



FIRST REGIONAL CONFERENCE ON INTERNAL DISPLACEMENT IN WEST AFRICA

**ABUJA, NIGERIA
26-28 APRIL 2006**

Hosted by:

The Federal Government of Nigeria

Co-sponsored by:

The Economic Community of West African States

The Office of the United Nations High Commissioner for Refugees

**The Representative of the United Nations Secretary-General on the
Human Rights of Internally Displaced Persons**

**The Brookings Institution-University of Bern Project on Internal
Displacement**

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Communiqué

Preamble

The Federal Government of Nigeria, the Economic Community of West African States (ECOWAS), the Office of the United Nations High Commissioner for Refugees (UNHCR), the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons (IDPs) and the Brookings Institution-University of Bern Project on Internal Displacement, having observed the plight of IDPs in West Africa with concern, organized a three-day Conference on Internal Displacement in West Africa. This was the first conference of its kind in the sub-region.

The aim of the meeting was to discuss the plight of IDPs in West Africa, with a view to finding ways of enhancing their status and welfare. It brought together humanitarian practitioners, eminent scholars, and policy makers, as well as national, regional, international, and non-governmental organizations from all over the world to discuss and exchange ideas on the following sub-themes:

- Overview of internal displacement in the ECOWAS sub-region
- Normative framework of reference: The UN Guiding Principles on Internal Displacement
- National responsibility towards IDPs
- Protection and assistance for the displaced
- Risks and vulnerabilities needing special attention
- Durable solutions: return, resettlement and reintegration
- The role of ECOWAS and the African Union
- The international response

Observations

The conference, after comprehensive and wide-ranging deliberations, observed as follows:

- In West Africa today, IDPs represent a significant challenge requiring concerted attention.
- There are no accurate statistics on IDPs in West Africa. One reason is that IDPs are absorbed into households as much as possible.
- The presence of IDPs in West Africa is a direct consequence of conflicts, natural disasters, impoverishment, environmental degradation and development projects.
- IDPs can suffer from socio-economic deprivation, socio-cultural dissociation and emotional imbalance caused by displacement, the trauma of war and other calamities.
- Amongst the internally displaced, the most vulnerable groups are often women, children and the infirm.

- IDPs and people who are not displaced deserve equal human rights protection, yet the internally displaced often encounter discrimination at a variety of levels.
- Displaced women, children and other vulnerable groups in IDP camps and elsewhere often face exceptionally difficult circumstances. They therefore need adequate protection against exploitation.

Recommendations

Deriving from the above observations, the following recommendations were made:

1. The *UN Guiding Principles* should be widely disseminated and promoted across West Africa, since they are acknowledged and accepted as the standard norm and framework for addressing internal displacement within the ECOWAS sub-region.
2. National laws, policies and plans of action should be developed, based on the *UN Guiding Principles on Internal Displacement*. These laws, policies and plans of action should be developed with the support of the highest levels of government and should involve a process of broad consultation.
3. States should ratify, implement and monitor international, regional and sub-regional human rights and humanitarian instruments relating to internal displacement. States should also implement the recommendations of fact-finding missions carried out by the Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa and the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons.
4. Comprehensive capacity building initiatives should be developed to assist national institutions and civil society organizations to address internal displacement.
5. Activities should be developed to prevent and tackle the root causes of internal displacement. These activities should address reconciliation and peace-building, poverty alleviation, accountable governance and natural disaster mitigation. Early warning systems should also be developed.
6. Decision-making processes and the implementation of programs on internal displacement should involve the active consultation and participation of the full range of stakeholders, and particularly IDPs themselves. IDPs should also have the opportunity to take part in deliberations on internal displacement at all levels.
7. Among internally displaced persons, women, children, the elderly, and the disabled may have special needs which should be identified and addressed during all phases of displacement and in all contexts, including camps and urban environments.
8. Responses to internal displacement must take into account not only the needs of IDPs, but also the concerns of the families and communities that provide them shelter.

9. Governmental, non-governmental, regional and international organizations should coordinate their activities to ensure a comprehensive approach to internal displacement that avoids the duplication of efforts and the inefficient use of resources. To this end, each ECOWAS state should identify a national focal point with responsibility for internal displacement issues.
10. States should ensure that civil society partners and international agencies have safe and unhindered access to internally displaced populations requiring protection and assistance.
11. Relevant state authorities, in conjunction with civil society organizations, academic institutions and international agencies should collaborate to improve methods of gathering and analyzing data on the location, condition and needs of IDPs and the communities in which they live. This information should be disseminated widely, especially through the media.
12. A comprehensive approach to durable solutions is required that addresses the original causes of displacement as well as the vulnerability of IDPs and their neighbors. In order to ensure the sustainability of return, resettlement and reintegration, post-conflict transition programs should be implemented, as well as land tenure reform and employment generation programs.
13. The right of internally displaced persons to make an informed choice whether to return, resettle or integrate locally should be respected.
14. Allocations for IDP programs should be made in national budgets, and opportunities for public-private funding partnerships should be explored. International donors should provide consistent and reliable support.
15. Protection and empowerment of IDP women should be enhanced. Following return, resettlement and family reunification, greater efforts should be made to ensure that IDP women can preserve and continue to develop the valuable professional and livelihood skills they often acquire while displaced, particularly as heads of households. Domestic violence against IDP women and the health and psychosocial needs of the survivors of sexual abuse should also receive increased attention from national authorities, humanitarian agencies and NGOs.
16. Protection and access to durable solutions for IDP children should be improved. In particular, increased support should be directed towards family reunification programs and the integration of provisions on displaced children into national child protection laws. Specialized training should be provided to improve services for displaced children, particularly child combatants and unaccompanied minors.
17. Responses to internal displacement should be harmonized across the sub-region. Efforts should be made to ensure the equitable treatment of IDPs and other vulnerable populations.
18. IDPs' access to national justice systems should be facilitated and every effort should be made to combat impunity for human rights violations. Community-based approaches to reconciliation such as cooperative economic projects should also be pursued.

19. ECOWAS should strengthen its engagement on issues of internal displacement. The issue of internal displacement should be placed on the agenda of upcoming Ministerial and Heads of State meetings. ECOWAS Member States should consider the development of a protocol, declaration or plan of action to address internal displacement in West Africa. Such efforts should be coordinated with the work of the African Union and linked to donor initiatives.
20. The capacity of ECOWAS to advocate on issues of internal displacement should be reinforced. To this end, ECOWAS should appoint a focal point dedicated to addressing issues of internal displacement in West Africa. This person may be an eminent dignitary responsible for raising awareness of displacement issues, investigating situations of displacement, and promoting protection and assistance for IDPs in West Africa.
21. State commitment to ECOWAS Protocols relevant to internal displacement should be consolidated through universal ratification. ECOWAS should undertake regular monitoring of the implementation of these instruments.
22. Inter-regional dialogue on issues of internal displacement should be encouraged, including through African Union processes. In particular, national human rights institutions from across Africa should have the opportunity to meet and compare experiences in addressing internal displacement.
23. Protection issues should be integrated into the design of peace operations and the capacity of peacekeepers to respond to internal displacement should be strengthened through extensive training. The ECOWAS Stand-By Force should also receive training on issues of internal displacement. Monitoring procedures should be instituted or enhanced to ensure that codes of conduct banning the exploitation of the displaced by peacekeeping forces are rigorously enforced.
24. Every effort should be made to ensure that international interventions on behalf of IDPs do not promote dependence but foster self-reliance and community sustainability.

Introduction

The First Regional Conference on Internal Displacement in West Africa took place in Abuja, Nigeria from 26 to 28 April 2006. The meeting was hosted by the Federal Government of Nigeria and co-sponsored by the Office of the United Nations High Commissioner for Refugees (UNHCR), the Economic Community of West African States (ECOWAS), the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons (IDPs), and the Brookings Institution-University of Bern Project on Internal Displacement.

The aim of the conference was to explore the scope and nature of internal displacement in West Africa, the needs and vulnerabilities of the displaced, and national, regional and international responses to the problem. Over 70 participants attended the meeting, representing the ECOWAS governments; the ECOWAS Secretariat; national human rights institutions; the African Commission on Human and Peoples' Rights; local, regional and international non-governmental organizations (NGOs); donor governments; research institutions; and international organizations including the United Nations (UN).

Recommendations for action were identified for national, regional and international actors with the aim of preventing, addressing and resolving situations of internal displacement. They are summarized in the Communiqué at the opening of the report and presented in full at the close of the report. The *Agenda*, *List of Participants* and *Background Paper* are included as Appendices.

Opening Session

Welcoming Statements:

Moremi Soyinka-Onijala, Special Assistant to the President, Migration and Humanitarian Affairs, Nigeria

Colonel Mahamane Toure, Deputy Executive Secretary, Political Affairs, Defence and Security, ECOWAS Secretariat

Walter Kälin, Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons and Co-Director, the Brookings Institution-University of Bern Project on Internal Displacement

Marie-Christine Bocoum, Deputy-Director, Africa Bureau, UNHCR

Moremi Soyinka-Onijala, Special Assistant to the President on Migration and Humanitarian Affairs of the Federal Republic of Nigeria, extended a warm welcome to the participants and reflected on the diverse factors giving rise to internal displacement in West Africa, including conflict and natural disasters such as drought. Mrs. Soyinka-Onijala highlighted the increasing significance of internal displacement in West Africa, but acknowledged the difficulty of responding to the issue given the lack of reliable data on IDPs in the sub-region. For example, estimates on the number of IDPs in Nigeria varied from 500,000 to millions. She underlined the importance of strengthening the protection of IDPs in West Africa, and encouraged participants to share best practices on this issue. In closing, Mrs. Soyinka-Onijala thanked the many supporters of the

conference, and applauded the participants' commitment to identifying new strategies for the prevention and management of internal displacement in the ECOWAS sub-region.

Colonel Mahamane Toure, ECOWAS Deputy Executive Secretary for Political Affairs, Defence and Security, welcomed the participants on behalf of the ECOWAS Executive Secretary, and expressed his appreciation to the participants for their dedication to examining the causes and consequences of internal displacement in West Africa. Colonel Toure called on the ECOWAS member states to develop nation-wide responses to internal displacement based on the *Guiding Principles on Internal Displacement*, and underscored the need for a framework to tackle the challenge of internal displacement on the national level and throughout the sub-region. While recognizing that national governments had primary responsibility for protecting the displaced within their borders, Colonel Toure urged ECOWAS governments to facilitate international organizations' access to IDPs in need of protection and assistance.

As Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons (RSG) and Co-Director of the Brookings Institution-University of Bern Project on Internal Displacement, **Dr. Walter Kälin** began by thanking the Federal Government of Nigeria and the co-sponsors of the conference. Dr. Kälin observed that in addition to being the most numerous, Africa's internally displaced persons were also among the world's most vulnerable. In particular, they were at high risk of armed attack, malnutrition, sexual violence, enforced military recruitment and disease. Durable solutions in the region were hindered by poor infrastructure and inadequate access to basic goods and services, including health and education facilities. Dr. Kälin reflected that, as primary responsibility for IDPs rested with national authorities, it was particularly appropriate that the conference was hosted by the Federal Government of Nigeria, which was in the process of developing a National Policy on Internal Displacement.

The RSG commended the conference as a reflection of shared concern for the plight of IDPs in the ECOWAS sub-region. He welcomed the diversity of participants which he said boded well for the forging of strong partnerships to address internal displacement in a cooperative and holistic manner. The RSG praised the growing momentum in Africa to respond to internal displacement through the development of standards such as the Great Lakes regional protocol. Collaborative efforts to address internal displacement were particularly crucial in West Africa, where the effects of conflicts and natural disasters had spread across borders to envelop the entire sub-region, with dire economic and developmental consequences. Dr. Kälin highlighted the need for regional cooperation to establish reliable early warning mechanisms and disaster prevention and mitigation systems, and stressed the importance of sharing best practices and channelling the lessons learned by countries coping with internal displacement into the creation of sound policies at the national and regional levels. As one of Africa's leading sub-regional organizations, ECOWAS had a vital part to play in these processes. He also mentioned the potential role of ECOWAS as an advocate for durable solutions and the specific inclusion of displaced persons in peace processes.

Marie-Christine Bocoum, Deputy-Director of the UNHCR Africa Bureau, welcomed the participants on behalf of the United Nations High Commissioner for Refugees. While the number of refugees was the lowest it had been in a quarter century, Ms. Bocoum observed, the global internal displacement situation had reached a critical point. Various African peace processes had yielded positive results for the internally displaced, and the recent closure of the last IDP camp in Liberia was flagged as an important sign of success in the pursuit of durable solutions. Yet, Ms. Bocoum urged the participants not to be complacent, as West Africa continued to grapple with severe displacement problems in countries such as Côte d’Ivoire. In addition, the recent wave of displacement in Guinea Bissau highlighted the potential for renewed displacement in the sub-region.

In the words of High Commissioner Antonio Guterres, Ms. Bocoum reflected that “internal displacement is the international community’s biggest failure in humanitarian action.” However, the UN was beginning to make discernable progress towards assisting and protecting IDPs, particularly through the assignment of sectoral responsibilities to different agencies through the “cluster approach.” Under this approach, UNHCR agreed substantially to expand its role to encompass IDP protection, camp management and coordination, and emergency shelter. In conclusion, Ms. Bocoum noted that the conference was a valuable cooperative endeavor, following on from other African meetings on internal displacement, such as the August 2005 Seminar on Internal Displacement in the Southern African Development Community (SADC).

Overview of Internal Displacement in the ECOWAS Sub-Region

Moderator:

Roch Yao Gnabeli, Directeur de la Solidarité et de l’ Action Humanitaire, Ministère de la Solidarité et des Victimes de Guerre, Côte d’Ivoire

Presenters:

Claudia McGoldrick, Senior Country Analyst, Internal Displacement Monitoring Centre

This session addressed the scope of internal displacement in West Africa, in addition to its inter-linked causes and consequences. Participants recognized that internal displacement was a pressing concern for individual ECOWAS member states, as well as for the entire sub-region. While conflict was acknowledged as the principal source of internal displacement in West Africa, a diverse range of other factors contributed to internal displacement, including natural disasters, poverty and development projects. The Norwegian Refugee Council’s new report *In Need of Durable Solutions: The Revolving Door of Internal Displacement in West Africa* was presented as a valuable source of information on conflict-induced IDPs in the sub-region.

Presenters stressed that West Africa faced an extremely complex displacement situation, both internally and across borders. While internal displacement was a severe problem deserving special attention, it was also recognized that the situation should not be measured in terms of numbers alone, as accurate statistics on IDPs in the ECOWAS sub-

region did not exist. Claudia McGoldrick of the Internal Displacement Monitoring Centre explained that, despite their imprecision, the figures on internal displacement in West Africa clearly indicated that the potential for massive population movements in the sub-region remained very high. She noted that, conservative assessments of the number of conflict-induced IDPs in West Africa stood at one million. However, the figures used to reach this total were rarely based on actual registration exercises, and even when registration took place, large numbers of IDPs were often excluded. Returnees were often not included in IDP statistics for the sub-region, regardless of the conditions in their home communities. The lack of reliable figures posed a major hurdle for effective response, and several calls were made for improved data collection, analysis and management systems.

