DRC's eastern regions, there are IDPs who have had to flee more than five times in the past year alone to escape repeated attacks on their camps.

When caught in the midst of conflict, IDPs face particularly acute protection risks and difficulties accessing humanitarian assistance. In the DRC, civilians bear the brunt of the violence. Armed groups, rather than confronting one another directly, frequently settle scores by systematically attacking and killing civilians, often forcing entire communities to flee for their lives. Nor are IDP camps immune from such attacks. Places of safe refuge can be difficult to find, driving many IDPs to hide in forests for months, without shelter or assistance. Countless children have been conscripted into fighting, and displaced children, especially children separated from their families, are particularly at risk. Sexual violence is widespread and systematic. Combatants often abduct women and girls to be used as "sex slaves." *Médecins Sans*

Frontières reports in the town of Bukavu alone more than 550 women sought assistance from the organization between August 2003 and January 2004 after having been sexually assaulted by members of fighting forces. Disturbingly, additional risks can come from actors deployed to assist and protect civilians: sexual exploitation by UN peacekeepers and in some cases also international humanitarian workers, involving coercing displaced and other women and children into exchanging sexual favors for food and other necessities, has been an extensive problem.

Reaching the displaced to provide them with assistance and protection often can be difficult. Especially in internal armed conflicts, large numbers of IDPs often are found in areas under the control of non-state actors, to which humanitarian access may be limited. For instance, in Angola, political concerns led the UN to restrict its humanitarian agencies from undertaking operations in UNITA-held areas and thereby providing much needed assistance and protection to the large number of IDPs trapped behind UNITA lines. Even when access is permitted, insecurity can seriously constrain and endanger humanitarian efforts. In April 2001, six staff members of the International Committee of the Red Cross (ICRC) were brutally murdered in the Ituri region of the DRC while carrying out a routine needs assessment. The death of these and other humanitarian workers further added to the victims of a conflict that has killed an estimated 3.8 million people.

Natural disasters also are a significant cause of displacement across the SADC region. In February 2000, three weeks of severe flooding displaced over 1.25 million people across Southern Africa. Mozambique, where flooding was coupled with the occurrence of cyclone Eline, bore the brunt of the disaster, which left hundreds of thousands homeless and destroyed infrastructure and farmland. Recurring drought is also a problem in many parts of the region. The drought is particularly pronounced in Zimbabwe, where the resulting food insecurity compels people to leave their homes and also worsens conditions for those already displaced. In addition, other types of disaster can generate displacement. In 2002, the volcanic eruption of Mount Nyiragongo in the Goma region of the DRC forced thousands of people, many of whom already were displaced, to flee. The fact that the area was controlled by one of the insurgent groups, the Congolese Rally for Democracy, complicated efforts to bring aid to the uprooted.

Displacement may also result from the development process. This would include the organized resettlement of populations to make way for the creation of natural parks and wildlife reserves. For indigenous peoples, resettlement, especially when it entails a loss or limitation of access to their traditional lands, can be particularly difficult. Within the SADC region, the legacies of these policies are still felt today by groups such as the Maasai and the San; in an encouraging development, however, new models for conserving wildlife while enabling indigenous peoples to remain on their lands have been pioneered in a number of SADC states.[1] In Zimbabwe, though it was conceived as an essential component of the national development process, the land reform program and accompanying political violence dislocated approximately 100,000 people by the end of 2003.[2] The number of IDPs in the country has swelled dramatically in the spring and summer of 2005 when more than a half a million people living in urban areas became displaced due the demolition of their homes and businesses as a result of "Operation *Murambatsvina*", undertaken by the authorities to clear shanty towns and crack down on 'illegal' construction in urban areas.[3]

Generally, the internally displaced are amongst the most vulnerable in society. Uprooted from their homes, separated from their families and communities, shorn of their resource base and livelihood, they are particularly at risk of impoverishment, abuse and disease. The scourge of HIV/AIDS, already so prevalent in the Southern African region, is intensified in displacement crises as heightened levels of sexual violence and sexual exploitation, the erosion of traditional social structures, and the lack of reproductive health services facilitate the spread of the disease amongst the internally displaced. While there is increasing awareness of the need to do more to ensure that efforts to combat HIV/AIDS extend to IDP populations, in many cases the programs and policies necessary to inhibit the spread of the disease are lacking. Zambia has taken an important step by incorporating displaced persons into the country's National HIV/AIDS Institutional Framework. However, far greater attention and resources need to be devoted to confronting this devastating disease in situations of displacement. Noteworthy in this regard is the Partnership on HIV/AIDS and Mobile Populations in Southern Africa (PHAMSA), forged by IOM and in which SADC participates, that aims to create a more effective response to HIV/AIDS among mobile populations in the region and recognizes that IDPs are amongst the groups most at risk.

