THE U.S. GOVERNMENT
AND INTERNALLY
DISPLACED PERSONS:
PRESENT, BUT
NOT ACCOUNTED FOR

By James Kunder

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INTRODUCTORY NOTE AND ACKNOWLEDGMENTS

In light of the U. S. Government’s long-established leadership role in emergency response, especially in refugee situations, the Brookings Institution Project on Internal Displacement and the U.S. Committee for Refugees consider it timely to evaluate U.S. policies and programs with regard to the large-scale, immediate problem of internal displacement.

The paper, prepared by James Kunder, analyzes the U.S. role with regard to internal displacement and makes a series of recommendations to promote a more integrated and effective response to this problem.

Many U.S. government officials contributed their views and insights, for which we are extremely appreciative. In addition to interviews, the Brookings Project and the U.S. Committee for Refugees held a meeting on September 15, 1999 with U.S. Government officials to review the findings and recommendations in the paper. The final paper reflects those discussions. We are grateful in particular to officials in the National Security Council Office of Multilateral and Humanitarian Affairs; the U.S. Department of State (Bureaus of Democracy, Human Rights and Labor; International Organization Affairs; Population, Refugees and Migration; and the Policy Planning Staff); the U.S. Agency for International Development (Office of Transition Initiatives; Office of U.S. Foreign Disaster Assistance); the U.S. Senate Committee on Foreign Relations and Committee on the Judiciary; and the U.S. House of Representatives Committee on International Relations.

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A Global Crisis of Internal Displacement:

The burgeoning world-wide crisis of internal displacement is amply described in a growing literature devoted to the subject, and need only be outlined in this paper. In short, it is becoming increasingly evident that internal displacement is one of the most pressing humanitarian, human rights, and political issues now facing the global community.

In more than thirty countries, an estimated 20 to 30 million internally displaced persons struggle to survive, having been driven from their homes but not reaching or crossing an international boundary to become refugees. These individuals, families, and communities have been displaced as a result of a variety of causes: generalized violence; violations of human rights; natural or human-made disasters; and, most frequently, by armed conflict. The internally displaced appeal for protection from physical attack; for assistance to survive; for non-discriminatory recognition of their rights; for a basic livelihood; and, most of all, for a chance to return home. Regrettably, in many instances, both national authorities and the international community are ill-equipped to meet basic needs for protection and care of internally displaced persons, or even systematically to register their appeals.

In 1997, there were 23 countries with populations of more than 300,000 internally displaced persons each. Four countries—the Sudan, Angola, Afghanistan, and Colombia—had populations of more than one million displaced persons each. But the internally displaced are differentiated from other populations in need by more than just large population counts. Internally displaced persons are:

- More likely to be found in inadequate shelter, since they have been forced to flee their own homes and communities,
- Less likely to be able to earn a living, cut off as they are from their own land, markets and productive assets,
- More likely to be inaccessible to relief and human rights agencies, since they may be on the move, in hiding, or dispersed in host communities, and still within the control of state or opposition forces,
- Less likely to have the documentation needed to acquire benefits, since identity papers may have been lost in flight or destroyed out of fear of tracing,
- More likely, if they are women or girls, to suffer sexual assault or discrimination, because community fabric is rent during the flight from home, and husbands or brothers are separated from them, in hiding or pressed into military service,
- Less likely to have adequate medical care, as displacement disrupts immunization programs, depletes mental and physical reserves, and exposes the displaced to new diseases,
- More likely to suffer psycho-social distress, especially if they are assaulted women or children, because of violence and the breakdown of community structures during flight, and
- Less likely to be protected from attack, incarceration, landmines, brutality and deprivation, while on the road, in unfamiliar surroundings, and made vulnerable by their displacement.

Although the magnitude of internal displacement and increased international awareness of the problem make displacement a recognized global crisis, the front lines of this crisis are very much at the national and community level. By definition, of course, internally displaced persons remain within their own country and, therefore—in principle—their own government retains primary responsibility for protecting their rights, even if that government is unable or unwilling to meet its responsibility. By extension, for the international community, confronting internal displacement means
grappling with issues of national sovereignty, national responsibility, and national authority.

There is a second sense in which the internally displaced are a “national issue”: to build an effective capacity to prevent displacement, to offer protection and aid to the millions of displaced, and to foster return or resettlement will require leadership by national governments in major donor countries. The “plate is full” in the post-Cold War era, with a surfeit of crises, conflicts, and ethnic and religious struggles competing for diplomatic intervention, media attention, and program dollars. Despite the reality that internally displaced persons are often among the most vulnerable populations encountered in emergency environments, the internally displaced have not yet received the policy focus within donor governments that their numbers and plight should command. Absent focused leadership and dedicated resources from the United States and other influential governments, the institutional response to internal displacement, from both local authorities and international agencies, will be diffuse, inconsistent, and inadequate.

This paper examines the U.S. government’s response to internal displacement. The structure of the examination is straightforward. First, the paper reviews the six elements (statutory basis; Congressional interest; authoritative policy; government lead agency; resource allocation; external linkages) that must be present in order for the U.S. government to launch an effective response to a public policy issue. Second, the paper examines and presents findings on whether and to what degree these elements are present in the U.S. response to internally displaced persons. Third, based on steps taken by the U.S. government to this point, the paper makes recommendations for further action.

Within the United Nations system, there has been significant conceptual and institutional progress during the 1990s on the internal displacement crisis. Yet, despite a legacy of U.S. activism in international crisis management and migration affairs, and despite appropriate U.S. responses in individual displacement emergencies, the U.S. government has been curiously unfocused in the face of the internal displacement phenomenon. U.S. response patterns and institutional arrangements remain largely rooted in the Cold War era. They preferentially address refugee migration and material assistance during the crisis phase of disasters, and are characterized by an a-systematic approach to internal displacement.

In fairness, it should be noted that the current administration has undertaken a major inter-agency review of U.S. government humanitarian response procedures. Several broad themes related to internal displacement are slated for examination in that policy review, including the evolving relationship between refugee and internal displacement policies, questions of humanitarian intervention versus sovereignty, examination of the roles of Department of State and USAID (Agency for International Development) offices, and issues on whether and how humanitarian assistance and human rights protection should be linked. Perhaps this substantial review will focus U.S. officials on the internal displacement crisis. But, up to this point, U.S. officials in both the executive and legislative branches have been largely on the sidelines of the internal displacement debate. In terms of policy development and agile institutional response, the U.S. government, like the internally displaced themselves, has been present, but not adequately accounted for.

While this paper justifiably stresses the particular needs of internally displaced groups, two caveats are in order. First, none of the arguments made in this paper is intended to suggest that U.S. government programs aiding refugees or other victims of conflict or disaster should be disadvantaged in order to assist the internally displaced. All these groups continue to face real, and in some cases expanding, shortfalls in the post-Cold War period, and certain groups of refugees and conflict-affected populations share many burdens with the internally displaced. This paper argues that the internally displaced merit U.S. government attention commensurate with their unique condition, not that scarce resources should be diverted from other suffering populations. Second, the presupposition underlying every recommendation in this paper is that any actions taken by the U.S. government on behalf of internally displaced persons should reflect the principle that every person has the right to seek asylum from persecution in another country, and that nothing done on their behalf should be interpreted as justifying restrictions on their right to flee.

A Policy and Program Foundation To Support Internally Displaced Persons:

Within the U.S. government, the determination to address a public policy issue—whether internal displacement overseas, Social Security, or clean drinking water—is constructed on a policy and program foundation that consists of six elements. These six are:

1. **A sound statutory basis for action**: The Congress must have authorized the policy initiative through appropriate legislative action, either by
a specific law mandating the action or by a general grant of authority that can be interpreted as providing a basis for the policy initiative.

2. **Focus on the policy issue by Congressional authorizing and appropriating committees, and by influential members of Congress:** Even with a solid statutory basis for action, initiative and consistent follow-through by government program managers often require ongoing Congressional interest, including oversight hearings, Congressional inquiries, and budget reviews.

3. **Authoritative policy documents:** Policy documents, based on legislative guidance and derived from systematic analysis and debate, form an important part of the U.S. government policy infrastructure. Such documents include Presidential Decision Directives, departmental policy or doctrinal documents, presentations before Congress, annual reports, inter-agency memoranda of understanding, and departmental or agency performance plans.