The presenters explained that, since the 1990s, conflict-induced displacement in West Africa has been fuelled by four principal factors: competition for resources; the presence of rebel groups fighting externally-supported proxy wars; endemic poverty and inequality; and the proliferation of small arms and light weapons across the sub-region. Following the outbreak of civil war in Liberia in 1999, violence ebbed and flowed across West Africa, particularly in Sierra Leone, Guinea and Côte d'Ivoire. Virtually the entire population of Liberia was displaced during the country's 14 year conflict, with many people forced to flee multiple times, often for long periods. The prevalence of extreme poverty across the sub-region, in spite of abundant natural resources, created a vast pool

Internally displaced persons are not solely and exclusively direct victims of armed conflicts; they may also be victims of natural disaster or certain structural causes such as poverty.

Mohamed Touré, Administrateur des affaires sociales,
Réseau Migration et Urbanisation en Afrique de l'Ouest
(REMUAO)

of frustrated youths easily incited to take up arms. Failed disarmament, demobilization and reintegration (DDR) processes led to continued activity by mercenary fighters or "regional warriors" both across and within borders. The central role that former Liberian

President Charles Taylor played in West Africa's "regional conflict" was underlined, especially his efforts to set up rebel groups in cooperation with international corporations interested in exploiting the sub-region's natural resources. The efforts of the UN Special Court in Sierra Leone to address allegations against Charles Taylor could have important implications for furthering accountability and the fight against impunity in West Africa.

In addition to these interconnected wars, Nigeria, Senegal, Guinea Bissau and Togo faced separate situations of conflict-induced displacement. In Nigeria, internal displacement erupted from ethnic and religious tensions exacerbated by inequitable access to resources and disagreements between "indigenous peoples" and "settlers". Internal displacement rates also rose following Nigeria's "cartoon riots" in early 2006 and the escalation of military conflict in the Niger delta region. The sub-region's longest-running civil war in the Senegalese province of Casamance officially ended in 2004. However, in 2006 splits in rebel movements in the Casamance led to renewed violence, threatening the return of IDPs. Many IDPs returned to their homes after the 1998-1999 civil war in Guinea Bissau, but political tensions continued to disrupt efforts to consolidate the peace, and in

2006 new waves of internal displacement arose. Togo experienced small-scale internal displacement and a large-scale exodus of refugees following national elections in 2005.

Many conflicts in West Africa were characterized by severe human rights abuses, with IDPs experiencing heightened vulnerability to crimes such as sexual and gender-based violence and forced recruitment, including the recruitment of child soldiers. Adequate protection against these risks was extremely rare in West Africa, both during and in the aftermath of conflict. Indeed, return programs raised special protection concerns in ECOWAS countries such as Sierra Leone and Liberia. Non-registered IDPs and those who did not wish to return were often excluded from assistance and protection programs. Return areas were often declared “safe” despite the persistence of serious security concerns such as landmines. Furthermore, in some cases IDPs received insufficient or misleading information about returns, which were often unsustainable due to lack of infrastructure, services and livelihood opportunities. Both presenters highlighted the inadequacy of long-term, post-emergency assistance in the sub-region, with specific needs such as counseling and psychosocial programming often overlooked.

Although ethnicity and religion had often been cited as root causes for conflict and internal displacement in West Africa, participants recognized that these factors were more often manipulated to serve political interests, masking the genesis of displacement in poor governance, corruption, and inequitable access to land and other resources. Participants called for the more democratic management of resources, and for concerted efforts to improve systems of governance and respect for political rights in the sub-region, including participation in elections.

In a region fraught with armed conflict, the needs of those displaced for reasons other than war were often overlooked. Participants underlined the importance of addressing the needs of those displaced by natural disasters, poverty, food insecurity and development projects, particularly as these IDPs often faced serious vulnerabilities similar to those of war victims. The difficult task of relocating communities to prevent exposure to disasters such as floods and drought was also explored, with emphasis placed on the need for a sensitive, consultative approach to any proposed relocations. Participants emphasized the need for a proactive, culturally relevant policy approach rooted in efforts to tackle poverty, limit development-induced displacement, and establish early-warning systems. Increased efforts were required to implement these policies, and to support communities hosting the victims of natural disasters and other emergencies. In this regard, several participants throughout the meeting highlighted the value of solidarity among Africans as well as between Africans and the international community as a key element of the response to internal displacement in West Africa.

Normative Framework of Reference: *The Guiding Principles on Internal Displacement*

Moderator:

Alhaji S. S. Makarfi, Director, National Emergency Management Agency, Nigeria

Presenters:

Walter Kälin, Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons and Co-Director, the Brookings Institution-University of Bern Project on Internal Displacement

Betsy Greve, Senior Legal Advisor, Africa Bureau, UNHCR

On 15 September 2005, Heads of State from across the world gathered in New York for the UN Summit. At the Summit, Heads of State unanimously recognized the *Guiding Principles on Internal Displacement* as an important international framework for the protection of IDPs, and confirmed their intention to take major steps to reinforce the protection afforded to the internally displaced. Dr. Kälin set out the key steps that led to this outcome at the Summit as part of a general discussion of the meaning and applicability of the *Guiding Principles*.

In the 1990s, international agencies began to recognize that displaced persons had specific and unique concerns, such as lack of housing and documentation, and difficulty in accessing health, education and other services typically reserved for locals. People forced from their homes often encountered discrimination on the basis of their displacement, and struggled to exercise political rights such as the right to vote. They also experienced heightened vulnerability to exploitation and sexual abuse, and the possibility of being separated from their families. While these vulnerabilities were often shared by refugees, the internally displaced did not benefit from the legal protection mechanisms specifically created for refugees. With this in mind, in 1994 the UN Commission on Human Rights charged the first RSG, Dr. Francis Deng, with the task of developing an appropriate normative framework for the protection of IDPs. The outcome was the *Guiding Principles on Internal Displacement*, which were presented to the Commission on Human Rights in 1998.

The *Guiding Principles* are based on binding international human rights and humanitarian law, as well as refugee law by analogy. The *Principles* clarify the significance of international human rights and humanitarian law in cases of internal displacement. They recognize that displacement can be caused by a broad range of circumstances, and address all phases of displacement, including prevention, protection and assistance, and durable solutions. The *Guiding Principles* define IDPs as:

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.

Dr. Kälin emphasized that the *Guiding Principles* affirm the responsibility of national governments to protect those displaced within their borders, and reflect that sovereignty entails accountability on the part of national authorities towards the displaced. When governments lack the capacity to provide adequate protection and assistance to IDPs, the international community has the right to extend support to the displaced. The RSG also underlined the provisions in the *Guiding Principles* on protection from arbitrary displacement. While displacement due to apartheid, racism or religious discrimination are prohibited, the *Guiding Principles* recognize that some forcible displacement may be permissible, for example, to protect populations at risk from natural disasters, or for imperative military reasons. Dr. Kälin clarified that in these cases, the displacement can not legitimately last any longer than absolutely necessary. In addition, the *Guiding Principles* address the provision of secure, dignified and durable solutions for IDPs, a particularly important concern in West Africa. The principle of freedom of choice regarding durable solutions was emphasized. As affirmed by the *Guiding Principles*, IDPs have the right to choose whether to return, remain where they are displaced, or resettle elsewhere in the country.

Participants considered the *Guiding Principles* a helpful tool for governments, assisting them to identify their obligations and structure responses through national laws, strategies and plans of action. Equally, the *Principles* provide guidance to international agencies and NGOs, enabling them to conduct effective needs assessments, formulate rights-based response strategies, and assess the degree to which national authorities were respectful of their obligations towards IDPs. One of UNHCR's goals in accepting responsibility for the protection of IDPs under the "cluster approach" was to ensure the further dissemination and implementation of the *Guiding Principles* amongst partners including national governments, NGOs and the internally displaced. The importance of implementing the *Guiding Principles* and the laws and policies flowing from them was strongly underlined, in part because this contributed to the process of establishing the content of the *Principles* as customary law.

On a regional and sub-regional level in Africa, Betsy Greve of UNHCR explained that the *Principles* were being used and promoted through conferences, seminars and initiatives such as the African Union's efforts to develop a legal framework on IDPs. For

There is clearly momentum within the continent and [its] subregions...to give greater consideration to issues of internal displacement and to address displacement through the development of standards.

Walter Kälin, Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons

example, in November 2004, Heads of State during the International Conference on the Great Lakes Region adopted a Declaration on Peace, Democracy and Development which included a commitment to implement the *Guiding Principles* through a

regional framework. This led to the drafting of a model national law and protocol on internal displacement which are expected to be accepted by Heads of State shortly.

Participants stressed that the full range of stakeholders needed to be engaged in national, sub-regional, regional and international dialogues on internal displacement and the *Guiding Principles*. In particular, IDPs themselves had a right to take part in these discussions, and should be involved as full partners from the outset.

National Responsibility

Moderator:

Mohamed Lamin Kamara, Deputy Minister of Foreign Affairs and International Cooperation, Sierra Leone

Presenters:

Khalid Koser, Deputy Director, Brookings Institution-University of Bern Project on Internal Displacement

Dayo Oluyemi-Kusa, Director, Institute for Peace and Conflict Resolution, Nigeria

Roch Yao Gnabeli, Directeur de la Solidarité et de l'Action Humanitaire, Ministère de la Solidarité et des Victimes de Guerre, Côte d'Ivoire

The panel opened with a presentation on the *Framework for National Responsibility*, a tool developed by the Brookings Institution-University of Bern Project on Internal Displacement, in conjunction with the RSG, to help states meet their responsibilities regarding internal displacement.¹ The *Framework* sets out the fundamental characteristics of effective national responses to internal displacement, emphasizing that such responses must address all causes of internal displacement, as well as the needs of all groups in every affected area, at all phases of displacement. National responses should also involve the incorporation and coordination of each relevant level and branch of the government.

The *Framework* identified twelve benchmarks of national responsibility, the first focusing on prevention activities, such as efforts to minimize unavoidable displacement and confront the root causes of forced migration. Other benchmarks included acknowledging problems of internal displacement and raising national awareness; gathering disaggregated, programmatically-focused data on IDPs; providing training to government officials, policymakers and administrators on the rights of IDPs; and creating

We need to catalyse each and every member state to create response mechanisms and focal points and national institutions for IDPs where they do not exist.

Olu Arowobusoye, Director, Humanitarian Affairs,
ECOWAS

national legal frameworks, policies and plans of action on internal displacement. While there were a variety of models that could be followed in the development of national legislation on internal

displacement, such as adopting comprehensive national laws or revising existing legislation, one necessary component of any national strategy had to be a clarification of national and local institutional responsibilities and the identification of a mechanism for coordination. This was essential not only for effective government responses, but also

¹ Brookings Institution-University of Bern Project on Internal Displacement, *Addressing Internal Displacement: A Framework for National Responsibility*, Washington, D.C., 2005.

for facilitating interaction between the government and civil society organizations working to implement protection and assistance programs.

Additional benchmarks included designating a national institutional focal point on IDPs, and establishing a role for national human rights institutions on the issue. National responsibility also entailed the full participation of IDPs, including women, in decision-making processes; the provision of adequate support for the full range of durable solutions; and the allocation of adequate resources to respond to the problem. The creation of public-private partnerships was encouraged to marshal greater financial support for responses to internal displacement. The final benchmark of national responsibility was cooperation with the international community, particularly when national authorities lacked the capacity to mount a comprehensive response. Participants concurred that cooperation with the international community did not entail a threat to sovereignty, and recognized that working with the RSG through missions and working visits could help identify the scope of a country's internal displacement problems, as well as effective response strategies.

Nigeria's efforts to develop a national policy on internal displacement were presented, highlighting the opportunities and challenges associated with upholding national responsibility for IDPs through the development of a framework for response. Mrs. Dayo Oluyemi-Kusa, Director of the Nigerian Institute for Peace and Conflict Resolution and member of the Nigerian Presidential Committee on Internally Displaced Persons explained that the Committee was established in January 2004, and was expected to submit its final report before the end of 2006. The Committee was comprised of representatives from a wide variety of institutions including the Ministries of Foreign and Internal Affairs, the Commission for Refugees, the National Emergency Management Agency, the National Intelligence Agency and the Office of the Special Assistant to the President on Migration and Humanitarian Affairs. Its task was to draft a national policy on internal displacement. The aim of the policy being to guide the different branches of government, donors and humanitarian agencies in the prevention of displacement, and the provision of protection and assistance to the displaced.

A detailed study of the United Nations Guiding Principles on Internal Displacement and relevant Nigerian laws, conventions and treaties was carried out by member of the Committee [to Draft a National Policy on Internally Displaced Persons] which results in the incorporation of many of their provisions into the draft national policy.

*Dayo Oluyemi-Kusa, Director,
Institute for Peace and Conflict Resolution, Nigeria*

The draft policy incorporated the *Guiding Principles*, and allocated responsibility to the appropriate government bodies for different aspects of the short, medium and long-term response to internal displacement. It also established a governmental focal point on internal displacement, with a coordination mandate. In addition to establishing a system for the formal registration of IDPs, the draft policy attempted to acknowledge and respond to the particular vulnerabilities facing displaced women and children. The Nigerian approach included plans for the design and implementation of skills

development, rehabilitation and reconstruction projects, as well as training in conflict resolution skills, with a view to increasing the sustainability of return processes.

The policy development process included the solicitation of memoranda on internal displacement from concerned individuals and organizations across Nigeria; public hearings; visits to IDP settlements; cooperation with international agencies; and a comparative study of the IDP policies in other countries such as Uganda. The process faced many challenges including funding shortages and competition among different agencies concerned with the protection and expansion of their mandates. These pressures were mitigated through the support of the Nigerian President, and it was recommended that other countries embarking on a similar process secure support for the initiative at the highest levels of government. Participants also stressed that national policies should be streamlined and sustainable despite changes in government.

Côte d'Ivoire's efforts to use national institutions to address internal displacement issues were then discussed by Roch Yao Gnabeli, Director of Solidarity and Humanitarian Action of the Ministry of Solidarity and War Victims, Côte d'Ivoire. While the government had launched a humanitarian campaign in response to the crisis faced in the country, it was important to recognize that host communities and NGOs played an invaluable role in assisting IDPs in Côte d'Ivoire, particularly those displaced by the

Those who receive assistance are small in numbers in comparison to the large number of IDPs in the country. One or two situations of displacement are visible. For example, those living in camps. More than 90% of IDPs you can not see because they are with host families.

Roch Yao Gnabeli, Directeur de la Solidarité et de l'Action Humanitaire, Ministère de la Solidarité et des Victimes de Guerre, Côte d'Ivoire

coup. National and state-level efforts to cope with the internal displacement crisis had proven very difficult, in part because the internally displaced in Côte d'Ivoire were not a highly visible population. Many were sheltered by host families living in remote areas, which made

needs assessments challenging. However, valuable progress had been made through the establishment of ministries with specific responsibility for IDP issues. For example, in 2005 the Ministry of Solidarity and War Victims was created and charged with identifying solutions to internal displacement, managing humanitarian assistance, and reinforcing social solidarity. In 2006, the Ministry initiated a campaign to identify the country's IDPs, and implemented projects to facilitate return and provide compensation to war victims.

