



**The Brookings Institution– SAIS Project  
on Internal Displacement**

**International Symposium on  
The Mandate of the Representative of the  
UN Secretary-General on Internally  
Displaced Persons:**

**TAKING STOCK AND CHARTING THE FUTURE**

*Hosted by the Governments of Austria and Norway*

**Vienna, Austria  
December 12-13, 2002**

**International Symposium on  
The Mandate of the Representative of the  
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DISPLACEMENT

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## ACKNOWLEDGMENTS

The Brookings-SAIS Project on Internal Displacement expresses its appreciation to the Governments of Austria and Norway for their longstanding support of the mandate of the Representative of the Secretary-General on Internally Displaced Persons and for generously offering to host the International Symposium held in Vienna on December 12-13, 2002. We wish to acknowledge in particular the efforts of Georg Mautner-Markhof, Richard Kuehnel and Margit Bruck-Friedrich of the Austrian Ministry of Foreign Affairs and Mr. Petter Wille of the Norwegian Ministry of Foreign Affairs.

Appreciation is also due to the following Governments for their support of the Brookings-SAIS Project: Canada, Denmark, the Netherlands, Sweden and the United Kingdom.

We are grateful for the participation and contribution of experts from different parts of the world, representing associations of internally displaced persons, local and international non-governmental organizations, research and academic institutions, regional bodies, and international agencies engaged with the internally displaced. The thoughtful ideas they shared were critical to the meeting's success in identifying strategies for re-energizing and enhancing responses to internal displacement.

We are deeply grateful to Professor Thomas G. Weiss for preparing an insightful background paper for the meeting, "International Efforts for IDPs after a Decade: What Next?"

We also thank the rapporteurs, David Fisher and Erin Mooney, for preparing the comprehensive meeting report. We hope that it will stimulate further thought and activities in support of internally displaced persons worldwide.

Roberta Cohen

Francis M. Deng

Co-Directors

The Brookings-SAIS Project on Internal Displacement

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# SYMPOSIUM REPORT

## INTRODUCTION

On December 12-13, 2002, the Governments of Austria and Norway, in collaboration with the Brookings Institution-SAIS Project on Internal Displacement, hosted an International Symposium on the Mandate of the Representative of the United Nations Secretary-General on Internally Displaced Persons. The meeting took place at the Diplomatic Academy in Vienna, Austria.

Convened on the occasion of the tenth anniversary of the mandate of the Representative, the symposium was structured around the theme of “Taking Stock and Charting the Future.” The principal objectives of the meeting were to assess the work and challenges of the mandate as well as the progress made by the international community and to explore future strategies at the international, regional, national and local levels for promoting enhanced responses to the global crisis of internal displacement. (For the agenda, see Appendix A.)

The thirty-six participants included representatives of UN agencies and other international organizations concerned with internal displacement, regional organizations, international and local non-governmental organizations (NGOs), internally displaced persons’ associations, the Governments of Austria, Norway and Canada, and research and academic institutions. (For the list of participants, see Appendix B.)

To inform and stimulate the discussions, a background paper providing an independent review of the work of the mandate was prepared by Thomas G. Weiss, Presidential Professor at the Graduate Center of the City University of New York and Director of the Ralph Bunche Institute for International Studies. (see Appendix D).

Georg Mautner Markhof, Director for Human Rights and International Humanitarian Law in the Austrian Ministry of Foreign Affairs, served as the principal chair of the meeting. In addition, individual sessions were chaired by Kofi Asomani (Office for the Coordination of Humanitarian Affairs IDP Unit), Roberta Cohen (Brookings-SAIS Project), Kenneth Bacon (Refugees International), Susan Forbes Martin (Georgetown University Institute for the Study of International Migration), Mona Rishmawi (Office of the High Commissioner for Human Rights), Hanif Vally (Commonwealth Human Rights Unit), and V. Vijayakumar (National Law School, Bangalore, India).

The Secretary-General for Foreign Affairs of the Republic of Austria, Johannes Kyrle, opened the symposium by calling attention to the fact that internal displacement remains a global crisis affecting 25 million persons in some 45 countries. The tenth anniversary of the mandate, while an occasion to commemorate, also signifies that the problem of internal displacement very much remains with us, and indeed undoubtedly will in the years to come. The Government of Austria, together with that of Norway, had supported the mandate of the Representative of the Secretary-General on Internally Displaced Persons since the outset, and recently had extended its support to the new IDP Unit in

OCHA as well. He commended in particular the normative framework developed by the Representative in the form of the Guiding Principles on Internal Displacement (UN doc. E/CN.4/1998/53/Add.2), noting that this was becoming the standard framework on internal displacement for UN agencies, inter-governmental organizations, NGOs and an increasing number of states. A few days earlier, on December 10, 2002, Austria, as chair of the Human Security Network, had recommended that the Security Council encourage states to utilize the Guiding Principles. He encouraged participants to persist in raising awareness of the dimensions of the problem of internal displacement and in particular to focus increased attention on finding solutions for internally displaced persons, whether through return or resettlement and reintegration.

The Ambassador of Norway to Austria, Arne Roy Walther, also extended his welcome. He noted that Norway, motivated by a moral obligation to ensure protection of the most vulnerable, had supported the mandate of the Representative since its early days, including as the sponsor of biennial resolutions in the General Assembly, while Austria sponsored the resolutions in the Commission on Human Rights. Norway also strongly supports the work of the Norwegian Refugee Council, which has been closely linked to the mandate for many years. The Representative had been given an extremely challenging mandate and has achieved noteworthy results. In particular, Ambassador Walther expressed his satisfaction with the progress made in convincing states and the international community that sovereignty concerns should not trump the rights and needs of the internally displaced. He also recalled that when internally displaced persons first became the focus of attention, the overwhelming emphasis was to view them strictly as victims. Increasingly, the internally displaced are being regarded as resources. Ambassador Walther welcomed this shift in approach, stressing that it is important that the internally displaced be given a voice and that doing so can only make international efforts more effective.

## **BACKGROUND AND HISTORY OF THE MANDATE**

Petter Wille, Deputy Director-General of the Ministry of Foreign Affairs of Norway, who has been closely involved in discussions on internal displacement in the United Nations for many years, opened this session by recalling the establishment of the mandate in 1992 and its specific tasks. He observed that the Representative has achieved results far beyond the norm of a special mechanism of the Commission on Human Rights, noting that the mandate has come to play a crucial role in shaping the approach to the issue of the international community as a whole. The subject of internal displacement is a sensitive one as it inherently raises the issue of sovereignty, which limits the ability of the international community to provide internally displaced persons with protection and assistance. The key question therefore is how it is possible to address the plight of internally displaced persons in a highly and increasingly politicized human rights context.

In this connection, Mr. Wille commended the Representative's approach of "sovereignty as responsibility," while at the same time working closely with international organizations, NGOs and civil society to address the problem of internal displacement. He also noted the critical contribution made by the Representative in raising international

awareness of the plight of internally displaced persons. This has led to a wide and growing acceptance among states that internal displacement is a legitimate international concern, in part because displacement can affect regional and international stability and security and thus it is in the interest of states for the issue to be effectively addressed. Indeed, the approach of the Representative has been rewarded with resolutions consistently adopted by consensus in both the General Assembly and the Commission on Human Rights.

Beyond the work strictly of the mandate, important progress has been made with the recognition of a need for a comprehensive international system of response. The challenge remaining is to develop a more reliable and predictable international response system for assuring not only assistance but also protection for internally displaced persons.

### ***The Mandate and its Four Pillars***

Representative Francis Deng began his opening remarks (see Appendix C) by explaining how the idea for the symposium had originated. In recent years, the international community had made important progress in its response to the global crisis of internal displacement. And yet, the needs of the internally displaced remained acute and monumental. He could therefore not help but wonder whether, having made certain progress, a plateau had been reached and that there was a risk of becoming complacent. It therefore seemed time to take stock and explore ways of improving our performance, explore new horizons, and identify new heights to climb. Having shared these thoughts with the mandate's long-time supporters, Austria and Norway, it had been agreed to host a meeting on this theme.

He recalled that when the issue of internal displacement was first placed on the Commission on Human Rights' agenda in the early 1990s, the sensitivity of states to perceived or potential encroachments on national sovereignty were significant. Accordingly, in establishing a mechanism to focus on this particular human rights issue, the Commission departed from the practice of appointing a special rapporteur or working group to report on violations and instead decided to request the UN Secretary-General to appoint a representative on the issue. Initially, the Representative was appointed for one year, with the task of undertaking a comprehensive study on the global crisis of internal displacement and the appropriateness of existing normative and institutional frameworks for responding to it. The Representative's comprehensive study and the recommendations it contained for closer consideration of a number of issues proved sufficiently compelling to lead the Commission to extend the mandate for another two years. Subsequently, the Representative's mandate has been renewed on three occasions for three-year intervals.

The Representative then explained his long-standing approach to the mandate. To begin with, the problem of internal displacement is inherently internal and therefore falls under state sovereignty. At the same time, his view of sovereignty was a positive concept of responsibility, requiring states to protect and assist persons within their jurisdictions, and not a negative concept of a barricade against international involvement and cooperation



in meeting the needs of the internally displaced. In situations where states lack the capacity or the will to provide the protection and assistance needed by their population, the international community could not remain aloof. On the basis of humanitarian and human rights standards, the international community could be called upon to become involved through various degrees of intervention, from diplomatic dialogue, to the imposition of sanctions, and, in extreme cases, to coercive action. Discharging the responsibilities of sovereignty was therefore the best way to safeguard state sovereignty.

The Representative also explained that in implementing the mandate, he has conceptualized his role as a catalytic one of raising the level of awareness about the problem of internal displacement and seeking to foster a system of response to the crisis at various levels, from national, through regional, to international, using the overriding framework of sovereignty as responsibility. He then summarized the history of the mandate and the activities undertaken under its four “pillars”:

- developing and promoting a normative framework;
- evaluating and seeking to enhance institutional arrangements for the internally displaced;
- focusing on particular situations of internal displacement, including through country missions; and
- deepening, through research, understanding of the phenomenon of internal displacement as well as identifying strategies for ensuring effective responses to the problem.

Deng continued to explain that the notion of responsibility as inherent in sovereignty underlies, and is expressly restated in, the Guiding Principles on Internal Displacement, which have been one of the key achievements of the mandate and the centerpiece of its ongoing work. The Guiding Principles grew out of the Commission’s requests to the Representative for analysis of the extent to which existing international law addressed the specific needs of the internally displaced. With the help of a team of legal experts, the Representative produced two major studies compiling and analyzing norms applicable to internal displacement. The first study, focusing on the norms pertinent during displacement, was presented to the Commission in 1996 (UN doc. E/CN.4/1996/52/Add.2), while the second, addressing norms related to protection against arbitrary displacement, was presented to the Commission in 1998 (UN doc. E/CN.4/1998/53/Add.1). Both studies concluded that while existing international law provided substantial coverage of the specific needs of the internally displaced, there were nonetheless a number of significant gaps and gray areas where protection was insufficient or unclear. Moreover, the norms that did exist were diffused in a wide panoply of instruments, thereby impeding comprehensive awareness and application of these norms. Responding to the request of the Commission and the General Assembly to develop an “appropriate” normative framework for the internally displaced and having concluded that this framework should take the form of a set of guiding principles, the Representative began work on consolidating and clarifying the various relevant norms from international human rights law, international humanitarian law and refugee law by analogy into one document covering all phases of displacement, providing protection from arbitrary

displacement, protection and assistance during displacement and during return or resettlement and reintegration. The Guiding Principles on Internal Displacement were completed in 1998.

The Representative explained that in presenting the Principles to the Commission, it had been a conscious decision not to seek the Principles' formal adoption. The Principles, after all, reflected and were consistent with existing international law; introducing them for adoption therefore seemed unnecessary and might have risked re-opening for discussion and thereby even undermining existing international law. Moreover, such a process could have taken years, whereas NGOs and organizations in the field indicated that they needed urgent guidance on the rights and norms applicable to the particular situation of internally displaced persons. Instead, the Commission "took note" of the Principles and of the Representative's express intention to use them in his dialogues with states and other parties and to disseminate them, and also noted "with interest" the decision of the Inter-Agency Standing Committee a few days earlier welcoming the Principles and encouraging its members to share them with their Executive Boards and their staff, especially in the field, and to apply them in their activities with internally displaced persons.

Since that time, the resolutions of both the Commission and the General Assembly have made increasingly supportive statements about the Guiding Principles and their use, now recognizing them as an "important tool" and encouraging their wide dissemination, promotion and use. In addition, a number of other United Nations bodies, agencies, and human rights mechanisms, and their counterparts in regional organizations have expressed their support for the Guiding Principles. Most importantly, states, NGOs, non-state actors, and members of local civil society around the world have begun actively using the Guiding Principles in formulating, evaluating, and monitoring policies concerning the internally displaced. The mandate has been active in promoting widespread use of the Principles, through translation and dissemination of the instrument, sponsoring seminars at the national, regional and international level, and making use of the Principles in country missions.

In addition to developing and promoting a normative framework, the Representative had been tasked with evaluating and suggesting improvements for the international community's institutional response to internal displacement. In this regard, the Representative identified and weighed three options: (1) creating a new agency within the United Nations dedicated to internal displacement; (2) designating an existing agency, such as the United Nations High Commissioner for Refugees (UNHCR), to take responsibility for the internally displaced; and (3) increasing collaboration and coordination among existing agencies and NGOs whose work and mandate impact upon the internally displaced. To date, the international community has preferred the third of these options, charging the Emergency Relief Coordinator (ERC), who heads the Office for the Coordination of Humanitarian Affairs (OCHA) and chairs the Inter-Agency Standing Committee (IASC), with overall responsibility for ensuring effective collaboration among agencies on behalf of the internally displaced, and designating Resident Coordinators, Humanitarian Coordinators (and in exceptional cases, lead

agencies) to coordinate assistance and protection at the field level. In 2002, with the active encouragement and participation of the Representative as a member of the IASC Senior Network on Internal Displacement, a new “IDP Unit” was created within OCHA as a focal point for its efforts and to assist the ERC. The Representative has worked with these officials and institutions to monitor and contribute to the effectiveness of the coordination model, while at the same time continuing to study the other potential options.

One of the best means of monitoring the effectiveness of the approach of governments and the international community to internally displaced persons has been through country missions, which have allowed the Representative to assess situations of internal displacement first hand and engage in direct consultation with the internally displaced as well as the various national and international actors with a role to play in addressing their plight. To date, the Representative had undertaken 25 country missions, to the following countries: Angola, Armenia, Azerbaijan, Burundi (twice), Colombia (twice), East Timor, El Salvador, Georgia, Indonesia, Mexico, Mozambique, Peru, the Philippines, Rwanda, the Russian Federation, Somalia, Sri Lanka, the Sudan (three times), Tajikistan, Turkey, and the former Yugoslavia. By engaging in dialogue directly with states experiencing internal displacement, the Representative noted that he believed that he had been able to engage even hesitant governments in positive reform. He had also been able to open dialogue between governments, UN country teams, local civil society and the internally displaced.