4. **A lead government institution with clear responsibility for the policy initiative:** A policy and program focal point is required within the U.S. government in order to gather data on and analyze the issue to be addressed, advocate for budget resources, and support the policy initiative during intra- and inter-agency deliberations.

5. **Financial and staff resources:** Even the most well-crafted and worthy government policy initiative will founder without adequate budgetary resources and without sufficient staff to manage the initiative.

6. **Structured linkages with external fora and actors:** Successful policy and program initiatives require two-way information exchange with interested organizations and individuals outside the government, including interest groups and the media. For international policy initiatives, liaison with relevant international organizations and non-governmental organizations is required.

If the U.S. government had in place a model policy on internal displacement, each of the above six elements would be present. However, an examination of the U.S. government record to date regarding internally displaced persons suggests something quite different.

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**FINDINGS**

A review of U.S. documents and interviews with key informants resulted in the following findings with respect to U.S. policy on internal displacement.

**FINDING 1, REGARDING STATUTORY BASIS:**

Current Law Provides a Minimal, but Not Sufficient, Statutory Basis for U.S. Government Action on behalf of Internally Displaced Persons.

Numerous provisions of U.S. law are potentially beneficial to internally displaced persons, especially those persons residing in developing countries. Two statutes—the Migration and Refugee Assistance Act and the Foreign Assistance Act—deserve special attention because the types of assistance they mandate are the same kinds of assistance required by the internally displaced. However, these laws offer only indirect aid to the internally displaced. Neither focuses on the condition of internally displaced persons per se. A brief review of these two statutes illustrates how U.S. law provides a minimal, but not sufficient, foundation for U.S. government action on behalf of internally displaced persons.

The Migration and Refugee Assistance Act of 1962 (MRA), as amended (22 U.S.C. 2601), provides the basic authority and guidance for U.S. government assistance to refugees and other migrants. The MRA provides an annual allocation of approximately $700 million for programs managed by the U.S. Department of State’s Bureau of Population, Refugees, and Migration (PRM). The largest part (70 percent) of these funds goes to “Overseas Assistance” programs for refugees or other migrants, and are channeled primarily through international organizations designated in the statute itself, in particular the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC).

Although internally displaced populations are not discussed in the MRA, they may receive assistance through MRA-supported programs when the recipients of U.S. government funding, primarily UNHCR and ICRC, provide support to internally displaced individuals. Since the combined assistance of these two global agencies is unlikely to reach even half of the world’s internally displaced persons, and since the primary focus of UNHCR is
the refugee population, MRA coverage of the internally displaced is fragmentary at best.

Interpretations of the MRA by the Bureau of Population, Refugees, and Migration further limit the reach of the statute as a potential source of support for internally displaced persons. According to PRM’s fiscal year 2000 Congressional Budget Presentation: “We have also continued our policy of assisting internally displaced persons (IDPs) that are beneficiaries of UNHCR or ICRC programs. The MRA is not, however, the initial source of USG response to IDPs” [emphasis added]. The Assistant Secretary of State for PRM, Julia Taft, although sympathetic to the needs of internally displaced persons, elaborated this perspective in Congressional testimony in early 1998:

We ought to be looking at what are the needs of the people who are displaced whether they’ve crossed a border or they haven’t crossed a border….UNHCR, before it was asked to intervene in Bosnia for the IDPs, only dealt with refugees and it was the UNICEF and other organizations at the United Nations that had primary responsibilities for IDPs…..This has an implication for us because PRM funds refugees and AID [the U.S. Agency for International Development] and the Office of Foreign Disaster Assistance…generally deals with IDPs. So we have a question of what funds, and what agencies are to be involved [emphasis added].

In short, the Migration and Refugee Assistance Act provides a limited statutory basis for assistance to internally displaced persons. In practice, MRA assistance is dependent upon whether displaced populations are served by an international organization targeted for MRA funding, and further limited by an emphasis on refugee programs by the agency receiving the largest share of MRA funds, the UNHCR.

The Foreign Assistance Act of 1961 (75 Stat 424), as amended, or FAA, also provides a general statutory framework for assisting internally displaced persons, without specifying internal displacement per se. Especially relevant to internally displaced persons during the critical emergency phases of displacement situations is section 491(b) of the FAA (22 USC 2292), which provides authority to assist disaster victims, and which authorizes the activities of the Office of U.S. Foreign Disaster Assistance (OFDA) of the U.S. Agency for International Development (USAID). Section 491(b) reads, in part:

…..notwithstanding any other provision of this or any other Act, the President is authorized to furnish assistance to any foreign country, international organization, or private voluntary organization, on such terms and conditions as he may determine, for international disaster relief and rehabilitation, including assistance related to disaster preparedness, and to the prediction of, and contingency planning for, natural disasters abroad.

This broad and flexible authority has been called upon to provide water, food, medical assistance, and other humanitarian assistance to country-specific groups of internally displaced persons, along with other categories of disaster victims. However, section 491(b) provides no specific authority for the internally displaced, and assistance provided under this section is generally limited to the disaster phase of displacement or other crises. Moreover, this section provides limited authority for the protection activities that are often essential for internally displaced communities, such as protection from attack, abduction, disappearances, torture, sexual assault, detention, and forced recruitment. Limited references to internally displaced persons in OFDA doctrinal and reporting documents reinforce the sense that section 491(b) offers useful, but not sufficient, statutory basis for programs supporting the internally displaced.

Another aspect of the law that addresses issues related to the internally displaced is the human rights reporting requirement, found in sections 116(d) and 502(b) of the Foreign Assistance Act. These provisions require “a full and complete report [to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate] regarding the status of internationally recognized human rights….” Since the most serious threats faced by internally displaced persons are violations of their rights, and since they are especially vulnerable to human rights abuses, the reporting requirements under sections 116(d) and 502(b) could provide useful statutory authority to benefit the internally displaced. Human rights violations reported to the Congress presumably become the basis for bilateral demarches by U.S. diplomats.

However, a recent analysis of the statutorily mandated reports—the Country Reports on Human Rights Practices, which are compiled by the Department of State’s Bureau for Democracy, Human Rights and Labor (DRL)—noted that reporting on internal displacement “is not addressed consistently by all
reports or in an organized fashion. Even those reports which devote relatively more space to the issue do not usually examine, with sufficient thoroughness, the variety of problems which [internally displaced persons] must confront, including the violation of protection and humanitarian rights and problems facing women and children. 11

It should be noted that officials at the State Department’s DRL Bureau have recently pledged increased attention to internal displacement issues in Country Reports on Human Rights Practices. Specific questions about internal displacement have been included in DRL’s instructions to State Department officers in the field charged with compiling data for Country Reports. DRL officials expect that these more specific instructions will generate increased reporting on displacement issues in future issues of Country Reports.12

It should further be noted, however, that the Assistant Secretary for Democracy, Human Rights and Labor, addressing new focal areas in the reporting process during Congressional testimony in early 1999, did not specifically mention internally displaced persons.13

Beyond emergency assistance and human rights reporting, the core development and capacity building programs mandated throughout the FAA provide a statutory basis for assisting internally displaced persons to sustain themselves and to reintegrate or resettle during return programs. Specifically, the FAA’s development assistance programs could, in theory, increase the technical and managerial capacities of governments to provide support for the internally displaced through income-generating or other projects.

The section of the Foreign Assistance Act that speaks to “Development Assistance Policy” is typical of the broad authorities within the Act to build government capacity. It reads, in part: “United States bilateral development assistance should give high priority to undertakings submitted by host governments which directly improve the lives of the poorest of their people and their capacity to participate in the development of their countries, while also helping such governments enhance their planning, technical, and administrative capabilities needed to ensure the success of such undertakings.”14 Since the internally displaced, in many cases, are among the poorest and most marginalized of citizens, directing U.S. development assistance to such groups would certainly be consistent with the intent of the FAA. In addition, USAID officials could encourage host government officials to present development plans that lend support to regions with heavy concentrations of internally displaced persons.

Democratization initiatives launched with FAA development assistance funding could benefit the internally displaced, as well. Since the strengthening of democratic institutions, civil society, broad-based participation in governance, and non-governmental advocacy groups within developing societies often enhances the protection of internally displaced populations, FAA development programs targeted at supporting such advances could, if properly focused, aid internally displaced persons in FAA recipient countries. The wide-ranging provisions embodied within the FAA clearly provide sufficient statutory breadth to underpin such initiatives.