It was acknowledged that while the national response was improving, it was essential to strengthen efforts in favor of the displaced, particularly in advance of national elections, which were expected to be vital for the attainment of peace and the resolution of the displacement situation. Participants identified the need for a global plan of action on internal displacement in Côte d'Ivoire, designed by the government in cooperation with the full range of stakeholders including NGOs and donors, with the aim of improving the scope and coordination of protection and assistance efforts. The need to ensure that protection and assistance efforts also benefited Ivorian host families was highlighted.

The Role of Civil Society

Moderator:

Mohamed Lamin Kamara, Deputy Minister of Foreign Affairs and International Cooperation, Sierra Leone

Presenters:

Rosina Conteh, Council of Churches in Sierra Leone

Sadikh Niass, Coordinator, West African Refugees and Internally Displaced Persons Network (WARIPNET)

The presenters illustrated how across West Africa, civil society organizations served as essential partners for governments working to respond effectively to internal displacement. Particularly when conflict weakened the ability of states to shoulder responsibility for the displaced, NGOs provided essential services to IDPs, from shelter and education to specialized health care for the survivors of sexual violence. Through these activities, NGOs developed specialized knowledge and capacities, which they in turn shared through networks and collaborative exercises. Indeed, throughout the discussion, participants stressed the importance of developing partnerships amongst NGOs, and between civil society organizations, governments, and regional and international bodies, such as the African Commission on Human and Peoples' Rights. In this regard, the experiences of the Council of Churches of Sierra Leone and the West Africa Refugee and IDP Network were discussed.

NGOs have been critical in the protection of IDPs, and in...advocacy, resettlement, reconstruction and reintegration of IDPs in Sierra Leone.

Rosina Conteh, Council of Churches in
Sierra Leone

NGOs in West Africa were involved in a wide range of activities to support the internally displaced, including: registering displaced populations; carrying out needs assessments; and raising awareness of the *Guiding Principles*, the Geneva Conventions, international human rights law and key concerns facing IDPs. Particularly during crises, NGOs were central actors in distributing relief supplies and implementing protection programs. Civil society organizations also played a major role in facilitating durable solutions; supporting peace processes; advancing reconciliation; and fostering accountability for the injustices

Whatever the reason for internal displacement, the encampment of victims and the distribution of assistance rarely take into account the long-term needs regarding resettlement, reintegration, and durable solutions.

Sadikh Niass, Coordinator,
West African Refugees and Internally
Displaced Persons Network (WARIPNET), Senegal

committed against the displaced. Through advocacy activities, NGOs drew attention to gaps in governmental and international responses to internal displacement, and contributed to the development of a comprehensive response. NGO

networks such as WARIPNET enabled civil society actors to share knowledge and best practices, and helped harmonize responses to displacement across the region. Regional harmonization was acknowledged as essential to successful responses to both internal and

cross-border displacement in West Africa. Participants discussed the problem of competition among civil society organizations, and effective approaches national governments could take to promote cooperation and the effective use of limited donor resources. For example, in Sierra Leone the government had established a National Relief and Emergency Commission which convened regular meetings to coordinate the humanitarian response and reduce the unnecessary duplication of efforts. Once the emergency response phase passed, longer-term coordinating bodies were created, such as the National Child Protection Committee. The importance of political will to bring government and civil society actors together was underscored.

Several persistent challenges for civil society organizations were recognized, such as under-funding and lack of access to the affected populations. Beyond basic training, capacity building for civil society organizations needed to address institutional development including strategic planning, auditing, resource mobilization, public-private partnerships, and the effective use of communications tools. Capacity building activities needed to be accessible not only to civil society leaders, but also to government officials as well as the communities hosting IDPs. Participants cautioned against taking a “top down” approach that fostered dependence on assistance from NGOs and international agencies amongst IDP populations. Instead, humanitarian and development interventions needed to promote self-reliance and sustainability at the grassroots, amongst both the internally displaced and host populations.

Protection and Assistance for the Displaced

Moderator:

Coffi Brouz, Coordinateur, Service d'aide et d'assistance au réfugiés et apatrides, Côte d'Ivoire

Presenters:

Iris Meierhans, Communication Delegate, International Committee of the Red Cross, Nigeria

Chuma Lwanwa, Training Specialist, United Nations Integrated Office for Sierra Leone

Nathan Byamukama, Director of Monitoring and Treaties, Uganda Human Rights Commission

Mohamed Touré, Administrateur des affaires sociales, Réseau Migration et Urbanisation en Afrique de l'Ouest (REMUAO)

Given West Africa's long history of armed violence, protection and assistance to the displaced during and in the aftermath of conflict was a principal concern for the sub-region. In times of armed conflict, the displacement of civilians was often an indication of warring parties' indifference to the protection of civilians or, worse, of their willingness to manipulate and attack civilians for political or military ends. Participants recognized the need to promote and uphold the *Guiding Principles*, international humanitarian law and other national and international laws to ensure the legal protection of IDPs and those at risk of displacement. The binding nature of international humanitarian law for state and non-state actors alike was emphasized.

Displacement rendered civilians increasingly vulnerable to impoverishment and abuse by undermining their community support systems and their ability to meet their most basic needs. Participants recognized that IDPs were entitled to receive assistance and protection particular to their needs, and noted that major protection issues for IDPs in West Africa included tensions between host and displaced populations; sexual and gender-based violence; the separation of family members; the exploitation of unaccompanied children; and the use of displacement as a method of warfare.

Iris Meierhans of the International Committee of the Red Cross (ICRC) discussed the operational approach to protection and assistance taken by the ICRC. The ICRC, she explained, aimed to meet the most urgent humanitarian needs of both the displaced population and the local community, and had found that a holistic, flexible and multi-disciplinary approach tailored to the specific needs of civilians, including IDPs, was the most efficient. An effective response required the ability to deploy rapidly and operate in emergency settings, as well as to meet long-term commitments. Protection activities of the ICRC aimed to prevent and halt violations of human rights and humanitarian law, and addressed the causes of abuse, not only their consequences. Key protection activities included: making confidential approaches to the authorities or armed groups to persuade them to respect their obligations under humanitarian law; facilitating the conclusion of agreements on humanitarian issues; reuniting separated families; exchanging messages between separated family members; and tracing missing persons. Other essential protection initiatives consisted of escorting IDPs across hostile terrain, helping IDPs regain their self-sufficiency, and assessing conditions in return communities.

Participants underlined the importance of integrating protection objectives into the design of assistance programs. Effective and appropriate assistance programs enabled IDPs to maintain an adequate standard of living as close as possible to their socio-cultural context. It was stressed that, as much as possible, assistance activities should support the relevant local authorities and community structures, and preserve the dignity of the recipients by considering their views. Interventions should promote self-reliance; bolster existing coping mechanisms; and endeavor not to increase disparities between local residents and IDPs, which could foster hostility. In order to ensure the effective use of limited assistance resources, participants stressed the importance of carrying out reliable registration programs, and collecting holistic data on IDPs as well as on the characteristics and needs of host and return communities. Clear communication with the recipients of assistance programs was essential to avoid raising unrealistic expectations amongst recipient communities and ensuring that assistance programs addressed the needs of the displaced.

To achieve sustainable livelihoods, we need to provide IDPs with strategic answers. At the local level this will involve developing a methodology, starting with prevention, and once displacement occurs, conducting comprehensive data collection exercises.

Gervais Koffi, Head, Projet Rehabilitation
Communautaire, CARE, Côte d'Ivoire

Major challenges remained for humanitarian actors in West Africa. In addition to coordination concerns, it was noted that humanitarian actors had difficulty accessing the displaced. This was a result of political obstructionism, geographical or administrative

constraints, and the presence of landmines. The safety of humanitarian workers was also a major concern. Operations could not be conducted in a sustained or effective manner if security was inadequate or if warring parties did not understand and accept the role of humanitarian workers. Funding was also a recurring challenge, particularly in situations that were not of significant strategic interest, or fell outside the media spotlight. Participants urged international actors to partner with the media to draw attention to the plight of IDPs in such situations, and leverage greater financial support for protection and assistance efforts. In addition, participants recognized the need to share information and lessons among partners, and highlighted the experiences of the IDP Protection Network in Côte d'Ivoire, an initiative developed by OCHA. The network linked IDP protection issues with other key protection concerns such as the recruitment of child soldiers. By establishing protection sub-groups, exchanging information and mapping the responsibilities taken on by different agencies, the network built momentum and capacity for effective responses.

Presenters and participants agreed that peacekeeping missions played an essential role in stabilizing the sub-region and ensuring protection and assistance reached vulnerable populations including IDPs. Yet, West Africa's experience with peacekeeping was troubled. Too often, troops that were trained for military combat were deployed on peacekeeping missions without the humanitarian skills necessary to protect the displaced. Identifying IDPs and other vulnerable populations had proven to be a challenge, resulting in ineffective distribution of protection and assistance services. Participants stressed that peacekeepers had to know who the displaced were and what rights they had in order to be responsive at a tactical level. This required information sharing and, as emphasized by Emma Birikorang of the Kofi Annan International Peacekeeping Training Centre,

It is difficult to organize the training of peacekeepers once they are in the field. However, if individual states organized human rights training programs before the peacekeepers were deployed, this would help ensure that the training was more effective and comprehensive.

Emma Birikorang, Programme Coordinator, Conflict Prevention, Management and Resolution Department
Kofi Annan International Peacekeeping Training Centre

increased pre-deployment and in-mission training on human rights issues in general, and IDP concerns in particular. Rigorous training should be offered to national military instructors, who would in turn work with their military hierarchies to institutionalize a

rights-based approach to peacekeeping. Special attention needed to be paid to preparing the officers leading peace operations, and ensuring that a human rights expert was integrated into every peacekeeping team. The role of this expert was to mainstream human rights principles into the message and operations of the mission. Training opportunities were also required for national security officials and police who supported peacekeepers or had principal responsibility for the physical security of IDPs when peacekeeping missions were not deployed or were suspended.

Above all, participants emphasized that the attitude and behavior of individual peacekeepers had to reflect respect for human rights. In the past, peacekeepers in the ECOWAS sub-region had been complicit in forced marriages and sexual violence and exploitation, including rape. In addition, many peacekeepers fathered children with local

women and failed to provide them with adequate support. Cases of exploitation and abuse demanded rigorous sanctions, and a greater number of secure channels needed to be open for IDPs to raise complaints. Lessons learned regarding effective training and monitoring approaches to prevent these violations should be shared among different regions of Africa. National human rights institutions (NHRIs) could also make a valuable contribution to protecting IDPs' rights. As demonstrated by the experience of the Uganda Human Rights Commission, NHRIs could help uphold the rights of the internally

The Commission [on Human Rights] advocated for a law and policy on IDPs. The Commission worked hand in hand with the Office of the Prime Minister to develop an IDP Policy...the Commission now remains with the duty of monitoring the implementation of the Policy.

*Nathan Byamukama, Director of Monitoring and Treaties,
Uganda Human Rights Commission*

displaced by working within camps; receiving and investigating complaints; carrying out training and civic education activities; facilitating the exchange of information among stakeholders; reporting to parliament; and monitoring governmental compliance with international treaty obligations. If so mandated, NHRIs could also use quasi-judicial powers to provide remedies such as compensation to the victims of human rights abuses. NHRIs could advise on mainstreaming IDP issues into national laws, and developing specific national policies on internal displacement. Indeed, NHRIs should be given a robust role under such policies.

Where displacement was principally confined to one region of a country, as it was in Northern Uganda, NHRIs could help make the issue a national concern meriting the attention of authorities and the mobilization of resources. By working with the media, NHRIs could ensure issues of internal displacement were debated in the public domain, and that the government's progress and inefficiencies in addressing the issue were documented and discussed. NHRIs also served to uphold IDPs' democratic rights. For instance, IDPs in Northern Uganda were concerned they would be further marginalized for having voted predominantly against the government in the country's last elections. The Uganda Human Rights Commission communicated with the government regarding the IDPs' concerns, and received assurances that the population would not be penalized for expressing their democratic preferences. Participants recommended increased inter-regional dialogue among NHRIs, so that human rights bodies in the ECOWAS sub-region could learn from the strategies of other NHRIs working to protect IDPs.

Risks and Vulnerabilities Needing Special Attention

Moderator:

Musa Mboob, Director General of Immigration, Gambia

Presenters:

Gloria Bayoh, Publicity, Research and Documentation Manager, Forum for African Women Educationalists, Sierra Leone Chapter

Ibrahima Diouf, Special Adviser to Executive Secretary on Child Protection, ECOWAS Secretariat

Oscar Mundia, Head of Section, IDP Unit, United Nations Mission in Liberia

Participants from across the sub-region shared serious concerns regarding the often extreme vulnerabilities faced by displaced women and children, as well as elderly and disabled IDPs. Women and girls constituted the majority of the sub-region's population. They suffered from marginalization, especially in urban environments and particularly in times of conflict. Deliberate and systematic violence against women was an integral part of many armed conflicts in the sub-region, a problem that was exacerbated by cultural resistance to talking openly about rape and sexual assault. Sexual and gender-based violence left many survivors traumatized or grappling with deep psychological scars. In Sierra Leone, 70 percent of internally displaced girls who experienced sexual assault were abused by members of their own families, or aid workers in camps. The abuse of women and girl soldiers was also rampant. Across the region many peacekeepers and humanitarian workers pressured female IDPs to have sex in exchange for material aid; most of the victims of this exploitation were minors. This eroded trust and fostered aggressiveness, shock and hopelessness amongst many survivors. These problems were compounded by the fact that women and girls were most at risk of dismemberment, a crime carried out by rebels in Sierra Leone to terrorize and control civilian populations.

Problems of domestic violence against IDP women were also highlighted. During the conflicts in West Africa, many displaced women served as heads of households as their husbands and fathers were away fighting. Many of these women developed new professional skills and became independent and economically-self reliant. Following family reunification, these women often suffered domestic violence from male family members unwilling to accept changes in traditional gender roles.

In addition to the threat of sexual abuse and exploitation, displaced children were at increased risk of forced recruitment, child labor and participation in crime. During displacement and following return and resettlement, IDP children often faced heightened vulnerability to impoverishment and lack of access to education and healthcare. These risks were especially severe for separated or unaccompanied children and pregnant girls. While international and regional standards such as the Convention on the Rights of the Child and the ECOWAS instrument on children's rights clearly set out the rights of displaced and non-displaced children alike, too often these agreements were not implemented, which in turn increased the vulnerabilities IDP children faced as adolescents and young adults.

Too often, participants noted, effective protection strategies for IDP children in West Africa were stymied by governments' lack of resources. Furthermore, in many parts of the sub-region, there was a lack of professionals, including social workers, with the specialized training necessary to adequately address the needs of IDP children, including former child combatants. Training on children's rights was urgently needed for non-state actors controlling territory in countries such as Côte d'Ivoire. The value of qualified national task forces focusing on children's rights was underscored, and participants commended the establishment of a task force in Côte d'Ivoire on children and armed conflict in areas controlled by non-state actors.

It was recognized that IDPs living in urban areas often faced "special and serious challenges", which exacerbated the other risks and vulnerabilities facing the displaced. Many IDPs in cities such as Monrovia were originally from rural communities, and lacked the skills to sustain themselves and integrate into the sub-region's diverse and often troubled cities. IDPs unfamiliar with urban environments suffered heightened exposure to "urban ills" such as rape, child abuse, alcoholism, forced marriages and recruitment into prostitution. Many IDPs living in West African cities took shelter in drastically overcrowded, unsafe buildings where girls and women were at particularly high risk of assault. Participants recognized that these problems affected not only IDP communities, but entire cities and countries struggling to recover from conflict.