With regard to the final pillar of the mandate, the research agenda, the Representative recalled that Secretary-General Boutros Boutros Ghali first suggested to him that such research be conducted through an independent research institution, allowing the Representative to produce more explicit findings than might otherwise be possible within the UN system. The current Secretary-General, Kofi Annan, also endorsed this approach of the Representative having a dual operational base. Through the Brookings Institution Project on Internal Displacement, now known as the Brookings Institution-SAIS Project on Internal Displacement (a joint project of the Brookings Institution and the Johns Hopkins University School of Advanced International Studies), the Representative has been able to undertake research on the basic questions of internal displacement as well as fostering inquiry in more controversial areas without necessarily lending them the imprimatur of his official position within the UN. He serves as Co-Director of the Brookings-SAIS Project together with Roberta Cohen.

While stressing the value of acknowledging successes in these four areas of activity, the Representative warned against complacency and called upon the participants to assist him and the international community in shaping a renewed strategic vision to address the challenges lying ahead. Most urgently, he sought their help in reinvigorating the international community’s commitment to the task of assisting and protecting the internally displaced.

## *An Independent Analysis of the Mandate's Progress*

Professor Thomas Weiss then presented the findings of his independent analysis of the work of the mandate, contained in the background paper entitled “*International Efforts For IDPs After A Decade: What Next?*” (see Appendix D).

Professor Weiss noted that the mandate, supported by the Brookings Project on Internal Displacement, had made great strides in raising the international visibility of the issue of displacement and in developing and promoting a normative framework with the Guiding Principles. The notion that sovereignty entails responsibility had entered the international consciousness and there had been a significant switch in opinion about the legitimacy of international involvement, in some cases even intervention, on behalf of internally displaced persons and others caught up in massive violations of human rights. The mandate had also helped to focus attention on the responsibilities of states themselves in solving problems of humanitarian need among their populations. However, there was still a discrepancy between governments’ rhetoric and the actual resources devoted to solving the problems on the ground. A great deal remained to be done to improve the coordination of services and protection for the internally displaced.

Professor Weiss observed that the Representative’s overall approach with regard to governments, which emphasized collaboration and dialogue over direct denunciation, might be characterized as “low-key” in contrast to the “high decibel” approach used by many human rights NGOs. At the same time, he noted that the Representative had demonstrated a readiness to provide critical evaluation of poor practices in his reports, more so than was the norm for UN institutions. His reports thus struck an interesting balance between the typical excessive diplomacy of a UN report and the sharper style of commentary that would come from an NGO or a research institution. While noting the apparent success of this methodology in the past, Professor Weiss raised the question whether the time had come to adjust the “level” of the Representative’s “voice.”

In this connection, he suggested that the Representative could do more to interest the media in his work, especially in his country reports. To this end, he suggested that the Representative convene a meeting of media strategists to brainstorm on the most effective means of engaging the media with the issue. He also suggested that greater international attention might be attracted if the Representative were to convene a panel of eminent persons to provide him with a report advising him on policy issues, drawing on the example of the Canadian-sponsored international commission on state sovereignty.

With regard to the Guiding Principles, Professor Weiss concluded that the “soft law” approach had proven successful and should be continued. He deemed the Representative’s and the Project’s current activities of sensitization, translation, dissemination, and regional and country seminars to be on target and advised continuation of these efforts.

As regards the pillar of the mandate focusing on international institutional arrangements, Professor Weiss expressed disappointment with the current collaborative model of

institutional response to internal displacement, noting that the international community has tinkered a bit with the system, but that ten years on “we still seem to be back where we started.” In his view, the 1997 proposal, voiced during the lead-up to the UN Program for Reform, to give the UN High Commissioner for Refugees (UNHCR) worldwide responsibility for the internally displaced, had been the best option, but unfortunately had fallen victim to inter-agency tensions. His own preference was for a single agency for war-affected populations. However, given the current emphasis on collaboration, he believed that efforts to improve the current system were the best that could be hoped for and in this regard concurred with the Representative’s determination to continue to try to do so.

As to the Representative’s institutional identity, Professor Weiss considered it obvious that the mandate should not remain a voluntary part-time position. He raised but ultimately rejected the possibility of its institutionalization within either the Office of the High Commissioner for Human Rights (OHCHR) or the OCHA IDP Unit, asserting that the Representative’s independence had always been key to his success.

The country focus, yet another pillar of the mandate, remained critical. Professor Weiss recommended that thought be given to how to make wider use of the Representative’s country mission reports. He also suggested that the Representative undertake follow-up missions more regularly. Moreover, it would also be important for the Representative to engage with non-state actors.

Finally, Professor Weiss acknowledged the important contribution that the Representative and the Project on Internal Displacement had made in terms of research and improving the knowledge base on internal displacement. There nonetheless remained a need for further research into a number of related topics (on which he elaborated in the session on Research – see below), and he recommended that the Brookings-SAIS Project be equipped with the requisite resources to be able to carry out this and other aspects of the mandate.

From the discussion that followed Professor Weiss’s presentation, it was evident that his background paper had indeed served its purpose of informing and stimulating thinking on the work of the mandate.

## **DEVELOPING AND PROMOTING A NORMATIVE FRAMEWORK**

There was broad consensus echoing Professor Weiss’ conclusion that the Representative’s “soft law” approach in developing a normative framework through the Guiding Principles had been successful. Reference was made to the increasing use of the Guiding Principles by governments, in addition to their wide promotion and utilization by NGOs, both local and international, as well as UN agencies. Representatives of agencies and organizations with programs at field level emphasized the usefulness of the Guiding Principles to their work. Indeed, a representative of civil society from a country with a serious problem of internal displacement observed that it “was impossible to overestimate the value of the Guiding Principles and how they help the work of local NGOs.”

Participants endorsed the call for the continued promotion, dissemination and application of the Guiding Principles in order to increase their impact and effectiveness on the ground. Various different methods and strategies for doing so were suggested.

One participant called for a shift toward the development of a convention based on the Guiding Principles, arguing that there was a need for binding law targeted to internally displaced persons and that the current “soft law” approach had laid the groundwork for such “hard law.” The majority of speakers, however, advised the Representative to continue fostering international acceptance of the existing Guiding Principles, with the hope that, in time, and with increasingly open acknowledgment by governments and other entities, any currently non-binding elements would evolve into binding law.

In this regard, it was noted that the resolutions on internal displacement in the Commission on Human Rights and the General Assembly had incrementally become stronger concerning the Guiding Principles, from merely “noting” them in 1998, to expressions, in the most recent resolutions, of “appreciation” and “encouragement” of their use as an “important tool for dealing with situations of internal displacement.” The participants agreed that the sponsors of these resolutions, Norway and Austria, should continue to seek stronger expressions of support within the parameters of consensus.

It was also suggested that the Representative and his partners should continue to seek support for the Guiding Principles in other UN mechanisms. In particular, it was noted that both the Secretary-General (UN docs. S/1999/957, recommendation 7; A/55/163-S/2000/712, recommendation 21) and the Human Security Network (described above) had recommended to the Security Council that it encourage states to utilize the Guiding Principles.<sup>1</sup> Participants suggested that further effort be applied toward this goal. They called on the Representative to continue to encourage other thematic mechanisms within the Commission on Human Rights to integrate the Guiding Principles into their work. It was further pointed out that the jurisprudence of the International Criminal Court, in particular with regard to the war crime of forced transfer, might lend authority to the provisions of the Guiding Principles concerning arbitrary displacement.

Participants acknowledged the work that the Representative and the Project had undertaken to encourage engagement with the Guiding Principles by regional and sub-regional organizations such as the Organization of African Unity (OAU), now reconstituted as the African Union, the Economic Community of West African States (ECOWAS), the Organization of American States (OAS), the Organization for Security and Cooperation in Europe (OSCE), and the Council of Europe, and urged the Representative to continue seeking resolutions and declarations of support from such bodies as well as statements encouraging member states to make use of the Guiding Principles. In this connection, attention was drawn to the Representative’s current plans

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<sup>1</sup> The Security Council has already taken note, in a 2000 Presidential Statement (S/PRST/2000/1) and in a resolution passed that same year (S/RES/1286 (2000)), that UN agencies, regional organizations and NGOs, in cooperation with host countries, are making use of the Guiding Principles, inter alia, in Africa.

to work with the Commonwealth and the Asia Pacific Forum of National Human Rights Institutions and to reach out to the Association of Southeast Asian Nations (ASEAN), the South Asian Association for Regional Cooperation (SAARC), the League of Arab States and other regional bodies. It was also noted that the Guiding Principles have been incorporated into the legislation and policies of an increasing number of states, and that encouraging the drafting of new legislation and analysis of existing legislation and policy in light of the Guiding Principles should remain a high priority.

In addition to solidifying the legal status of the Guiding Principles, participants underlined the importance of encouraging their growth “from the bottom up.” It was urged that local ownership of the Guiding Principles could potentially have greater impact than international recognition and even local legislation. They advised the Representative and the Project to continue their efforts to bring the Principles to the attention of civil society, including local NGOs, law schools, bar associations, universities, and research institutions, as well as to internally displaced persons’ associations and the internally displaced themselves. Special emphasis was placed on raising the profile of the Guiding Principles in national human rights institutions, as the Representative has begun to do in his country visits and in a study recently published by the Brookings-SAIS Project.<sup>2</sup>

Participants further encouraged the Representative to redouble his efforts to identify and reach out to non-traditional audiences. They noted with interest the recent seminar co-sponsored by the Representative and the United Nations Children’s Fund (UNICEF) with the participation of rebel movements in southern Sudan,<sup>3</sup> as well as the efforts of Brookings-SAIS Project staff to engage multi-national corporations with development interests that might involve displacement through the Fund for Peace Human Rights and Business Roundtable.<sup>4</sup> It was also recommended that the Representative should attempt to find ways to engage governments that have raised questions about the Guiding Principles. It was noted that the Representative has been participating in a dialogue, hosted by the government of Switzerland, to work through these concerns.

At the field level, participants called upon the Representative to promote the “operationalizing” of the Guiding Principles. It was noted that the staff of some humanitarian agencies still appear to need persuasion to fully embrace the Principles, especially where they fear that a particular host government might not be receptive. Participants urged the Representative to work closely with the OCHA IDP Unit to encourage greater understanding and use of the Principles.

With regard to Professor Weiss’ query concerning the “voice” of the Representative, participants also discussed the question of whether the Representative should start

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<sup>2</sup> See Mario Gomez, *National Human Rights Commissions and Internally Displaced Persons: Illustrated by the Sri Lankan Experience* (Brookings: 2002).

<sup>3</sup> See Brookings-SAIS Project on Internal Displacement, *Report of the Seminar on Internal Displacement in Southern Sudan* (Brookings: 2003).

<sup>4</sup> For more information on the Roundtable, refer to the Fund for Peace website: <http://www.fundforpeace.org/programs/hrbrt/hrbrt.php>.

pointing out violations of specific components of the Guiding Principles in his country reports. Participants' views on the issue were mixed, with some advocating a more assertive use of the Guiding Principles in order to make them meaningful as a human rights tool and others voicing the continued need for caution in order to allow the Guiding Principles to continue to gain acceptance. As an alternative to pointing to violations of particular Principles, it was suggested that the Representative might identify, outside the context of his country missions, particular principles with which many states have had difficulty and then make recommendations to governments and the international community as to how to address them. Certainly, NGOs and other interested parties could continue to make statements concerning violations of individual Principles.

It was noted that the Guiding Principles had been made available in 31 languages to date, thanks to the collaboration among the Representative, OHCHR, the Brookings-SAIS Project, and other partners. Moreover, the Representative had facilitated, with various partners, the development of a number of supplementary materials, including the *Handbook for Applying the Guiding Principles* (Brookings/OCHA: 1998), the *Manual on Field Practice in Internal Displacement* (IASC: 1999), Professor Walter Kälin's *Annotations to the Guiding Principles on Internal Displacement* (Brookings/ASIL: 2000), and, most recently, a booklet of *Recent Commentaries about the Nature and Application of the Guiding Principles on Internal Displacement* (Brookings: 2002). Participants encouraged the Representative to continue to promote translation and wide dissemination of the Guiding Principles and the supplementary materials. In this regard, it was noted that the UN had agreed to publish the *Handbook* in English, but had not undertaken to translate it into other languages. Although the Brookings-SAIS Project had had it translated into French, Spanish and Russian, the UN had not yet acted to publish these versions. It was urged that doing so would be a useful way to support the effective dissemination and use of the Guiding Principles.

## **PROMOTING MORE EFFECTIVE INSTITUTIONAL ARRANGEMENTS FOR INTERNALLY DISPLACED PERSONS**

While the importance of an effective normative framework for internal displacement was strongly emphasized by participants, ensuring the ability of institutional structures to address internal displacement on the ground was deemed critical to the immediate improvement of the lives of the internally displaced. It was noted that the Representative had been specifically tasked with evaluating the effectiveness of, and suggesting improvements to, the institutional response to internal displacement at the international level. In addition, he had endeavored to encourage institutional responses by regional organizations and at the national level through state institutions. Participants addressed each of these levels in their discussion.

### ***At the International Level***

As earlier noted, the international community has thus far opted for the "collaboration and coordination approach," i.e., organizing the efforts of existing agencies and organizations, acting within their respective mandates, to ensure assistance and protection



for internally displaced persons as a collaborative arrangement. However, participants pointed out that despite improvements over the past ten years, this system still has many deficiencies.

Protection was identified as the biggest ongoing flaw in the coordinated international approach. It was asserted that although there had been a “great deal of talk” about the issue, humanitarian agencies were still not succeeding in making protection operational in the field. It was suggested that the lack of an agreed definition, inadequate guidance to humanitarian workers as to how to “do” protection, a lack of systematic monitoring of and accountability for protection as well as the inherent tensions between speaking out and maintaining access were some of the reasons for this failure. It was also noted that protection *from* displacement in the first instance was not being effectively achieved in the field.

The representative of UNHCR asserted that, although his agency had provided protection-related services for a certain number of internally displaced persons, especially in situations where both internally displaced persons and refugees were returning to their homes at the same time, it was beyond UNHCR’s capacity to take on the whole problem on a global basis. The representative of UNICEF pointed out that one-half of displaced persons are said to be children, but that UNICEF alone could not handle all of their protection and assistance needs.

It was noted that the OCHA IDP Unit had been active in promoting attention to protection issues through the establishment of a “Protection Coalition” (where agency representatives meet regularly to discuss protection-related issues), undertaking country missions, and performing field training sessions for UN country teams, government officials, NGOs, and local civil society on the Guiding Principles. However, the Unit’s role was to be primarily catalytic rather than operational. Creating accountability for the protection of internally displaced persons in the field, therefore, remained an important challenge. Furthermore, concern was expressed that identifying OCHA as the focal point on protection might encourage operational agencies to sidestep their own responsibilities to provide protection for internally displaced persons.

