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"Masses in Flight: People under Assault in their Own Countries"
Inaugural Lecture by Roberta Cohen[1]

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First I would like to commend the American Jewish Committee, in particular
Rosalyn Borg, and the Center for International Studies at the University of
Missouri St. Louis, directed by Dr. Joel Glassman, for having the foresight
and the concern to organize a lecture series and program on The Global
Perspective of Human Rights. I'd also like to thank both institutions for
giving me the opportunity to speak about what I consider the 21st century's
most challenging human rights issue: protecting people under assault in their
own countries.

The second half of the 20th century created the foundation for protecting
people by establishing international human rights standards and an
international human rights system. When Hitler and Stalin murdered
millions of their own citizens in the 1930s and 1940s, they were not
violating any international human rights agreements and there was no
system to try to stop them. It was not until 1948 that the Universal
Declaration of Human Rights – the cornerstone of the human rights
movement - was adopted. This was followed, over the next 30 years, by the
drafting and adoption of specific human rights treaties – against genocide,
apartheid, racial discrimination, torture, promoting civil and political rights,
women's rights, children's rights and so forth. By the late 1970s, active

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Displacement*, Brookings Institution Press, 1998.

monitoring began internationally of human rights conditions in different countries in terms of these treaties. Indeed, US President Jimmy Carter electrified the world when he said in 1977 that "no member of the United Nations can claim that mistreatment of its citizens is solely its own business." [1] International organizations, individual governments and non-governmental groups began to expose human rights violations, advocate for the victims, adopt sanctions against violators, establish criminal courts to try perpetrators and create programs to promote democratic institutions in different countries. In short, an evolution took place from a strictly state-centered system in which sovereignty was absolute to one in which the behavior of states toward their own citizens became a matter of international concern and was seen as having bearing on national, regional and international stability.

But the international human rights system set up in the 20th century was not sufficient to actually protect people under assault. As the century neared its close, questions began to be asked about whether the international community should do more, about whether there should be an *international responsibility* to protect people at risk in their own countries from starvation, genocide and mass murder. The explosion of civil wars in the 1990s brought into view millions of persons forcibly uprooted within their own countries without food, shelter, medical care or protection from human rights abuse or atrocity. Should the international community just monitor, report and issue protests but take no further action? The Canadian government in fact introduced the term "human security" into the UN Security Council in an effort to encourage the development of an international system to help protect people in their own countries. Such an approach to international relations puts people at the center and looks at national and international responsibility toward them.

The concept of human security is pertinent to the work I do in trying to promote more effective protection for the 20 to 25 million persons forcibly displaced within their own countries because of civil war, ethnic conflict, and gross violations of human rights. Frequently these people are called internal refugees; more regularly, internally displaced persons, or IDPs. There are about 10 million in Africa, 5 million in Europe, 5 million in Asia and 2 million in the Americas.[2] Behind the statistics, of course, are people in desperate straits, people cut off from their homes and community structures and often without a shred of protection. Were these people able to cross a border, they would become refugees and would find an elaborate

international system ready and waiting to take care of them. Since 1951 there has been a convention for refugees and a special UN agency, the High Commissioner for Refugees, to protect them. In other words, for the past 50 years, there has been an international responsibility for refugees. But the willingness of the international community in the 1950s to protect refugees did not extend to people in refugee-like situations *within* their own countries. In keeping with traditional notions of sovereignty, it was assumed that governments would provide for the well-being and security of their citizens. When governments failed to do so or deliberately subjected their populations to forced displacement, mass killings and starvation, the international community for most of the 20th century basically stood by – whether in Germany or Poland, Russia, Biafra, Indonesia, Cambodia, or Bangladesh. Even as late as 1988, international organizations and NGOs watched while a quarter of a million people died in the Sudan for lack of food and emergency supplies.[3]

It wasn't until the 1990s that a sense of international responsibility began to emerge toward persons at risk in their own countries. Why did this change occur? One reason was the growing numbers of persons at risk in their own countries. When first counted in 1982, there were only 1.2 million internal refugees in 11 countries. By 1997, 20 to 25 million were to be found in 40 countries because of the increase in the number of civil wars emerging from or following the cold war.[4] In fact, internally displaced persons began to outnumber refugees two to one in many humanitarian emergencies.