Various approaches to tackling and mitigating the risks and vulnerabilities borne by IDPs were discussed. Participants reiterated that improved data collection, monitoring and consultation processes were essential to productive advocacy on the rights of displaced women and children, and to the development of effective strategies to meet their needs. Specialized medical and psychosocial services were required for the survivors of sexual and gender-based violence. Court processes or truth and reconciliation commissions were also important to acknowledge the injustices committed against vulnerable populations, and provide support to survivors struggling to rebuild their lives.

Despite the fact that most of the IDP and refugee girls had ... been abducted or raped by the combatants...they also faced problems like domestic violence, rape, teenage pregnancies, prostitution, lack of educational facilities etc in their displaced camps.

Gloria Bayoh, Publicity, Research and Documentation Manager, Forum for African Women Educationalists, Sierra Leone Chapter

Calls were raised for increased support and protection for women and children during return, resettlement and reintegration processes. Greater efforts were required to combat domestic violence and ensure that IDP women could preserve and enhance the professional and livelihood skills they developed while displaced. Durable solutions needed to be presented in ways that children could understand, in order to ensure that they were aware of the existence of alternatives to continued displacement or taking up arms as child soldiers. Moreover, increased support was essential in return and resettlement communities to prevent abuse, discrimination and exploitation of IDP children, particularly former combatants.

Participants recommended increased support for family reunification programs, and emphasized the need to provide care for unaccompanied children in a way that emulated family life, as families were the key social structure for child protection and development. Various presenters also advocated for the integration of provisions on displaced children into national child protection laws. Equally, participants urged ECOWAS member states to complete the ratification processes for international, regional and sub-regional human rights instruments. The ECOWAS Peer Review Mechanism should be applied to promote the protection of IDP children.

Towards Durable Solutions: Return, Resettlement and Reintegration

Moderator:

Melvin Dennis, Program Officer, Refugee Repatriation and Resettlement Commission, Liberia

Presenters:

Mohamed Lamin Kamara, Deputy Minister of Foreign Affairs and International Cooperation, Sierra Leone

Aisha Laraba Abdullahi, Commissioner for Special Duties, Bauchi State, Nigeria

Abdulrahman Abubakar, Secretary, Plateau United Internally Displaced Persons, Bauchi State Chapter, Nigeria

Ibrahim Hassa Hadejia, Deputy Governor, Jigawa State, Nigeria

Gervais Koffi, Head, Projet Rehabilitation Communautaire, CARE, Côte d'Ivoire

Ensuring durable solutions to displacement was recognized by presenters as a critical challenge in West Africa particularly given the recent conclusion of a number of key peace agreements and the growing recognition that ending displacement was essential to the consolidation of peace. While return was often the durable solution of choice for IDPs in West Africa, participants reiterated that IDPs had the right to choose whether to return, remain in their host communities or resettle elsewhere in the country.

The challenges associated with providing durable solutions in the wake of conflict and natural disasters were illustrated by presentations on the experiences of Sierra Leone and Nigeria. Experiences in Sierra Leone demonstrated the importance of taking an integrated approach to durable solutions for IDPs, refugees and former combatants. Mr Mohamed Lamin Kamara, Deputy Foreign Minister of Sierra Leone, explained that once the conflict in that country had ended, durable solutions for an estimated 3.5 million refugees and IDPs were promoted through cooperation between civil society, donors and international agencies. The Sierra Leonean government's ownership of the process was considered an essential ingredient for success. In particular, the government established governmental institutions, such as the National Commission for Social Action (NaCSA), with responsibility for supervising, coordinating, and planning for durable solutions. These bodies and their mandates evolved in accordance with the changing needs on the ground. Drawing on instruments including the *Guiding Principles on Internal*

Displacement, the NaCSA took a rights-based approach to durable solutions, reflected in its key policy documents such as the Resettlement Strategy.

Major challenges included stabilizing food prices; restoring security and public services; developing a culture of respect for human rights; and raising awareness of HIV/AIDS and other sexually transmitted diseases that threatened the sustainability of the reconstruction process. Recognizing that failure to adopt a community-based approach to assistance would compound reconciliation problems, the government adopted a policy of support which actively engaged IDPs and their neighbors in camp management and resettlement committees. Social services and state building were acknowledged as essential to the sustainability of solutions to displacement. Accordingly, the government matched support for durable solutions with a reform process focused on retraining and equipping the army and police; reforming the legal, judicial and local government systems; and updating national macro-economic policies. Initiatives were also introduced to address accountability, impunity, reparations and reconciliation.

Our experience has shown that without adequately addressing the needs of these three categories [refugees/returnees/fighters], there would be no sustainable resettlement, rehabilitation, reconciliation and reintegration.

Mohamed Lamin Kamara, Deputy Minister of Foreign Affairs and International Cooperation, Sierra Leone

Although significant progress had been made, it was recognized that serious problems remained in Sierra Leone including insecurity; donor dependency; inflation; lack of teachers, doctors, lawyers and magistrates in return communities; youth unemployment; and insufficient focus on livelihoods and grassroots economic sustainability. Experiences in Sierra Leone suggested that inconsistencies at the regional level in implementing disarmament, demobilization and reintegration programs created rifts in the peace process which could be capitalized on by rebels, causing further national and regional insecurity. This signaled the need for increased support to regional DDR initiatives. As return, resettlement and reintegration represented long-term challenges, particularly for post-conflict governments with limited capacities. The experiences of Sierra Leone confirmed the need for reliable, annually-distributed, long-term donor support.

While Sierra Leone’s experiences pertained to post-conflict durable solutions, Nigeria grappled with supporting return, resettlement and reintegration following both communal conflict and natural disasters. In 2004, Bauchi state experienced an influx of more than 45,000 IDPs following ethno-religious conflict in Plateau state. In response to this crisis, within 48 hours the Bauchi state government commenced an emergency relief operation through the State Emergency Management Agency. During the operation, the Bauchi government created a task force committee, which was mandated to resettle and integrate all IDPs who wished to remain in Bauchi state. The committee met with officials and leaders from host communities as well as IDPs, and began gathering comprehensive data on the displaced population. IDPs were also questioned regarding their intention to return to Plateau state. Most expressed their unwillingness to return, in light of their traumatic experiences in Plateau state, their shaken confidence in the willingness and

ability of the state authorities to ensure security; and their high expectations for the Bauchi state government resettlement program.

The task force committee began planning for the resettlement of 25,000 IDPs. This involved securing, clearing and demarcating resettlement land, creating bore-holes, instigating vocational training and micro-credit programs, distributing construction materials, and planning for infrastructure and social services. Efforts to build shelters,

To accommodate the large number of children of primary school age among the IDPs, additional classroom blocks will be built.

*Aisha Laraba Abdullahi,
Commissioner for Special Duties,
Bauchi State, Nigeria*

infrastructure and schools and provide electricity were hampered by inadequate funding. As this was the first time the state had been involved in emergency response and resettlement on such a large scale, the experience

yielded valuable insights, such as the need for better resourced emergency management agencies not only nationally, but also at the state and local government levels. Adequate funding, equipment and staff were required. In addition to awareness-raising campaigns on the importance of inter-ethnic tolerance and peaceful coexistence, there was also a marked need for justice to be served to ensure that past wrongs were addressed. This could involve, for example, providing compensation and holding the perpetrators of ethnic violence to account. Participants called for action on the sub-regional level to counter bias and a lack of accountability in national justice systems, and to facilitate IDPs' access to these systems.

Jigawa state's resettlement program focused on responding to displacement caused by fires and perennial flooding. Most of those forced from their homes by the fires and floods were particularly poor, and had experienced multiple displacements as they lived in inherently disaster-prone areas such as near river banks, in haphazardly built homes. Since 1999, Jigawa had supported five major resettlement projects. From the outset, the focus was on resettlement, as the state sought to discourage the displaced from returning to unsafe areas. The approach in Jigawa centered on establishing new villages and providing IDPs with access to housing in these communities. Homes and villages were created according to culturally appropriate designs with local materials. A "sweat equity" program was devised that provided IDPs with the necessary building materials for their homes, in exchange for their labor in the construction process. Provisions were made to ensure that elderly people and widows who were unable to contribute their labor for construction still benefited from the scheme. The sweat equity approach necessitated extensive negotiations with the recipients, but eventually ensured community "buy-in" while enabling the IDPs to develop new construction skills. IDPs who participated in the program formed cooperatives so they could work for other local projects, and were graded and paid by local skills acquisition centers according to proficiency. At the end of the construction process, the IDPs were presented with occupancy certificates, which provided security of tenure and increased IDPs' trust in the state's support for the project. Jigawa state's community-based approach to resettlement was recognized as a sustainable and empowering model. So successful was the program that the state's social housing initiative adopted it in its own work.

The theme of reintegration and sustainable livelihoods was further developed by participants who highlighted the need to begin planning for durable solutions with an examination of the historical origins of conflict at different levels of society. Participants considered that it was only by responding to these causes of conflict and displacement that reintegration could be sustainable. Equally, participants emphasized the importance of confronting the socio-economic issues that give rise to displacement and threaten the durability of return, resettlement and reintegration processes. These analyses should involve the active participation of IDPs, and cooperation between all the different agencies involved in reintegration programs.

Experiences in Côte d'Ivoire and Liberia suggested that resolving land disputes and questions of land tenure were essential to enabling reintegration and sustainable livelihoods. For example, even after camp closures, many Liberian IDPs continued to live on private land where camps had existed. These IDPs were at risk of exploitation from landlords if their tenure situation was not regularized. In Côte d'Ivoire, providing

There are 10-15 000 people living in public buildings. They are not properly counted. We need to know their needs, profile, where they come from, whether they want to stay, if they need assistance.

Oscar Mundia, Head of Section, IDP Unit,
United Nations Mission in Liberia

training in mediation and negotiation proved to be a valuable way to avoid and resolve land disputes in return communities. Similarly, promoting local peacebuilding traditions and cooperative economic projects helped consolidate reconciliation and paved the way for productive reintegration. Grassroots “early warning systems” were also recommended to identify emerging conflicts and address them locally before they threatened broader reintegration and community development processes.

The Role of ECOWAS and the African Union

Moderator:
Marie-Thérèse Keita, Senior Human Rights Advisor, United Nations Office for West Africa

Presenters:
Olu Arowobusoye, Director, Department of Humanitarian Affairs, ECOWAS Secretariat
Bahame Tom Nyanduga, Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa, African Commission on Human and Peoples’ Rights

Participants applauded the leadership of ECOWAS, the African Union and the African Commission on Human and Peoples’ Rights in bolstering national responses to internal displacement, and supporting efforts to combat the problem at the regional and sub-regional levels.

At the sub-regional level, ECOWAS applied a combination of political, diplomatic and military approaches to respond to issues of internal displacement, placing emphasis on prevention, particularly through youth employment and livelihood programs as well as early warning, mediation and arbitration efforts spearheaded by the ECOWAS Observation and Monitoring Centre and the Council of Elders. Where conflict prevention was not successful, ECOWAS had deployed peacekeepers, and was in the process of fine tuning stand-by force arrangements. The evolving ECOWAS Emergency Response Unit and the West African Disaster Management Mechanism also held the potential to improve the response to internal displacement in the sub-region. All those involved in these ECOWAS programs required training on IDP issues and the *Guiding Principles*.

ECOWAS continues to deploy efforts to ensure that peace and security reign in the sub region, as, after all, in a peaceful atmosphere, there will hardly be internal displacement.

Olu Aworobusoye, Director, Department of Humanitarian Affairs, ECOWAS Secretariat

Participants urged ECOWAS to further develop its engagement on IDP issues by facilitating the creation of sub-regional networks on internal displacement. ECOWAS and African Union (AU) processes should be used to strengthen inter-regional dialogue on IDP issues. In addition, participants called on ECOWAS to encourage member states to create emergency response mechanisms and focal points for internal displacement. The ECOWAS Secretariat itself was encouraged to appoint a focal person on IDPs in West Africa. Mr Olu Arowobusoye, Director of the Department of Humanitarian Affairs at ECOWAS, suggested that an eminent dignitary could serve in this role, with responsibility for investigating and raising awareness of displacement issues, and promoting improved protection and assistance for IDPs in West Africa.

A number of norms and standards relevant to internal displacement had been developed by the ECOWAS member states, such as the ECOWAS Protocol on Free Movement, the ECOWAS Protocol Relating to the Mechanism on Conflict Prevention, Management, Resolution, Peacekeeping and Security, and the Supplementary Protocol on Democracy and Good Governance. These agreements provided ECOWAS with specialized systems, capacities and mechanisms to respond to the problem of internal displacement, but too often they were not ratified or effectively implemented by member states. ECOWAS governments were urged to complete the ratification processes and implement the agreements conscientiously and promptly.

Participants recognized the need to bolster the limited capacities of the ECOWAS Secretariat, and acknowledged that action on internal displacement through ECOWAS must be prompted by the leadership of the member states. To this end, participants recommended that ECOWAS member states disseminate and examine the recommendations drawn from the First Regional Conference on Internal Displacement in West Africa, and place the issue of internal displacement on the agenda of future ECOWAS and AU Ministerial and Heads of State meetings.

Mr Bahame Tom Nyanduga, the Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa explained his mandate and activities which were acknowledged by the participants as a key African Commission on Human and Peoples' Rights protection mechanism for the sub-region and the African continent overall.

The African Commission is gravely concerned about the vulnerability of IDPs in Africa and therefore believes that the IDP situation in Africa demands much more focused attention from all stakeholders, the state parties in particular.

Bahame Tom Nyanduga, Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa

Established in May 2004, the Special Rapporteur's mandate involved investigating situations of internal displacement; carrying out studies; and improving mechanisms for the protection of IDPs in Africa. The Special Rapporteur focused on integrating the *Guiding*

Principles into the legal systems of African states, and supported the AU's legal framework initiative on IDPs. In addition, the Special Rapporteur advanced recommendations for action based on his fact-finding missions. States were urged to implement these recommendations, as well as those of the RSG. Participants joined the Special Rapporteur in expressing concern that many African states had never submitted national reports on compliance with the African Charter on Human and Peoples' Rights, which hindered effective analysis of how states could uphold their legal obligations towards citizens, including IDPs.

Participants welcomed the AU's efforts to develop a legal framework on internal displacement in Africa, and debated the value of creating a specific instrument on internal displacement in West Africa. ECOWAS member states were urged to examine any potential gaps in the legal framework for IDP protection in the sub-region, and consider the development of a protocol, declaration or plan of action to address internal displacement in West Africa, bearing in mind that such efforts should be linked directly to donor initiatives and support programs to ensure implementation. It was noted that political attitudes towards such initiatives on internal displacement and humanitarian intervention had changed radically over the past decades. While conservative interpretations of the concept of sovereignty once seriously hindered political and legal efforts to protect IDPs and other victims of massive human rights violations, states were increasingly willing to recognize their responsibilities towards their citizens, and the rights and obligations of international actors such as the AU to ensure that these responsibilities were respected.