It was also noted that OHCHR had begun over the past few years to increase its field presence, and several participants called upon it to increase its protection activities for the internally displaced. It was further suggested that OHCHR might second a staff member to the OCHA IDP Unit to lend its expertise in human rights and bring the two entities into closer cooperation.

The representative of OHCHR reported that efforts were already underway to integrate displacement issues into the work of its field offices, in particular in Colombia and the former Yugoslavia, and to integrate the Guiding Principles into the work of treaty bodies, special rapporteurs, national human rights institutions, and in joint projects with other agencies, including the Guidelines on Poverty Reduction being developed with the World Bank. She cautioned, however, that OHCHR remained primarily a normative institution,

and was therefore limited in what it could accomplish in terms of practical protection on the ground.

One participant reported that, notwithstanding *de jure* allocations of responsibility, it was still difficult to tell who was truly in charge of the internally displaced in certain countries, and that “turf battles” between agencies continued to be an important problem. Even where responsibility for the internally displaced was clear, insufficient resources were devoted to the problem. Moreover, it was noted that the practice of appointing one individual as both resident coordinator and humanitarian coordinator had limited the effectiveness of the latter role. Some country teams had also been reluctant to press the issue of assistance and protection of the internally displaced for fear of antagonizing their host governments.

It was likewise asserted that some agencies had yet to fully integrate assistance and protection of internally displaced persons into their policies. The executive board of the World Food Programme (WFP), for instance, had not been able to issue a policy paper on internal displacement and remained wary of targeted interventions for internally displaced persons due to sovereignty concerns. It was suggested that donor states might be helpful in persuading hesitant states to withdraw their opposition in fora such as this.

Another participant expressed doubt that the coordination model could ever provide comprehensive protection and assistance for internally displaced persons. Instead, there was a call for the creation of a “United Nations High Commissioner for Forced Migrants,” who would have responsibility for displacement induced by conflict, development, and natural disasters. It was pointed out that the fluidity of the phenomenon of displacement makes it increasingly difficult to draw distinctions between different groups of forced migrants; for example, internally displaced persons may become refugees, while many returning refugees become internally displaced. While recognizing that issues of sovereignty will continue to mean that different approaches are needed depending on whether a person is outside or still within his or her country, it was suggested that it no longer makes sense to divide these approaches institutionally. A new agency would have the ability to think coherently about the connections between different types of displacement and enable a more comprehensive response.

Several participants disagreed with this suggestion, asserting that the collaborative model had the benefit of encouraging all agencies to develop protection capabilities. It was suggested that the issue is not simply one of assigning responsibility to a particular agency or combination of agencies, but that the reality was much more complex. One participant pointed out that in the case of refugees, the designation of a single agency for their protection had not necessarily improved their protection, particularly in recent years. Others, however, were more receptive to the idea of a new agency, suggesting that OCHA and the Representative might simultaneously work to improve the existing structure while at the same time exploring the future creation of a new agency. Although no consensus emerged on this issue, it became clear from the discussion that options additional to the current model merited further study.

### *At the Regional Level*

It was noted that in addition to his role in fostering improvements in international institutions responding to the internally displaced, the Representative had been active in engaging and helping to build the capacity of regional organizations to generate their own responses to internal displacement. As noted above, the mandate and the Project have co-sponsored and supported workshops with the OAU, OSCE, ECOWAS and the Council of Europe in their efforts to promote the use of the Guiding Principles. In addition, they have encouraged these and other regional organizations to create mechanisms for improving the lot of internally displaced persons. These efforts have helped lead, for example, to the appointment of special rapporteurs on internal displacement by the Inter-American Commission on Human Rights of the Organization of American States and by the Council of Europe's Committee on Migration, Refugees and Demography.

The representative of OSCE noted that his organization had evolved from a body intended to foster East-West dialogue during the Cold War into a conflict-resolution agency with a strong human rights network. Its membership includes 55 states in Europe and North America. OSCE has not yet given any official acknowledgement to the Guiding Principles, although it has held special meetings on the issue of internal displacement, including the Principles. An attempt to issue a statement for OSCE expressing support for them was blocked by several member states with particular sensitivity to the issue. Nevertheless, OSCE's field missions have worked on internal displacement issues in the Balkans, Southern Caucasus and Central Asia. In 2000 and 2001, OSCE collaborated with the Brookings Project in organizing reviews of national legislation in Azerbaijan, Armenia and Georgia in light of the Guiding Principles, and in seminars bringing in the relevant stakeholders to analyze the findings and discuss the resulting recommendations to the governments. In the Balkans, OSCE is working to encourage programs of cooperative restitution and regional dialogue. It has also organized an inter-agency group on migration and displacement in Armenia. The representative of OSCE encouraged the Representative to be persistent in his efforts in the OSCE region, to ensure that commitments, such as the one recently voiced by the Georgian government to incorporate the Guiding Principles into domestic legislation, are actually carried out.

The representative from the Asia Pacific Forum of National Human Rights Institutions reported that his organization served as an umbrella and incubator for national human rights commissions formed according to the "Paris Principles," which place emphasis on independence from government. The Forum is designed to strengthen its individual members, assist governments in forming new human rights institutions, and foster regional networking on human rights issues. He noted the great potential for national human rights institutions to bring practical effect to the Guiding Principles. In 2000, all members of the Forum adopted a resolution recognizing the Guiding Principles as a "useful tool." Last year, another resolution was passed welcoming the Guiding Principles and calling for fundraising to work on displacement issues. Plans were underway to encourage the Forum's Advisory Panel of Jurists to examine state legislation in light of

the Guiding Principles and make recommendations to member institutions. He recommended also having a regional commissioner for internally displaced persons created within the Forum structure to work with member institutions and Asian governments on displacement issues.

The representative from the Commonwealth noted that his organization includes 54 countries, of which 13 have significant internally displaced populations. In 1995, the Commonwealth heads of government had created an expert group which had recommended the creation of a normative framework for internal displacement, taking note of the Representative's work then underway to develop a set of guiding principles, and recommended working with the Representative. The heads of state adopted this report in 1997. He also reported that the Commonwealth was planning its first seminar on internal displacement in collaboration with the Representative.

Participants underscored the great potential of working with regional and national human rights institutions to strengthen human rights guarantees for internally displaced persons. They urged the Representative to maintain close contacts with those organizations with which he has previously collaborated but also to reach out to other regional groupings that have not yet addressed internal displacement issues.

### ***At the National Level***

#### **Country Missions**

As noted above, the Representative has always considered country missions to be a critical component of his mandate. In each country mission, the Representative meets with high-level national authorities, local authorities, local civil society and internally displaced persons, as well as the UN country team and international NGOs. His presence has frequently served as a catalyst for raising national awareness of the issue of internal displacement and for fostering dialogue among the pertinent actors in the country. In his mission reports, the Representative has laid out concrete recommendations for improving national and local institutions' response to internal displacement.

A number of governments, it was noted, have responded to the Representative's missions with new statements of policy or legislation to address internal displacement. However, actual implementation of these new initiatives has sometimes failed to materialize. For this reason, the Representative has incorporated follow-up missions into his schedule in a number of instances. However, a lack of resources and time has impeded his ability to follow up on each mission systematically. The role of the Resident /Humanitarian Coordinators, not only in countries to which the Representative has visited but also generally, was widely considered to be key to enhancing the international response at field-level. In this connection, a strengthened relationship between the mandate and the UN Development Program (UNDP) was encouraged. Participants further recommended that the Representative solicit assistance from NGOs, the OCHA IDP Unit, and other UN mechanisms, including country rapporteurs, to assist him with follow-up to his country missions.

It was also noted that the Representative's consensual approach to states has led to a sort of self-fulfilling prophecy whereby states extending an invitation to the Representative have been the states most likely to be cooperative. States not wishing any international scrutiny have been rewarded with a lack of attention when they refuse to invite the Representative. Participants called upon the Representative to work with states, NGOs and other parties to find strategies for reversing this perverse incentive.

### **Supporting Local Civil Society**

Participants also discussed the importance of continuing the Representative's and the Project's efforts to support the work of local civil society on behalf of internally displaced persons. In this regard, participants heard from representatives of local civil society institutions working on issues of internal displacement. Each spoke about the importance of continued international attention and support for their activities.

The representative of the Memorial Human Rights Center noted that internal displacement is one of the most crucial human rights issues in the Russian Federation, in particular in Chechnya. She observed that cooperation by governmental authorities with local NGOs had decreased over the last three years, with some collaborative mechanisms disappearing altogether. She asserted that local civil society could only have a limited impact in the Russian Federation without the involvement and attention of the international community. She recommended that the Representative and his partners organize an international seminar for representatives of Russian NGOs and governmental officials to bolster the position of local civil society. It was also suggested in the discussion that the Representative engage European leaders and ask them to bring their influence to bear on the Russian government.

The representative from the Consortium of Humanitarian Agencies in Sri Lanka noted that his organization had successfully urged the government of Sri Lanka to commit itself to a policy of assistance to war victims. It had also been successful in advocating that the government adopt a framework on relief and rehabilitation based on international humanitarian law and the Guiding Principles. The organization had fostered policy dialogues on issues related to internally displaced persons, landmines, and women's issues, and had fostered greater appreciation of the Guiding Principles through the publication and dissemination of a "Toolkit" on internal displacement based on the Guiding Principles. The Consortium has also had indirect contacts with the Liberation Tamil Tigers of Eelam (LTTE) and had included their representatives in workshops on internal displacement issues. He called on the Representative and the international community to support local efforts on behalf of the displaced and also to support the organization of associations of internally displaced persons, to give them a greater voice in their own future.

Likewise, the representative of the IDP Women's Association in Georgia echoed the need for sustained international attention and support to the efforts of the internally displaced to organize themselves locally. She pointed out that internally displaced persons'

associations are the best avenues for disseminating the Guiding Principles and advocating for compliance with their provisions. In her experience, local networks of NGO associations have proven to be longer lasting and more effective than their international counterparts. Other participants concurred with the need for greater international support for self-organization by the internally displaced. In this connection it was noted that the internally displaced sometimes face severe protection problems as a backlash for organizing, as has been the case in Latin America.

### **International Response to Emergent Situations**

Participants debated how the Representative and the international community might best intervene to foster accountability in emergent situations where the human rights of internally displaced persons were at serious risk. Taking the example of Chechnya, a number of participants decried the apparent state of impotence of the international community in the face of allegations of forced closure of displaced persons camps in Ingushetia in freezing weather just prior to the symposium. There was a suggestion that the Security Council be approached in order to draw more international attention to the situation, even if, given the fact that the Russian Federation has veto power, an actual resolution would be unlikely. It was noted, however, that a proposed resolution on Chechnya in the Commission on Human Rights had failed the previous year, and the Representative had sought, so far without success, to obtain permission for a mission to the Russian Federation to investigate the situation in and around Chechnya and open a dialogue directly with governmental authorities on the matter.

On the other hand, it was pointed out that diplomatic efforts, especially by sympathetic governments, were a key tool in addressing emergent cases, and participants were informed that this tool had been employed in the case of Chechnya. Moreover, both the Emergency Relief Coordinator and the Representative had been involved in démarches with the government of the Russian Federation to try to address the problem. Nevertheless, some participants remained unsatisfied and expressed the desire for a stronger international response.

### **MOBILIZING INTERNATIONAL ATTENTION AND RESOURCES**

Participants recognized that a strong international response to displacement issues is unlikely without sustained governmental and public attention to the problem and an appropriate allocation of resources. It was noted that international attention to the issue of internal displacement and to the rights of the displaced had increased substantially over the past decade and that resources had been increasingly targeted to the needs of internally displaced persons through the Inter-Agency Consolidated Appeals Process (CAP). Nevertheless, a great deal remained to be done in both of these areas.

Media coverage of the issue of internal displacement remains rare and, when it does occur, insufficient in depth. Participants were reminded that the Norwegian Refugee Council's Global IDP Project had developed a comprehensive database of conflict-induced internal displacement problems worldwide, including 45 countries and 25

million people. The information in the database, which is publicly available on its website (<http://www.idpproject.org>), is structured according to the Guiding Principles and is based on information from 700 sources in the field, including local NGOs, local authorities, UN agencies and the local media. Yet, it was acknowledged that notwithstanding the greater availability of this information, substantial press coverage of many displacement crises had failed to materialize.

It was suggested that the Representative and his colleagues would have to work to tailor their messages to the requirements of the press. At the same time, it was noted that there was a tension between the needs of the press, and the fine diplomatic line that the Representative had found it necessary to walk due to the sensitivity of his mandate.

The issue of how the Representative could most effectively serve his role as an advocate for the internally displaced was a subject of considerable discussion. There was broad consensus that the diplomatic, dialogue-based approach of the Representative to date was appropriate to the objectives in the first ten years of the mandate. As to whether it was time to increase the “pitch” of his voice, some concurred that it indeed could be beneficial to at least give greater visibility to the work of the mandate. Others, however, cautioned against seeking a much higher media profile at this point, noting that doing so might work against some of the objectives of the mandate still being pursued in the normative and institutional frameworks and in specific countries. There were also pros and cons about whether publicity would work effectively *vis à vis* “difficult” countries that bar international access or even deny the existence of internally displaced populations.

The press was said to be generally insensitive to legal distinctions between refugees and internally displaced persons, finding interest only in emotion-laden stories of betrayal, suffering, war, and disease. Moreover, the press seeks emergent “events”; therefore, situations of protracted displacement may receive little attention. Two “tricks” were suggested to make such situations newsworthy: (1) writing a letter to a relevant senior government official and releasing this to the press, and (2) contacting members of the press and asking them to raise a particular issue at an official briefing by a relevant governmental or international body. It was further suggested that it might sometimes be easier to prompt stories in large media outlets if they are first placed in a smaller local outlet. Finally, it was noted that several international movements, such as the campaign to ban land mines, the Jubilee 2000 campaign for debt-cancellation for the world’s poorest countries, and the campaign to form the International Criminal Court, had relied almost exclusively on the internet to spread their message and the Representative should explore ways to make greater use of this tool for raising awareness and mobilizing responses to the global crisis of internal displacement.

Towards ensuring an allocation of adequate resources for responding to internal displacement, it was pointed out that efforts would equally have to be expended in capturing the attention and interest of donors. It was noted in this regard that WFP had been the most successful among the UN agencies in having its CAP requests met by donors. The Representative from WFP asserted that this success was due to WFP’s

ability to make its services concrete in donors' minds. Something similar would have to be done system-wide for protection in order to better serve internally displaced persons.

Participants also recognized that "mobilizing resources" might be seen as more than simply increasing the amounts of money provided to humanitarian organizations. Donor states might use their influence with the governments of states facing internal displacement issues to insist that the rights of the internally displaced be respected, and might also be helpful in persuading other governments that have raised concerns about the Guiding Principles to give them a fair hearing. It was noted, by way of example, that refugee issues had been included in the New Partnership for Africa's Development (NEPAD) agreement, and it was suggested that issues of internal displacement might be raised in this and other similar contexts. Likewise, donors might insist that humanitarian agencies and organizations that they fund be accountable for meeting the assistance and protection needs of the internally displaced within their fields of operation. Finally, as noted above, donors could provide important political support to the work of the Representative in international fora, such as the Security Council, the General Assembly, and the Commission on Human Rights.