Women and children make up the majority of displaced populations, overwhelmingly so in situations of armed conflict, and have specific protection, assistance and reintegration needs. Especially when displacement undermines the family structure, which is the most basic unit of protection, they are exposed to heightened risk of harassment and abuse, including sexual violence and exploitation, trafficking and military recruitment. Women heads of household and unaccompanied children, the number of which dramatically increases in most situations of displacement, are especially vulnerable. Moreover, for children, the disruption of education that displacement causes not only stunts their development but also heightens their vulnerability to these and other risks. It is noteworthy that Zimbabwe's National Plan of Action on Orphans and Other Vulnerable Children recognizes the need to gather more information on displaced children. Region-wide, the 1998 SADC Declaration on the Prevention and Eradication of Violence Against Women and Children calls for the adoption of legislation to protect vulnerable women, including women in armed conflict, as well as for measures to ensure the protection of children; in many cases, however, this legislation has not yet materialized or suffers from insufficient implementation.

The vulnerabilities engendered by displacement do not necessarily diminish over time. To be sure, many IDPs show great resilience in adapting to their challenging circumstances and developing coping strategies to survive. However, the ICRC and the World Food Programme have found that increased levels of food and livelihood insecurity experienced by the internally displaced can persist long after the emergency phase. In the absence of viable income-generating opportunities, including for women, IDPs are likely to become dependent on humanitarian aid. Donor organizations such as USAID point out that prolonged displacement often disrupts or reverses progress made by a country in healthcare, food security, education, sanitation, infrastructure and local governance, and undermines the ability of governments to meet their commitments under the Millennium Development Goals. Moreover, the failure to address the long-term development needs of IDPs may create new cycles of insecurity and displacement.

Providing IDPs with a durable solution to their plight therefore is essential to ending their vulnerability and resolving situations of internal displacement as well as to promoting development for the country as a whole. For IDPs, a durable solution entails return to their home communities or resettlement in another part of the country. International standards provide that return or resettlement must be voluntary and occur in conditions of safety. Moreover, whether they choose return or resettlement, IDPs will require reintegration assistance to rebuild their lives.

Experiences in Mozambique and Angola provide important lessons on finding durable solutions for IDPs and determining the circumstances under which internal displacement can be considered to have ended. In the aftermath of conflict in Mozambique, concerted national and international efforts to find solutions for the millions of displaced persons, both refugees and IDPs, achieved large-scale returns within a matter of just a few years and consequently is a case that is broadly considered to provide a model for return processes. However, on a visit to the country in December 1996, the Representative of the UN Secretary-General on Internally Displaced Persons found that 'despite the decision by the government and the donor community no longer to target displaced groups, this in no way means that all internally displaced persons have returned.' Among the reasons for this was 'a lack of confidence in the durability of peace, sometimes coupled with a reluctance to return to the area where they had experienced terror,' as well as a lack of transport to areas of return.'[4] At the same time, positive lessons from the return and reintegration process in Mozambique included: close coordination between the various relevant governmental ministries; national and international efforts to provide reintegration assistance to all vulnerable groups as part of the community harmonization process; and the efforts undertaken to seek input at the grassroots level from displaced communities as well as the local population.

In Angola, the government took the important initiative of laying the groundwork for the return and resettlement process even before the conflict had ended. Particularly noteworthy is the development by the national authorities of domestic legislation articulating the norms and minimum standards to govern the return and resettlement of the internally displaced (see below). Experiences in Angola also highlight the value of engaging IDPs in peace building and planning for return. For example, with support from the Luanda-based Centre for Common Ground, IDPs living in camps in Viana municipality organized themselves into peacebuilding teams that played a valuable role in preventing and resolving disputes within the camps and between IDPs and members of local communities upon return. SADC Heads of State, in a 2003 communiqué, commended Angola's efforts to ensure the safe and orderly return of refugees and IDPs.