Another reason that brought the issue to the fore was the end of the cold war. When the superpowers were engaged in proxy wars in Angola, Mozambique, and El Salvador, no attention was paid to people internally displaced. It was only when these geopolitical struggles began to wane that the humanitarian dimension of displacement came into view. The end of the cold war also facilitated access. Without fears of superpower retaliation, possibilities opened up for crossing borders and reaching the internally displaced. By the late 1980s, humanitarian organizations like human rights groups began to insist that the international community should find ways to become involved when governments deny access to populations at risk of starvation. Thus, in the Sudan in 1990, the UN used hard diplomatic bargaining to persuade the Sudanese government and the rebel forces to accept Operation Lifeline Sudan, an international effort to bring food and supplies to internally displaced and other affected populations inside the country. [5] And in the case of Iraq, Somalia and Rwanda, the Security

Council authorized the use of force to bring relief to internally displaced persons.[6] Of course, the technological revolution - or the CNN factor - also helped. Watching starving Sudanese or beleaguered Kurds on TV screens generated public demands for international action.

But increased international attention has not made the problem easier to deal with. When states are monopolized by or identified with one ethnic, racial or religious group to the exclusion or marginalization of others, governments do not see their affected populations as citizens in need of protection and assistance. Rather they see them as enemies, as inferior, as different, not as their people. It is this alienation between the affected population and its government that is at the root of much of today's internal displacement. Let us look at a few examples.[7] In the Sudan, which has the largest internally displaced population in the world — 4 million — the government has been trying for decades to impose an Islamic state on black Africans in the rest of the country, who are primarily Christian and animist and do not want to be ruled by Sharia law. To bring them to heel, the government has obstructed international food deliveries to tribes in the south and bombed them fairly systematically. In Iraq, the government has committed genocidal acts against its Kurdish population, tortured many of them and sprayed them with poison gas. Kurdish areas in the north were put under an international protection umbrella in 1991. In Kosovo, the government of the Federal Republic of Yugoslavia long persecuted its Albanian population and when they began to resist, forcibly uprooted them in a period of weeks. Kosovo too is now under international protection. In Turkey and Sri Lanka as well, governments have long been at war with their own citizens. In both countries, decades of discrimination, against the Kurds in the case of Turkey, and the Tamils in the case of Sri Lanka, have produced violent separatist movements. The governments have then used the existence of these movements to justify campaigns of utter destruction against parts of their own population. Over a million people are uprooted in Turkey and Sri Lanka.

Internal conflicts in countries *without* governments pose even more problems. In the failed states, insurgent groups subject to no law or societal order fight over land, resources, and territorial control. Civilians become the main targets because they are connected to or perceived to be connected with rival factions or simply because they occupy land and property that are coveted. Stories of child soldiers, of amputations and mass rapes, of plunder of humanitarian assistance and the kidnapping or killing of humanitarian

workers frequently emanate from wars in dysfunctional states. Somalia and Sierra Leone easily come to mind, but in Colombia, too, fighting over land among paramilitaries, rebel groups, and government troops has forced nearly two million people from their homes and resulted in massacres and substantial deaths.[8] Colombia is at the breaking point.

Reaching people at risk in civil war situations is always fraught with danger, largely because each side fears humanitarian assistance will fortify the other. Therefore, rival factions regularly steal or obstruct assistance to the other side and sometimes target those providing the aid. Access may be complicated further by the different manifestations of internal displacement. In some countries, internally displaced persons in need of help do not congregate in easily accessible camps or settlements but disperse so as to avoid identification, or they may seek refuge in local communities.

Despite the difficulties, humanitarian action becomes necessary because of the immense needs of the people concerned, which their own governments fail or refuse to address. Even in cases where governments assume their national responsibility and try to help their displaced populations, they often do not have the capacity to respond to the magnitude of humanitarian needs. In the other cases where governments deliberately deny food and protection to their uprooted populations, the only hope for these people becomes the international community. This is also the case in failed states, where people's very survival may depend on outside help.