## **THE RESEARCH AGENDA**

Participants noted that the research underpinning the work of the mandate had been an important ingredient in its success. Working through the Project on Internal Displacement, the Representative had been able to undertake and foster groundbreaking research into the global problem of internal displacement. The book, *Masses in Flight: The Global Crisis of Internal Displacement* (Brookings: 1993), co-authored by the Representative and Roberta Cohen, and its companion volume *The Forsaken People: Case Studies of the Internally Displaced* (Brookings: 1998), edited by the Representative and Ms. Cohen, are considered seminal works in this field. In addition, the Project has undertaken or sponsored research on a number of particular aspects of internal displacement, ranging from development strategies for internally displaced women to a review of institutional arrangements, an evaluation of donor response, an analysis of the relief to development gap, a study of national human rights institutions, and a recent study of internally displaced persons in Iraq. Current research projects include a survey of field protection for internally displaced persons (sponsored jointly with the OCHA IDP Unit), a review of non-state actors and their impact on internally displaced populations, the development of criteria for when displacement ends (sponsored jointly with Georgetown University), and an examination of the status of the Guiding Principles in international law. (For a complete listing of past and present research projects, see Annex 7 to the Background Paper at Appendix D.)

Participants concurred that the Representative and the Brookings-SAIS Project had made a substantial contribution to fostering a now-blossoming field of internal displacement studies. Yet, additional basic research remained to be done. There was a difference of opinion with regard to whether the new research should be focused exclusively on conflict-induced displacement, or whether it should also encompass other causes of internal displacement. Those favoring a narrower focus argued that broadening the



Representative's agenda beyond conflict-induced displacement would weaken his role as an advocate, create new concerns about infringement of sovereignty, and dilute the Representative's energies. Those seeking a broader mandate argued that other causes of displacement, such as development-induced and disaster-induced displacement, affect millions of people and therefore deserve sustained attention. It was also pointed out that the Brookings-SAIS Project had already undertaken research outside the conflict context, such as its forthcoming study of development-induced displacement. Moreover, as noted above, the Brookings-SAIS Project had been intentionally kept separate and independent from the UN system in order to allow it to engage in a broader range of research than what might come into the Representative's more narrow range of official activities.

Some participants expressed the continuing need for "policy-relevant" research undertaken by the Brookings-SAIS Project, with subjects and format chosen with policy-makers' immediate needs in mind. It was suggested that the new SAIS Center for Displacement Studies, which had just been established under the Representative's leadership, could provide a forum for deeper and more academic research into wide-ranging topics within the broader field of displacement.

Participants made the following individual recommendations for future research projects:

- \* The impact of the concept of sovereignty as responsibility on states, inter-governmental agencies and NGOs;
- \* Additional study of non-state actors and how best to engage them;
- \* Identification of more best practices for the field staff of humanitarian organizations, perhaps in the form of a manual with practical methodologies relevant to assisting and protecting the displaced;
- \* Deeper demographic studies of displaced populations worldwide;
- \* Further inquiry into development-induced displacement, including the relationship between displacement and basic structural adjustment policies (such as the displacement of rural communities by agricultural support policies);
- \* Further inquiry into the relationships between conflict-induced and development-induced displacement, as well as between internal and external displacement;
- \* The characteristics of displacement due to natural disasters, including strategies for its prevention, possibilities for return and reintegration, and long-term implications;
- \* The displacement-related aspects of internal trafficking in persons for forced labor and prostitution; and

\* The impact of diaspora communities on the situation of the internally displaced.

## **CONCLUSION**

The following general themes emerged as points of consensus in the discussions:

1. Important progress has been made by the Representative and the Project in raising international awareness to the plight of the internally displaced, in promoting their human rights, and in improving the chances that their needs would be met, as appropriate, by national authorities and the international community. The mandate has also been instrumental in bringing the concept of the responsibility inherent in sovereignty into the mainstream. While encouraging the continuation of this approach, some modifications that would nonetheless build upon it were suggested, as described below.
2. The overall “low-key” approach of the Representative remained viable. However, it would be desirable to find ways to ensure that governments and other actors that have refused to enter into dialogue with the Representative are not rewarded with lack of scrutiny. The Representative should also continue to offer targeted criticism of poor practices by states, non-state actors, humanitarian organizations and the international community at large, in a constructive, solutions-oriented manner. Where such criticism would be too sensitive coming from his position, the Representative might solicit the assistance of other organizations, such as NGOs, which operate with fewer constraints.
3. Continuing efforts are needed to promote the Guiding Principles through translation, dissemination, and sponsoring seminars at the national, regional and international levels. Sponsors of resolutions concerning the Guiding Principles in the Commission on Human Rights and the General Assembly should continue to strengthen the expressions of support within the parameters of consensus, and the Representative should continue to seek support for the Guiding Principles in other international fora and to integrate the Guiding Principles into the work of other international human rights mechanisms. In particular, the Representative and his partners should continue to reach out to regional organizations to seek their support for the use of the Guiding Principles at the regional and national level. The Representative should also continue to promote the incorporation of the Guiding Principles into national laws and policies and support local analysis of national legislation in light of the Guiding Principles.
4. The Representative should seek ways to bring individual principles to bear on particular violations of human rights on the ground. If it were to prove too sensitive to identify individual violations of principles in his country mission reports, the Representative could find partners who might be able to speak more freely. The Representative might also study compliance with particular principles by a range of states and report on this thematically.

5. Efforts to engage and support local civil society institutions working on issues of internal displacement should be continued and strengthened, with particular attention paid to national human rights institutions and internally displaced persons associations. Because local organizations sometimes face protection concerns of their own as a result of their efforts on behalf of the internally displaced, the Representative should endeavor to draw international attention to such problems and also to raise the concerns of these organizations with governments.

6. In their promotion of the Guiding Principles, the Representative and the Project should redouble their efforts to identify and reach out to non-traditional audiences, including non-state actors and multi-national corporations. The Representative should also continue to dialogue with governments that have raised questions about the Guiding Principles.

7. While progress has been made in strengthening the “collaboration and coordination model” of the international institutional response to internal displacement, there were still many flaws in the current system. The Representative should continue to work with the ERC, OCHA, other UN agencies and NGOs to improve cooperation at the field level. But these agencies and organizations must also take responsibility to improve their own responses, particularly in the area of protection. The Representative and the OCHA IDP Unit should continue to work with operational agencies to promote the use of the Guiding Principles in their operations. At the same time, the Representative should continue to study the viability and appropriateness of other potential institutional arrangements, should the coordination model ultimately prove inadequate in effectively meeting the protection and assistance needs of the displaced.

8. Greater use of the media was recommended in order to increase the profile of the Representative and bring more attention to the crisis of internal displacement. At the same time, the Representative should not sacrifice the discretion made necessary by the ongoing sensitivity of his mandate. A first step in this direction would be convening a meeting of media strategists to raise awareness of the issue and explore how and to what extent it would be most effective for the Representative to engage the media.

9. Emphasis was given to the need to continue to work to increase the attention and engagement of donor states in internal displacement crises. The Representative should also continue to solicit donors’ political support for the Guiding Principles, at both the national and institutional levels, and to support their calls for accountability of operational agencies on behalf of internally displaced persons.

10. The Representative should maintain a balance between his inherent association with the UN system and his relative independence from that system, and work through the Brookings-SAIS Project and the new SAIS Center for Displacement Studies to conduct policy-relevant as well as more academic research into internal displacement. In particular, the Representative should consider further research into best practices in assistance and protection, engagement with non-state actors, and other issues at the field level.

As a final note, and as these recommendations attest, the symposium served not only to review the progress made over the past decade but also to identify the challenges still to be addressed and strategies for doing so. The meeting thereby achieved its dual objectives of taking stock of developments to date as well as charting a future course for building upon this momentum and reinvigorating efforts towards a more effective and comprehensive response to the global crisis of internal displacement. On the occasion of the tenth anniversary of the mandate of the Representative of the Secretary-General, the work and future directions of his mandate, which is carried out in partnership with the Brookings-SAIS Project on Internal Displacement, was a particular focus of the meeting. And yet, because the Representative's mandate integrally involves partnerships with a wide array of actors engaged with the internally displaced -- including governments, international agencies and mechanisms, regional organizations, non-governmental organizations, civil society and the internally displaced themselves -- the findings and recommendations of the meeting have a much broader relevance. Indeed, the success of the strategies identified will rely on the rededicated commitment and redoubled efforts of not only the Representative and the Brookings-SAIS Project, but actors at all levels, from local to global, with a role to play ensuring effective protection, assistance and solutions for the millions of internally displaced persons in the world still today.



Appendix A

**AGENDA**

**International Symposium on  
the Mandate of the Representative of the  
UN Secretary-General on Internally Displaced Persons:  
Taking Stock and Charting the Future**

*Vienna, Austria  
December 12-13, 2002*

**Thursday, December 12**

**1:00 PM Luncheon**

*Hosted by the Secretary-General for Foreign Affairs,  
Government of Austria, Johannes Kyrle*

**2:30 PM OPENING SESSION**

*Welcome by the Government of Austria  
Johannes Kyrle, Secretary-General for Foreign Affairs*

*Welcome by the Government of Norway  
Arne Roy Walther, Ambassador of Norway*

*Introduction of Participants*

**TAKING STOCK**

**3:00 PM OVERVIEW**

Chair: Georg Mautner-Markhof, Director for Human Rights and  
International Humanitarian Law, Ministry of Foreign Affairs, Austria

Opening Remarks

Petter Wille, Deputy Director-General, Ministry of Foreign  
Affairs, Norway

Presentations

*The History and Pillars of the Mandate - The Development and Current Status of the Guiding Principles, Institutional Arrangements, Country Missions, and the Research Agenda*

Francis M. Deng, Representative of the UN Secretary- General on Internally Displaced Persons

*Evaluation of the Mandate and Future Directions*

Thomas G. Weiss, Presidential Professor, The Graduate Center of The City University of New York and Director of the Ralph Bunche Institute for International Studies

**4:00 PM**      **Coffee Break**

**4:30 PM**      Discussion

**CHARTING THE FUTURE**

**5:00 PM**      **THE NORMATIVE FRAMEWORK: THE GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT**

Chair: Mona Rishmawi, Special Adviser to the UN High Commissioner for Human Rights

*Strategies to Promote Worldwide Acceptance of the Principles*

Introductory Remarks

Jeevan Thiagarajah, Executive Director, Consortium of Humanitarian Agencies, Sri Lanka

Binaifer Nowrojee, Counsel, Human Rights Watch/Africa, and Visiting Fellow, Harvard University

V. Vijayakumar, Professor, National Law School, Bangalore, India, and Visiting Fellow, York University

Discussion

**6:30 PM**      **Reception**

*Hosted by the Brookings-SAIS Project on Internal Displacement*

**Friday, December 13**

**9:00 AM      PROMOTING MORE EFFECTIVE INSTITUTIONAL  
ARRANGEMENTS FOR IDPS**

**At the International Level**

Chair: Kenneth Bacon, President, Refugees International

Introductory Remarks

*The Mandate of the Internal Displacement Unit and its Future Plans*

Kofi Asomani, Director, Internal Displacement Unit, OCHA

*Key Challenges Facing Operational Agencies in Protection and Assistance of IDPs*

Iain Levine, UNICEF

Guillermo Bettocchi, UNHCR

Allan Jury, World Food Programme

Barbara Hintermann, International Committee of the Red Cross

Mona Rishmawi, Office of the High Commissioner for Human Rights

*An NGO View*

Joel McClellan, Steering Committee for Humanitarian Response

Discussion

**10:30 AM      Coffee Break**

**11:00 AM      At the Regional Level**

Chair: Mr. Hanif Vally, Head, Human Rights Unit, Commonwealth

Introductory Remarks

Vladimir Shkolnikov, Office for Democratic Institutions and Human Rights (ODIHR), Organization for Security and Cooperation in Europe (OSCE)

Kieren Fitzpatrick, Executive Director, Asia Pacific Forum of National Human Rights Institutions



Hanif Vally, Head, Human Rights Unit, Commonwealth

Discussion

**12:00 PM At the National Level – Dialoguing with Governments and Non-State Actors and Strengthening Civil Society**

Chair: Roberta Cohen, Senior Fellow, The Brookings Institution and Co-Director, Brookings-SAIS Project on Internal Displacement

Introductory Remarks

Svetlana Gannushkina, Head, Migration Rights Network, Memorial Human Rights Center, Russian Federation

Jeevan Thiagarajah, Executive Director, Consortium of Humanitarian Agencies, Sri Lanka

Julia Kharashvili, Director, IDP Women’s Association, Georgia

**1:00 PM Luncheon**

Hosted by the Government of Norway, Ambassador Arne Roy Walther

**2:30 PM Discussion**

**3:00 PM MOBILIZING INTERNATIONAL ATTENTION AND RESOURCES**

Chair: Kofi Asomani, Director, Internal Displacement Unit, OCHA

Introductory Remarks

Elisabeth Rasmusson, Resident Representative, Norwegian Refugee Council, Global IDP Survey, Geneva

Kenneth Bacon, Refugees International

Elissa Golberg, Deputy Director, Humanitarian Affairs, Division of Human Rights, Humanitarian Affairs and International Women’s Equality, Department of Foreign Affairs, Canada

Discussion

**4:00 PM FUTURE RESEARCH AGENDA**

Chair: V. Vijayakumar, Professor, National Law School, Bangalore, India,  
and Visiting Fellow, York University, Canada

Introductory Remarks

Susan Forbes Martin, Director, Institute for the Study of  
International Migration, Georgetown University

Thomas G. Weiss, Presidential Professor, Graduate Center of The  
City University of New York and Director of the Ralph Bunche  
Institute for International Studies

Discussion

**4:45 PM Coffee Break**

**5:15 PM WRAP-UP SESSION**

Chair: Susan Forbes Martin, Director, Institute for the Study of  
International Migration, Georgetown University

Presentations

Rapporteurs:

Erin Mooney, Deputy Director, Brookings-SAIS Project on  
Internal Displacement

David Fisher, Senior Research and Legal Officer for the  
Representative of the Secretary-General on IDPs

Comment

Roberta Cohen, Co-Director, Brookings-SAIS Project on Internal  
Displacement

**6:15 PM CONCLUDING REMARKS**

Petter Wille, Deputy Director-General, Ministry of Foreign Affairs,  
Norway

Georg Mautner-Markhof, Director of Human Rights and International  
Humanitarian Law, Ministry of Foreign Affairs, Austria

Francis M. Deng, Representative of the UN Secretary-General on  
Internally Displaced Persons



## Appendix B

# LIST OF PARTICIPANTS

### *Hosts*

#### **GOVERNMENT OF AUSTRIA**

Johannes Kyrle, Secretary-General for Foreign Affairs, Ministry of Foreign Affairs, Austria

Georg Mautner-Markhof, Director of Human Rights and International Humanitarian Law, Ministry of Foreign Affairs, Austria, *Georg.mautner-markhof@bmaa.gv.at*

Richard Kuehnel, Counselor, Permanent Mission of Austria to UN, New York, *Richard.kuehnel@bmaa.gv.at*

Margit Bruck-Friedrich, Ministry of Foreign Affairs, Austria, *margit.bruck-friedrich@bmaa.gv.at*

#### **GOVERNMENT OF NORWAY**

Arne Roy Walther, Ambassador of Norway, Austria

Petter Wille, Deputy Director-General, Ministry of Foreign Affairs, Norway, *Petter.wille@mfa.no*

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## **Appendix C**

### **OPENING STATEMENT BY THE REPRESENTATIVE OF THE UN SECRETARY-GENERAL ON INTERNALLY DISPLACED PERSONS, Francis M. Deng**

#### **Introductory Remarks**

Let me begin with a word of thanks to our host Governments, Austria and Norway, not only for making this symposium possible, but also for championing the cause of the internally displaced for over a decade. As co-sponsors of the original resolution of the Commission on Human Rights that created the mandate in 1992, they are the gender-blind “parents” of the mandate. Since then, they have divided their resolution-drafting roles between the Commission and the General Assembly, with Norway assuming responsibility for the former and Austria for the latter. Together, they are indeed the reason for our being here.