The International Response

Moderator:

Alsau Sambú, Secrétaire Exécutif, Commission nationale pour les réfugiés

Presenters:

Marc Vincent, Chief, Protection and Policy Section, Internal Displacement Division, UN Office for the Coordination of Humanitarian Affairs (OCHA)

Lisa Fergusson-Nicol, Regional Protection Expert, OCHA

Daouda Fall, Judge, ECOWAS Community Court of Justice

This session addressed the evolving role of the international community in responding to internal displacement, with particular focus on the contributions made by UN agencies. The UN's approach to internal displacement was premised on the recognition that national governments bear primary responsibility for IDPs, but that where national governments could not or would not fulfill this duty, international actors had a right to become involved. Given the complexity and scope of the problem of internal displacement, not only in West Africa but worldwide, a comprehensive response was beyond the capacity of any one organization. Efforts to improve the UN's "collaborative approach" to internal displacement were explained and welcomed, particularly in light of longstanding difficulties regarding predictability, coordination and accountability in the international response.

The collaborative approach aimed to engage a broad range of actors to respond to the needs of IDPs, based on each organization's particular expertise. Under the collaborative approach, the Emergency Response Coordinator was primarily responsible for overseeing international efforts and ensuring they meet the needs of IDPs. The Emergency Response Coordinator was supported by the RSG, OCHA and its Internal Displacement Division, and, at the national level, the UN humanitarian or resident coordinator. The collaborative approach also entailed cooperation with other groups such as national governments, the ICRC and NGOs.

A comprehensive review of this approach completed in 2005 highlighted several critical deficiencies in the system, including inefficiency, inconsistency, and a lack of transparency and accountability. Agencies declined involvement in certain internal displacement situations, leaving IDPs without adequate support. In order to tackle these problems, in 2006 different UN agencies were assigned lead responsibility for various aspects of the response to internal displacement, such as health, nutrition, water and sanitation, early recovery, logistics and emergency telecommunications. In particular, participants applauded UNHCR's decision to accept the lead role for protection, camp coordination and management, and emergency shelter for people internally displaced by armed conflict. It was emphasized that the success of the new approach depended on the development of solid partnerships, reliable needs assessments, comprehensive implementation strategies and consistent monitoring.

While these reforms represented critical improvements to the international response, notable challenges remained. For example, for agencies such as UNHCR, shouldering their new responsibilities required the development of additional capacities, as well as greater financial resources. Other agencies involved in the collaborative approach needed to expand their field presence and emergency response capabilities. Donors also needed to adopt a more coherent approach based on needs assessments and clearly articulated spending priorities. Other changes in the UN system were also expected to have significant implications for IDPs, such as the creation of a peacebuilding commission and the Human Rights Council, and the recognition of the “responsibility to protect” by Heads of State at the 2005 UN Summit. The connection between these developments and the strengthening of the collaborative approach needed to be closely examined and monitored.

Participants discussed the international response to internal displacement in West Africa. UN agencies and international humanitarian and development organizations had been directly involved in providing assistance, protection and reintegration support to IDPs in countries including Côte d’Ivoire, Sierra Leone, Liberia, Senegal, Togo and Guinea

Humanitarian assistance cannot be a substitute for genuine political efforts—at both the national and international levels—to end the conflicts leading to displacement and address their root causes.

Lisa Fergusson-Nicol, Regional Protection Expert, OCHA

Bissau. The IDP Protection Network in Côte d’Ivoire was identified as an innovative approach to improving the international response to internal displacement, and participants

recommended that the lessons learned through this experience be shared across the region. Participants emphasized that inadequate data and financial support undermined not only national but also international efforts to take responsibility for internal displacement. Protection activities were consistently under-resourced in West Africa. For instance, in the 2005 Consolidated Appeals Process, approximately US\$ 5.5 million was requested for protection activities for conflict-affected populations, including IDPs, in West Africa. Only 11% of this figure was actually received. In light of this glaring shortage, participants recommended more concerted support for protection as an indispensable aspect of the international response. Participants also underlined the need to step up efforts to provide IDPs with food, shelter, health care and reconstruction support in ways that did not foster dependence, but promoted self-reliance and community sustainability. However, it was also acknowledged that humanitarian assistance could not substitute for advocacy and genuine political efforts at the national and international levels to address the root causes of displacement and negotiate an end to the conflicts that forced IDPs from their homes.

Conclusions

Moderator:

Walter Kälin, Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons

Presenters:

Jessica Wyndham, Brookings Institution-University of Bern Project on Internal Displacement

Megan Bradley, Brookings Institution-University of Bern Project on Internal Displacement

Dayo Oluyemi-Kusa, Director-General, Institute for Peace and Conflict Resolution, Nigeria

Closing Remarks:

Colonel Mahamane Toure, Deputy Executive Secretary, Political Affairs, Defence and Security, ECOWAS Secretariat

Marie-Christine Bocoum, Deputy-Director, Africa Bureau, UNHCR

Walter Kälin, Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons and Co-Director, Brookings Institution-University of Bern Project on Internal Displacement

Vote of Thanks:

Moremi Soyinka-Onijala, Special Assistant to the President, Migration and Humanitarian Affairs, Nigeria

Participants welcomed the rapporteurs' summary of the deliberations and the recommendations voiced during the conference. They also expressed broad support for the Communiqué of the First Regional Conference on Internal Displacement in West Africa. Several participants highlighted activities they intended to undertake as immediate follow-up to the meeting. These activities included: disseminating the findings of the conference amongst colleagues; channelling the conference recommendations into upcoming ECOWAS Ministerial meetings and sessions of the African Commission on Human and Peoples' Rights; and integrating IDP issues into ongoing training programs and civil society initiatives on conflict prevention and disaster management. Participants underlined their desire to continue the dialogue and advance cooperative programs on internal displacement at the sub-regional level. Various governmental representatives expressed their intention to meet again after the conference to develop a collaborative approach to the management of internal displacement in their countries.

The host and co-sponsors expressed their sincere thanks to the participants and the manifold supporters of the conference. The co-sponsors assured the forum of their continued willingness to support ECOWAS-led efforts to address the needs of IDPs in

the sub-region. The closing speakers also reflected on the need for continued, strengthened collaboration between national governments, civil society, donors, and sub-regional, regional and international organizations to raise awareness of internal displacement in West Africa, and address both its root causes and consequences. The participants' readiness to acknowledge national responsibility for internal displacement and engage in frank dialogue with a wide range of stakeholders boded well for the implementation of the conference's recommendations for action.

Recommendations for Action

The following recommendations are based on the recognition that national governments bear primary responsibility for IDPs, but that civil society groups and donors as well as sub-regional, regional and international organizations also have essential roles to play in addressing internal displacement in West Africa. They reflect the strong consensus among participants that the vulnerabilities of the internally displaced must be acknowledged and responded to.

Recommendations for the national level

- **Promote and disseminate the Guiding Principles on Internal Displacement.** Acknowledged and accepted as the basic norm and framework for addressing internal displacement within the ECOWAS sub-region, the *Guiding Principles* should be widely disseminated and promoted across West Africa. Personnel of all relevant organizations and institutions should be trained in the *Guiding Principles*. Efforts should also be made to popularize international human rights, humanitarian and refugee law in the sub-region and ensure that IDPs themselves are aware of their rights.
- **Develop national laws and policies on internal displacement based on the Guiding Principles on Internal Displacement.** National laws, policies and plans of action should be based on the *Guiding Principles on Internal Displacement* and should be developed with the support of the highest levels of government. They should be developed through a process of broad consultation and reflect a consensus at the national level on how best to address the particular protection and assistance needs of internally displaced persons. All causes and phases of displacement should be addressed.
- **Implement legal obligations relating to the internally displaced.** States should ratify, implement and monitor international, regional and sub-regional human rights and humanitarian instruments relating to internal displacement. States should implement the recommendations of fact-finding missions of the international, regional and sub-regional human rights mechanisms related to internal displacement, such as the Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa and the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons.
- **Build the capacity of national institutions and civil society organizations to address internal displacement.** Capacity building should go beyond basic training to address issues of institutional development including strategic planning, auditing, resource mobilization, public-private partnerships, and the effective use of communications tools.

- **Address the root causes of internal displacement.** Activities should be developed to prevent and tackle the root causes of internal displacement. These activities should address reconciliation and peace-building, poverty alleviation, accountable governance and natural disaster mitigation. Early warning systems should also be developed.
- **Engage all stakeholders, in particular IDPs, in decision-making and implementation processes regarding internal displacement.** Decision-making processes and the implementation of programs on internal displacement should involve the active consultation and participation of the full range of stakeholders, and particularly IDPs themselves. IDPs should also have the opportunity to take part in deliberations on internal displacement at all levels.
- **Strengthen efforts to address the specific needs of IDPs with increased vulnerability.** Among internally displaced persons, women, children, the elderly, and the disabled may have special needs which should be identified and addressed during all phases of displacement and in all contexts, including camps and urban environments.
- **Ensure protection and assistance programs address the needs of host communities.** Host communities make invaluable contributions to assisting the internally displaced. Responses to internal displacement must take into account not only the needs of IDPs, but also the concerns of the families and communities that provide them shelter.
- **Facilitate humanitarian access to the internally displaced.** States should ensure that civil society partners and international agencies have safe and unhindered access to internally displaced populations requiring protection and assistance.
- **Enhance protection and empowerment of IDP women.** While displaced many IDP women develop valuable professional and livelihood skills, particularly as heads of households. Greater efforts are required to ensure that IDP women can preserve and continue to develop these skills following return, resettlement and family reunification. Domestic violence against IDP women and the health and psychosocial needs of the survivors of sexual abuse also require increased attention from national authorities and NGOs.
- **Promote IDPs' access to justice and reconciliation processes.** Legal redress and reconciliation is essential to promote social cohesion and the sustainability of returns. IDPs' access to national justice systems should be facilitated and every effort should be made to combat impunity for human rights violations. Community-based approaches to reconciliation such as cooperative economic projects should also be pursued.

- **Improve data collection on internal displacement in West Africa.** Relevant state authorities, in conjunction with civil society organizations, academic institutions and international agencies should collaborate to improve methods of gathering, analyzing and disseminating data on the location, condition and needs of IDPs and the communities in which they live. When appropriate, the internally displaced should be registered in conditions that do not threaten their security or undermine their privacy.
- **Seek and apportion adequate resources for internal displacement.** Human and material resources are required in order for states to meet their obligations towards internally displaced persons. Allocations for IDP programs should be made in national budgets, and opportunities for public-private funding partnerships should be explored. International donors should provide consistent and reliable support.
- **Provide durable solutions to internal displacement.** A comprehensive approach to durable solutions is required that addresses the original causes of displacement as well as the vulnerability of IDPs and the communities in which they may be receiving shelter. In order to ensure the sustainability of return, resettlement and reintegration, post-conflict transition programs should be implemented, as well as land tenure reform and employment generation programs. In particular, youth unemployment should be addressed and skills training provided.
- **Respect the right of the internally displaced to freedom of choice regarding durable solutions.** Internally displaced persons have the right to choose whether to return, resettle or integrate locally. In order to make an informed choice, the displaced must be provided with accurate and comprehensive information about places of return, resettlement and reintegration, including the security situation and availability and adequacy of basic services and infrastructure.
- **Improve protection and access to durable solutions for IDP children.** Increased support should be directed towards family reunification programs to lessen the risk of recruitment of IDP children into armed forces. Provisions on displaced children should be integrated into national child protection laws, and the ECOWAS Peer Review Mechanism should be applied to promote the protection of IDP children. Durable solutions should be presented in a way that children can understand, and support should be provided in return and resettlement communities to ensure that displaced children are able to integrate without risk of abuse, discrimination or exploitation. Specialized training should be provided to improve services for displaced children, particularly child combatants.
- **Ensure clear and effective coordination among stakeholders.** Organizations at the governmental, non-governmental, regional and international levels should coordinate their activities to ensure a comprehensive approach to internal displacement that avoids duplication of efforts and the inefficient use of resources. To this end, each ECOWAS state should identify a national focal point with responsibility for internal displacement issues.

- **Harmonize responses to internal displacement across the sub-region.** Inconsistency in the implementation of programs for IDPs and other war victims in West Africa erodes the sustainability of return and resettlement, and can undermine disarmament and demobilization processes. Efforts should be made to ensure the equitable treatment of IDPs and other vulnerable populations across the sub-region.
- **Disseminate and implement the recommendations of the First Regional Conference on Internal Displacement in West Africa at upcoming sub-regional fora.** ECOWAS Member States should ensure the conference recommendations are disseminated appropriately, including within ECOWAS mechanisms, particularly at upcoming Ministerial meetings and at the Africa Union Experts Meeting and Ministerial Conference on Refugees, Returnees and Displaced Persons scheduled to take place in Burkina Faso in June 2006.

Recommendations for the ECOWAS sub-region

- **Strengthen the engagement of ECOWAS on issues of internal displacement.** In this context, ECOWAS should place the issue of internal displacement on the agenda of upcoming Ministerial and Heads of State meetings. Member states should consider the development of a protocol, declaration or plan of action to address internal displacement in West Africa. Such efforts should be coordinated with the African Union and linked to donor initiatives, and support should be provided to ensure implementation. In addition, ECOWAS should encourage Member States to create emergency response mechanisms and focal points for internal displacement, and should facilitate the development of networks working on issues of internal displacement.
- **Reinforce the capacity of ECOWAS to advocate on issues of internal displacement.** ECOWAS should appoint a focal point dedicated to addressing issues of internal displacement in West Africa. This person may be an eminent dignitary responsible for raising awareness of displacement issues, investigating situations of displacement, and promoting protection and assistance for IDPs in West Africa.
- **Encourage ratification and implementation of relevant ECOWAS Protocols.** ECOWAS has developed various norms and standards relevant to internal displacement, including the ECOWAS Protocol on Free Movement, the ECOWAS Protocol relating to the Mechanism on Conflict Prevention, Management, Resolutions, Peacekeeping and Security, and the Supplementary Protocol on Good Governance. State commitment to these Protocols should be consolidated through universal ratification. ECOWAS should undertake regular monitoring of the implementation of these instruments.
- **Encourage stronger inter-regional dialogue on issues of internal displacement.** In particular, national human rights institutions from across Africa should meet and compare experiences in addressing internal displacement.

- **Train the ECOWAS Stand-By Force on issues of internal displacement.** ECOWAS has recognized that its stand-by force should be trained in the *Guiding Principles*. Training at all levels should take place before deployment, and reinforced regularly.

Recommendations for the international community

- **Integrate protection issues into the design of peace operations and strengthen the capacity of peacekeepers to respond to internal displacement.** The protection and assistance needs of the internally displaced should form part of any peacekeeping strategy. Peacekeepers, police and security officials should receive training in the *Guiding Principles* before and during deployment. Monitoring is essential to ensure that codes of conduct banning the exploitation of the displaced by peacekeeping forces are rigorously enforced.
- **Ensure that international interventions on behalf of IDPs do not promote dependence but foster self-reliance and community sustainability.** Local activities should include the establishment of community-based early warning mechanisms.
- **Partner with the media to draw attention to the plight of IDPs.** Media coverage should be sought to raise awareness of the challenges IDPs face in West Africa, and to leverage greater financial support for assistance and protection efforts.