Humanitarian action may also become necessary because conflict and displacement affect not only individuals and groups but disrupt whole societies, economies, communities. Rarely do conflict and displacement stay contained. They often spill over borders into neighboring countries. Just look at the Great Lakes region of Africa, the Balkans and, now, Colombia. Conflict and displacement is not only a human rights and humanitarian problem but a political, economic and strategic one affecting broad geographic areas, and necessitating regional or international action.

But how do we address this problem? Under what circumstances and how should the international community become involved?

In 1992, the United Nations Secretary-General appointed a Representative on Internally Displaced Persons, Francis M. Deng, to look at this whole issue. As you know I serve as Deng's senior adviser. Deng himself is a

former diplomat, a southern Sudanese Dinka with direct experience of war and displacement. His first step was to try to reconcile at the conceptual level the tension between sovereignty and humanitarian intervention. He did this by promoting the concept of sovereignty as "responsibility" to one's citizens and to the international community.[9] Basically, it stipulates that governments have the principal responsibility to provide life-supporting protection and assistance for their own citizens. But if they are unable to do so, they are expected to request and accept outside offers of aid. If they refuse or deliberately obstruct access and put large numbers at risk, the international community has a right and even a responsibility to assert its concern. International involvement in such cases can range from diplomatic dialogue to negotiation of access to bring in relief, to political pressure, to sanctions or, in exceptional cases, to military intervention. Deng makes this case in all of his dialogues with governments.

To provide the international community with a basis for action, Deng and the Brookings Institution Project on Internal Displacement put together a team of legal experts to develop a set of Guiding Principles on Internal Displacement.[10] We brought people from all over the world to develop these Principles, which Deng presented to the United Nations in 1998. They are the first international standards for internally displaced persons. They set forth the rights of displaced populations and the obligations of governments and insurgent groups toward them. For example, they provide that people have a right not to be arbitrarily displaced, that they should not be forcibly returned to conditions of danger, that they should have the documents they need to enjoy their legal rights, that they should receive compensation or reparation for property lost during displacement. Basically, the Principles bring together into one document all the relevant provisions of international law applicable to displaced persons. They are based upon the concept of sovereignty as responsibility. They assert that primary responsibility for the displaced rests with their governments, but they underscore the important role the international community has to play when governments fail to discharge these responsibilities. They say that governments cannot arbitrarily withhold consent when they are "unable or unwilling to provide the required humanitarian assistance" and that governments have an obligation to grant humanitarian organizations "rapid and unimpeded access to the internally displaced."[11]

Although not a binding document like a treaty, the Guiding Principles are based on humanitarian and human rights law and in a short period of time

have gained considerable recognition and authority. They have been formally acknowledged by UN bodies and regional organizations, and in his report to the Security Council in 1999, the UN Secretary-General urged the Council to encourage member states to observe the Principles in situations of mass displacement.[12] Governments slowly but surely have begun to use the Principles as a basis for their policies and laws on internal displacement and we have been organizing meetings worldwide to promote their dissemination and application.

There are of course a number of governments that have expressed uneasiness, even opposition to being held accountable to international standards on internal displacement, for example, China, the Sudan, Egypt. These governments nonetheless did vote in favor of disseminating the Guiding Principles but they argue that the international community cannot *force* states to accept outside offers of assistance. That actually is true but there are a growing number of Security Council resolutions that do demand access to internally displaced persons and sometimes authorize the use of force to facilitate the delivery of relief and to provide security and protection to such persons. Indeed, there are a growing number of resolutions, whether on Iraq, Somalia, Rwanda, Kosovo, Bosnia, Azerbaijan, Guinea Bissau and other places, that authorize international help to displaced populations.[13] They reflect a trend - an emerging international responsibility to protect and assist those at risk.