I also want to thank at the outset all the participants in this symposium and their willingness to share with us their experiences and reflections on the issues under discussion.

Let me also thank my colleague and friend, Professor Thomas Weiss, for having prepared an excellent concept paper for our discussions. I want to emphasize that in asking him to prepare the paper, we had no predetermined expectations. His views are his views, and anyone who knows Tom must realize that it could not have been otherwise.

A special word of appreciation must go to my colleague, Roberta Cohen, who, as a long-standing human rights expert and activist, was one of those who lobbied the Commission on Human Rights to place the issue on its agenda. Since my appointment as Representative of the Secretary-General on Internally Displaced Persons, I have depended heavily on Ms. Cohen who has been a close partner in all we have been able to do on behalf of the world’s internally displaced.

There are, of course, many more people to thank, for our work on the mandate has been a truly collaborative effort, involving a number of dedicated individuals and a broad-based circle of partners from around the world. While I cannot list them all by name, this should in no way detract from my profound appreciation.

Permit me now to say a word about our expectations from this meeting by sharing with you some reflections on how the idea originated. In recent years, I have been struck by the progress that the international community had made in its response to the global crisis of internal displacement. And yet, the problem and the needs of the internally displaced remain acute and monumental.



We have developed an appropriate normative framework in the form of the Guiding Principles on Internal Displacement. We have set up collaborative institutional arrangements that seem to be the preferred option in the international community. The level of awareness of the problem has been raised considerably, including through country missions. We have also developed a sound knowledge base through research, documentation and dissemination.

Balancing the progress made in the international response to internal displacement and the persistence of the crisis worldwide, I began to wonder whether we had reached a plateau and to worry about our becoming complacent. I thought then that it was time to take stock and explore ways of improving our performance, explore new horizons, and identify new heights to climb.

In sharing these thoughts with our long-time supporters, Austria and Norway, we were glad to find that they shared our view and agreed to host a meeting that would address our concerns.

### **The Starting Point**

To appreciate the nature of the challenge presented by stock-taking, it is worth retracing the path of the mandate, beginning with the starting point. Perhaps the most important factor is the degree to which the issue was considered extremely sensitive because, being internal, it touched on state sovereignty. This was why the Commission decided to establish the position of Representative of the Secretary-General instead of that of a Rapporteur or a Working Group. The original mandate was for one year to study the problem from a legal and institutional perspective and to make recommendations on whether and how the Commission might respond to the crisis by developing an effective international system of protection and assistance for the internally displaced. In my original study, I recommended that the Commission remain engaged with the problem and through the same mechanism of the Representative of the Secretary-General. The mandate was then extended for two years and since then for three-year terms.

I would now like to highlight the approach I adopted pursuant to the mandate and in consideration of the sensitivities to sovereignty that had been the major concern. From the start, and specifically in my first report and statement to the Commission, I emphasized the nature of the problem as inherently internal and therefore falling under state sovereignty. However, I recast sovereignty as a positive concept of state responsibility to protect and assist its needy citizens, and not a negative concept of barricading against international involvement and cooperation in meeting the needs of the internally displaced.

### **Implementation of the Mandate**

In implementing the mandate, I conceptualized my role as a catalytic one of raising the level of awareness about the problem and developing a system of response to the crisis at various levels, from national, through regional, to international, using the overriding

framework of sovereignty as responsibility. The thrust of this framework is that meeting the protection and assistance needs of the internally displaced is first and foremost the responsibility of Governments. The role of the international community is to provide complementary support to Governments to discharge that responsibility in cooperation with international actors.

Responsibility, however, implies accountability. And in the exceptional situations where states not only lack the capacity, but also the will to provide protection and assistance for their needy population and large numbers of people suffer and are perhaps threatened with death, the international community cannot remain aloof. On the basis of humanitarian and human rights standards, the international community will then be called upon to get involved through various forms and degrees of intervention, from diplomatic dialogue, to the imposition of sanctions, and, in extreme cases, to coercive action. Discharging the responsibilities of sovereignty is therefore the best way to safeguard state sovereignty.

The actual activities of the mandate have focused on four areas: developing a legal framework for protecting and assisting the internally displaced; developing international institutional arrangements toward the same end; engaging Governments and other pertinent actors on behalf of the internally displaced, especially through country missions to affected countries; and pursuing an agenda of research and analysis of specific issues relating to internal displacement.

Our work in developing a legal framework was carried out in close collaboration with a team of international legal experts and began with a Compilation and Analysis of existing standards in international human rights law, humanitarian law and analogous refugee law. This analysis found that while there was significant coverage in existing law, there were also gray areas and gaps which needed to be remedied. Besides, existing standards were diffused and differed in many instruments without focus on the needs of the internally displaced. On the basis of the findings of the Compilation and Analysis, the Commission requested me to develop an appropriate framework for the protection and assistance of the internally displaced. Continuing to work with a dedicated team of legal experts and the participation of representatives of the various UN agencies and other organizations, we agreed to develop a set of non-binding Guiding Principles on Internal Displacement, instead of a binding legal instrument. In taking that route, we wanted to avoid what might be a controversial and lengthy process and instead provide a document that could authoritatively reflect the law and be persuasive in meeting the urgent needs of the displaced, without threatening Governments with a binding authority.

As the Guiding Principles on Internal Displacement were being presented to the Commission on Human Rights, the Inter-Agency Standing Committee happened to meet in Geneva at about the same time and placed the Principles on its agenda. After due deliberations, the Committee endorsed the Principles and requested the members to bring them to the attention of their governing bodies and to their field staff for application in their activities. A few days later, they were officially submitted to the Commission which was requested to only take note of them, since, as a non-binding document, they did not

require formal adoption. The Commission also took note of the decision of the Representative of the Secretary-General to use the Principles in his dialogue with Governments and all other actors as well as the action already taken by the Inter-Agency Standing Committee to promote and apply the Principles.

Published in an attractive format by the Office for the Coordination of Humanitarian Affairs (OCHA), the Guiding Principles have been translated into UN languages and in many national and local languages around the world. The Brookings-SAIS Project, which supports the mandate of the Representative of the Secretary-General, has organized a series of national and regional seminars in all parts of the world. Some countries have used the Guiding Principles in drafting pertinent legislation and formulating policies on internal displacement. The Principles have even been invoked by the Constitutional Court of one country as a guide to the guarantees of the rights of the internally displaced. They are being used by humanitarian, human rights and development agencies and by intergovernmental and non-governmental organizations. It is particularly significant that the Principles have been a source of empowerment to the internally displaced who are able to demand their rights rather than see themselves as recipients of humanitarian favors.

While the Guiding Principles have been very well received worldwide, some Governments have questioned the manner in which they were developed and the fact that they have not been formally adopted by the appropriate UN bodies other than merely taken note of. These Governments would prefer that the Principles be formally tabled for discussion and adoption. Our response to this criticism has been to explain that the development of the Guiding Principles was mandated by appropriate UN bodies, notably the Commission on Human Rights and the General Assembly, which were kept informed of the progress at various stages of the process. The reasons for preferring a non-binding set of principles have also been explained. Through a dialogue sponsored by the Permanent Representative of Switzerland to the UN and the Emergency Relief Coordinator/Under-Secretary-General for Humanitarian Affairs, differences with these Governments have been considerably narrowed and an even broader consensus behind the Principles is emerging.

Agreeing on the Guiding Principles is only one aspect of the challenge. Equally important is the development of appropriate institutional arrangements for ensuring protection and assistance for the internally displaced in accordance with the Guiding Principles. Originally, the mandate presented three options: creating a new agency for the internally displaced, designating an existing agency to assume full responsibility for them, or involving all the relevant agencies in a collaborative approach. The last of these options has been selected as a preferred and most practical one. This option, of course, requires coordination, and in his 1997 reform program, the Secretary-General charged the Emergency Relief Coordinator with the responsibility of ensuring that the protection and assistance needs are effectively met and not allowed to fall through the cracks of the various mandates.

This coordination, carried out through the Inter-Agency Standing Committee which the ERC chairs, has evolved through several phases: The first was the creation of an Inter-Agency Task Force on Internally Displaced Persons. This was replaced by a Working Group of the IASC. A Senior Inter-Agency Network was then created to develop ways in which the collaborative approach could be made more effective in the affected countries. The Senior Network then recommended the establishment of an IDP Unit at OCHA to assist the ERC in his task. The Unit, located in Geneva, is largely staffed with officers seconded by the operational agencies, with one seconded by the mandate of the Representative of the Secretary-General on Internally Displaced Persons. The Unit carries out country reviews and makes recommendations for effective collaboration among the agencies. In-country collaboration is effected through the country team under the coordination of the Resident Coordinator, often but not always also the Resident Representative of the UNDP. With these coordinating structures at various levels, the appropriate institutional arrangements are now in place for the collaborative approach to function effectively. On the other hand, it is probably too soon to evaluate the effectiveness of the arrangement.

A third area of activity for the mandate, one that provides the litmus test for the effectiveness of the system, is the country missions. In this area, the mandate has been relatively successful, although there are also significant constraints. Approaching sovereignty as a concept of responsibility has proven a palatable argument which the States accept. However, the Governments whom the Representative engages in dialogue, are those who have extended invitations to him and are therefore *receptive* and likely to be cooperative. The critical question is how to engage those Governments that do not extend invitations and are therefore not accessible for constructive dialogue. Sovereignty as a responsibility implies accountability at the national, regional and international levels. In most cases, national accountability lacks the power to be effective in scrutinizing actors. The residual responsibility to hold the pertinent authorities accountable must therefore fall on the international community. The process by which this accountability is exercised is a challenge the international community is still called upon to address.

The fourth pillar of the mandate is the development of the knowledge-base on internal displacement. This aspect of our work was initiated by the then Secretary-General Boutros Boutros-Ghali when he suggested to me, as Representative of the Secretary-General, that there was a need to study the problems of internal displacement in an independent research institution, such as the Brookings Institution, where I was then a Senior Fellow. The critical questions he thought needed to be investigated were: Who are the internally displaced? What are their numbers? Where are they to be found? What are their needs? Who is providing for their needs? What are the gaps in providing for those needs? How can those gaps be filled? And, over all, who should do what to provide for comprehensive response to the global crisis of internal displacement? Secretary-General Kofi Annan reaffirmed the need for such independent research and advocacy outside, but in close collaboration with the UN system through my role as Representative of the Secretary-General. The first research product of the Project was the two volume study on internal displacement: *Masses in Flight: The Global Crisis of Internal Displacement; The Forsaken People: Case Studies of the Internally Displaced*;

and as an abridged version of the two volumes, *Exodus Within Borders: An Introduction to the Crisis of Internal Displacement*, prepared at the request of Secretary-General Annan. All these books were published by the Brookings Institution.

This creative approach of having one leg within the UN system and another in an institution for research and advocacy was found in the Brookings Project on Internal Displacement which has supported the research agenda and the various activities of the mandate since 1994. The Brookings Project has developed close partnerships with several institutions over the years, among them, the Refugee Policy Group, the U.S. Committee for Refugees, the City University of New York Graduate Center and most recently, the Johns Hopkins School of Advanced International Studies, SAIS, from which the latest name, Brookings-SAIS Project on Internal Displacement, derives. In addition, the Project has collaborated very closely with other research institutions, agencies and organizations within and outside the UN system and in different countries and regions of the world.

The role of the Project has been of crucial importance, considering the limited resources available within the UN system. So has the funding that Governments and foundations have provided to support the Project. I would like to express, at this point, my deep appreciation to those Governments and Foundations which have supported the Project. Without their support we could not have done much of what we have been able to do in the implementation of the mandate.

### **Addressing the Root Causes**

In my statements on the global crisis of internal displacement and any reports to various organs of the UN system, I always end on the challenging note of seeing the crisis as offering opportunities for addressing the root causes. Displacement is only a symptom of the causes, reflected in conflicts, communal violence, human rights violations and human-made disasters. Even these are also symptoms of deeper causes, embodied in diversities characterized by acute disparities or inequalities in the shaping and sharing of power, national wealth, public services, and development opportunities. Discrimination on the basis of race, ethnicity, religion, culture or gender mean that there are those who are “in,” enjoying the dignity of full citizenship and those who are “out,” marginalized to the point of virtual statelessness. Unless these inequities are affirmatively addressed, these countries will have a hard time achieving peace, security, stability and development.

Ironically, while conflicts, displacement and the resulting violations of international human rights and humanitarian standards are rooted in gross inequities, displacement itself exposes the disadvantaged to conditions in the more privileged areas, which sharpen even more their realization of how marginalized as citizens they really are. Even if peace is achieved and the displaced are able to return to their areas of origin, they cannot be expected to go back to the conditions of dire poverty and lack of essential services, employment opportunities and prospects for economic, social and cultural development. Not only should they be guaranteed a process of return in safety and with

dignity, but in addition they need to be provided with assistance for their general welfare and a sustainable development.

### **The Challenges Ahead**

I end my remarks with the questions with which I started: Has the international community reached a plateau in its response to the global crisis of internal displacement? Are we running the risk of becoming complacent in our response to the crisis? What should we do to increase the momentum of response to this still monumental problem? Those are only some of the questions we hope to address and find answers in this stock-taking meeting.

While we will of course be pleased to receive compliments for what has been accomplished so far, our purpose in organizing this meeting is to stimulate a genuine appraisal of the situation, including where we started, how far we have come, and what still remains to be done. We sincerely hope that the meeting will challenge us with a sharpened vision of the challenge ahead and creatively suggest the tools for meeting that challenge.