APPENDIX A

AGENDA

First Regional Conference on Internal Displacement in West Africa

Hosted by the Government of Nigeria
and co-sponsored by the
United Nations High Commissioner for Refugees (UNHCR)
Economic Community of West African States (ECOWAS)
Representative of the United Nations Secretary-General on the Human Rights of Internally
Displaced Persons, and the
Brookings Institution-University of Bern Project on Internal Displacement

ECOWAS Headquarters
Abuja, Nigeria

April 26-28, 2006

Wednesday, April 26

9.15 AM REGISTRATION

10:30 AM INTRODUCTION OF MEMBERS OF THE HIGH TABLE

10:35AM WELCOMING STATEMENTS

Mrs. Moremi Soyinka – Onijala, Special Assistant to the President,
Migration and Humanitarian Affairs, Nigeria

Colonel Mahamane Toure, Deputy Executive Secretary, Political Affairs,
Defence and Security, Economic Community of West African States
(ECOWAS)

Dr. Walter Kälin, Representative of the United Nations Secretary-General
on the Human Rights of Internally Displaced Persons and Co-Director, the
Brookings Institution-University of Bern Project on Internal Displacement

Ms. Marie-Christine Bocoum, Deputy-Director, Africa Bureau, United
Nations High Commissioner for Refugees (UNHCR)

11:00 AM OVERVIEW OF INTERNAL DISPLACEMENT IN THE ECOWAS REGION

Worldwide, there are some 23.7 million internally displaced persons (“IDPs”) as a result of conflict, ethnic strife and communal violence. In the ECOWAS region, internal displacement has been a long-standing problem, with the total number of IDPs as high as several million at the height of the conflicts in Liberia, Sierra Leone, Guinea, and Côte d’Ivoire. Natural disasters, especially drought and food insecurity also result in displacement, as do development projects. Overall, estimates of how many people are currently internally displaced in West Africa as a result of conflict vary greatly from just over one million to several million. This session will provide an overview of regional displacement trends, with special focus on the different causes of displacement and the particular issues and challenges as well as needs and vulnerabilities that arise for the displaced.

Moderator: Roch Yao Gnabeli, Directeur de la Solidarité et de l’Action Humanitaire, Ministère de la Solidarité et des Victimes de Guerre, Côte d’Ivoire

Presentation

Conflict-induced displacement

Claudia McGoldrick, Senior Country Analyst, Internal Displacement Monitoring Centre

Discussion

12:00 PM Break

12:30 PM NORMATIVE FRAMEWORK OF REFERENCE: THE GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT

This session will focus on the normative framework developed for responding to internal displacement -- the *Guiding Principles on Internal Displacement*. Developed at the request of the United Nations, the *Principles* are based on international humanitarian law and human rights law, as well as refugee law by analogy. The *Guiding Principles* were recognized by the heads of State and Government at the World Summit in September 2005 as an “important international framework for the protection of internally displaced persons”. In addition, ECOWAS governments have in various regional fora welcomed the *Guiding Principles* and called for the development of national laws on internal displacement using the *Guiding Principles* as a framework.

This session will examine how states are using the *Guiding Principles* as a reference and a tool, in particular in the development of national laws and policies. It will also explore how regional bodies, international organizations, NGOs and others have been using the *Principles* in addressing situations of displacement.

Moderator: Alhaji S. S. Makarfi, Director, National Emergency Management Agency, Nigeria

Presentations

The Guiding Principles on Internal Displacement and the West Africa Context

Walter Kälin, Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons

Regional Initiatives in Africa on the Guiding Principles

Betsy Greve, Senior Legal Advisor, Africa Bureau, UNHCR

Discussion

1:30 PM Lunch

2.30 PM NATIONAL RESPONSIBILITY

The responsibility for protecting, assisting and finding durable solutions for internally displaced persons rests first and foremost with national authorities. This session will focus on the national response to internal displacement by examining key steps that national authorities can take to address internal displacement within their borders, whether caused by conflict or natural disaster. Particular attention will be given to initiatives to develop national laws, policies and institutions to address the needs of the internally displaced and to the special role that national human rights commissions can play.

Moderator: Mohamed Lamin Kamara, Deputy Minister of Foreign Affairs and International Cooperation, Sierra Leone

Presentations:

A Framework for National Responsibility

Khalid Koser, Deputy Director, Brookings Institution-University of Bern Project on Internal Displacement

Developing Laws and Policies on Internal Displacement

Dayo Oluyemi-Kusa, Director, Institute for Peace and Conflict Resolution, Nigeria

The Experience of Côte d'Ivoire in Addressing Internal Displacement through a National Institution

Roch Yao Gnabeli, Directeur de la Solidarité et de l'Action Humanitaire, Ministère de la Solidarité et des Victimes de Guerre, Côte d'Ivoire

Discussion

4:30 PM THE ROLE OF NGOS AND CIVIL SOCIETY

The Experience of the Council of Churches in Sierra Leone

Rosina Conteh, Council of Churches in Sierra Leone

A Regional Network: The Experience of WARIPNET

Sadikh Niass, West African Refugees and Internally Displaced Persons Network (WARIPNET)

Discussion

5:30 PM Close of session

7:00 PM Dinner reception hosted by the Government of Nigeria

Thursday, April 27

9:00 AM PROTECTION AND ASSISTANCE FOR THE DISPLACED

Persons forced to flee their homes find themselves in urgent need of food, water, shelter, health services, and other necessities, and in many situations require protection and physical safety as well. This session will address issues of humanitarian access and discuss the challenges of protecting and assisting internally displaced persons in the midst of armed conflict, including in border areas and areas under the control of non-state actors, and the role of peacekeepers. In addition, this session will consider these concerns in the context of natural disasters.

Moderator: Coffi Brouz, Coordinateur, Service d'aide et d'assistance au réfugiés et apatrides, Côte d'Ivoire

Presentations

Protecting and Assisting Displaced Populations in Situations of Armed Conflict

Iris Meierhans, Communication Delegate, International Committee of the Red Cross (ICRC), Nigeria

The Responsibility of Peacekeepers towards IDPs

Chuma Lwanwa, Training Specialist, United Nations Integrated Office for Sierra Leone (UNIOSIL)

The Experience of the Ugandan National Human Rights Commission in Protecting the Rights of Internally Displaced Persons

Nathan Byamukama, Director of Monitoring and Treaties, Ugandan Human Rights Commission

Protection and assistance for the displaced in situations not of armed conflict

Mohamed Touré, Administrateur des affaires sociales, Réseau Migration et Urbanisation en Afrique de l'Ouest (REMUAO)

Discussion

10:30 AM Break

11:00 AM RISKS AND VULNERABILITIES NEEDING SPECIAL ATTENTION

Displacement frequently entails vulnerability to particular risks, especially for women and children, that require special attention. This session will explore how sexual violence and exploitation affect internally displaced persons, both as a consequence and a cause of their displacement. It will also examine the particular protection and reintegration challenges faced by internally displaced children. In addition, it will address the extent to which these particular concerns are being addressed, including in IDP camps as well as urban environments, and identify strategies to improve responses at the national, regional and international levels.

Moderator: Musa Mboob, Director General of Immigration, The Gambia

Presentations:

Sexual and Gender-Based Violence and Exploitation: Prevention and Response

Gloria Bayoh, Publicity, Research and Documentation Manager, Forum for African Women Educationalists, Sierra Leone Chapter

Protection and Reintegration of Internally Displaced Children

Ibrahima Diouf, Special Adviser to Executive Secretary on Child Protection, ECOWAS

IDPs in Urban Environments: Current Challenges

Oscar Mundia, Head of Section, IDP Unit, United Nations Mission in Liberia

Discussion

12:30 PM Lunch

2:00 PM TOWARDS DURABLE SOLUTIONS: RETURN, RESETTLEMENT AND REINTEGRATION

A “durable solution” for internally displaced persons, the ultimate goal in responding to internal displacement, is found when displaced persons are able to resume stable, secure lives by returning to their places of origin or resettling in another part of their country. This session will focus on conditions for safe and voluntary return or resettlement, including protection for returnees, the elements of reintegration, and alternatives to return. Best practices and lessons learned from experiences in the region will be highlighted as well as the importance of promoting the voices of the internally displaced.

Moderator: Melvin Dennis, Program Officer, Refugee Repatriation and Resettlement Commission, Liberia

Presentations:

Experiences from Sierra Leone

Mohamed Lamin Kamara, Deputy Minister of Foreign Affairs and International Cooperation, Sierra Leone

Challenges of Implementing Durable Solutions to Return, Resettlement and Reintegration of Persons Displaced in Nigeria

Conflict-induced displacement

Aisha Laraba Abdullahi, Commissioner for Special Duties, Bauchi State, Nigeria and Abdulrahman Abubakar, Secretary, Plateau United Internally Displaced Persons, Bauchi State Chapter

Natural Disasters

His Excellency Barrister Ibrahim Hassa Hadejia, Deputy Governor of Jigawa State

Reintegration and Promoting Sustainable Livelihoods

Gervais Koffi, Head, Projet Rehabilitation Communautaire,
CARE, Côte d'Ivoire

Discussion

3:30 PM Break

4:00PM THE ROLE OF ECOWAS AND THE AFRICAN UNION

Regional organizations are playing a pivotal role in focusing attention on internal displacement, promoting the *Guiding Principles*, and encouraging collective efforts to find solutions. In this session, the role of ECOWAS will be discussed as well as the experiences of other regional organizations, in particular the African Union.

Moderator: Marie-Thérèse Keita, Senior Human Rights Advisor, United Nations Office for West Africa

Presentations:

The Approach of ECOWAS to Internal Displacement

Olu Arowobusoye, Director, Department of Humanitarian Affairs,
ECOWAS Secretariat

The Role of the African Commission on Human and Peoples' Rights in addressing Internal Displacement

Bahame Tom Nyanduga, Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa

Discussion

7:00 PM Buffet Dinner

Friday, April 28

9:15 AM THE INTERNATIONAL RESPONSE

International humanitarian, human rights and development organizations can be crucial partners in national and regional efforts, in particular in providing assistance, protection and reintegration support to the internally displaced. This session will explore cooperation with UN agencies, international organizations, NGOs, and donor governments as part of a regional response.

Moderator: Alsau Sambú, Secrétaire Exécutif, Commission nationale pour les réfugiés

Presentations:

Internal displacement and the International Response

Marc Vincent, Chief, Protection and Policy Section, Internal Displacement Division, UN Office for the Coordination of Humanitarian Affairs (OCHA)

The Response of the UN to Internal Displacement in West Africa

Lisa Fergusson-Nicol, Regional Protection Expert, OCHA

Developments in the African Union towards Greater Protection of IDPs

Daouda Fall, Judge, ECOWAS Community Court of Justice

Discussion

10:15 AM Break

11:00 AM CONCLUSIONS & RECOMMENDATIONS

This session will review the major conclusions and recommendations of the seminar, including how protection, assistance, reintegration and development needs of internally displaced persons can be most effectively met in the region and the next steps required to implement the recommendations. A communiqué will be issued on the basis of the recommendations adopted.

Moderator: Walter Kälin, Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons

Presentation by Rapporteurs

Megan Bradley and Jessica Wyndham, Brookings Institution-University of Bern Project on Internal Displacement

Reading of Communiqué

Dayo Oluyemi-Kusa, Director-General, Institute for Peace and Conflict Resolution, Nigeria

Discussion, adoption of Communiqué

12:30PM CONCLUDING REMARKS

Colonel Mahamane Toure, Deputy Executive Secretary, Political Affairs, Defence and Security, ECOWAS

Ms. Marie-Christine Bocoum, Deputy-Director, Africa Bureau, UNHCR

Dr. Walter Kälin, Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons and Co-Director, Brookings Institution-University of Bern Project on Internal Displacement

12:45 PM VOTE OF THANKS

Mrs. Moremi Soyinka-Onijala, Special Assistant to the President, Migration and Humanitarian Affairs, Nigeria

1:00 PM Closing Lunch

APPENDIX B

LIST OF PARTICIPANTS

ECOWAS MEMBER STATES

CÔTE D'IVOIRE

- Coffi Brouz
Coordinateur
Service d'aide et d'assistance au réfugiés et apatrides
- Roch Yao Gnabeli
Directeur de la Solidarité et de l'action humanitaire
Ministère de la Solidarité et des victims de guerre

GAMBIA

- Musa Mboob
Director General of Immigration

GHANA

- Representative
High Commission of Ghana

GUINEA

- Nansoko Sekouba

GUINEA-BISSAU

- Alsau Sambú
Secrétaire Exécutif
Commission nationale pour les réfugiés

LIBERIA

- Melvin Dennis
Programme Officer
Liberian Refugee Repatriation and Resettlement Commission

NIGER

- Dan Barma Aboubakar
First Secretary
Embassy of Niger

NIGERIA

- Moremi Soyinka-Onijala
Special Assistant to the President for Migration and Humanitarian Affairs
- Laraba Abdullahi
Commissioner for Special Duties
Bauchi State
- Prince B.B. Agibose
Acting Commissioner
National Commission for Refugees
- John Ejinaka
Director of Programmes
Office of the Special Assistant to the President for Migration and Humanitarian Affairs
- Ibrahim Hassan Hadejia
Deputy Governor
Jigawa State
- Alhaji S.S. Makarfi
Director-General
National Emergency Management Agency

SENEGAL

- Sara Charlotte
OFAUEC/BOSR
- Papa Magueye Diop
Universal Division, Department of International Organizations
Ministry of Foreign Affairs

SIERRA LEONE

- Sidi Bah
Director, Relief and Resettlement
National Commission for Social Action (NaCSA)
- Mohamed Lamin Kamara
Deputy Minister of Foreign Affairs and International Cooperation
Ministry of Foreign Affairs

NATIONAL HUMAN RIGHTS COMMISSIONS

- Nathan Byamukama
Director of Monitoring and Treaties
Ugandan Human Rights Commission
- A. I. Iguh
Chairperson
Nigerian Human Rights Commission
- Kabir Ndiaye
Membre et expert
Comité senegalais des droits de l'homme

REGIONAL ORGANIZATIONS

- Frank Afanyakossou
Observations and Monitoring Centre
ECOWAS Secretariat
- Olu Arowobusoye
Director
Department of Humanitarian Affairs
ECOWAS Secretariat
- Mallam Bobbo Bakary
Analyst
Observations and Monitoring Centre
ECOWAS Secretariat
- Bukari Bello
Chairman
Coordinating Committee of African National Institutions

- Ibrahima Diouf
Special Advisor to Executive Secretary on Child Protection
ECOWAS Secretariat
- Daouda Fall
Judge
ECOWAS Community Court of Justice
- Douaye Faye
Principal Programme Officer
Department of Humanitarian Affairs
ECOWAS Secretariat
- Bahame Tom Nyanduga
Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced
Persons in Africa
African Commission on Human and Peoples' Rights
- Rachel J. Ogbe
Human Development, Education Expert
ECOWAS Secretariat
- Takwa Zebulon Sluton
Liason Officer
ECOWAS Secretariat

INTERNATIONAL ORGANIZATIONS

- Zulqarnain Anjum
Administrative/Programme Officer
UNHCR, Nigeria
- Marie-Christine Bocoum
Deputy Director
Africa Bureau
UNHCR
- Tommaso de Cataldo
Chief of Mission
International Organization for Migration, Nigeria
- Lisa Fergusson-Nicol
Regional Protection Expert
OCHA, Dakar

- Betsy Greve
Senior Legal Advisor
Africa Bureau
UNHCR
- Karen Gulick
Human Rights Officer
UNOG-OHCHR
- Roseline Idowu
Regional Representative
UNHCR, Senegal
- Walter Kälin
Representative of the United Nations Secretary-General on the Human Rights of
Internally Displaced Persons
Co-Director, Brookings Institution-University of Bern Project on Internal
Displacement
- Marie-Thérèse Keita
Senior Human Rights Advisor
UNOWA, Dakar
- Chuma Lwanwa
Training Specialist
Human Rights Section
United Nations Integrated Office for Sierra Leone
- Alphonse Malanda
Representative
UNHCR, Nigeria/ECOWAS
- Iris Meierhans
Communications Delegate
International Committee for the Red Cross, Nigeria
- Brigitte Mukanga-Eno
Protection Officer
UNHCR, Lagos
- Oscar Mundia
Head of Section
IDP Unit
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APPENDIX C

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 the borders of their own countries and are called internally displaced persons ('IDPs'). Around the world, some 23.7 million women, men and children have been internally displaced by conflict, communal violence, and internal strife.² 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 12.1 million persons -- are in Africa, with over 1 million in the fifteen countries comprising the Economic Community of West African States ('ECOWAS').³

Governments have the primary responsibility for addressing the needs of displaced persons within their borders. Indeed, sovereignty is recognized as entailing national responsibility for ensuring the welfare and security of the people 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 the question of internal displacement at the regional level, thereby enabling governments and other relevant actors to develop their thoughts on this issue, review current trends in internal displacement in the region, share experiences and best practices, consider the role and activities that ECOWAS might play in addressing internal displacement, and identify steps that could be taken to enhance policies and practices at the national, regional and international levels.