However, although capacity building and democracy programs funded under FAA development authority undoubtedly aid some internally displaced persons by improving national government capabilities or strengthening civil society in general, there is little evidence in USAID documentation to suggest that the internally displaced are a major focus of FAA development assistance. On the contrary, a review of USAID strategy documents reveals only scant references to displacement of any kind, and little awareness of the special assistance or protection needs of internally displaced persons.15

Significant assistance may also be provided to internally displaced persons under the authority of Title II of the Agricultural Trade Development and Assistance Act of 1954, as amended [7 U.S.C. 1721]—commonly referred to as “P.L. 480” or the “Food for Peace Act.” Title II programs “provide agricultural commodities to foreign countries on behalf of the people of the United States to: (1) address famine or other urgent or extraordinary relief requirements; (2) combat malnutrition, especially in children and mothers; (3) carry out activities that attempt to alleviate the causes of hunger, mortality and morbidity; …and (6) carry out feeding programs.” Many programs authorized under Title II reach internally displaced persons, along with other conflict victims or victims of natural disasters. However, Title II programs address only a narrow portion of the spectrum of physical needs confronting the internally displaced, and address only indirectly the protection needs of internally displaced communities.

In summary, a review of representative U.S. laws applicable to internal displacement abroad locates a number of provisions that assist migrants, disaster victims, victims of human rights abuse, those needing supplementary food assistance, and citizens of au-
authoritarian or inefficient governments, all of which provisions might partially encompass the internally displaced, or at least segments of the displaced population. But U.S. law does not focus on internal displacement per se,¹⁶ and the concatenation of the statutory authorities listed above—implementation of which is scattered among various agencies and offices—provides nothing like a solid foundation for U.S. government action on behalf of the internally displaced. Given the magnitude and severity of the global crisis of internal displacement, as well as the competition for attention among policy priorities, current law provides a minimal, but not sufficient, statutory basis for U.S. government action on behalf of internally displaced persons.

**FINDING 2, REGARDING CONGRESSIONAL INTEREST:**
The Congress Has Not Recognized Internal Displacement as a Discrete Policy Issue that Requires Attention and Oversight.

A review of recent House and Senate activity suggests that the Congress has not focused significantly on internal displacement, and is not providing impetus to the Executive Branch on this topic. In the words of one senior Capitol Hill aide, “The Congress really makes no distinction between internally displaced persons” and other classes of humanitarian assistance recipients.¹⁷

Certain topics of recurring policy interest to the Congress become the subject of regular Congressional hearings. For example, the Subcommittee on International Operations and Human Rights of the House Committee on International Relations holds annual oversight hearings on refugee programs, policies, and budgets. The same subcommittee also holds annual hearings on the State Department’s human rights reports. These hearings and others like them, with testimony from experts within and outside the Administration, provide a forum for open policy discussion on key issues, raise awareness of focal issues among members of Congress, and stimulate media coverage.

By contrast, a search of Congressional and Library of Congress databases uncovered not a single hearing on internal displacement itself. The absence of any hearings on internal displacement is the strongest possible quantifiable evidence that the Congress has not been made aware of the magnitude of internal displacement and of the particular access, human rights, protection, and assistance issues facing internally displaced persons. Nor are the internally displaced discussed frequently in the course of hearings on foreign policy in general. A search of the Library of Congress database on published committee hearing reports for the last three Congresses located a very small number of references to internal displacement.¹⁸ That is to say, the complex and challenging policy issues of internal displacement are not being addressed substantively in the context of ongoing Congressional discussions of U.S. foreign policy.

These quantitative findings are supported by the observations of advocates for the internally displaced who interact regularly with members of Congress and their staffs. In early 1999, for example, the Women’s Commission for Refugee Women and Children conducted a Capitol Hill “advocacy day” on issues in part related to internal displacement. Although Congressional interlocutors expressed interest in the topic during discussion with Women’s Commission presenters, few Congressional staff had detailed knowledge of internal displacement issues. Others expressed an interest in internal displacement only within the context of a particular country or region.¹⁹

Interestingly, amid the general inattentiveness to internal displacement issues on Capitol Hill, occasional tantalizing comments or debates hint at incipient Congressional interest in the topic. As early as 1991, during hearings conducted by the now-defunct Select Committee on Hunger, Representative Christopher Smith²⁰ asked Administration witnesses: “What would the U.S. policy initiative look like on the issue of internally displaced persons? Are we crafting such a policy for consideration by the UN?”²¹ Or, during 1997 hearings on refugee issues, then-Assistant Secretary of State Phyllis Oakley’s statement brought the internal displacement crisis directly to the Senate Judiciary Committee’s attention: “For the victims, refuge is increasingly sought within the borders of one’s own country rather than in a neighboring state, making them ‘internally displaced persons’ or ‘IDPs’ and bringing the issue of state sovereignty to the fore when the international community attempts to intervene. This fact…has added enormously to the political complexity of the task facing the international community in its attempts to provide relief to those in life-threatening situations.”²²

Exchanges like these, which at least temporarily focus the attention of key Congressmen and Senators on the crisis of internal displacement, are relatively rare. Absent regular hearings on internal displacement
or sustained interest by key members of Congress thus far, the Congress remains a distant ally of the world’s more than 20 million internally displaced persons. And, absent Congressional interest, the global crisis of internal displacement is unlikely to be elevated in U.S. government policy deliberations.

It may be argued that limited Congressional interest in internal displacement reflects the absence of international conventions on internal displacement, or the absence of public interest group pressure on this topic. Following this logic, the House and Senate are unlikely to convene hearings or draft implementing legislation until an international treaty addressing internal displacement drives the process. In fact, widespread concerns about eroding sovereignty in many capitals, in the first instance, and the relative isolation of the internally displaced, in the second instance, make these scenarios unlikely. Rather than waiting for the international community to spur U.S. legislative action on internal displacement, a Congressional “jumpstart” is required to support action to address the global crisis of internal displacement.

FINDING 3, REGARDING AUTHORITATIVE POLICY:
There is a Dearth of Authoritative U.S. Government Policy Documents on Internal Displacement, and No Process in Place to Produce Such Documents.

If a student of U.S. foreign policy wanted to comprehend current overall U.S. priorities and programs, that student might well start with the Secretary of State’s Congressional Presentation for Foreign Operations: Fiscal Year 1999. In that volume’s 1,146 single-spaced pages, the student would encounter virtually every U.S. foreign policy priority, organized by strategic goal, by budget function, and by individual country. The student, regrettably, would complete his or her research without any sense that there is a global crisis of internal displacement.

In the Congressional Presentation, despite the fact that the African continent harbors the world’s largest concentrations of internally displaced persons, the FY 1999 Regional Program Plan for humanitarian response makes no mention of internal displacement in its Objectives, Assumptions, or Indicators sections. Although the internally displaced are mentioned in several individual country sections of the Congressional Presentation, they do not speak to the scope and complexity of internal displacement in Africa, nor to the peculiar problems of protection, international access, sovereignty or local capacity building. In its discussion of Multilateral Assistance—a section of the report encompassing organizations like UNICEF, the World Food Programme, and the United Nations Development Program (UNDP)—the Congressional Presentation similarly ignores internal displacement issues, except for an occasional allusion to humanitarian aid for the internally displaced. When discussing Migration and Refugee Assistance, the internally displaced are referenced only in the context of assistance to such organizations as UNHCR or the ICRC, organizations which may for certain periods of time assume a mandate for a portion of the world’s internally displaced population.

The hypothetical student researcher would fare little better if he or she turned from the Congressional Presentation to other authoritative documents that delineate U.S. foreign policy priorities. Internal displacement is touched on only lightly in the National Security Council’s A National Security Strategy for a New Century, in the Department of State’s United States Strategic Plan for International Relations, in USAID’s Strategic Plan and its Strategies for Sustainable Development, and in the State Department PRM Bureau’s Performance Plan, among other such documents.

No single U.S. government policy document focuses exclusively on internal displacement. No single report attempts to describe authoritatively the scope of the internal displacement problem worldwide, and the types of cross-cutting problems internally displaced children, women and men face. The absence of U.S. government participation in data gathering on internal displacement is a major shortcoming, since insufficient data on internally displaced populations is a major gap in the international response system. And no U.S. government publication attempts to grapple with the range of policy issues that face bilateral donors attempting to provide aid and/or protection to internally displaced communities.