Internal displacement is a global crisis that challenges the international community with the need to develop ways of preventing the arbitrary displacement of populations, responding to the protection and assistance needs of those displaced and finding durable solutions in the form of safe return with dignity, alternative resettlement, and social reintegration and development. Beyond that, it requires addressing the root causes to create conditions of peace, security, stability and development which would, in turn, prevent or discourage displacement. The international community has done a great deal to address this crisis over the last decade. The crisis, however, persists and a great deal more needs to be done to provide an effective regime of prevention, response and solutions. This is called upon to take stock of what has been done and to stipulate what still needs to be done to improve international response to this global crisis of monumental magnitude.



## Appendix D

### BACKGROUND PAPER

## International Efforts For IDPs After A Decade: What Next?

by Professor Thomas G. Weiss \*\*

Anniversaries are an artificial moment to celebrate or cry. But even in this post-modern era, they provide a logical point at which to review the past before continuing. We are presented with such a moment a decade after the establishment of the first mandate for the Representative of the Secretary-General (RSG) on Internally Displaced Persons (IDP).

What follows is not a quantitative evaluation by a detached specialist but rather an informed overview. In my view, the topic is important and efforts on behalf of these victims are essential. At the same time, there are more and less effective activities, as well as more and less feasible future steps. This three-part note begins with an overview of the first ten years, which are further detailed in seven accompanying annexes. The second part consists of an admittedly subjective examination of progress to date. A discussion follows about some of the remaining challenges. This essay is the first, not last, word in an important conversation.

### What Has Been Done?

In spite of obvious political and technical problems in gathering data in war zones, the most reliable and available indicator of suffering has usually been the number of “refugees.” Physical displacement is *prima facie* evidence of vulnerability because people who are deprived of their means of livelihood have great difficulty in resorting to traditional coping capacities. Refugees have been diminishing in number over the last decade while internally displaced persons—that is, exiles who physically remain within their own countries—have been increasing dramatically. The number of refugees at the beginning of the 21<sup>st</sup> century was generally agreed to have fallen to 12 million.<sup>1</sup> But the number of IDPs is considerably larger, at least twice that number—depending on who is counting, from 20 to 25 million displaced by wars with a similar or even greater number displaced by natural disasters and development projects.<sup>2</sup> When IDP data was first gathered in 1982, there were only a million,<sup>3</sup> at which time there were about 10 million refugees.<sup>4</sup>

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At the outset of the 1990s, the growing and massive numbers of IDPs and the changing nature of warfare suggested to watchful observers that what formerly had seemed a blemish on the international humanitarian system was actually an ugly structural scar. The fastest growing category of war-affected populations had, and still has, no institutional sponsor or agreed international legal framework, whereas refugees, whose numbers are diminishing, benefit from well-developed institutional and legal efforts through the UN High Commissioner for Refugees (UNHCR).

In 1992 UN Secretary-General Boutros Boutros-Ghali made an important political and bureaucratic decision when he submitted the first analytical report on IDPs to the UN Commission on Human Rights (CHR) in Geneva. This and other key UN publications with a bearing on this issue are found in Annex 1. As a result of a concerted NGO advocacy campaign, resolution 1992/73 was approved, and not without controversy. The Commission authorized the Secretary-General to appoint a representative to explore “views and information from all Governments on the human rights issues related to internally displaced persons, including an examination of existing international human rights, humanitarian and refugee law and standards and their applicability to the protection of and relief assistance to internally displaced persons.” Proceeding cautiously and deliberately, the Commission also specified the scope for reporting: existing laws and mechanisms; possible additional measures to strengthen the application of such laws; and new ways to address the protection needs that are not covered by existing instruments. This and other UN decisions regarding IDPs are listed in Annex 2.

Shortly thereafter the UN Secretary-General designated Francis M. Deng, a former Sudanese diplomat and then a senior fellow at the Brookings Institution, to serve as the RSG. He was asked to pursue his mandate on a voluntary, part-time basis—a dubious yet common practice for the cash-pressed world organization in the human rights arena. Deng and collaborators actively solicited cooperation from a wide range of experts and autonomous research institutions. The development of a comprehensive global approach for effective assistance and protection of IDPs has been independently formulated and financed since that time. A listing of the main donors—nine governments and five foundations—for the Project on Internal Displacement (PID) is found in Annex 3.

At the outset of the effort, the Brookings Institution worked with the Refugee Policy Group (RPG) and the U.S. Committee for Refugees (USCR); and subsequent partners have included The Ralph Bunche Institute for International Studies at The Graduate Center of The City University of New York and now The Paul H. Nitze School of Advanced International Studies (SAIS) at Johns Hopkins University. Roberta Cohen—a human rights specialist and former U.S. Deputy Assistant Secretary of State for Human Rights—joined Deng in 1994 as associate and then co-director of the PID. Personnel and consultants who have been associated with their work are found in Annex 4.

Starting from scratch and without an official and assessed UN budget, productivity and output have been impressive. Since 1993, the CHR has consistently extended the mandate of the RSG for two and three-year periods—the latest in April 2001 for three years. Deng

has reported annually to the Commission and at least biannually to the General Assembly. Twenty-five country missions over the last decade are listed in Annex 5. Eleven regional and country workshops and seminars in this period are found in Annex 6. In addition to a host of official publications, independent research and policy analysis have been emphasized, and key independent publications are listed in Annex 7.

## **What Has Been The Impact Of The Pillars Of The Mandate?**

The RSG explains and justifies his work and that of the PID in terms of “four pillars.” This part surveys progress under each: raising international awareness and advocacy, the country focus; promulgating international law, the normative framework; promoting an international institutional framework; and improving the knowledge base. These same pillars provide the basis for some first thoughts about next steps in the subsequent part.

### ***Raising International Awareness and Advocacy, The Country Focus***

Measuring the extent of growth in international awareness about the peculiar problems and prospects of IDPs is necessarily subjective. Without a substantial research effort, it is impossible to do a scientific “mapping” of the extent to which international discourse and the public policy agenda have changed.

Awareness of the shortcomings in international responses has grown steadily throughout the 1990s. But so has the problem. As for virtually any development in world politics, it is methodologically difficult to dis-aggregate influences. Hence, it is not possible to draw direct causal arrows between the efforts by the RSG and PID and the increased visibility of the issue and the importance attached to it by individuals and institutions. Nonetheless, interviews confirm that their efforts have been an essential component of change. The issue is squarely on the international humanitarian agenda in a way that it was not a decade ago.

One of the main efforts at increasing international awareness has been based on country missions and related advocacy. Advocacy has been focused on raising general international awareness through speeches, writings, lobbying, and meetings but it has not given sufficient attention to country situations. There is little or no international publicity about the RSG country missions and reports (the recent PID Iraq report being an exception for obvious reasons); but within a target state, country missions generate a lot of publicity and national awareness. Sometimes country missions are presented as a fifth pillar, but they are such a necessary building block for awareness and advocacy that they are included here. Since 1992 the RSG has visited 21 countries, some a few times: Armenia, Angola, Azerbaijan, Burundi (2), Colombia (2), East Timor, Georgia, Indonesia, Mexico, Mozambique, Peru, the Philippines, Russian Federation, Rwanda, El Salvador, Somalia, Sri Lanka, the Sudan (3), Tajikistan, Turkey, and the former Yugoslavia.

Annual reports to the UN Commission on Human Rights are published as official documents of the Economic and Social Council (ECOSOC); and biennial reports are submitted to the General Assembly. They contain analyses of the political, legal, and

institutional conundrum of internal displacement. Country reports, with tailored and in-depth recommendations to governments and international agencies, are published separately (as annexes) but summarized in the main reports. Like all human rights efforts, those on behalf of IDPs are difficult to evaluate because of the inherent difficulties in isolating the impact of discrete efforts along with local and global geopolitical developments. However, it is safe to assume that Deng's visits have raised national awareness of an acute problem, empowered local and outside actors to engage in the issues, and undoubtedly stimulated improvements in the treatment of internally displaced persons.

The contents and language of the country reports suggest an intricate blend of circumlocutions in "UNese" and more hard-hitting criticism. Merely getting agreement from a government to explore human rights and IDPs may actually be considered an achievement for an inter-governmental organization. Moreover, there are important subtleties that are apparent to specialized readers of these reports—for example, a willingness to examine closely a government's rationale in allowing assistance into areas not under its control (Sri Lanka), or solidarity between a government and its internally displaced population (Azerbaijan), or the relative obscurity of IDPs absorbed by local populations (Armenia).

Part of the problem in appreciating the impact of the country reports by the RSG may result from the limited notion of the style considered most effective. Many non-governmental organizations (NGOs) as well as national governments and activist scholars have a single "model" for human rights monitoring. This consists of a highly-visible advocate employing high-decibel levels for public denunciations. If this is the standard, then the RSG—like special rapporteurs of the CHR itself—does not really measure up. At the same time, behind-the-scenes lobbying and discreet hard-work with governments can lead to break-throughs. Deng represents a hybrid between a free-wheeling NGO and a more reserved UN staff member.

Self-censorship (that is, anticipating what governments will find unacceptable and avoiding the topic) is a widespread shortcoming throughout the UN system. It is easier than most UN staff believe to surpass what governments construe as acceptable criticism, and the RSG continues to explore the limits. Criticism of Deng's approach often resembles that lodged against the International Committee of the Red Cross (ICRC), which argues that discretion often has its advantages for access and credibility, when acting as an interlocutor for a target government. The impact of the country missions by the RSG and the more outspoken NGOs working on human rights should be viewed as complementary and mutually reinforcing rather than as antithetical or mutually exclusive.

Country missions have been supplemented by public appearances, and by participation in conferences, workshops, and training sessions organized by the RSG and the PID or by others. The result has been advocacy with donor governments, inter-governmental organizations, and NGOs that represents an essential contribution to what many believe is the most significant normative change in the Westphalian system in the last half-century.

The first report to the CHR already set the normative agenda by confronting the tensions between state sovereignty and human rights that are central to the IDP issue. Deng's earlier work on the Sudan and Africa<sup>5</sup> had laid the groundwork for "sovereignty as responsibility."<sup>6</sup> His central premise is squarely *Realpolitik*—states are very much the bedrock of international order for the foreseeable future. Any notion of the "erosion" of state sovereignty thus should be carefully finessed.

Deng seeks pragmatically to reconcile the possibility of vigorous international intervention with the Charter regime. If the abuses of human rights are grave enough, a country's sovereignty could temporarily disappear and the prospects for outside interference, including the deployment of outside military forces, increase. The evolution of the notion of sovereignty has been dramatic and affects the ability of humanitarian organizations to come to the rescue, even in civil wars. The experience of the last decade underscores the higher expectations placed on sovereign political authorities to respect fundamental human rights.

The dramatic growth in the weight of humanitarian values to justify diplomatic and military action is clear to seasoned observers. "In the 1990s," summarizes Adam Roberts, "humanitarian issues have played a historically unprecedented role in international politics."<sup>7</sup> For the military campaign in Kosovo, Michael Ignatieff notes that "its legitimacy [depends] on what fifty years of human rights has done to our moral instincts, weakening the presumption in favor of state sovereignty, strengthening the presumption in favor of intervention when massacre and deportation become state policy."<sup>8</sup>

Looking backwards over post-World War II history is instructive. On the one hand, "normatively based challenges to the sovereign rights of states are hardly new in international history."<sup>9</sup> On the other hand, the Security Council was largely missing in action regarding humanitarian matters during the Cold War. There was a virtual humanitarian *tabula rasa* at the outset of the 1990s. No resolution mentioned the humanitarian aspects of any conflict from 1945 until the Six Day War of 1967, and the first mention of the ICRC was not until 1978.<sup>10</sup> And in the 1970s and 1980s, "the Security Council gave humanitarian aspects of armed conflict limited priority...but the early nineteen-nineties can be seen as a watershed."<sup>11</sup> During the first half of the decade, twice as many resolutions were passed as during the first forty-five years of UN history. They contained repeated references, in the context of Chapter VII, to humanitarian crises amounting to threats to international peace and security, and repeated demands for parties to respect the principles of international humanitarian law.

Whether or not one takes issue with Edward Luttwak's characterization of "Kofi's rule ... whereby human rights outrank sovereignty,"<sup>12</sup> humanitarian intervention undoubtedly was the most controversial topic within UN circles by the end of the 1990s. The Secretary-General's own speeches<sup>13</sup> were widely debated because what was aptly called "the age of humanitarian emergencies" had led to policies of "saving strangers."<sup>14</sup> An academic cottage industry grew, but more importantly governments sponsored a host of policy initiatives and published reports on the topic. The most recent was the Canadian-inspired International Commission on Intervention and State Sovereignty (ICISS) whose

*Responsibility to Protect* is the most comprehensive statement to date of the *problématique*.<sup>15</sup> This followed findings from a Swedish initiative, the Independent Commission on Kosovo;<sup>16</sup> the previous United States (U.S.) government's overview by the Policy Planning Staff and a report from the Council on Foreign Relations;<sup>17</sup> and major inquiries into the legal authority for intervention by the Dutch and Danish governments.<sup>18</sup>

Factors now routinely viewed as legitimate to justify Security Council action include a range of humanitarian disasters, especially those involving large exoduses by persons displaced within their countries of origin or across borders. As civil wars became the standard bill-of-fare in the 1990s, the cumulative impact of so many decisions in which rights trumped sovereignty has meant that “sovereignty as responsibility” has become a far more widespread concept even if not yet accepted as conventional wisdom. David Rieff would contest whether the spread of the idea has been productive,<sup>19</sup> but state authorities are increasingly seen as having the responsibility to protect their citizens whose rights are being violated. The status of state sovereignty is not challenged but reinforced. However, if a state is unwilling or unable to protect the rights of its own citizens, it temporarily forfeits a moral claim to be treated as legitimate. Its sovereignty, as well as its right to non-intervention, is suspended; and a residual responsibility necessitates vigorous action by outsiders to protect populations at risk.

In brief, the three traditional characteristics of a state in the Westphalian system (territory, authority, and population) are supplemented by a fourth (respect for human rights). This alteration in international awareness as well as a new normative and policy agenda can in no small measure be traced to work by the RSG and the Project on Internal Displacement.

### ***Promulgating International Law, The Normative Framework***

Because of inadequate international legal provisions governing the treatment of internally displaced persons, substantial energies have been devoted to filling this lacuna. The release in early 1998, and the widespread acceptance since that time, of the *Guiding Principles on Internal Displacement* are a success story. Existing norms applicable to this category of victim—prior to and during displacement, as well as during return, resettlement, and reintegration—are conveniently brought together into a single document that guides political authorities and humanitarians.

The process leading to the adoption of the *Guiding Principles* was itself a key tactical decision. It took half a decade and involved international lawyers and experts from all over the world, regional organizations, UN bodies, and NGOs. Consequently, they felt part of the process and then were ready to promote it.

Dissemination is a key objective for the *Guiding Principles*. In addition to the publication and distribution by the PID as well as OCHA and other UN agencies, a number of other outlets have been used including: the *Global IDP Survey* of the Norwegian Refugee Council (NRC); the *International Journal of Refugee Law*; the *Forced Migration Review*

of Oxford's Refugee Studies Programme; the *International Review of the Red Cross*; and the *ICJ Review*. Moreover, a number of NGO newsletters have published the *Guiding Principles* including: *Uprooted People* of the Global Ecumenical Network of the World Council of Churches; *The Mustard Seed* of the Jesuit Refugee Service; *On the Record* of the Advocacy Group; *Human Rights Tribune* of Human Rights Internet; *Monday Developments* of InterAction; and the *RRN Newsletter* of the Overseas Development Institute. And these sorts of publications proliferate.