However, the process has not been without challenges. At the end of the conflict, the country was littered with some eight to ten million land mines. Returning IDPs proved to be particularly at risk because they lacked the knowledge of where mines had been laid in their communities in their absence: according to the ICRC, while IDPs represented approximately 30 percent of the population in 2002, they made up 50 percent of civilians injured or killed by landmines. Several areas of return also continue to suffer from a scarcity of potable water, inadequate roads and infrastructure, weak local administration, poor health and educational services and limited economic opportunities. Providing restitution to returnees and resolving inequalities in land tenure, especially for women, is another obstacle to sustainable returns. Rehabilitating returning

children who were forced to fight or were exposed to severe violence is a major challenge that still requires attention in Angola today, as well as in the DRC.

Elsewhere in the SADC region, South Africa's efforts to address apartheid-era displacement and land tenure disputes through the Land Claims Court provides insight into the complexities of property restitution. At the same time, the South African Truth and Reconciliation Commission is one model of how countries can endeavor to address inter-communal grievances, which many believe must be voiced if return and peace are to be sustained.

The Guiding Principles on Internal Displacement

The Guiding Principles on Internal Displacement are the first international standards specifically tailored to the needs of IDPs. Based on international humanitarian law, human rights law and refugee law by analogy, the 30 Principles set forth the rights of IDPs and the obligations of governments and non-state actors towards these populations. They cover all phases of internal displacement: the pre-displacement phase; during displacement; and during return or resettlement and reintegration.

The Principles begin with an introduction on their scope and purposes, including a description of internally displaced persons as:

> [p]ersons 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 border.

This description highlights the two core elements of internal displacement: (1) the involuntary character of the movement; and (2) the fact that such movement takes place within national borders.

Section I of the document contains general principles including that national authorities have the primary duty and responsibility to provide protection and assistance to internally displaced persons within their jurisdiction as well as provisions stipulating that internally displaced persons are entitled to enjoy in full equality the same rights and freedoms as other persons in their country and shall not be discriminated against because of their displacement. At the same time, the Principles acknowledge that certain groups of IDPs -- especially unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons -- may require specific attention.

Section II addresses the issue of protection from displacement and articulates a right not to be arbitrarily displaced. What this means is that states are under an obligation to avoid the displacement of populations and in particular to protect against the displacement of groups with a special dependency on, or attachment to, their lands. When displacement is unavoidable, the Guiding Principles specify minimum guarantees to be observed.

The third and most extensive section of the Principles identifies the range of civil, political, economic, social and cultural rights that all persons, including IDPs, should enjoy. This includes, for instance, the right to life, the right to an adequate standard of living, and the right to education. The fourth section deals with the issue of humanitarian assistance and specifies that when governmental authorities are unable or unwilling to provide assistance to the displaced, international organizations have the right to offer their services, and that consent for them to do so shall not be arbitrarily withheld.

The final section of the Guiding Principles emphasizes the importance of providing IDPs with durable solutions, namely voluntary return in safety and dignity or resettlement in another part of the country, as well as the need to provide IDPs with reintegration assistance and ensure they have equal access to public services. In addition, national authorities are duty-bound to help IDPs recover the property and possessions they lost upon displacement or, when this is not possible, to assist them in obtaining compensation or another form of just reparation.

Throughout the Guiding Principles, special attention is paid to the protection, assistance and reintegration needs of women and children, who typically comprise the overwhelming majority of displaced populations. For example, the Guiding Principles call for the participation of women in the planning and distribution of relief supplies. They also prohibit sexual violence and the military recruitment of minors, stress the need for family reunification, and highlight the right of women to equal access to personal identity and other documentation. The Principles affirm the right of displaced children to education and specify the need for special efforts to ensure the full and equal participation of girls and women in educational as well as skills-training programmes.