² Unless otherwise stated, all figures relating to conflict-induced displacement are based on the Norwegian Refugee Council, Internal Displacement Monitoring Centre, *Internal Displacement: Global Overview of Trends and Developments in 2005*, March 2006.

³ Benin, Burkina Faso, Cabo-Verde, Côte-d'Ivoire, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra-Leone and Togo.

Internal Displacement in the ECOWAS Region

Since 1990, West Africa has become one of the sub-regions of Africa most heavily affected by conflict-induced displacement. Such conflict has often been the result of ethnic tensions and rivalries, political instability and disputes over the control of natural resources. In addition, natural disasters and the imperatives of development, including urbanization and the exploitation of natural resources, have resulted in significant displacement of populations. The exact number of IDPs at any one time in West African states is difficult to estimate. There are no precise figures. For purposes of illustration, the following discussion relies on the figures compiled by the United Nations ('UN') and the Internal Displacement Monitoring Centre ('IDMC') of the Norwegian Refugee Council, unless otherwise indicated.

As a result of the outbreak of civil war in Liberia in 1989 and 14 years of intermittent conflict, most Liberians are believed to have fled their homes at one time or another. Many sought refuge in neighboring and other states of West Africa. Others fled to relatives' homes in safer areas of Liberia while a large number fled the conflict to live in internal displacement camps and an unknown number of IDPs fled to the cities. The displacement caused by the 11-year civil war in Sierra Leone was on a similarly large scale. Up to a third of Sierra Leone's population is estimated to have been internally displaced at the height of the conflict which ended in 2002.

The civil wars in neighboring Liberia and Sierra Leone spilled over into Guinea, providing a prime example of the regional nature and destabilizing effect of the conflicts in West Africa. From 2000 to 2001 the Guinean Government began to complain of the infiltration of rebels into refugee camps on its territory and reported the displacement of a large number of people, primarily in the border regions.

Civil war in neighboring Guinea-Bissau caused mass displacement. However, it is believed that since the end of the war in 1999, most of the displaced have returned to their homes. The conflict in Côte d'Ivoire, however, continues and the scale of the displacement is significant. According to a study conducted by the United Nations Population Fund, approximately 1.2 million people were displaced in Côte d'Ivoire as a whole by the end of November 2005. The UN Development Fund for Women ('UNIFEM') has estimated that of the displaced people, 80% are women and children. Similarly, in Sierra Leone, Save the Children UK estimated that 60% of the displaced were children.

Political instability, as well as ethnic tensions and disputes over the management of natural resources, have also brought about situations of internal displacement. In Togo in 2005 the death of former President Gnassingbe Eyadema and subsequent political events led to the displacement of thousands, although many are now believed to have returned. Many thousands more remain in Benin, Burkina Faso and Ghana as refugees or asylum seekers.

Senegal and Nigeria too have witnessed displacement caused by instability. A rebellion in the southern Casamance province of Senegal has led to major displacement. Hopes that these displaced could soon return have diminished since the resurgence of fighting at the beginning of 2006. In Nigeria, the primary causes of conflict-induced displacement have been religious, ethnic and resource-related conflicts. The Nigerian Commission for Refugees claims that Delta state has witnessed the displacement of hundreds of thousands of people, in part because of conflict among different ethnic groups and over oil resources. In addition, the Commission claims that ethnic tensions as recently as March 2006, particularly in the south-eastern provinces of Nigeria, led to significant displacement.

Now that the civil wars in Sierra Leone and Liberia have officially ended and the instability in Togo has abated, the return and resettlement of IDPs and refugees have become priorities in each of these countries. In Sierra Leone, return and resettlement of IDPs, as well as refugees and ex-combatants, was carried out in accordance with a Resettlement Strategy developed by the Government. According to UN figures, all IDPs in Sierra Leone returned to their places of residence by the end of 2002. Similarly, in 2004, the Government of Liberia, with the support of the international community, took the important step of adopting a national policy framework designed to address all aspects of rehabilitation, including IDP and refugee returns. The return of IDPs from camps in Liberia is scheduled to be completed by April 2006. Togo also has developed a National Action Plan addressing return and reintegration and as mentioned earlier, the number of IDPs in Togo has decreased significantly since early 2005.

The way in which return and resettlement have been carried out raises some important issues. First, return or resettlement should be in accordance with international standards and be voluntary. Displaced persons must never be forced to return to their homes. Second, return should only be encouraged when the area of return is safe enough to receive returning IDPs. As is the case in the Casamance in Senegal, land mines may render large tracts of land unusable and uninhabitable. Or as has been the case in other countries, some areas of resettlement may be prematurely declared safe. Finally, in order for return and resettlement to be comprehensive, it is important to identify *all* those populations and individuals who have been displaced, be they in camps, with host families or merged into cities. This means that all IDPs should be eligible to receive resettlement packages.

One of the greatest challenges currently faced by those countries recovering from conflict is to develop in places of return and resettlement sufficient infrastructure and other conditions necessary for the development of livelihoods, thereby creating durable solutions. Failure to create the conditions for successful return or reintegration may lead some IDPs either not to return or to return only temporarily, going back instead to camps or other sites in which the services and infrastructure are comparatively more developed. In countries where IDPs have expressed concern about returning, the reasons given invariably include inadequate return packages, lack of transport, continuing security fears, and lack of infrastructure and services in home areas. The failure to find durable

solutions could precipitate further conflict if unreasonable pressure is exerted on basic services and public utilities to the dissatisfaction of host communities.

In addition to conflicts, natural disasters also are a significant cause of displacement across the ECOWAS region, including in many of the same countries that have been affected by conflict. Flooding, drought and the destruction of agricultural production that natural disasters can cause, have affected significant numbers of people. The precise number of displaced as a result of these disasters has not been studied. However, the UN has estimated that in August 2005 alone, floods in Nigeria and Sierra Leone affected 3,000 people in each country and a further 61,500 in Senegal. Guinea too was seriously affected by flooding in 2005. The on-going drought in the Sahel is said to have caused the migration of entire families and villages who have left their homes in search of food and livelihoods.

Displacement may also result from development projects. This might include the resettlement of populations for the purposes of urban planning or the building of a dam or the opening of a mine. In Abuja, Nigeria, for example, individuals have been uprooted as part of an urban plan for the city.

As mentioned earlier, one of the great challenges in West Africa is determining precise numbers of displaced. Comprehensive registration of all displaced is difficult and seldom takes place. As a result, those displaced that are not in camps or other discrete areas in which they are easily accessed and counted, will often not receive assistance. The Inter-Agency Internal Displacement Division and the OCHA Mission to Liberia in February 2006 identified this issue as one of particular concern. The Mission noted in particular that there were unknown numbers of urban IDPs living in public buildings in Monrovia, without any international assistance or protection. The Mission considered favorably plans to conduct a survey of the protection needs of urban-based IDPs in Monrovia.

It is particularly important to identify the most vulnerable IDPs and to tailor the protection and assistance they receive to their needs. Two groups that are particularly vulnerable in situations of displacement are women and children. As mentioned above, in Côte d'Ivoire, these two groups combined are estimated to constitute 80% of the displaced population. In the case of conflict-induced displacement, the vulnerability of women and children stems from the breakdown of social order, traditional means of subsistence, familial structures and traditional sexual standards and practices. According to surveys conducted in Sierra Leone in 2004, as many as 94% of displaced households surveyed reported incidents of sexual assault, including rape, torture and sexual slavery.

The same reasons given for the particular vulnerability of women and children to sexual violence during conflict are relevant to an increased concern about the spread of HIV/AIDS in times of conflict. HIV/AIDS is an issue of concern in West Africa with some statistics suggesting that in the Mano River States alone there are 1.9 million AIDS carriers. HIV/AIDS is also said to be one of the main causes of death in adults in Côte d'Ivoire. These statistics are of particular concern in those areas in which conflict and

social upheaval continue. For the reasons already mentioned, transmission of HIV/AIDS may be more likely in these circumstances. No concrete study appears to have been undertaken on this question.

Protection and assistance to IDPs need not only relate to their life, health and physical integrity. IDPs are entitled to the protection of all their rights. This encompasses the broad range of civil, political, economic, social and cultural rights, including, for example, their right to political participation. This issue arose most starkly in Liberia during the Presidential election when the application of national electoral laws would have required IDPs to return to their homes in order to cast their vote. Ultimately, the National Elections Commission amended polling regulations to enable IDPs who had registered to vote in their areas of origin but who had not managed to return, to vote in the camps.

Whether facilitating the participation of IDPs in national electoral processes or ensuring IDPs return to areas that have the infrastructure and services necessary to absorb them, properly addressing the needs of IDPs and promoting respect for their rights are both responsibilities but also strategies for conflict prevention. West Africa as a sub-region has been particularly affected by interlocking patterns of conflict and human displacement, in which the movement of refugees, IDPs and returnees has been both a consequence and a cause of social and political upheaval. Many advances towards peace have been achieved in recent years, but instability in the region persists. Add to this the unpreventable nature of natural disasters and continued displacement caused by development projects, then the importance of seriously addressing the needs and rights of the displaced becomes clear.

The Guiding Principles on Internal Displacement

The *Guiding Principles on Internal Displacement* ('*Guiding Principles*') 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 *Guiding Principles* set forth the rights of IDPs and explain the obligations of national authorities and non-state actors towards IDPs. They cover all phases of internal displacement: the pre-displacement phase; during displacement; and during return or resettlement and reintegration.

The *Guiding Principles* begin with an introduction explaining their scope and purpose. In the introduction, internally displaced persons are described 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 coercive or otherwise involuntary character of the movement; and (2) the fact that such movement takes place within national borders. It is also important to note that the list of causes of displacement is not exhaustive. It covers persons who are obliged to leave their homes and places of residence because of conflict and large-scale human rights violations as well as natural disasters and development projects. In this context, it is important to note that the notion of 'displacement' is neutral in the sense of covering both situations where persons are forced to leave in violation of their rights and instances of evacuations and relocations/resettlements that are involuntary but perfectly legal.

Section I sets out general principles relating to the rights of IDPs and the responsibilities of national authorities. Importantly, Principle 3(1) explains that national authorities have the primary duty and responsibility to provide protection and assistance to IDPs within their jurisdiction. In addition, Principle 1(1) stipulates that IDPs 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 *Guiding 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 (see Principle 4(2)).

Section II addresses the issue of protection from displacement and articulates a right not to be arbitrarily displaced. In practice, therefore, 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 *Guiding Principles* identifies the full range of civil, political, economic, social and cultural rights that all persons, including IDPs, should enjoy. This includes, for instance, the rights according to Principle 11(2)(a) -- to be protected against acts of violence, torture and cruel, inhuman or degrading treatment or punishment as well as the right to be protected against the use of anti-personnel landmines (Principle 10(2)(e)). Principle 22(d) specifically identifies the right of IDPs to vote and to participate in governmental and public affairs, whether or not they are living in camps. Principle 18 relates to the right to an adequate standard of living, including ensuring safe access to essential food, potable water, basic shelter and housing as well as appropriate clothing and essential medical services and sanitation. The third section also states that special attention should be given to the prevention of contagious and infectious diseases, including AIDS, among IDPs (Principle 19(3)).

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 long-term options, namely voluntary return in safety and dignity or resettlement in another part of the country. It also emphasizes the importance of ensuring durable solutions, including the need to provide IDPs with reintegration assistance, whether they return or resettle, and to ensure they have equal access to public services. In addition, this section explains the duty of national authorities to assist 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. These two groups typically comprise the overwhelming majority of displaced populations. They are currently estimated as comprising 70-80% of the IDP population worldwide. The *Guiding Principles* call for the participation of women in the planning and distribution of relief supplies. They require special attention to be paid to the health needs of women, including access to female health care providers and services, and special efforts be made to ensure the full and equal participation of women and girls in educational programs. They also prohibit sexual violence, stress the need for family reunification, and highlight the right of women to equal access to personal identity and other documentation and to have such documentation issued in their own names. Principle 23 recognizes the right to education and states that special efforts must to be made to ensure that women and girls enjoy equal and full participation in educational programs. In relation to children, Principle 13(2) adds that under no circumstance are children to be recruited or to be required or permitted to take part in hostilities.

The United Nations Commission on Human Rights and the General Assembly requested the former Representative of the Secretary-General on Internally Displaced Persons, Francis M. Deng, to develop a normative framework on internal displacement. In 1998, he presented the *Guiding Principles* to the United Nations. Although not a binding document like a treaty, they have gained considerable international standing and authority. Both the Commission on Human Rights and the General Assembly, in resolutions adopted by consensus, have recognized the *Guiding 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.⁴

The UN Secretary-General has also 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.ⁱ In addition, heads of state and governments who assembled at the World Summit in New York in September 2005 recognized the *Guiding Principles* as an ‘important international framework for the protection of internally displaced persons’ (Art. 132). All of the main international humanitarian, human rights and development organizations and umbrella

⁴ See United Nations, Commission on Human Rights resolution 2004/55; General Assembly resolution 2004/58; and Commission on Human Rights resolution 2005/46.

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, the Council of Europe, and the Inter-American Commission on Human Rights of the Organization of American States, 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 have expressed support for the *Principles* as well (see discussion below).

Importantly, the *Guiding Principles* are being used at the national level in countries affected by internal displacement. Particularly noteworthy is the development of national laws and policies based on the *Principles*. In Africa, 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 in the country 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. In West Africa, Nigeria is in the process of developing a policy on internal displacement, a recent draft of which reveals the comprehensive response that Nigeria takes to displacement, addressing all its causes including conflict, natural disasters and development projects. In Liberia, the President announced the endorsement of the *Guiding Principles*, which have been referenced in domestic law. Several other governments, including Burundi, Colombia Georgia and Uganda, have also expressly referenced the *Guiding Principles* in their national laws and policies.