The absence of an authoritative U.S. government policy or program paper on internal displacement is an especially acute gap in an effective response strategy, since policy issues abound in the internal displacement arena. Does the international community have a responsibility to intervene when governments fail to respond to, or even cause—as in Kosovo—the displacement of their own citizens? If so, in what way? What should the response of the United Nations be with regard to internal displacement, and which agency
or group of agencies should lead that response? What is the role of regional organizations? What should bilateral donors attempt, unilaterally or multilaterally, to protect internally displaced populations that are being brutalized? How can access be guaranteed to internally displaced communities when governments, or opposition groups controlling territory, refuse to cooperate? Who should control the distribution of relief aid, and how can equitable distribution be ensured? When should the international community withhold aid to internally displaced persons, so as not to facilitate host government forced displacement or “ethnic cleansing”? What gender issues are associated with displacement crises? How can special needs groups, like the handicapped or indigenous peoples, be accommodated and mobilized during internal displacement? What is the interrelationship between internal displacement and international migration? Might assistance to internally displaced populations constrain the right to asylum, or create new categories of asylum seekers? Who should organize, and fund, the return or resettlement of displaced populations? How long should assistance to the internally displaced continue, when political crises—as in Georgia, or the Sudan—remain static for years and the displaced cannot return home? Where can good examples of field practice vis-à-vis the internally displaced be found?

Absent authoritative policy documents produced by inter-agency consultation, U.S. government action vis-à-vis the internally displaced is likely to be characterized, as it has been, by limited awareness, indirect and fragmented measures, uncoordinated responses to country-level displacement needs, and minimal impact on the international debate on internal displacement. Discussions with knowledgeable administration officials indicate that no plan exists to develop an authoritative policy paper on internally displaced persons.

A perhaps unique opportunity exists, at the time this paper is being completed, to develop an authoritative U.S. government policy document on internal displacement, within the context of a Presidential Decision Directive on refugee and migration issues. According to officials at the National Security Council and at the Department of State, a plan has existed for some time to mobilize an inter-agency process and to develop such a Presidential Decision Directive (PDD), and a preliminary draft has been completed. If this drafting process moves forward, it would provide an unusual opportunity to delineate U.S. government policy on internal displacement within the framework of the most authoritative category of U.S. government decision-making documents.

As the situation currently stands, however, there is a dearth of authoritative U.S. government policy documents on internal displacement. U.S. officials possess no definitive assessment of the scope and nature of the global internal displacement crisis; nor do they possess consensus guidelines on what the U.S. response should be. Both the process of constructing authoritative policy guidance and the resulting guidance itself are essential elements in constructing a policy that will benefit internally displaced persons.

FINDING 4, REGARDING LEAD AGENCY:

Although a Number of U.S. Government Organizations Provide Assistance to the Internally Displaced on a Country-Specific or Ad Hoc Basis, No Agency Has Assumed Clear Responsibility for Internal Displacement Issues and Programs.

In recognition of the unique characteristics of internal displacement responses, the United Nations system has carved out a distinct management structure relative to internal displacement, despite limitations in staff and budgetary resources. Under this plan, the Emergency Relief Coordinator (ERC) is given certain responsibilities at UN headquarters regarding the internally displaced, and the UN Resident Coordinator or Humanitarian Coordinator in each country is mandated to coordinate assistance among UN agencies in the field. The UN’s Inter-Agency Standing Committee (IASC)—a collective of UN agencies with humanitarian, development and human rights responsibilities—serves as a forum for inter-agency consultation on internal displacement issues.

Nothing parallel to this management structure exists within the U.S. government. Although programs operated by several agencies reach internally displaced persons, neither a lead institution nor an established inter-agency coordination mechanism guides U.S. policy and programs. Rather, analysis of the contemporary U.S. government humanitarian response apparatus reveals a system operating as if large concentrations of internally displaced persons did not exist, and as if the internally displaced faced no unique problems.

The following U.S. government agencies offer programs that assist internally displaced persons, provided the internally displaced meet other statutory or program guidelines that govern the mandates of these organizations:
The Bureau of Population, Migration, and Refugees, Department of State: PRM, among its other responsibilities, offers assistance to refugees and conflict victims, including internally displaced persons “of concern” to partner agencies like UNHCR or ICRC. Large numbers of internally displaced who are not targeted by these agencies fall outside PRM’s purview.

The Bureau for Democracy, Human Rights, and Labor, Department of State: The bureau compiles and releases annual Country Reports on Human Rights Practices, which could specifically reference the protection needs of the internally displaced. Although, as noted above, coverage of internal displacement issues in the reports has been spotty in the past, reported violations may help shape U.S. bilateral diplomatic overtures.

The Bureau for Humanitarian Response, U.S. Agency for International Development: BHR serves as the focal point for the development of humanitarian policy within USAID, but has issued no policy guidance on internal displacement. Three of its subsidiary offices provide assistance to internally displaced persons.

The Office of U.S. Foreign Disaster Assistance: OFDA provides U.S. government assistance for emergency needs, as well as prevention, mitigation, and preparedness activities, in cases of natural or human-made disasters abroad. Its assistance, usually in the form of grants to non-governmental organizations (NGOs) or international organizations, reaches internally displaced persons primarily during the disaster phases of displacement crises.

The Office of Food for Peace: FFP provides food assistance for humanitarian purposes, to the World Food Programme and other agencies distributing food to crisis victims.

The Office of Transition Initiatives: OTI programs focus on assisting the return to normal governance and development in nations that have weathered a political, conflictive or humanitarian crisis. Among OTI’s programs are efforts for “the social and economic reintegration of dislocated populations, especially women, children, internally displaced people, refugees and former combatants…”33 However, OTI programs are newly developed, and limited to the pre- or post-conflict phases of crises.

The combined, focused efforts of these competent and generally well regarded U.S. government offices might be of significant benefit to the tens of millions of internally displaced persons, if they were to be combined or focused. Currently, however, without a clear institutional lead within the Executive Branch, U.S. government programs do not have an optimal, or even synergistic, impact. Gaps in coverage, limits on protection, and inconsistent policy are the result. For example, in Colombia [see box], a widespread and severe displacement crisis has provoked only a minimal U.S. government response.

Gaps in material assistance to internally displaced populations—insufficient food, inadequate health care, displaced children not attending school, minimal shelter—may be highly visible results when major donor nations like the United States do not develop institutional leadership within their governmental structures. Equally important, diffuse responsibility for key groups of beneficiaries, like the internally displaced, results in inadequate policy development, inconsistent programming, reduced leadership in international fora, and lukewarm advocacy, both within and outside the U.S. government. For example, a central and complex question in internal displacement policy is how the international community should extend protection to displaced citizens of sovereign nations. The United Nations system is grappling with this issue as it develops a policy paper on Protection of Internally Displaced Persons.42 Regrettably, no similar policy development process is underway in Washington. Nor is this crucial issue likely to be addressed until a U.S. government lead agency is designated.

A U.S. government lead agency on internal displacement is not, in itself, a panacea. As this paper argues, other ingredients—from solid statutory authority to budget resources—are necessary to allow the U.S. government to play a leadership role in ending the crisis of internal displacement. But establishing clear accountability for the issue is an important, perhaps essential, first step to mobilizing other elements of the U.S. government’s policy infrastructure.

Based on alternatives examined within the UN debate on internal displacement, there are at least three models that could be used as a basis for enhancing U.S. institutional leadership on internal displacement. The first model is to designate a single government agency as the lead for internal displacement, for material aid and protection, whenever and wherever a displacement crisis occurs. That “lead agency” would serve as center of excellence on internal displacement, delineating policy on cross-cutting issues like access and

(continued on page 11)
Colombia is a clear case of how institutional gaps and constricted mandates among U.S. government agencies have resulted in a major displaced population receiving little U.S. assistance or policy attention. Colombia’s estimated 1.4 million internally displaced received virtually no U.S. assistance prior to 1998. In August 1998, the Clinton Administration announced that $2 million in MRA funding would go to assist Colombia’s internally displaced, about 3 percent of the $66 million sent to Bogota the same year under the U.S. government’s International Narcotics and Law Enforcement account. Two months later, Congress nearly tripled anti-drug funding, to $289 million, without addressing internal displacement issues.