Since their presentation to the United Nations in 1998 by the Representative of the Secretary-General on Internally Displaced Persons, who had been requested by the UN Commission on Human Rights and the General Assembly to develop a normative framework, the Guiding Principles have gained international standing and authority and are being widely used around the world. Intergovernmental bodies, such as the UN Commission on Human Rights and the General Assembly, in resolutions adopted by consensus and with a number of SADC states as co-sponsors, have recognized the Principles as 'an important tool' and 'standard' for addressing situations of internal displacement, encouraged their wide dissemination and welcomed their increasing use by states, UN agencies and regional and non-governmental organizations.[5] The UN Secretary-General has called on the Security Council to encourage states to observe the Guiding Principles in situations of mass displacement, and in his 2005 report on UN reform, he urged member states to accept the Guiding Principles as 'the basic international norm for protection' of internally displaced persons.[6] All of the main international humanitarian, human rights and development organizations and umbrella groups have endorsed the Guiding Principles and taken steps to disseminate and apply them in the field. Around the world, regional organizations including the Organization for Security and Cooperation in Europe (OSCE) and the Inter-American Commission on Human Rights of the Organization of American States (OAS), have expressed support for the Principles and use them as a monitoring tool, as a benchmark for measuring conditions on the ground and as a framework for IDP programs and activities. Regional and sub-regional responses in Africa are discussed below.

Most importantly, the Guiding Principles are being used at the national level in countries affected by internal displacement. Particularly noteworthy is the use of the Principles by governments in the development of national laws and policies. Angola led the way as the first country in the world to incorporate the Guiding Principles into domestic legislation, with the Norms for the Resettlement of Displaced Populations. Adopted in January 2001 in anticipation of the end of the conflict and the possibility of durable solutions for the displaced, the Norms set forth minimum standards for the protection and assistance of IDPs during their resettlement. For instance, they affirm that all returns must be voluntary and occur in conditions of safety. They specify that returning IDPs are to have access to land and should receive seeds and tools. Further, the Norms provide that rule of law and public infrastructure such as schools must be in place in areas of return.

Several other governments, including Burundi, Colombia and Liberia, have followed suit and expressly referenced the Guiding Principles in national law. Others, such as Uganda, have developed a national policy based on the Principles; a similar exercise currently is underway in Nigeria. National human rights institutions, for instance in Uganda and in several countries in South Asia, are also making use of the Guiding Principles to promote and protect the rights of the internally displaced. Even some non-state actors have begun to refer to the Guiding Principles as a guide for protecting and assisting the internally displaced in their zones of influence.[7] Moreover, around the world, civil society groups have been instrumental in disseminating the Guiding Principles and using them as a basis for advocating for the rights of the internally displaced. IDPs themselves are using the Principles as an empowerment tool.

The normative framework found in the Guiding Principles therefore not only sets out the norms to be observed but also provides a framework for dialogue on IDP issues, thereby lending support to the development of effective strategies for preventing and effectively responding to internal displacement. In a number of countries, including Angola and the DRC, training workshops bringing together representatives of national and local government, civil society, IDP communities and international agencies have raised awareness and understanding of the Guiding Principles and stimulated the development of national strategies promoting their application.

As a sign of their broad use, the Guiding Principles have been translated into more than 35 languages, including Arabic, French, Kirundi, Luo, Portuguese and Swahili.

National Responsibility

As noted above, addressing the problem of internal displacement is primarily a responsibility for governments. This requires the taking of concrete steps to prevent arbitrary displacement, protect and assist internally displaced populations and find durable solutions to their plight. To assist governments with these challenging tasks, a framework developed by the Brookings-Bern Project on Internal Displacement spells out the main indicators of national responsibility in situations of internal displacement.[8] These include the following 12 steps:

1. Prevent displacement and minimize its adverse effects;

2. Raise national awareness of the problem;

3. Collect data on the number and conditions of IDPs;

4. Support training on the rights of IDPs;

5. Create a legal framework for upholding the rights of IDPs;

6. Develop a national policy on internal displacement;

7. Designate an institutional focal point on IDPs;

8. Encourage national human rights institutions to integrate internal displacement into their work;

9. Ensure the participation of IDPs in decision-making;

10. Support durable solutions;

11. Allocate adequate resources to the problem; and

12. Cooperate with the international community when national capacity is insufficient.

Regional Responses to Internal Displacement

The consequences of internal displacement are felt strongly at the regional level. Neighboring countries often must bear the brunt of refugee flows and cope with serious political and economic disruptions and instability as a result of conflicts and other causes uprooting populations next door.