The translation of this document from English into the five other official UN languages was the first step. But perhaps even more importantly, the translation into 28 other languages has been crucial in making the *Guiding Principles* available to belligerents in many armed conflicts. These languages include: Abkhaz, Albanian, Arabic, Armenian, Azerbaijani, Bahasa Indonesia, Burmese, Cebuano, Chin, Dari, Dinka, Georgian, Kirundi, Luo, Macedonian, Magui, Pashtu, Portuguese, Ruturo, Serb-Croat, Sgaw Karen, Sinhala, Somali, Swahili, Tagalog, Tamil, Tetum, and Turkish. Individuals as well as local, regional and international organizations have begun to use the *Guiding Principles* as a basis for assessing responses to particular situations. This includes the Inter-American Commission on Human Rights of the Organization of American States (OAS) as well as such multi-country non-governmental groups as Amnesty International and Human Rights Watch and such local NGOs as the Ecumenical Commission for Displaced Families and Communities (ECDFC) in the Philippines, the Consortium of Humanitarian Agencies (CHA) in Sri Lanka, and the Grupo de Apoyo a Organizaciones de Desplazados (GAD) in Colombia.

Furthermore, the helpful and more non-technical *Handbook* has been thus far translated into Albanian, Bahasa Indonesia, French, Macedonian, Portuguese, Russian, and Spanish. The far more voluminous *Annotations* have not been translated—something local groups have indicated would be useful.<sup>20</sup> The PID has conducted eleven regional and country workshops on internal displacement, about two a year since they began in 1998. The follow-up to these workshops by governments and certain armed opposition movements in Africa, Asia, and the Americas has been facilitated by the existence of documents in the languages of the parties themselves.

The evolution from an idea to a set of principles to guide governments, militaries, humanitarian agencies, and non-state actors is a substantial achievement in half a decade. This is especially the case because many Third World countries initially viewed any external scrutiny of domestic human rights as an unacceptable frontal attack on their sovereignty. Countries that have actually applied the *Guiding Principles* to the development of laws and court decisions include Angola, Colombia, Georgia, Uganda and Sudan (including the SPLM/SPLA, a non-state actor).

An April 1998 decision of the UN Commission on Human Rights recommends the use of “soft law” for IDPs. Along with taking note of the *Guiding Principles*, the CHR also noted an earlier (March 1998) decision to endorse these principles by the Inter-Agency Standing Committee (IASC), which is composed of the heads of the major relief and development organizations of the UN system and major consortiums of NGOs. This IASC's decision

carried with it the call to bring the intrusive principles to the attention of all executive boards and to encourage staff to apply them in their operational, analytical, and advocacy activities.

UN institutions are thus seized at all levels by this issue, as are many regional organizations, NGOs and governments. More than any other of the pillars under review, the current parsing of international legal issues, in both official and private circles, can clearly be credited to efforts by the Project on Internal Displacement.

### ***Promoting an International Institutional Framework***

Ten years ago, the absence of international law governing internally displaced persons was clear, but so too was the lack of institutions to respond to their needs. The “absence of a focal point within the United Nations system” was pointed out in the CHR’s original resolution 1993/95. Providing a more adequate institutional base was also articulated as a priority by the RSG, for which he presented three options: creation of a specialized institution; designation of an existing agency; or enhanced collaboration. However, little headway has been made toward effective organizational responses to address the needs of IDPs.

Journalists and the proverbial woman on the street tend to think of “refugees” as all forced migrants whether or not they have actually left their home country. There is little recognition, outside of specialist circles, that a person merits the label only if he or she has crossed internationally recognized borders to escape a well-founded fear of persecution.<sup>21</sup> The distinction matters because those who have crossed an international boundary benefit legally from the 1951 international “Convention Relating to the Status of Refugees” and its 1967 “Protocol” as well as from the institutional ministrations of the UNHCR.

Those displaced within a country often are at least as vulnerable, and perhaps more so, but they receive less attention and can call upon no special international agency. The lot of refugees is hardly attractive, but they may actually be better off than IDPs whose existence customarily causes the issue of sovereignty to raise its ugly head. Many regimes actively and blatantly deny protection and assistance to the internally displaced as leverage to manipulate political actors and outside humanitarian agencies.

These are, of course, well-known lamentations from the RSG, but their enumeration in report after report has led to few meaningful institutional adaptations. Predictable turf-consciousness within the UN system, along with donor disarray, has prevented any viable mechanisms to meet the needs of IDPs. Given the largely operational challenge of satisfying their assistance and protection requirements, the only real candidate for this assignment is the UNHCR.

My own views are based on the analysis of internal displacement in the former Yugoslavia commissioned by the project.<sup>22</sup> The UNHCR demonstrated that it was the most operational and effective of agencies within this most complex of complex emergencies. It adapted itself in an entrepreneurial fashion to provide assistance not only to refugees

and IDPs but also to war victims who had not moved at all. The UN approach in the former Yugoslavia involved an unusual centralization of humanitarian responsibilities. The provision of aid and protection was given on the basis of need rather than on physical location or arcane organizational terms of reference.<sup>23</sup>

I have also documented the sad story of bureaucratic in-fighting that scuttled a proposal to place UNHCR in the driver's seat for humanitarian action, a victim of the UN's so-called reform of 1997.<sup>24</sup> Had it been implemented, this proposal would have provided a sensible home for Deng's activities within a "UN Agency for War-Affected Populations (UNAWAP)." There are other proposals being aired—for example, Arthur Helton's Strategic Humanitarian Action and Research (SHARE), a new intergovernmental mechanism situated outside the UN system. But the creation of a UNAWAP would have been more straightforward and effective.<sup>25</sup>

The present cobbled-together arrangement simply does not address operational issues. In April 2002 a Memorandum of Understanding (MOU) was signed by the Emergency Relief Co-ordinator (ERC) and the RSG, which makes IDP advocacy the latter's business but assigns operational coordination to the Geneva-based Internal Displacement Unit (IDU) within the Office for the Coordination of Humanitarian Affairs (OCHA).<sup>26</sup> OCHA fulfills its coordination role through consultations with the Inter-Agency Standing Committee, which is chaired by the ERC, who has formally been mandated to serve as focal point for IDPs. OCHA currently has 16 small field coordination offices. Although specifically charged with the responsibility of addressing humanitarian issues that fall between the cracks of existing mandates, it has not always demonstrated the necessary authority and leadership to effectively coordinate the activities of the larger and financially well-established operational agencies.

The IDU was set up in January 2002 to help the ERC promote better inter-agency coordination on the ground. It is small—9 or 10 professionals who are mostly drawn from other UN agencies, plus several consultants—but more than there were before and all focus exclusively on IDPs. According to its terms of reference, the unit has an extremely ambitious set of tasks that include: to promote and support advocacy efforts; to monitor situations of internal displacement; to identify operational gaps in the response; to provide training, guidance, and expertise to Resident and Humanitarian Coordinators, UN country teams, and others involved; to formulate strategies to address the protection, assistance, and development needs of IDPs; to develop linkages between humanitarian response and security, political, and development spheres of activity; to mobilize resources to assist IDPs; and to further develop inter-agency policies on IDP issues. And in all of these efforts, the IDU is supposed to work closely with the RSG. It is obvious to anyone familiar with the UN system that, in order to operate effectively, the unit needs substantial support from the large operational agencies, which is not always forthcoming, in addition to strong backup from the ERC and the UN Secretary-General.

Judgments differ about how to evaluate efforts to date. Not to put too fine a point on it, the discrepancy between the requirements for program support to field operations on



behalf of IDPs and the actual institutional wherewithal of the UN system could hardly be more glaring.

In the area of modest institutional changes at the inter-governmental and non-governmental levels, the RSG has made recommendations regarding how humanitarian and development action should be provided and how protection should be addressed. The IASC has adopted some suggestions related to specific action on behalf of IDPs, most notably an inter-agency policy for their protection, the appointment of focal points in different agencies, and targeting the Consolidated Appeal Process (CAP). Several humanitarian, development, and human rights groups have altered the ways in which they conduct their business and have expanded their activities with IDPs. Again, precise cause and effect are difficult to ascertain, but a number of changes can almost certainly be attributed to Deng's work, which aptly is conceived as "catalytic." For instance at the regional level, the Inter-American Commission on Human Rights of the Organization of American States (OAS) and the Council of Europe have appointed rapporteurs on IDPs, the Organization for Security and Cooperation in Europe (OSCE) has organized special meetings on internal displacement and pressed for more attention to the issue in affected countries, and a special workshop was organized in Addis Ababa with the Organization of African Unity (OAU) to encourage greater emphasis on IDPs on the continent with the largest concentration. Similar workshops have been organized with the Economic Community of West African States (ECOWAS) and are being planned with the Inter-Governmental Authority on Development (IGAD) and the Commonwealth.

In terms of NGOs, illustrative indications of progress include a host of changes in the programming of assistance increasingly targeting IDPs as a specific category. The Norwegian Refugee Council maintains a global database, intended to provide one-stop shopping for information—a long-standing recommendation of the RSG. The U.S. Committee for Refugees has expanded its coverage of IDPs in its widely circulated annual publication, the *World Refugee Survey*. Human Rights Watch initiated a special campaign entitled "The Challenge of the New Millennium: Protecting the Internally Displaced." The Women's Commission for Refugee Women and Children has added the plight of internally displaced women and children to their reports. There is a forthcoming book by the Migration Policy Institute (MPI). And a myriad of local NGOs have developed outreach programs to internally displaced communities in countries as far flung as Indonesia, Somalia, Sri Lanka, Georgia, the Russian Federation, and Colombia.

### ***Improving the Knowledge Base***

As an analyst I can perhaps be forgiven my enthusiasm for independent research instead of the politically correct analyses that inevitably emanate from official UN channels. Autonomy is especially critical and appreciated when analytical topics are politicized. And what could be more politicized than domestic human rights abuses in civil wars?

Deng and his collaborators have published findings and policy suggestions about the peculiar challenges of assisting and protecting IDPs, which in many ways have helped to set the intellectual agenda outside as well as inside of inter-governmental forums.

Foremost among the PID's considerable published work are Deng's book, *Protecting the Dispossessed* (1993); Cohen and Deng's authored volume, *Masses in Flight* (1998); Cohen and Deng's edited case studies, *The Forsaken People* (1998); and David A. Korn's *Exodus Within Borders* (1999).

The particular importance of challenging normative orthodoxy through an international legal framework was highlighted earlier. The PID's list of monographs, articles, and other publications has stimulated a host of other analysts who have begun to contribute to what is becoming an identifiable public policy concern. They are reflected in the PID's *Selected Bibliography on the Global Crisis of Internal Displacement*.

Of especial relevance in explaining progress in relationship to this fourth pillar, but underpinning the others as well, is an independent financial base. On the one hand, the central approach to the problem of internal displacement is to get governments to take seriously their responsibilities for human rights; and so Deng's work has to be associated intimately with the United Nations. On the other hand, there is a genuine necessity to preserve what he has described as "quasi-independent" status. The PID's base at a private public policy institute working in tandem with universities provides the protection of a respectable distance from governments and from predictable multilateral diplomatic procedures. The expectation is that publications will push the limits of conventional wisdom in mainstream diplomatic circles.

Such an approach requires "soft" resources because policy institutes and universities rarely devote "hard" tuition income or endowments to subsidize researchers and non-instructional personnel. The very existence of the PID has necessitated support from a wide range of private and public donors. Their diversity and generosity over the last decade is encouraging. Direct financial support as well as substantial in-kind contributions have been made by nine governments (Austria, Canada, Denmark, Japan, Netherlands, Norway, Sweden, United Kingdom, and United States) and five foundations (Ford, MacArthur, McKnight, Mellon, and Schurgot Foundations). Support has also come from several parts of the UN system (OSG, OHCHR, UNICEF, UNHCR, and OCHA) and partner universities and research institutions (Brookings, Ralph Bunche Institute of CUNY, Georgetown, and SAIS of Johns Hopkins).

The 2002 budget for direct costs is approximately \$1.2 million—a trivial sum for what the PID is trying to do. This is not the only topic on the international agenda where resources do not match the long list of responsibilities in UN resolutions. However, internal displacement nonetheless lies at the far extreme of a spectrum: an extremely ambitious mandate without any regular funds. It is not possible here to present an analysis of financial expenditures and priorities over time, but the annual operating budgets typically varied from \$500,000 to \$800,000. In addition to cooperating partners having changed, many of the in-kind services from countries (both personnel and conferences) as well as support services from partners are difficult items on which to place an accurate price-tag.

Current and previous project personnel are drawn from a mixture of national backgrounds and types of expertise. Over the last decade, the PID has also engaged numerous short-

and longer-term consultants from most regions of the world to work on research, outreach, and capacity-building. This diversity should be viewed along with participants from research institutions and humanitarian agencies worldwide who have participated in formal or informal sessions organized over the years under the auspices of the PID. There are very few knowledgeable specialists on internal displacement who have not worked with or been consulted by the project staff and who are not part of their global network.

Financial support from outside the world organization has made it possible, indeed obligatory, to act autonomously. Although respecting the bounds of diplomatic niceties, the RSG and the PID have consistently been more forthright and openly critical than would be the case for “normal” international civil servants. At the same time that this independence is generally accepted and admired at the UN, it also is at times misunderstood by some UN staff whose more bureaucratic approaches prevent their appreciating the benefits.

## **What Remains To Be Done?**

The RSG and his collaborators have been effective prods to the international humanitarian system. Progress is evident, but the proverbial glass is certainly far from half full. What roadblocks remain on the path toward more adequate coverage for the assistance and protection needs of IDPs? How could the RSG and the PID make more of a difference in the next decade?

### ***Raising International Awareness and Advocacy, The Country Approach***

Part of a future agenda requires influencing larger publics about IDPs. Making realistic proposals about the media is always challenging—for a layman or for a media expert. There is great debate about what pushes the media to cover an issue and why their gatekeepers allocate resources or jump on a particular bandwagon. This is consequential because more must be done to address the extremely limited public understanding of the issue of internal displacement, including among journalists.

A potentially important precedent was set in October 2002 with the publication of *The Internally Displaced People of Iraq*.<sup>27</sup> This document took the highly visible issue of Iraq—a possible war to enforce its commitment to disarm—and examined the repercussions on IDPs. This consultants’ report garnered far more media interest than previously commissioned publications. Its analysis and style were more straightforward and openly critical of a sitting government than the standard country reports of the RSG.

