

Closing Statement by Roberta Cohen, Co-Director, The Brookings Institution-University of Bern Project on Internal Displacement

Panel on IDP Issues and the Marsh Arabs AMAR London Conference March 1, 2006

Today's conference, organized by the Amar Foundation and the indegefatigible Baroness Nicholson, has been tremendously important in raising awareness to the needs, hopes and aspirations of the Marsh Arabs of Iraq. All of Iraq needs attention, but it is clear that this region is a unique one, requiring specially tailored solutions.

The tribal leaders who spoke this morning as well as other speakers emphasized the egregious crimes committed against the Marsh Arabs in 1980 and 1991 by the Saddam Hussein regime. The military attacks, the forced expulsions, and the destruction of homes, livelihoods, health and welfare networks all made clear that national and international efforts should focus on the recovery and restoration of the area and of its environment, livelihoods, medical and educational facilities, and homes, so that internally displaced persons (IDPs) and refugees can return, if they so choose, to conditions that will sustain them and their families.

Pressing Needs. The challenges facing those who remain in the Marshlands today are considerable – problems of safety and security, of lost documents, of restoration of basic services, of restoration of land and property, of access to administrative and judicial services. But as this conference has shown, there are national and international partners who are searching for solutions and who are coming up with policies, proposals and recommendations to promote the restoration of the Marshlands, the return of the Marsh Arabs – both IDPs and refugees, as well as the effective integration of those Marsh Arabs who remain outside their ancestral areas.

Consultation. The most repeated recommendation at the conference was the need for regular consultation with Marsh Arab communities. Tribal leaders must have a role in the plans for the future of their country. They must be included in central government deliberations about rebuilding Iraq. They must be consulted on restoration of agriculture and on the resources in their region. Their concerns and their needs must be integrated in government plans and policies. Otherwise, these policies and programs will not be effectively implemented in the Marshlands.

Channeling of Funds to the Marshlands. The Minister of Finance of Iraq, who addressed the meeting, proposed the establishment of a semi-governmental body, to be created by legislation, to ensure that government funds are funneled into the restoration of the Marsh Arab area. His statement was based on the acknowledgement that the region has different problems from other parts of the country and needs a special solution. He called upon Marsh Arab leaders to press their government to ensure passage of legislation

to create such a body and to put forward proposals to access the funds that will be made available.

Issues of Water. The representative of UNESCO announced that UNESCO planned to convene an international conference on water and the marshlands later this year to promote the sustainability of returns and maintain the culture of the area.

The Guiding Principles on Internal Displacement. The Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons drew attention to an important tool the Marsh Arabs could use to call attention to their rights – the Guiding Principles on Internal Displacement. The Principles, which set forth the rights of IDPs and the obligations of governments toward these populations, have been recognized by the Government of Iraq as an important framework for the protection of IDPs. They should become the centerpiece of the national and international response to internal displacement in Iraq. Since the experience of the Marsh Arabs is a classic case of internal displacement, the government has the responsibility to protect the rights of the displaced and integrate them into national law and policies.

Property Claims. The work of the Iraqi Property Claims Commission, including the difficulties in making claims, was described by the Director of the Claims Programs at the International Organization for Migration (IOM). Clearly needed were more flexible interpretations of the law and its application as well as improvements and reform of the process so that a greater number of claims could be accepted. Precedents from other countries could be helpful. It was also suggested that non-governmental organizations could bring together experts to advise on making claims and help develop class action claims, that is, claims for a whole group – so that the claims put forward by the Marsh Arabs might be more readily accepted.

National Policy on Displacement. The officer in charge of the UN High Commissioner for Refugees in Basra, who together with the Iraqi government is helping to develop a national policy on displacement, spoke of the government's and the UN's intention to hold a national conference on displacement following extensive consultations with all groups. UNHCR's presence at the meeting was important in enabling it to hear the concerns of the Marsh Arabs who should be regularly consulted in the development of the national policy and the holding of a national conference.

Training. Finally, training and technical assistance were suggested, in particular training of Marsh Arab communities in their rights, in advocating for their rights, in developing claims for property, and in pressing for the integration of their concerns in national development plans and policies.

The Amar Conference has brought together an array of national and international actors who are friends of the Marsh Arabs and sensitive to their concerns, which should be encouraging to Marsh Arab tribal leaders. The country of Iraq is undergoing a traumatic and unsettling period. Of course, this difficult environment has impact on the region in question. But it is also the case that there are many trying to promote the development of

the country and its reconstruction and recovery. It is essential that the Marsh Arab people be included and actively participate in national development and displacement plans and in the development of a democratic state that reflects the interests of all groups. I know that the IDP panel and other speakers today join me in extending to all of you our solidarity for the rebuilding of Iraq and for the restoration of your unique and world famous habitat.

Thank you.