Africa has a long tradition of pioneering innovative regional approaches to forced migration through, for example, the creation of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. In 1988, the first international meeting on internally displaced persons and refugees took place in Africa, with the Conference on the Plight of Refugees, Returnees, and Displaced Persons in Southern Africa (SARRED). Thus, for nearly two decades regional approaches have been promoted on the continent to address internal displacement.

Beginning in 1994, the Organization of African Unity (OAU), now reconstituted as the African Union (AU), has convened a series of meetings designed to make its member states more aware of and responsive to the problem of internal displacement. That year, the OAU Commission on Human and Peoples' Rights held a seminar on the protection of refugees and internally displaced persons in Africa. Also that year, the OAU together with UNHCR organized a regional symposium on refugees and forced population displacements. Both meetings recommended greater OAU engagement in addressing internal displacement, in tackling its root causes and in forging stronger linkages between conflict resolution activities and programs on behalf of refugees and internally displaced persons. This was followed in 1996 by a conference co-sponsored with UNHCR on forced migration in the Great Lakes region.

In 1998, in collaboration with the Representative of the UN Secretary-General on Internally Displaced Persons, UNHCR and the Brookings Project on Internal Displacement, the OAU co-sponsored in Addis Ababa the first Africa-wide seminar specifically devoted to the issue of internal displacement. Among the recommendations emerging from the seminar were that the OAU establish a focal point on internal displacement to collect data on the problem and that the Guiding Principles on Internal Displacement be widely disseminated in Africa. The OAU Commission on Refugees, Returnees and Displaced Persons subsequently began monitoring IDP conditions and conducting field visits to different countries. The following year, the OAU Commission on Refugees, Returnees and Displaced Persons formally acknowledged and expressed appreciation for the Guiding Principles. The Principles subsequently were included in the *Compendium of OAU Instruments and Texts on Refugees, Returnees and Displaced Persons in Africa,* published in 2000.

Conferences organized in collaboration with the AU have given further momentum to these efforts. At meetings held in Nairobi in 2002 and Addis Ababa in 2003 governments reaffirmed their commitment to the Guiding Principles as a useful tool and standard for addressing situations of internal displacement and reported on steps taken towards the development of national legislation on internal displacement. They also identified the need for training of government officials on IDP and refugee issues. In November 2004, Heads of State of member countries of the International Conference on the Great Lakes Region (which includes SADC member states: Angola, DRC, Tanzania and Zambia) committed themselves to respect and use the Guiding Principles and to define national and regional frameworks for monitoring implementation of these standards.

In another important development, in 2004 the African Commission on Human and Peoples' Rights created the mandate of Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa, a post to which Bahame Tom Mukirya Nyanduga of Tanzania was appointed. Like the Representative of the UN Secretary-General, with whom he has taken the initiative to forge links, the Rapporteur's mandate directs him to engage in dialogue with inter-governmental and regional bodies in order to promote the protection of IDP rights.

At the sub-regional level as well, in particular in West Africa, the Great Lakes region and the Horn of Africa, governments have found regional approaches to internal displacement to be a valuable complement to national efforts. At a Conference on War-Affected Children in West Africa, governments of the Economic Community of West African States (ECOWAS) adopted a declaration welcoming the Guiding Principles and calling for their application by ECOWAS member states; this declaration was adopted at the ECOWAS Summit of Heads of State and Government later that year. In 2002, the office of the UN Representative and the Brookings Project on Internal Displacement co-sponsored a seminar on migration in West Africa for ECOWAS member states convened in Dakar by ECOWAS and the International Organization for Migration (IOM). Among the recommendations emerging from the seminar was the development of national laws on internal displacement using the Guiding Principles as a framework.

In East Africa, in September 2003, a ministerial-level Conference on Internal Displacement for member states of the Inter-Governmental Authority on Development (IGAD) was convened

in Khartoum, hosted by the Government of the Sudan, and co-sponsored by IGAD, the Representative of the UN Secretary-General and UN Office for the Coordination of Humanitarian Affairs' Internal Displacement Unit. The Khartoum Declaration adopted by the conference and endorsed at the IGAD Ministerial Summit the following month, underscored that 'the problems of internal displacement affect all Member States in the sub-region and constitute a threat to socio-economic development, political stability, national security and the environment,' and accordingly emphasized that finding durable solutions to internal displacement is an indispensable step to realizing lasting peace, stability and development. The Declaration noted that the Guiding Principles on Internal Displacement are a 'useful tool' for addressing IDP issues and in particular for developing and evaluating appropriate national policies and legislation on internal displacement. Among the Declaration's other recommendations was the establishment within the IGAD secretariat of a unit on forced displacement, in particular to collect data on displacement in the region, disseminate the Guiding Principles and provide technical assistance to member states in developing and monitoring policies on internal displacement.