This emerging international responsibility is also reflected in the expanding role of international organizations. Over the past decade, a multitude of humanitarian, human rights and development organizations have come forward to provide protection, assistance, and reintegration and development support to internally displaced persons. These include the UN High Commissioner for Refugees (which currently is assisting some 5 million internally displaced persons worldwide), the International Committee of the Red Cross (80 percent of whose caseload now involves the internally displaced), the World Food Programme (which provided food to 19 million internally displaced persons in 1999), UNICEF, the International Organization for Migration, the World Health Organization, the Office of the High Commissioner for Human Rights, and a myriad of non-governmental organizations.

Their role is intrusive: they are on the ground, directly helping people in their own countries. Indeed, they have become a defining feature of the post

Cold War world. But as I mentioned earlier, they often encounter interference in gaining access. Sometimes their field staff are endangered. In fact, in recent years, more humanitarian staff have been killed in humanitarian emergencies than peacekeepers.[14] As a result, the safety of humanitarian staff has become one of the more pressing issues facing the international community. Even the governments that invite international assistance, or consent to it, are often suspicious of efforts that reach out to all sides in a conflict and try to obstruct the aid. They seek to justify their actions on grounds of defending their sovereignty and claim that humanitarian action is but a cover for the interference of powerful countries in the affairs of weaker states.

Such claims are no longer generally acceptable. The UN Secretary-General told the General Assembly in April 2000 that while national sovereignty does offer vital protection to small and weak states, "it should not be a shield for crimes against humanity."[15] And the Representative of the Secretary-General on Internally Displaced Persons reaffirmed in a recent interview that when large numbers of people "are in desperate need for the basics of life then the international community cannot close its eyes and say this is an internal matter."[16]

Nonetheless, there remain tensions between traditional notions of sovereignty and an emerging international responsibility to populations at risk. The UN Secretary-General may speak of what he calls a "developing international norm in favour of intervention to protect civilians from wholesale slaughter."[17] But the Chinese Government insists that "No one should interfere with the internal affairs of a sovereign State in the name of humanitarian assistance, nor should humanitarian responses be used as a pretext to use force against a State."[18]

It is nonetheless indisputable that international protection and assistance for internally displaced persons remain essential. International agencies have increasingly been experimenting with ways to enhance protection for internally displaced persons – that is, going beyond providing displaced populations with food, medicine and shelter but also trying to protect their personal security and human rights. Displaced Bosnians, Kurds and people in Sierra Leone have regularly pointed out that it is not food they need but security. But how do you provide them with that? Some organizations have found that increasing their presence in places where there are protection problems can enhance security. The more outsiders around, some say, can

minimize abuses. Others have found it effective for all the agencies to take joint stands and engage in joint advocacy vis-a-vis the government or insurgent groups. Still others undertake direct protection activities such as evacuating people at risk or accompanying them on returns home. Or they make sure that their assistance programs enhance protection, for example by putting lighting near latrines so that women don't get raped at night. Prompt and efficient reporting of protection problems to those who can act upon them is also critical. It is more likely now that relief organizations – often the first to witness abuses - are going to forward that information to those who can take measures to publicize the violations and try to stop them.

The direct protection of people in their own countries by humanitarian and human rights organizations is a new field of endeavor that is being hotly debated both by humanitarian and human rights groups within and outside the UN. We are all aware of the work of courageous individuals, such as Raoul Wallenberg during the Holocaust. But making protection activities an accepted and even mandatory part of the work of humanitarian organizations on the ground is something being grappled with now. A *Handbook* that the Brookings Project has published together with the United Nations sets forth the kinds of steps that can be taken on the ground by relief workers to enhance protection.[19]

Of course, in some situations the only way protection is possible is through military and police action. In Iraq, Western forces did succeed in creating a safe haven for displaced Kurds under attack in the wake of the Gulf War. But in Somalia in 1992, military forces, while successfully preventing mass starvation, did not disarm the local factions and became embroiled in the conflict.[20] They failed to provide protection for themselves or Somali citizens. In Rwanda in 1995 - after the genocide - UN forces sent out to protect displaced populations stood by while several thousand were attacked and killed by the Rwandan army.[21] In Bosnia as well, UN forces, while authorized to provide protection to displaced persons in safe areas, stepped aside when the Serbs overran Srebrenica in 1995.[22]