Admittedly, Colombia’s internal displacement crisis is complex, with guerrilla forces, landowner-supported “paramilitaries,” narcotics traffickers, government security forces, and generalized violence all contributing to widespread conflict and human rights abuses. This violence reaches virtually all regions of Colombia, and has resulted in the forced displacement of at least 2 percent of the nation’s population. Adding to the complexity of the problem in Colombia, internal displacement has been a multi-year – even multi-decade – problem, associated with a history of political and social violence in the countryside, often with small groups or families being displaced. Moreover, the propensity of conflicting groups to track and harass internally displaced individuals after they have fled their homes, and socio-political stigmas attached to displaced status, make data gathering on the displaced difficult.

These complexities notwithstanding, the U.S. government response to the world’s fourth largest internal displacement crisis, and the largest in the Western Hemisphere, has been, by almost any standard, meager. The reasons for inaction are directly traceable to absence of a lead U.S. government agency focused on internal displacement, to gaps in current U.S. agency mandates, and to U.S. political and security objectives vis-à-vis Colombia’s security services, which are responsible for a portion of the displacement.

For example, the long-term, incremental, “rolling” nature of the displacement registers only dimly on the disaster radar of the Office of U.S. Foreign Disaster Assistance, which provides substantial U.S. assistance in many other conflictive crises. In spring 1997, an upsurge in violence and displacement in northwest Colombia prompted an OFDA assessment mission and, subsequently, a disaster declaration by the U.S. ambassador. However, OFDA assistance – amounting to $22,913 in public health supplies – was targeted only at the short-term upsurge in displacement. And the primary need facing Colombia’s internally displaced – protection – is a commodity not normally prof ered by OFDA. By comparison, OFDA provided Colombian authorities with more than $1 million in assistance within one month in early 1999 when an earthquake struck near the city of Armenia.

Similarly, the State Department’s Bureau of Population, Refugees and Migration (PRM) historically has paid little attention to Colombia’s internally displaced. The Bureau’s traditional focus on refugees extended to encouraging UNHCR until recently not to become involved in Colombia. Currently, PRM does support both ICRC and UNHCR activities in Colombia, but UNHCR’s initiatives remain small. Meanwhile, USAID’s regular development assistance program for Colombia has been miniscule, reflecting Colombia’s overall favorable economic performance in the early and mid-1990s, but U.S. assistance in general has been shifted to anti-narcotics efforts. USAID’s Office of Transition Initiatives (OTI) announced in May 1999 that it will be starting a $1 million program in Colombia to support the peace process. According to OTI reports, its program in Colombia will include unspecified funding for “the needs of displaced persons fleeing from violence.”

In addition to limited funding from PRM and OTI, there are other modest signs that the U.S.
government is beginning to focus on Colombia’s crisis of internal displacement. The State Department’s human rights report on Colombia for 1998 prominently features violations affecting the displaced, and notes that the “...government’s response to the needs of the displaced population was inadequate, and by its own estimate reached only 10% of the displaced population.” And, in 1999 testimony to the U.S. Congress, State Department officials referred to the plight of internally displaced persons as “[O]ne serious problem in Colombia, which perhaps does not receive adequate attention....”

However hopeful, these U.S. government steps are likely to remain modest until an agency is designated to take the lead in managing the federal response to multifaceted, “rolling” displacement crises like that in Colombia. Such crises, which are likely to feature prominently in the international landscape of the next decade, require attention to material assistance, protection, advocacy, peace processes and international cooperation, under the focused leadership of a single responsible entity.

It should be noted that, in Colombia, the paucity of the U.S. government response to a major internal displacement crisis close to American shores stands in marked, and perhaps ironic, contrast to the European Community’s efforts. The European Community Humanitarian Office (ECHO) identified displaced populations as its program priority in 1996, and initiated an ECU 4.5 million (currently $4.59 million) program the following year, establishing an office in Bogota to coordinate assistance efforts. ECHO has produced thoughtful policy analyses of the displacement crisis in Colombia, examining among other topics how its assistance can have a preventive purpose. In May of 1998, ECHO’s Global Plan for Colombia announced an increase in funding on behalf of the internally displaced to ECU 6.5 million (currently $6.63 million).

A second model is to name a lead agency on a case-by-case basis, as individual crises arise. That is, if a complex crisis is developing in Country A that is likely to result in large-scale internal displacement, the NSC, Department of State or other convening entity for U.S. government inter-agency cooperation during the crisis could, as a matter of standard practice, designate an office as lead for internally displaced persons for the duration of that crisis. The designation would be based on the nature of the displacement crisis and the comparative competencies of responding agencies. Under this scenario, the designated office for internal displacement would assume responsibility for assessing internal displacement needs, taking the inter-agency lead on policy and advocacy, mobilizing resources, and developing protection strategies for the duration of the particular crisis.

A third alternative is the convening of regular, systematic inter-agency consultations on internal displacement, either under the auspices of one of the humanitarian offices listed above or by a more senior coordinating official. Either the President’s Coordinator for Disaster Response (currently the USAID Administrator), the Senior Director for Multilateral and Humanitarian Affairs at the National Security Council, or the Under Secretary of State for Global Affairs might logically convene such a consultation. This coordinating mechanism could generate better data on internal displacement and a wider understanding of the nature of displacement, empirical data on displacement crises, and coordinated policy and funding decisions, as well as serving as a resource mobilization forum.

Weighing these alternatives inevitably raises the “diffusion versus cohesion” debate: the question of whether a multi-faceted policy issue like internal displacement is best addressed within a government structure through shared responsibility or by focused leadership. That is, should all relevant U.S. government agencies be asked to consider the internally displaced within their existing mandates, broadly embedding—in the best case—internal displacement issues within many programs, or should one agency or forum assume the lead, guaranteeing at least one U.S. government sponsor for the target group? Tackling this debate more broadly, does the U.S. government risk a
proliferation of target categories (the internally displaced, refugees, the conflict-affected, former combatants), each with an advocacy agency assigned, at the risk of ignoring integrated approaches to conflict and its solutions? Although this debate deserves careful analysis, certain characteristics of internal displacement crises – especially the relative invisibility of many internally displaced populations, barriers to international access, and the tendency for displacement to linger well beyond the emergency phases of humanitarian crises – argue strongly for a focal point within the U.S. government to establish ongoing accountability for internally displaced populations.

**FINDING 5, REGARDING ADEQUATE RESOURCES:**

**U.S. Government Humanitarian Aid Reaches A Portion of the Internally Displaced; Protection Receives Inadequate Resources; Not a Single U.S. Government Employee Devotes the Majority of His/Her Time to Internal Displacement Issues.**

It is not possible to say definitively how much money the U.S. government spends on internally displaced persons, since data on the internally displaced is not reported by government agencies. Since the combined budgets of PRM, OFDA, FFP and OTI total approximately $1.1 billion, and since a portion of each of these budgets reaches the internally displaced, it is clear that substantial U.S. assistance goes to internally displaced persons in dozens of countries. In specific countries—such as the Sudan, where the majority of relief program beneficiaries are internally displaced persons—it is possible that the greater portion of U.S. assistance benefits the displaced.

It is also clear, however, that U.S. government financial assistance is not reaching substantial concentrations of internally displaced persons, and that important categories of assistance, in particular protection activities, receive inadequate funding. Countries like Georgia and Peru, for example, home to large concentrations of internally displaced persons, are not currently designated as disaster sites and receive no OFDA assistance. Other countries with large displaced populations, including Turkey and Burma, restrict cooperation with international organizations, limiting the benefit of PRM-funded programs through UNHCR and ICRC.