In Southern Africa, SADC's efforts to promote peace and security in the region have made important contributions to the resolution and prevention of conflicts and displacement crises. SADC diplomacy helped resolve conflicts in Mozambique, Zimbabwe and Angola, which in turn facilitated IDP return. A 1996 Memorandum of Understanding signed between SADC and UNHCR notes that the consolidation of peace in many parts of Southern Africa has created conditions conducive to the safe return of refugees and IDPs. At the same time, it recognizes that returning refugees and IDPs have assistance and rehabilitation needs that also must be assured. The agreement affirms SADC and UNHCR's resolve to work together to address the root causes of forced displacement, ensure the provision of humanitarian assistance, and search for durable solutions for forced migrants, including by collaborating with non-governmental organizations (NGOs) at the national and regional levels.

That same year, the SADC Heads of State and Government created the Organ on Politics, Defense and Security Cooperation, which has among its central objectives to prevent, contain and resolve intra-state conflict by peaceful means. The 2004 *Strategic Indicative Plan* guiding the work of the Organ highlights the problem of internal displacement among the pressing political, economic and social challenges facing SADC. It recognizes the need for SADC states to develop appropriate policies for the social reintegration of ex-combatants, refugees and IDPs, mandates the creation of a handbook on social integration, and urges SADC states to share best practices for promoting effective reintegration. The Plan also calls for training workshops and seminars to be convened on the issue of refugee and IDP reintegration.[9]

Also of note are the conclusions of a workshop on forced migration in the SADC region that was held in Lusaka in 2003. Participants, who included representatives of all SADC states and of the SADC Secretariat, recommended the integration of the Guiding Principles on Internal Displacement into national legislation as well as the establishment of a regular forum of SADC refugee commissioners and legal advisors to work towards the harmonization of forced migration laws and policies. They also proposed the development of a regional IDP database to aid in planning, the increased involvement of local governments in IDP protection, and the creation of a SADC Comprehensive Plan of Action to assist countries experiencing displacement crises.[10]

Also relevant are the efforts undertaken by SADC to address the problem of natural disasters in the region. Recognizing that the impact of natural disasters can be lessened through preparedness measures, SADC has assessed responses to past disasters and has been working to assist the governments of Southern Africa to develop quick-response capacities, effective emergency coordination mechanisms and disaster management plans.[11]

Collectively, these initiatives provide a strong foundation for future SADC contributions to the prevention, management and resolution of internal displacement in Southern Africa. Based on the experiences of other regional bodies as well as recommendations already out forth the SADC region, these might include monitoring situations of internal displacement in the region, the appointment of a focal point on the issue, and promoting the adoption of laws and policies on internal displacement.

The Role of the International Community

The international community can reinforce and provide valuable support to national and regional efforts for addressing internal displacement. UN agencies and international humanitarian and development organizations such as UNHCR, WFP, the UN Children's Fund (UNICEF), the World Health Organization (WHO), the UN Development Program (UNDP), the Office of the High Commissioner for Human Rights, the Office for the Coordination of Humanitarian Affairs (OCHA), IOM as well as the ICRC and an array of international NGOs have been directly engaged in providing assistance, protection and reintegration support to large numbers of IDPs in the region, in particular in the DRC, Angola and in Mozambique. Areas of activity include: providing emergency relief to uprooted victims of conflict and disaster; promoting adherence to international human rights and humanitarian law; awareness-raising and training on the Guiding Principles; advocating for the rights of IDPs; supporting national capacity-building to address internal displacement; facilitating IDP return or resettlement and monitoring to ensure that return or resettlement is voluntary and occurs in conditions of safety; and providing reintegration assistance so IDPs can begin to rebuild their lives. In addition to channeling crucial resources enabling these and other activities, donor countries have drawn attention to particular crises of internal displacement, for instance in Angola in 2000, and advocated with governments for effective responses to the plight of their internally displaced populations.