The lesson to be learned, however, is not that international intervention should be avoided at all costs but rather that international forces charged with protection should be given the numbers, equipment, resources, training and mandates to do the job. Too often the political will was absent on the part of states in the Security Council and the UN had no experience in deploying troops in internal conflicts. But even when military action is

robust, as was NATO's intervention in Kosovo in 1999, it provided little or no protection for the 400,000 or so internally displaced persons trapped inside the province.[23] The military strategy selected by NATO to stop the assaults was a long-term one that focused on military and industrial targets in the Federal Republic of Yugoslavia. When NATO finally turned its air strikes against Serb forces in Kosovo, fear of casualties kept the strikes at 15,000 feet or more and prevented NATO from setting up humanitarian supply corridors or safe areas to protect the internally displaced. In NATO countries, it was feared that popular support for continuing the war would be eroded if there were troop casualties trying to protect beleaguered civilians. This raises the question of whether it is morally or even politically justifiable for soldiers – men and women in uniform paid to risk their lives - to avoid death or injury at the cost of many more lives and terrible suffering by civilians?

Nonetheless, we can conclude that people at risk in their own countries are no longer viewed by most governments as a strictly national problem. Awareness has grown that internal conflict and displacement pose a threat to national and regional stability and that people at risk cannot just be abandoned to the whims of their governments. This trend, however, continues to be challenged by different governments. But even in some of these countries, civil society, in particular non-governmental organizations, national human rights commissions, universities and the media have become increasingly vocal in support of protection for internal refugees. Over time, their combined initiatives may help influence their governments to assume greater responsibility for displaced populations.

At the international level, the forces of globalization are making it more and more difficult for states to barricade themselves behind national borders. Even North Korea, such a reclusive country, has had to allow in relief workers to stem starvation. And in the case of East Timor, Asian governments, so generally defensive of national sovereignty, accepted international military action on behalf of the internally displaced and other victims of the Indonesian military's orchestrated assaults.

Still, international involvement has become predictable only in cases where there is impending mass starvation. Hunger has become a trigger for international involvement. But in cases of impending genocide, large-scale massacres or 'ethnic cleansing,' humanitarian action remains case by case depending upon whether states define it to be in their national interest to take

the risks required. So, while there seems to be a right to humanitarian assistance, the establishment of what might be called a right to humanitarian protection has not yet emerged to justify action in all situations. No country was prepared to send forces to Rwanda at the height of the genocide in 1994 during which at least 800,000 people were massacred over thirteen weeks by "drawn-out, low-tech butchery," as it has been called, perpetrated with knives and machetes.[24] Major General Dallaire, the UN troop commander, had estimated that he could stop the genocide with 5,000 troops and requested them. But no troops were provided, a UN decision encouraged and supported by the United States.[25] Nor were troops forthcoming in the case of Burundi when the Secretary-General in 1995 proposed an international force to forestall predicted massacres.[26] Nor were steps taken to help stop the RUF, an insurgent group, from chopping off limbs in Sierra Leone, although now there are UN troops in the country. Even in Kosovo and East Timor, where international intervention was forthcoming, it took place only after much of the damage was done.

But we have heard a lot of apologies of late from the UN with regard to Bosnia and Rwanda, and also from the U.S. Government. A senior UN official recently stated with regard to Bosnia: "Through error, misjudgment and the inability to recognize the scope of evil confronting us we failed to do our part to save the people of Srebrenica from the Serb campaign of mass murder."[27] On his 1998 visit to Rwanda, President Clinton acknowledged that the international community "must bear its share of responsibility for this tragedy..." and publicly regretted that it failed to act quickly enough. Turning to the future, he said: "We owe to those who died and to those who survived…our every effort to increase our vigilance and strengthen our stand against those who would commit such atrocities in the future…We owe to all peoples of the world who are at risk…our best efforts to organize ourselves so that we can maximize the chances of preventing these events."[28]

I do hope that President-elect Bush and his advisers will agree that there exists an international responsibility, of which the United States is a part, to create an international system that more predictably protects people under assault in their own countries. I hope too that people across the United States will agree that the United States should play a leadership role in ensuring that international action be taken in cases of genocide, mass killings and mass starvation. For political will is not the monopoly of a few select officials in Washington. It can be found here on this university campus and on campuses across the country and in towns and cities across this land. The

main question we must ask ourselves is whether we want to prevent preventable genocides, whether we want to make the 21st century the one that stops governments from massive assaults on their own people?