When programs funded by U.S. government resources do reach internally displaced persons, the greater part of that assistance is likely provided for food and other material assistance. While important, this assistance cannot substitute for essential protection from direct physical attack or threat, sexual assault, conscription or forced labor, forced migration, deprivation of identity documents, removal from life-sustaining employment, or other threats to which displaced populations are especially vulnerable. [See Sudan box] Although the absence of government documentation and reporting prevents a definitive assessment of U.S. support for protection activities, it is widely believed that such activities are not a prominent feature of U.S. humanitarian assistance programs. Clearly, PRM-funded activities of UNHCR and ICRC, both of which have protection mandates, offer protection to the internally displaced in those situations where they have access and where the displaced are “of interest” to those agencies. Ironically, OFDA – the agency that PRM believes should have the lead on internal displacement issues—takes an extraordinarily reserved position on protection issues. The following quote from USAID/OFDA’s *Field Operations Guide* illustrates the difficulty of harnessing U.S. financial resources to protection activities benefiting the internally displaced:

*The immediate need for displaced persons (DPs) is that they be in a secure location where their safety and human rights are ensured. It is difficult to begin an assistance program in an unsafe location or in an atmosphere of vulnerability. The International Committee of the Red Cross (ICRC), the United Nations High Commissioner for Refugees (UNHCR), and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) often attempt to protect displaced populations from arbitrary actions of outsiders and to provide relief assistance. OFDA Assessment teams and DARTs [Disaster Assistance Response Teams] should support the efforts of the ICRC, UNHCR, and OCHA. However, Assessment Teams and DARTs should not assume any responsibility for the protection of DPs [emphasis added].*

The provision of a dedicated U.S. government funding stream for internally displaced persons would alleviate gaps in coverage and, if structured according to the needs of displaced persons in the real world, could direct resources to protection activities. A dedicated funding stream might be achieved through creative coordination among agencies currently man-
aging the International Disaster Assistance account, the MRA and ERMA accounts, the Food for Peace Account, the Development Assistance account, and other existing funding sources. Alternatively, legislation creating a specific fund for addressing internal displacement crises could be considered. Given the current lack of data within the U.S. government on whether internally displaced populations are adequately reached with U.S. assistance, either of these steps might usefully be preceded by a thorough study identifying gaps in coverage, by country and by categories of need.

Beyond the issue of financial resources, the U.S. government currently invests staff resources totally incommensurate with the magnitude of the global displacement crisis. Despite the fact that the number of internally displaced persons is now estimated to exceed by far the number of refugees worldwide, not a single U.S. government employee devotes the majority of her or his time to internal displacement issues. Although dedicated staff at several U.S. government agencies, in particular PRM, attempt to keep up with internal displacement issues, the topic is certainly merely an addition to ongoing responsibilities. Development of effective U.S. government policy on internal displacement, advocacy, full participation in international debates, and the delivery of targeted assistance and protection programs will require staff assignments to monitor the displacement issue, as well as budgetary dollars.

FINDING 6, REGARDING EXTERNAL LINKAGES:

The U.S. Government Has Been a Passive Interlocutor in International Debates on Internal Displacement, Responding to this Emergent Set of Issues in Established, Habitual Patterns.

An effective U.S. government response to the global crisis of internal displacement would include dynamic interventions in international policy debates on the topic at the United Nations and elsewhere, as well as consistent engagement with non-governmental organizations focused on internal displacement issues. In this regard, the United States Mission to the United Nations (USUN) web page on “Economic, Social and Development Affairs” might serve as a symbol for the limited U.S. focus on internal displacement. That summary of key economic, social and development topics at the UN includes 39 items, from “Capital Punishment” to “UN Conference – Follow-up,” and notes the special conditions of “Disabled Persons,” “Indigenous People,” “Older Persons,” and “Refugees,” among others. Although “Corrupt Business Practices,” “Religious Intolerance,” and “Technical Cooperation” make the key issues list, internally displaced persons do not. Nor, more substantively, are the internally displaced mentioned in key agenda-setting documents for U.S. participation in UN deliberations, such as the United States Goals for the United Nations Fifty-Third General Assembly or the 1998 report to the Congress on United States Participation in the United Nations.

Such omissions, when combined with a review of U.S. government interventions on humanitarian topics at the UN, and discussions with numerous UN and international organization staff engaged in internal displacement deliberations, yield a consistent finding: the U.S. government has been a passive interlocutor, rather than an active leader, in the ongoing international debate about internal displacement.

This is not to argue that the U.S. government has been silent on internal displacement. During a statement to the UN Economic and Social Council (ECOSOC) in 1998, the Assistant Secretary of State for PRM called the issue of internally displaced persons “a central concern and….major challenge to the international community” and called the International Organization for Migration’s (IOM’s) interest in internally displaced persons “a timely contribution” in 1997. The U.S. delegation to the UN Commission on Human Rights warmly welcomed the completion of the Guiding Principles on Internal Displacement developed by the Representative of the Secretary-General on Internally Displaced Persons. And U.S. government spokespersons have taken strong stands regarding internal displacement in specific country settings in a broad array of international fora.

Relative both to the level of activity within the UN system and to the traditional leadership role of the U.S. government on migration and humanitarian issues, U.S. participation in discussions on internal displacement has been muted. Since the end of the Cold War stimulated a renewed interest in international response to humanitarian crises, and especially since the UN Secretary-General addressed internal displacement in his 1997 reform proposals, the UN humanitarian system has been active on internal displacement issues. Of particular note, the development in 1998 by the Representative of the Secretary-General on Internally Displaced Persons of Guiding Principles on Internal Displacement marked a milestone in the elaboration of rights of, and responsibilities to-

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In terms of duration and breadth, no displacement crisis exceeds that in the Sudan, Africa’s largest nation. The current round of conflict, dating almost unabated from 1983, has destroyed much of the nation’s productive capacity, and rendered desolate large areas of the Sudan, especially in the south. The struggle – based on regional, ethnic, political, religious and historical factors – has displaced an estimated 4 million Sudanese, who reside both in areas controlled by the government and in areas controlled by opposition groups, the most well-known being the Sudanese People’s Liberation Army (SPLA). Although any census conducted under the circumstances prevailing in the Sudan must be considered an approximation, the displacement crisis there is generally considered the most extensive in the world. An ominous feature of the Sudanese crisis is the consistent animus the government of Sudan displays against both displaced persons originating in areas outside its control, and against vigorous international efforts on behalf of the displaced.

In terms of material assistance, the U.S. government humanitarian response to the Sudan has been extensive. Assistant Secretary of State Susan Rice reported to the Congress in 1998 that the United States had delivered more than $700 million in relief aid to the Sudan in the past decade, much of it reaching the internally displaced. In addition, U.S. government agencies have supported international efforts at humanitarian diplomacy – such as the UN’s Operation Lifeline Sudan – to ensure that assistance reaches victims isolated by the ongoing conflict.

Regrettably, however, relief supplies like food, medical supplies, and seeds are only part of what internally displaced families in the Sudan lack. Perhaps no population on the face of the earth requires protection from a more devastating array of assaults on their persons, property, livelihoods, and culture than the internally displaced of the Sudan. Moreover, this large and vulnerable population faces these assaults from government forces, paramilitary forces, and opposition forces, which in theory have primary responsibility for their protection.

Among the compelling protection shortfalls in the Sudan are:

- Repeated attacks by government and opposition forces on camps, relief centers, and concentrations of displaced persons, including aerial bombing by government aircraft
- Widespread sexual assaults on displaced women and girls
- Persistent raiding by government-sponsored paramilitary militias on displaced encampments, sometimes resulting in the enslavement of displaced individuals
- Purposeful theft or destruction of livestock and other economic assets retained by displaced communities
- Forcible recruitment of displaced persons, including children, as fighters or auxiliaries, by all parties to the conflict
- Incompetent or corrupt administration of relief efforts by government and opposition relief agencies and manipulation of Operation Lifeline Sudan in the 1990s.
- Forced relocation and resettlement, including violent destruction of displaced settlements and relocation to isolated sites or camps with restricted egress
- “Sequential constant displacement,” with families uprooted multiple times by conflict and forced to move from place to place in search of security
- Limited or non-existent schooling for displaced children
- Forced acculturation of displaced children in non-traditional belief systems

Given these profound difficulties, and given the unwillingness of Sudanese officials to provide the protection mandated by international human rights and humanitarian law, the displaced require a range of protection activities from the international community.
In its policy pronouncements, the U.S. government has not ignored compelling protection issues in the Sudan. During the past decade, State Department and USAID officials have made at least sporadic diplomatic overtures on virtually every one of the protection shortfalls mentioned above. On many occasions, they have been joined by committed individual members of Congress in seeking greater protection of the human rights of displaced Sudanese citizens. The problem, however, is that there is no critical mass of expertise within the U.S. government on internal displacement crises that is capable of maintaining the sustained policy interest, and generating the innovative policy initiatives, to overcome the kind of antagonism and resistance the international community encounters in the Sudan.