National human rights institutions, for instance in Uganda and in countries in South Asia and the Americas, 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.⁵ 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 *Guiding Principles* as an empowerment tool.

The normative framework found in the *Guiding Principles* 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 in West Africa, training workshops bringing together representatives of national and local government,

⁵ 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.

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 from English into over 40 languages, including French, Portuguese, Hausa, Ibo and Yoruba.

National Responsibility

As noted above, addressing the problem of internal displacement is primarily the responsibility of national authorities. 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 Institution – University of Bern Project on Internal Displacement sets out the benchmarks for an effective national response and identifies twelve key steps for national authorities to take in responding to internal displacement.⁶ These steps are:

- 1 **Prevention.** Governments have a responsibility to try to prevent conditions on their territory that might compel populations to flee. In particular, early warning and rapid response mechanisms need to be developed. Where displacement proves unavoidable, national authorities have a responsibility to minimize its adverse effects, provide for the safety and well being of those affected, and to ensure that displacement lasts no longer than absolutely required by the circumstances.
- 2 **Raising National Awareness of the Problem.** The basic foundation for an effective national response is a government's recognition of the problem and of its responsibility to address it. For example, public pronouncements about the problem are important to build national consensus around the issue and promote solidarity with the displaced.
- 3 **Data Collection.** Credible information is needed on the numbers, locations and conditions of IDPs in order to design effective policies and programs. Data should be disaggregated by age, gender, and other key indicators so that the specific needs of particular groups are taken into account. Attention must also be given to whether IDPs are uprooted by armed conflict and violence or by natural disasters or by development projects. Information is needed not only on emergency situations but also on protracted situations of displacement, which often are neglected and forgotten.

⁶ *Addressing Internal Displacement: A Framework for National Responsibility* (Washington, D.C.: Brookings Institution-University of Bern Project on Internal Displacement, 2005) Available at: http://www.brookings.edu/fp/projects/idp/20050401_nrframework.htm (available in English as well as Arabic, French and Portuguese).

- 4 **Training.** Training programs for government officials, including camp administrators, military and police, in the *Guiding Principles* on Internal displacement is essential for ensuring that they are aware of the rights and needs of the displaced and their own official duties to protect and assist them.
- 5 **A National Legal Framework.** States have been encouraged by United Nations resolutions to develop laws to uphold the rights of IDPs, taking into account the *Guiding Principles*. A growing number of governments around the world have been adopting new laws or revising existing legislation.
- 6 **A National Policy or Plan of Action.** A national policy can complement national legislation. For example, it should spell out national and local institutional roles and responsibilities for responding to internal displacement as well as identify a mechanism for coordination. The policy should extend to all relevant branches of government -- national, local, military and police -- and also to non-state actors who also must be held accountable. To be most effective, the policy should be developed in full consultation with civil society and IDP communities and disseminated to IDPs in their own language and in a form they can easily understand.
- 7 **Creation of a National Institutional Focal Point.** This could mean assigning responsibility for internal displacement to an existing governmental agency, creating a new body or establishing an inter-departmental task force or committee.
- 8 **A Role for National Human Rights Institutions.** The role of NHRIs in reinforcing national responsibility can be important, in particular by working with governments to adopt and implement policies and laws that respect the rights of IDPs as well as by investigating reports of violations of their rights and providing training programs on their rights.
- 9 **Participation of IDPs in Decision-Making.** Engaging displaced persons in consultations and building upon their skills is something often overlooked but critical to an effective response, whether the issue is relocation, design of assistance programs or returns. The participation of women can reduce their vulnerability to sexual extortion and violence.
- 10 **Supporting Durable Solutions.** Governments have a duty to establish conditions to allow IDPs to return voluntarily, in safety and dignity, to their places of habitual residence or, if they choose, to resettle in another part of the country, and to assist IDPs to recover property and possessions or obtain compensation or reparation. Decisions on when displacement ends must be taken on the basis of humane criteria ensuring respect for the full range of human rights of the displaced.

11 **Allocation of Adequate Resources.** National responsibility means that governments devote, to the extent they can, resources to address situations of internal displacement.

12 **Cooperation with International and Regional Organizations.** When governments do not have the capacity to provide for their displaced populations, they are expected to invite or accept international assistance. Indeed, cooperating with, and giving safe and unimpeded access to international agencies is a sign of responsible sovereignty.

Regional Responses to Internal Displacement

The consequences of internal displacement can have a strong impact 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. Thus, for nearly two decades regional approaches have been promoted on the continent to address internal displacement.

Since 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. For example, in 1994, the African 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.

The first Africa-wide seminar specifically devoted to the issue of internal displacement took place in Addis Ababa in 1998. The OAU co-sponsored this meeting, which was held in collaboration with the Representative of the UN Secretary-General on Internally Displaced Persons, UNHCR and the Brookings Project on 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 situations of internal displacement and conducting field visits to

different countries. In 1999, the OAU Commission formally acknowledged and expressed appreciation for the *Guiding Principles* and in 2000 the *Guiding Principles* were included as part of the *Compendium of OAU Instruments and Texts on Refugees, Returnees and Displaced Persons in Africa*.

The Council of Ministers of the OAU has also adopted resolutions on the situation of refugees and displaced persons in Africa. Some of the issues raised in these resolutions have been identified earlier in this paper. For example, in 1996, the Council urged countries of origin to create conditions conducive to the voluntary repatriation of refugees and the return of displaced persons to their places of habitual residences in conditions of safety and dignity. The resolution of the following year spoke of the need to promote conditions conducive to the return and *sustainable* reintegration of refugees and displaced persons. More recently, in 2001 the Council requested the Secretary-General to continue to support all efforts being made at sub-regional and regional levels in the search for lasting solutions to the problems of refugees, returnees and displaced persons. The Executive Council of the AU has similarly passed decisions on displacement, and in January 2006 noted the progress made in the preparation of a Ministerial Meeting on Refugees and Displaced Persons scheduled for June 2006 in Burkina Faso.

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 Persons⁷, a post to which Mr Bahame Tom Mukirya Nyanduga of Tanzania was appointed. Like the Representative of the UN Secretary-General, with whom he has forged links, the Rapporteur's mandate directs him to assist Member States of the African Union to develop appropriate policies, regulations and laws for the effective protection of IDPs and to engage in dialogue with inter-governmental, regional and international bodies as well as National Human Rights Institutions in order to promote the protection of IDP rights.

Finally, in July 2004 the Executive Council of the AU decided that the Commission of the African Union should '*collaborate with relevant cooperating partners and other stakeholders to ensure that Internally Displaced Persons are provided with an appropriate legal framework to ensure their adequate protection and assistance*'. This decision was complemented by a decision stating that '*the specific needs of [IDPs] such as protection should be addressed through a separate legal instrument*'. In pursuance of these decisions, at a meeting held in Addis Ababa in April 2006, the development of an AU Protocol on internal displacement was the primary issue for discussion. At that meeting, a concept paper for an African Legal Framework on IDPs was presented in addition to a draft outline of the framework.

At the sub-regional level as well, many developments have taken place to complement national efforts on internal displacement, in particular in the Great Lakes region, East Africa, Southern Africa, and West Africa. In the Great Lakes region, states

⁷ See Resolution On The Mandate Of The Special Rapporteur On Refugees, Asylum Seekers And Internally Displaced Persons In Africa, Adopted at the 36th Ordinary Session of the African Commission on Human and Peoples' Rights in Dakar, Senegal, on 7th December 2004.

have undertaken a comprehensive process to develop a Protocol on Protection and Assistance to Internally Displaced Persons. They have also developed a draft Model Law which is designed to give legal effect to the Protocol on the Protection and Assistance to Internally Displaced Persons and the *Guiding Principles* on Internal Displacement. The process of developing a Protocol and Model Law was preceded in November 2004 by an International Conference on the Great Lakes Region in which Heads of State committed themselves to respect and use the *Guiding Principles* and to define national and regional frameworks for monitoring implementation of these standards.

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 Sudan, and co-sponsored by IGAD, the Representative of the UN Secretary-General and the 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. More recently, in February 2006, a ministerial-level Conference on Refugees, Returnees and IDPs in the IGAD Region was held in Nairobi. The Final Recommendations adopted by the conference included the decision to '*create a legal framework for the protection and assistance of IDPs in collaboration with the African Union, UN agencies and concerned stakeholders, in line with the Guiding Principles on Internal Displacement*'.

In Southern Africa, in 1996 the Southern African Development Community (SADC) Heads of State and Government created an 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.ⁱⁱ In 2003, participants at a workshop on forced migration in the SADC region, 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. 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.⁸

⁸ SADC, *Strategic Indicative Plan for the Organ on Politics, Defence and Security Cooperation* (Gaborone: SADC, 2004), pp. 17 and 19.

In West Africa, there have been notable developments as well. In 2000, at a conference on War-Affected Children, the ECOWAS governments present 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 2001, the International Organization for Migration and other UN agencies, in cooperation with ECOWAS, held an International Migration Policy Seminar for West Africa in Dakar, Senegal. The Seminar addressed issues of migration generally, including specifically internal displacement. Recommendations coming out of the meeting included: the elaboration of national legislation on internal migration, the establishment of a national migration statistics unit; implementing measures to ensure that the needs of migrants and displaced are reconciled with the needs and interests of the local population; and strengthening intra-regional and international co-operation and co-ordination in order to further the capacity of West African States to respond in a timely and efficient manner to large, spontaneous migration flows and human displacement.

In 2002, ECOWAS and IOM convened a seminar in Dakar on migration, co-sponsored by the office of the UN Representative and the Brookings Project on Internal Displacement. Two sessions of the Workshop were dedicated to the topic of internal displacement. During the course of these sessions participants raised the possibility of developing a model law on internal displacement for the West African region. Discussion also focused on training military troops in the *Guiding Principles* and other aspects of humanitarian law, given the role of African peacekeepers in a growing number of situations of internal displacement. These discussions were broadly reflected in the recommendations of the meeting which included that: Member States should enact appropriate migration laws taking into account the opinions of displaced persons; and Member States should work with ECOWAS to implement training programs targeting all levels of society (the civilian population, administrative authorities, the military, police etc) for a more effective approach to problems involving displaced persons. The Workshop participants also stressed the importance of comprehensive data collection, including of the internally displaced.

Most recently, in June 2005 in Accra, Ghana, ECOWAS and UNHCR organized a Regional Experts Meeting on Sustainable Solutions to Situations of Forced Displacement in West Africa. The conclusions and recommendations emanating from this meeting reflect those of previous meetings, including the importance of ECOWAS states harmonizing their laws and policies on forced displacement with international as well as regional norms. The meeting also called for the strengthening of ECOWAS' advocacy role in the area of durable solutions for situations of forced displacement, with the assistance of all relevant stakeholders. Finally, the importance of empowering refugees and other displaced populations to contribute towards bringing about peace talks was recognized, as well as the need to provide them with the leadership, conflict mediation and resolution skills to effectively participate in such talks.

As one of Africa's leading sub-regional organizations, ECOWAS itself has become increasingly involved with the issue of internal displacement. In December 1999, the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security established a mechanism designed, among other things, to prevent, manage and resolve internal and inter-State conflicts, maintain and consolidate peace, security and stability within the Community, and establish institutions and formulate policies that would allow for the organization and coordination of humanitarian relief missions. The conflict prevention and management mechanism of ECOWAS and its growing focus on humanitarian issues relate directly to the plight of internally displaced persons. In recognition of ECOWAS's potential role in addressing situations of internal displacement, Representative of the Secretary-General Francis Deng visited ECOWAS headquarters in Abuja in 2001.

Since then, various departments of ECOWAS have begun to take steps with regard to internal displacement in the region. The Observation and Monitoring Centre of ECOWAS, for example, is in the process of developing early warning indicators, including an indicator on internal displacement. The Child Protection Unit has incorporated internal displacement concerns into its work and missions to the region.

Collectively, all these initiatives in Africa provide a strong foundation for future ECOWAS contributions to the prevention, management and resolution of internal displacement in West Africa. Based on the experiences of other regional bodies as well as recommendations already relating to the ECOWAS region, it can be seen that many possibilities exist for regional and sub-regional organizations to become involved with the issue of internal displacement. For example, some of the organizations have begun to monitor situations of internal displacement, hold regular meetings on the subject, appoint focal points on the issue, promote the adoption of a regional framework and encourage the development of national laws and policies on internal displacement. They have recognized the importance of addressing the issue as a means of promoting security and stability in regions.

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 have been directly engaged in providing assistance, protection and reintegration support to large numbers of IDPs in the region, in particular in Liberia, Côte d'Ivoire, Sierra Leone, Guinea Bissau and Togo. These agencies and organizations include: UNHCR; the UN Children's Fund ('UNICEF'); the World Food Programme; the Office for the Coordination of Humanitarian Affairs ('OCHA'); the UN Development Program ('UNDP'); the UNIFEM; IOM as well as the International Committee of the Red Cross and an array of international NGOs. Areas of activity include: providing emergency relief to uprooted victims of conflict and disaster; promoting adherence to international human rights and humanitarian law; 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.

Although many UN agencies are involved in the provision of assistance to IDPs, it emerged from various UN and independent evaluations that improvements were needed in the UN collaborative framework so as to bring greater predictability and accountability to the protection of IDPs. In 2005 mechanisms and procedures were agreed upon within the United Nations to strengthen the collaboration of the different UN agencies and create greater clarity in the response to situations of internal displacement. A so-called 'cluster approach' was developed to deal with IDPs and is intended to promote greater protection for the internally displaced and strengthen the humanitarian response in general.

Under the cluster system, which came into effect in 2006, different agencies are expected to assume lead roles in their areas of expertise in situations of internal displacement and carry them out on a regular basis in emergencies. UNHCR, the UN agency responsible for refugees, has accepted to be the cluster lead for three areas: emergency shelter; camp coordination and management; and protection, focusing on the needs of those internally displaced by conflict. This means that the new cluster approach marks a major turning point for UNHCR in particular – IDPs, in addition to refugees, will now be an integral and important part of UNHCR's global activities. The challenge now is to build the capacity of the international agencies that are adopting greater roles in IDP protection and to ensure that these agencies have sufficient resources to allow them to fulfill their new roles while still being able to maintain their previous commitments and priorities. The cluster approach is being tried in three countries of Africa, one of which is Liberia.

Beyond international organizations, there are also UN experts who have undertaken missions to specific areas 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 Francis Deng visited Rwanda in 1995, Mozambique in 1996, Angola in 2000 and Darfur in 2004 to engage in dialogue with the respective governments in particular as regards the search for durable solutions for the millions of IDPs uprooted by conflict. In 2005, Representative Walter Kälin visited South Sudan and most recently, in April 2006 Côte d'Ivoire and is currently undertaking a working visit to Nigeria. Missions undertaken to ECOWAS countries by the Representative of the Secretary-General on Children and Armed Conflict and, most recently, the Internal Displacement Division of OCHA 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 West 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 African Post-Conflict Reconstruction Policy Framework (June 2005) developed by NEPAD particularly emphasizes the needs of IDPs in emergency situations, while also highlighting the importance of ensuring socio-economic development takes place simultaneously with return, resettlement and reintegration processes. 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 remains a pressing issue in the ECOWAS region. While some significant displacement crises have attenuated due to the cessation of hostilities and tens of thousands of IDPs have been able to return to their original places of residence, over a million more in the region 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 ECOWAS region.