Endnotes

[1]Transcript of President Jimmy Carter's Address at the United Nations, *New York Times*, March 18, 1977, p.A10.

[2] Roberta Cohen and Francis M. Deng, *Masses in Flight: The Global Crisis of Internal Displacement*, Brookings Institution Press, 1998, p. 33.

[3] Raymond Bonner, "Famine," *New Yorker*, March 13, 1989, pp.85-101.

[4] Cohen & Deng, *Masses in Flight*, p. 3.

[5] Francis M. Deng and Larry Minear, *The Challenges of Famine Relief: Emergency Operations in the Sudan*, Brookings Institution Press, 1992.

[6] United Nations, *Compilation and Analysis of Legal Norms*, Report of the Representative of the Secretary-General on Internally Displaced Persons to the Commission on Human Rights, E/CN.4/1996/52/Add.2, December 1995, New York, pp. 96-98.

[7] See Cohen & Deng, *Masses in Flight*, pp.30-64; and Roberta Cohen and David A. Korn, "Failing the Internally Displaced," *Forced Migration Review*, Oxford, August 1999, pp.11-13.

[8] World Refugee Survey 2000, U.S. Committee for Refugees, Washington DC, 2000, p.299.

[9] Cohen & Deng, *Masses in Flight*, pp.275-280.

[10] United Nations, The Guiding Principles on Internal Displacement, E/CN.4/1998/53/Add.2, February 11, 1998.

[11] Ibid., Principle 25.

[12] United Nations, Report of the Secretary-General to the Security Council on Protection of Civilians in Armed Conflict, S/1999/957, September 8, 1999.

[13] See Walter Kalin, *Guiding Principles on Internal Displacement: Annotations*, American Society of International Law and Brookings Institution Project on Internal Displacement, Washington DC, 2000, p. 65.

[14] Judith Miller, "U.N.'s Workers Become Targets in Angry Lands," *New York Times*, September 19, 1999.

[15] Statement of United Nations Secretary-General Kofi Annan to the General Assembly, on presenting his Millennium report, New York, April 3, 2000.

[16] Interview by Francis M. Deng with IRIN News Service, New York, May 19, 2000.

[17] Kofi Annan, Address of the United Nations Secretary-General to the General Assembly, Press Release SG/SM/7136, GA/9596, September 20, 1999, p.4.

[18] Security Council Press Release SC/6818, March 14, 2000.

[19] *Handbook for Applying the Guiding Principles on Internal Displacement*, OCHA and Brookings Institution Project on Internal Displacement, November 1999.

[20] *Somalia, Operation Restore Hope: A Preliminary Assessment*, African Rights, London, 1993.

[21] Larry Minear and Randolph C. Kent, "Rwanda's Internally Displaced: A Conundrum within a Conundrum," in Roberta Cohen and Francis M. Deng, *The Forsaken People: Case Studies of the Internally Displaced*, Brookings Institution Press, 1998, pp.57-96.

[22] Human Rights Watch World Report 1996, New York.

[23] Cohen & Korn, "Failing the Internally Displaced."

[24] "The Lesson of Rwanda," Editorial, *Washington Post*, October 13, 2000.

[25] U.S. Committee for Refugees, "Long Overdue Investigation Needed Into U.S. Government Role During Rwandan Genocide," Press Release, December 20, 1999.

[26] Cohen & Deng, *Masses in Flight*, p. 253.

[27] Barbara Crossette, "U.N. Details its Failures to Stop '95 Bosnia Massacre," *New York Times,* November 16, 1999.

[28] Remarks by the President to Genocide Survivors, Assistance Workers, and U.S. and Rwanda Government Officials, Kigali, Rwanda, Office of the Press Secretary, The White House, March 25, 1998.