Diplomacy, advocacy, and mobilization of international coalitions on behalf of the displaced are the elements needed. Because of the way the U.S. government is currently organized vis-à-vis internal displacement, resources for taking on these complex and difficult protection tasks are in short supply. To be sure, just within the past year, USAID, in response to Congressional initiatives, has reserved funding to improve the administration of relief aid in opposition-controlled areas, and named a senior coordinator for Sudan to work with other donors to increase humanitarian access. But there is no guarantee that the allocation of additional dedicated resources within the U.S. government for humanitarian aid will, in itself, meet the human rights and safety needs of 4 million displaced in the Sudan. The current configuration of U.S. government humanitarian agencies, which lack staff focused on the peculiar aspects of protecting internally displaced populations, virtually guarantees that protection initiatives will not garner the attention they merit within the U.S. government.

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ward, the displaced. During the past several years, the UN system has reviewed a number of institutional options for managing the internal displacement crisis. It is perhaps a reflection of the internal policy uncertainty within the U.S. government on internal displacement that U.S. participation in these developments has been limited. Without clear guidelines for policy direction and leadership within the federal establishment, outlining a clear role in international fora has been difficult.

Similarly, U.S. agency engagement on internal displacement with non-governmental advocacy and assistance organizations has been virtually a one-way street. Although a number of NGOs have approached government officials to argue for increased focus on internal displacement, U.S. government outreach to this community on this issue has been limited.

To summarize this study’s six findings, the U.S. government response to internally displaced persons has been limited and ad hoc. Undeniably, in some major instances beneficial assistance from the U.S. government has reached internally displaced populations. And, undeniably, yeoman-like efforts by individual federal officials have assisted this target population. But these efforts have been made within an inadequate policy and program infrastructure that does not reflect important aspects of current humanitarian issues. These are not irreparable problems. Concrete, realistic steps by key leaders within the U.S. government can significantly enhance the U.S. response to the global crisis of internal displacement.
A SOUND STATUTORY BASIS FOR ACTION

1. The Senate Foreign Relations Committee and House International Relations Committee, respectively, during their next review of foreign assistance and refugee legislation, should examine current law to determine whether internally displaced persons are adequately covered, prior to, during, and subsequent to displacement. The review should encompass the question of whether current statutes provide adequate authority to offer protection to internally displaced persons and adequate funding mechanisms.

2. The Senate Foreign Relations Committee, House International Relations Committee, and Senate and House Appropriations Committees, during their next review of authorization and appropriations bills, as well as their review of the Fiscal Year 2001 Congressional Presentation on Foreign Operations, should examine current funding authorities for internally displaced persons, to determine if adjustments are needed.

3. The Administrator of USAID should direct the Bureau for Humanitarian Response to develop draft legislation to ensure coverage of internally displaced persons within USAID’s humanitarian assistance programs.

4. The Administrator of USAID should direct the Bureau for Humanitarian Response, working with the Global Bureau and regional bureaus of USAID, to develop draft legislation to make the enhancement of the capacity of local officials to help reintegrate displaced persons an appropriate goal of USAID capacity building and governance programs, including Development Assistance, Freedom Support Act, and Support for Eastern European Democracy (SEED) programs. Such assistance should be available both to host governments and to opposition groups that are in effective control of displaced populations.

CONGRESSIONAL FOCUS ON THE ISSUE

1. The Senate Foreign Relations Committee, House International Relations Committee, Senate Appropriations Committee and House Appropriations Committee should schedule hearings on the emerging phenomenon of internal displacement, and the adequacy of the U.S. government response.

2. The Senate Foreign Relations Committee and/or House International Relations Committee should request a report from the Department of State and USAID on the emerging phenomenon of internal displacement, and the U.S. government response.

3. The Senate Foreign Relations Committee and/or House International Relations Committee should commission a report from the General Accounting Office on the emerging phenomenon of internal displacement, whether U.S. government programs adequately address the phenomenon, and whether current funding mechanisms are adequate to meet the needs for protection and assistance faced by internally displaced persons.

4. During its annual hearings reviewing migration and refugee programs, the House Subcommittee on International Operations and Human Rights should specifically examine the impact of the MRA on internally displaced persons, and whether there are significant gaps in coverage for the displaced.

5. During its annual hearings reviewing Country Reports on Human Rights Practices, the House Subcommittee on International Operations and Human Rights should examine whether the Reports are adequately focused on the special needs of internally displaced persons, and whether adequate guidance on this topic has been presented to American embassies. The Subcommittee should further examine whether and how those violations of the human rights of displaced individuals that are reported in the Country Reports are translated into diplomatic intercessions by U.S. officials with host governments.

AUTHORITATIVE POLICY DOCUMENTS

1. The National Security Council should proceed with the development of a Presidential Decision Directive on international migration issues, expanding the scope of the document to include internal displacement.

2. As an interim step, the State Department Policy Planning staff, in cooperation with USAID’s
Bureau for Humanitarian Response (BHR), should complete a policy paper on internal displacement, addressing the circumstances under which the U.S. government will respond, U.S. objectives, and institutional responsibilities. An interagency process should be convened to guide the policy paper.

3. During its next review of the United States Strategic Plan for International Affairs, the State Department Office of Resources, Plans and Policy should expand the language related to internal displacement.

4. The USAID administrator should direct the Bureau for Humanitarian Response to review USAID strategy documents to ensure they adequately address the issue of internal displacement.

A LEAD GOVERNMENT INSTITUTION
1. The Under Secretary of State for Global Affairs, in coordination with the USAID administrator, should develop a process for selecting a U.S. government lead office on internal displacement, either on an overall or case-by-case basis.

2. The Under Secretary of State for Global Affairs – or the lead office, if one is designated – should convene a regular inter-agency forum on internal displacement issues, with a formal agenda, and dedicated representation from all key agencies. Agenda topics should include (a) development of a coordinated response plan for the internally displaced; (b) development of adequate budget resources; (c) development of an access strategy to reach the internally displaced; and, (d) development of a policy on protection of internally displaced persons.

3. As a supporting step in coordinating the U.S. government response to internal displacement, one office should be designated to gather and maintain (either in-house, or in cooperation with external institutions) a database on internal displacement, further ensuring that adequate funding is available for this effort.

FINANCIAL AND STAFF RESOURCES
1. Each federal agency working in the area of humanitarian assistance and/or refugees and migration initially should designate one staff member with primary responsibility to monitor and report on internal displacement, to represent the agency in the inter-agency forum described above, and to develop an agency policy paper on internal displacement.

2. Each federal agency working in the area of humanitarian assistance and/or refugees and migration should conduct a review of funding authorities for internally displaced persons, identifying funding gaps, and reporting on those authorities to the inter-agency forum described above.

3. The Office of U.S. Foreign Disaster Assistance should re-examine its Field Operations Guide language on protection of internally displaced persons to determine if the guidance to field personnel is unnecessarily restrictive with regard to protection.

4. OFDA should review its procedures for disaster declarations to ensure they are not overly restrictive in meeting the needs of displacement crises, especially prior to actual internal displacement taking place.

STRUCTURED LINKAGES WITH EXTERNAL ACTORS
1. The State Department bureaus of International Organization Affairs (IO), PRM and DRL should jointly conduct a review of U.S. government participation in UN and regional fora on internal displacement, determining whether this participation is adequate.

2. Pending the designation of a U.S. government lead agency on internal displacement, the IO and PRM bureaus should jointly develop a policy paper on current international institutional and resource issues related to internal displacement, detailing U.S. government policy related to those issues.

3. The PRM Bureau and USAID’s BHR should jointly convene a conference with inter-agency and non-governmental partners within the United States to examine U.S. government policy issues related to internal displacement, and to help shape U.S. government policy priorities.

4. The PRM and IO bureaus should jointly assess the possibility of an international conference on internal displacement that would be sponsored by UN agencies, international organizations, multilateral institution, bilateral agencies and/or NGOs. These bureaus should support efforts to organize such a conference.
EN DNOTES


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

4 The past decade has witnessed a series of events that have increased focus within the UN system on issues of internal displacement. In 1992, the Secretary-General appointed a Representative on Internally Displaced Persons. That Representative, Dr. Francis M. Deng, has undertaken initiatives— including country visits, reports and analyses— to raise the visibility of and focus on internal displacement.

In 1998, the Representative presented the Guiding Principles on Internal Displacement, which are the first attempt to articulate what protection should mean for the internally displaced. The Guiding Principles set forth the rights and guarantees relevant in all phases of displacement: before displacement occurs (that is, protection against arbitrary displacement); during situations of internal displacement; and, in the return or resettlement and reintegration phase. The Guiding Principles restate and consolidate in one document the relevant principles applicable to the internally displaced, providing practical guidance for use in responding to situations of internal displacement.