There are also UN experts on thematic issues that have undertaken missions to specific situations of internal displacement to assess and discuss the conditions of the internally displaced with the government and other relevant actors. For instance, the Representative of the UN Secretary-General on Internally Displaced Persons visited Mozambique in 1996 and Angola in 2000 to engage in dialogue with the respective governments in particular as regards the search for durable solutions for the millions of internally displaced persons uprooted by the conflicts. Missions undertaken to SADC countries by the Representative of the Secretary-General on Children and Armed Conflict, the Internal Displacement Division of OCHA and, most recently, the Secretary-General's Special Envoy for Human Settlement Issues in Zimbabwe also have addressed particular issues and situations of internal displacement in the region.

Although not specific to internal displacement, a number of broader regional and international initiatives also have important linkages to addressing internal displacement in the Southern African region. Particularly noteworthy is the New Economic Partnership for African Development (NEPAD), which is premised on recognition of the link between peace, security and development and promotes good governance and sustainable post-conflict reconstruction and development. The Millennium Development Goals adopted by Heads of State in 2000 also are relevant; indeed, their implementation would go a long way to addressing many of the assistance, protection and reintegration needs of the internally displaced.

Conclusion

Internal displacement is a pressing issue in several SADC states. While some significant displacement crises have attenuated due to the cessation of hostilities, millions of IDPs in the region nonetheless remain in a precarious situation and new situations of internal displacement continue to occur. A great deal therefore remains to be done to address IDPs' protection and assistance needs, to find durable solutions to their plight and to prevent further displacement from taking place.

These are challenges for national and local authorities, first and foremost, to address together with the affected populations. But internal displacement also is a problem of particular impact at the regional level and one that regional bodies as well as the international community can help to address, in particular by promoting and reinforcing national efforts. Indeed, given the magnitude and complexity of crises of internal displacement, working in partnership with regional bodies and the international community may prove valuable to ensuring effective responses. In bringing national, regional and international actors together to discuss internal displacement, this seminar seeks to lend support to achieving more effective strategies for responding to internal displacement and addressing the plight of the large numbers of internally displaced persons in the SADC region.

[1] Dawn Chatty and Marcus Colchester (eds.), *Conservation and Mobile Indigenous Peoples Displacement, Forced Settlement and Sustainable Development* (Oxford: Berghahn Books, 2002).

[2]*Zimbabwe: A Hidden Displacement Crisis* (Geneva: Norwegian Refugee Council, Global IDP Project, 2004). Posted at http://www.db.idpproject.org/Sites/idpSurvey.nsf/wCountries/Zimbabwe.

[3] United Nations, *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the Special Envoy on Human Settlements Issues in Zimbabwe, Mrs. Anna Kajumulo Tibaijuka* (18 July 2005).

[4] United Nations, Commission on Human Rights, *Profiles in Displacement: Mozambique. Report of the Representative of the Secretary-General on Internally Displaced Persons,* UN Doc. E/CN.4/1997/43/Add.1.

[5] See United Nations, Commission on Human Rights resolution 2004/55; General Assembly resolution 2004/58; and Commission on Human Rights resolution 2005/46.

[6] United Nations Secretary-General Kofi Annan, *In Larger Freedom: Towards Development, Security and Human Rights for All,* UN doc. A/59/2005 (2005), para. 210.

[7] See *Seminar on Internal Displacement in Southern Sudan, November 25, 2002* (Washington, D.C.: Brookings-SAIS Project on Internal Displacement, 2002).

[8] *Addressing Internal Displacement: A Framework for National Responsibility* (Washington, D.C.: Brookings Institution-University of Bern Project on Internal Displacement, 2005).

[9] SADC, *Strategic Indicative Plan for the Organ on Politics, Defence and Security Cooperation* (Gaborone: SADC, 2004), pp. 17 and 19.

[10] *Report of the Workshop on Forced Migration including Refugees, Externally and Internally Displaced Persons in the SADC Region, October 27-29 2003, co-sponsored by the South African Migration Project, the International Organization for Migration and the International Migration Policy Programme* (2003)*.

[11] 'Early Warning and Response' by Deborah Saidy, Drought Emergency in Southern Africa Programme, UN Department of Humanitarian Affairs (1997). Posted at http://www.brad.ac.uk/research/ijas/ijasno2/saidy.html.