Also in the 1990s, a number of steps have been taken to enhance coordination among UN agencies vis-à-vis the internally displaced. The Emergency Relief Coordinator (ERC), as chairman of the UN’s inter-agency standing committee (IASC), is the focal point at UN headquarters level for the inter-agency coordination of humanitarian assistance to internally displaced persons. This responsibility includes: (1) global advocacy on both assistance and protection requirements; (2) resource mobilization and the identification of gaps in resources for the internally displaced; (3) in consultation with external institutions, promotion of the establishment of a database and global information on internally displaced persons, including monitoring and issuance of periodic situation reports; and (4) support to the field on related humanitarian issues, including negotiation of access to the internally displaced. At UN headquarters level, the IASC-Working Group (IASC-WG) is the forum for consultations on all internal displacement matters.

At the field level, the UN Resident/Humanitarian Coordinator, in full consultation with the inter-agency country team, is responsible for the strategic coordination of assistance to internally displaced persons. This responsibility includes addressing humanitarian requirements before, during and after an emergency, serving as an advocate for assistance and protection, as well as recommending to the ERC a division of responsibility among agencies. The work of the UN Resident/Humanitarian Coordinator on behalf of the internally displaced is to be carried out in close collaboration with responsible government authorities, local and international NGOs, international organizations, and other relevant actors.

5 Other funding categories include “refugee admissions” to the United States, assistance to “refugees to Israel,” and “administrative expenses.” See Bureau of Population, Refugees, and Migration, United States Department of State, Congressional Budget Presentation: Migration and Refugee Assistance; Emergency Refugee and Migration Assistance Fund, Fiscal Year 2000; no date; page 10

6 The MRA lists the following recipients for U.S. assistance: UNHCR, the Intergovernmental Committee for European Migration (now the International Organization for Migration, or IOM), the International Committee of the Red Cross (ICRC), and “other relevant international organizations.” In the latter category, the State Department’s PRM Bureau lists the United Nations Relief and Works Agency for Palestine Refugees in the
Near East (UNRWA) and the World Food Programme (WFP) among “primary recipients of U.S. contributions.” See PRM, Congressional Budget Presentation, Fiscal Year 2000; pages 6-7

7 In 1997, the latest year for which comprehensive data are available, 6.36 million internally displaced persons were “of concern” to UNHCR (see Statistical Unit, UNHCR, Refugees and Others of Concern to UNHCR: 1997 Statistical Overview; July 1998). Similar global data were not available for the ICRC, which focuses overall on the victims of armed conflict.

8 PRM, Congressional Budget Presentation, Fiscal Year 2000; page ii


12 Jennifer McLean, IDP Coverage in State Department Human Rights Reports, Brookings Institution Memorandum, August 24, 1998. The memorandum refers to discussions with Marc Susser, Deputy Director of DRL’s Asylum Office, and Joseph Rees, Staff Director and Chief Counsel to the Subcommittee on International Operations and Human Rights of the House Committee on International Relations.


14 See FAA Section 102 B(3).

15 See USAID, USAID’s Strategies for Sustainable Development, 1994, especially the Sustainable Development Strategy Paper Building Democracy. Also see USAID, USAID Strategic Plan, no date, especially the section on Democracy and Good Governance Strengthened.

16 The phrase “displaced persons” is mentioned in a number of U.S. laws relating to humanitarian assistance and aid to conflict victims, usually as part of a generic reference to “refugees and displaced persons” among conflict victims. A search of the Library of Congress database for the last three Congresses found one reference to “internally displaced persons” in statutes enacted during that period. Public Law 104-107, the Foreign Operations, Export Financing, and Related Programs Appropriations Act for 1996, mentions “the suffering of refugees and internally displaced persons” during its discussion [section 714(w)] of humanitarian assistance to Azerbaijan.

17 Michael Myers, former minority counsel, Subcommittee on Immigration, Senate Judiciary Committee, interview, June 1999.

18 References to internal displacement during Congressional hearings frequently reference displacement in a particular country – Sudan, perhaps, or Kosovo – rather than cross-cutting issues of internal displacement.


20 Mr. Smith now serves as Chairman of the Subcommittee on International Operations and Human Rights, House Committee on International Relations.


23 The Secretary of State, Congressional Presentation for Foreign Operations: Fiscal Year 1999, no date, pages 48-49.

24 See, for example, Congressional Presentation, section on Angola, where one of the Indicators for achieving U.S. objectives is “Reduction in IDP [internally displaced persons] numbers with return to home villages,” page 65.

25 The White House, A National Security Strategy for a New Century, October 1998. It is notable that this broad-gauged examination of national security priorities does acknowledge, in its section on Humanitarian Activities, that: “We also will assist efforts to protect the rights of refugees and displaced persons and to address the economic and social root causes of internal displacement and international flight.”

USAID, *USAID Strategic Plan*, no date.


Even with sufficient institutional support, there are many difficulties in accurately enumerating the internally displaced. First, accurate census data may not be available for populations on the move. Second, political factions may be motivated to over- or under-count internally displaced persons. Third, displaced communities may have dispersed to urban or peri-urban neighborhoods, or be scattered in rural areas. Fourth, fear of persecution may cause the internally displaced to avoid attempts at registration or identification. Fifth, identification papers or other important documents may have been lost during flight. Sixth, displacement may have disrupted community and family structures used to enumerate individuals.


This list of agencies focuses on those agencies with recurring responsibility for humanitarian assistance. In individual cases, U.S. ambassadors, State Department functional and regional bureaus and offices, USAID functional and regional bureaus and offices, and other U.S. government agencies have provided assistance to country-specific groups of internally displaced persons or launched diplomatic appeals on their behalf.


According to reports in The New York Times, this increase made Colombia the third largest recipient of American security assistance, after Israel and Egypt. Critics of the funding increase, including the Washington Office on Latin America, expressed concern that intelligence developed for counter-narcotics operations could make its way to paramilitary units in Colombia. Such an occurrence could, ironically, increase internal displacement in Colombia. See Larry Rohter, *Rebel Push in Colombia Adds Urgency to Washington Talks*, The New York Times, July 14, 1999.


The $1.1 billion estimate was computed by adding the International Disaster Assistance account expenditures for FY1998 (approximately $190 million), the overseas expenditures portion of the MRA account for FY1998 (approximately $455 million), and 54% of the P.L. 480 Title II food program expenditures for FY1998 (approximately $452 million). The adjustment factor in food assistance programs is related to the percentage of P.L. 480 expenditures that goes to “victims of civil strife and natural disasters.” For references, see Congressional Presentation for Foreign Operations: Fiscal Year 1999, pages 912 and 1003; Office of the Secretary of State, Summary and Highlights: International Affairs Fiscal Year 2000 Budget Request, www.state.gov/www/budget/2000_budget.html, February 1, 1999, page 3; and, USAID, P.L. 480 Title II: Information for PVO Partners, www.info.usaid.gov/human_response/titleii.htm, no date, page 1. This total does not include expenditures made pursuant to the Emergency Refugee and Migration Assistance Fund.

This assessment is based on the large portion of U.S. government humanitarian assistance that is food-related, the assumption that most of OFDA funding is provided for material assistance (based on a review of OFDA-reported grants), and the assumption that a significant (though unspecified) portion of MRA funding is provided for material assistance.

See Assistant Secretary of State for PRM comments during Congressional testimony on page 13, above.


OFDA, Sudan – Complex Emergency, Situation Report #1 (FY 1999), page 5.

This argument for dedicated funding for programs benefiting internally displaced persons does not advocate strict differentiation between displaced and resident populations in the field. It is widely recognized among relief and human rights practitioners that, in individual country settings, distribution of program benefits to both displaced and conflict-affected host populations may be important, for equity, in order to avoid stigmatization of the internally displaced and to prevent inter-community conflict.


Bureau of International Organization Affairs, Department of State, United States Participation in the United Nations: Report by the President to the Congress for the Year 1997, Department of State Publication 10558, July 1998.


See The Secretary-General, Renewing the United Nations: A Programme for Reform, Statement to the Special Meeting of the General Assembly on Reform, Section 186, July 16, 1997.