More similar framings of issues might elicit similar coverage for the IDP issue because, traditionally, the plight of IDPs rarely has received specific coverage—in fact, as mentioned earlier, they are normally described as “refugees.” Some references to internally displaced persons have begun to appear, but a handicap to further progress is the fact that the wider public, even the most literate and concerned members, have very little appreciation either for the scope of humanitarian and development problems that are peculiar for IDPs, or for the need to adapt and create appropriate institutional

mechanisms. The plight of IDPs is palpable, but the framing of issues still appears esoteric.

In terms of developing a workable future strategy, a small brainstorming session of journalists and media gatekeepers would be a sensible start. Part of the agenda would be to strategize about measures to enhance visibility and to overcome the lack of international attention normally given to country reports.

Another possible avenue, which is bound to elicit negative reactions from many host governments, is routinely designating international and local media representatives to the RSG's country missions. Media exposure during and between field visits is decisive for building awareness about the mandate and follow-up issues. Under the right conditions, and by using various modes of promotion and public exposure, it would be helpful for Deng to catalyze, from the outset, linkages among countries and organizations concerned with the human rights situation of a target country. Public debate in many Western countries would be better informed if the print and electronic media were able to cover his missions. This might also be the case in some target countries although governments that produce IDPs in the first place are unlikely to tolerate much critical local media coverage. Care would obviously be required not to compromise the confidentiality, safety, and candor of either IDPs or local and national officials whose testimony is essential to maintain the integrity of the RSG's human rights mandate.

The media might also help ensure more systematic follow-up for country missions. There is no established procedure or automatic mechanism within the international humanitarian system to track situations in the countries previously visited by the RSG. In his low-key and understated prose, internal displacement "is a global phenomenon warranting a more extensive system of on-site monitoring and follow-up than the present resources of the representative will allow."<sup>28</sup> There is no way to ensure that purported points of agreement are implemented or that points of disagreement are revisited periodically. In his reports to the CHR, Deng has repeatedly stressed the need "to sustain the momentum of the visits and to ensure active collaboration between the government and the United Nations agencies on the ground." As with so much of the UN's human rights machinery, there is a not only no institutional wherewithal to secure compliance, there is not even the means to systematically sustain embarrassment.

Indeed, the least to be expected would be subsequent reports to maintain minimal pressure on governments that continue to misbehave. But only three (Burundi, Colombia, and the Sudan) of 21 countries have had follow-up missions and reports, and then usually after five years. At a minimum, there should exist a more frequent and comprehensive system for monitoring and publicizing situations when governments do not carry out Deng's recommendations or the CHR's rulings. An on-going thorn in the side could be placed by media coverage. Another could be the specification of follow-up to country reports by other members of the UN system; perhaps the easiest way to mainstream a concern with IDPs is through the special rapporteurs of the UN High Commissioner for Human Rights (UNHCHR).

Ironically, there is not even an established formula for dealing with governments that do not grant the RSG access to their territory. Perverse incentives reward governments that wish to avoid the attention associated with fact-finding missions. The countries that cooperate become the magnet for criticism while those that refuse can do so with impunity. A precedent that was set for special rapporteurs would be worth exploring. They too must secure invitations from member states, and many governments do not reply or delay responding to requests for a mission. However, a small but growing group of 38 countries has issued “standing invitations.”<sup>29</sup> Donor governments might consider providing incentives for countries to create a similar club of those who issue standing invitations specifically for the RSG.

Deng’s terms of reference have been written in the hopes of sidestepping the most vociferous defenders of state sovereignty, which then contributes to ignoring the needs of large numbers of IDPs. He is encouraged to “dialogue with governments” but has not been given explicit authority to establish direct contacts with insurgents. Although at the operational level direct contact with non-state actors is increasingly done by members of the UN system, at the political level such contacts are close to anathema for member states of an inter-governmental institution. Yet, addressing the problems of internal displacement obviously requires such direct access. To date, Deng has met with representatives of such groups in Georgia, Mexico, the Philippines, Sudan, and Tajikistan. In most countries, he has been discouraged or blocked from doing so. However, some movement is noticeable. The RSG and PID, jointly with UNICEF, recently held a workshop on internal displacement with the SPLM/SPLA in Rumbek, in southern Sudan, and the PID is supporting a program of the Consortium of Humanitarian Agencies in Sri Lanka that targets the LTTE with educational programs about the *Guiding Principles*.

As substantial numbers of IDPs are in areas outside of government control, both the assistance and the protection needs of such people are clearly overlooked to the extent that Deng’s activities are restricted to engaging with official contacts. Contact with all political authorities, be they governmental or insurgent, should be recognized as an indispensable part of his mandate when it is next reviewed.

Although many observers dismiss them as expensive distractions, it might be worth considering whether the topic of internal displacement would make a sensible focus for sustained work over a couple of years, beginning in 2005, by an independent commission of eminent persons. They could publish a report for the 15<sup>th</sup> anniversary of the RSG mandate in 2007. In particular, a reflection on regional differences in views about displacement and the advisability of institutional reform would be essential. The work of the International Commission on Intervention and State Sovereignty provides an interesting model. On a similarly controversial topic, consultations around the world contributed to both research and to an alternative framing of the issue that is already exerting an influence on state deliberations. The willingness of an influential government to run interference for, but not interfere with, such a commission would be essential.

### ***Promulgating International Law, The Normative Framework***

The widespread circulation of the *Guiding Principles on Internal Displacement* does not imply their acceptance. Oratory is not action. Rhetorical advances do not address the crying needs for physical succor and protection, or the demonstrated inability of states to take their responsibilities seriously.

There are considerable differences concerning next steps. Partisans of proceeding directly with negotiations for an international convention confront those who see a more likely pay-off from pursuing a less direct path toward the gradual acceptance of the *Guiding Principles* as customary law. Given the bitterness that has characterized inter-governmental debates on the present document, a frontal attack on recalcitrant states is highly unlikely to be productive in the immediate future. A more fruitful approach would be the slower and more evolutionary effort to build up precedents through state practice and writings by legal specialists. The RSG and the PID could contribute directly, whatever states decide to do or not to do. The recommendation here is thus to continue low-key dissemination and training exercises. Continuing to publish translations is highly desirable, not only of the *Guiding Principles* but of the *Handbook*.<sup>30</sup> It is also desirable to begin translating the *Annotations*. In addition, the development of materials suited to the local level—for example, comic strips, power point presentations, booklets in local languages—could be an important contribution.

Some additional evaluation work should be done to determine the relative advantages and disadvantages of intense national seminars in comparison with longer and more diffuse ones that draw together several countries. Which have a greater impact for which types of armed conflicts?

### ***Promoting an International Institutional Framework***

As a long-time participant in and observer of UN affairs, the topic of institutional restructuring and reform is a never-ending source of frustration. The most logical and sensible proposals usually go nowhere. Eyes glaze over when organizational restructuring is mentioned. Unfortunately, it is essential.

There is widespread agreement among knowledgeable observers of IDP matters about two general points. First, the position of RSG should be full-time and non-voluntary so that Deng can devote more energy and time to the pursuit of his mandate. Initially there were predictable rumblings in diplomatic circles that this might be a first step on the slippery slope toward establishing a new institution; but the risk appeared so slight as to be derisory. Deng had no field presence and minimal staff support within the UN (a single junior professional who had other responsibilities for the UNHCHR); and travel funds were extremely limited. If the slope were at all slippery, the application of governmental brakes was very firm. Second, since the approach to the problem is to get governments, as

sovereigns, to take their responsibilities for human rights seriously, the work of the representative should be associated intimately with the United Nations.

Recently some new concerns have surfaced. One has to do with potential duplication between OCHA's Internal Displacement Unit and the RSG. Another is continued unease about the possible operational potential of the IDU. On the face of it, however, one wonders how one small unit and one voluntary representative could possibly be sufficient on this issue. Creating a special institution to work exclusively on behalf of IDPs—the equivalent of UNHCR's statutory responsibility for refugees, and one of the many possibilities emphasized by the RSG and other observers—is infeasible. Better coordination of existing capacities seems more plausible. This is normally interpreted as establishing a better division of labor within the UN system.

For some time, four institutional options pertinent to the RSG have been on the international agenda.<sup>31</sup> Each assumes that the position becomes full-time, but the location and support system change. In reviewing a decade of progress and shortcomings, the present consultation should revisit these issues.

The first option is a closer association with the work of the UN High Commissioner for Human Rights, which is where the office of the RSG is physically located at present. This approach makes the most logical and substantive sense—IDPs in Deng's work are viewed primarily as the responsibility of governments as falling within the ambit of human rights. Yet, an extension or improvement of current administrative arrangements suffers from the severe shortcomings of the UNHCHR itself. Attaching efforts exclusively to the Geneva-based secretariat is unwise because the office of the High Commissioner is ill-equipped to pursue even his own objectives. Deng's funding problems would hardly be alleviated by associating himself with what is the least well-funded and most controversial of the UN's essential arenas of activity.

The second option is building-up the Geneva-based Internal Displacement Unit within OCHA and associating the RSG, who has recently seconded an officer to the IDU, more intimately with that office. In many ways, inertia points in this direction, often the best explanation for policy within the UN system. And there is some logic in that Deng's mandate goes far beyond the protection of rights and encompasses emergency and often development assistance, which also figure in OCHA's purview. Moreover, accomplishing his multidimensional and multidisciplinary tasks requires collaboration with a host of UN and regional organizations, and this too figures in OCHA's terms of reference.

At the same time, OCHA is an extremely weak reed on which to lean. This part of the UN secretariat has little bureaucratic leverage and limited financial resources. And if familiarity with the field is a concern, OCHA was essentially stripped of its operational mandate and field-based personnel in the so-called reform of 1997. Moreover, the IDU itself is composed essentially of personnel on secondment from UN agencies and whose loyalties are thus divided. The notion that OCHA is a sensible institutional location for IDPs resembles the characterization of a second marriage by Oscar Wilde—the triumph of hope over experience.

The third option is to assign the responsibility for IDPs to a “lead agency” for a particular complex emergency.<sup>32</sup> As stated earlier, the only real candidate is UNHCR; but the consolidation of the UN’s humanitarian machinery was rebuffed as an option in 1997.

Georgetown University’s Institute for the Study of International Migration is floating an alternative option, namely a UN High Commissioner for Forced Migrants. The mandate of this high commissioner would include refugees as well as individuals internally and externally displaced because of repression, conflict, natural disasters, environmental degradation, and development-induced displacement. The work of the new agency would be governed by the Refugee Convention and the *Guiding Principles on Internal Displacement*. One key caveat is whether one agency could assist and protect both IDPs and refugees without compromising either group. UNHCR, understandably, is concerned that attention to IDPs might undermine the right to leave and seek asylum.

Donors may eventually see the necessity to get more from the UN system and insist upon the type of coordination whose absence they continually lament. For the humanitarian arena, fundamental change should be more feasible than for others because the main players are *de jure* part of the United Nations proper. There is no need for constitutional change because the humanitarian components of UNICEF, the World Food Programme (WFP), and the UN Development Programme (UNDP) could be combined with UNHCR—the only one of the big four that is exclusively devoted to aiding and protecting civilian war victims. An interim step might be to focus at least on those forcibly displaced by armed conflicts (that is, refugees and IDPs but not those who do not move).

However, this would require consistency and constancy from Western donors, who pay the bills for these institutions. They would be required to speak with a single voice instead of speaking out of both sides of their mouths—that they are interested in better delivery of aid and protection but simultaneously wish to maintain the extant system.

Consolidation, seemingly far-fetched, almost became reality in 1997, truly amazing for any student of UN affairs. It was actually in the penultimate draft of the document prepared under the direction of Maurice Strong at the request of the then newly-elected Secretary-General Kofi Annan. However, at the eleventh hour donors supported the heads of agencies who argued that continuing the decentralized system was preferable to a modestly more centralized one. This recommendation would have amounted to a pragmatic adaptation of the UNHCR’s efforts to illuminate the Balkan gloom, where it embraced the challenge of displacement writ large and addressed the care of refugees, returnees, internally displaced persons, and those who had not moved at all. Someday donors may realize that the continuation of the present fragmentation privileges UN organizations and penalizes civilians trapped in war zones (including IDPs).

The fourth option—which appears reasonable over the next half decade because the others are highly unlikely or undesirable—is to make the most of the existing approach, while keeping open the necessary option of a more radical institutional change. This would



consist of leaving the RSG associated with the UN Secretary-General and with footholds in UNHCHR and OCHA, but better funded and staffed. The preferred strategy is thus to continue to have the weight and influence derived from an intimate association with the 38<sup>th</sup> floor but jealously maintain an independent location and funding base. This arrangement helps the RSG to act as watchdog, advocate, policy entrepreneur, and source of knowledge about IDPs to help alleviate their plight. People matter—and the RSG and his team have made a difference. They could make more.

### ***Improving the Knowledge Base***

The most recent work program for the PID contains an ambitious listing of topics to be researched by staff or consultants. These include:

- national response to situations of internal displacement, or a comparative analysis across cases (underway, by PID staff);
- non-state actors, or an examination of possible relations with a series of more and less civil members of civil society (underway, by PID staff and consultants);
- international and regional complaints procedures for IDPs, or a legal handbook and a simplified manual (underway, by consultant);
- legal standing of the *Guiding Principles*, or an examination of the relationship to customary law (underway, by consultant);
- assessment of donor response (European case study, in collaboration with NRC and USCR, completed by consultant);
- evaluation of regional organization response (underway, by PID staff and consultant);
- challenges of development-induced displacement, or an analysis of the relevance of the *Guiding Principles* to types of displacement other than conflict and when such cases merit international attention, in particular of the RSGIDP (completed, by consultant);
- when displacement ends, or the development of criteria for establishing when persons should no longer be considered IDPs (underway, by PID staff, in collaboration with Georgetown and NRC);
- protection by peacekeepers, or how such military forces can better support relief and protection (underway, by consultant);
- a comprehensive protection regime, or a study to explore the complexities and tensions between protecting refugees and IDPs (underway, by consultant, in collaboration with MPI);
- a protection survey, or an evaluation of field-based protection (underway, by consultant, in collaboration with OCHA IDP Unit).

Realization of this research plan is underway, and a variety of consultants and staff are working with partners. A quick examination of the titles alone suggests a truly ambitious effort, particularly if the analytical work were to be done in a comprehensive rather than cursory manner. Present allocations for this work are based more upon available funds than any realistic assessment of actual analytical challenges and available data. A few months of a consultant's time, desk research by interns, or intensive work by one of the principals between flights is the standard operating procedure. Most topics—for instance,

comparative case studies, relations with non-state actors, or the use of military forces—would require a far larger commitment of research monies to be done properly. The establishment of a Center for Displacement Studies, as envisioned at SAIS, could be an important step in this direction especially if non-war-related displacement becomes a more significant analytical focus. The mandate of the RSG and the work of the PID should, however, remain linked exclusively to armed conflict.

A recent development that should be expanded is support for case studies on internal displacement by research institutes in war-torn countries. Partnerships with the Georgian Young Lawyers Association, the Calcutta Research Group, and the Jadavpur University's Center for Refugee Studies are commendable. Pairing outside researchers with personnel from such institutes would undoubtedly help the longer-term viability of such Third World partners. Orchestrating such efforts is, however, time-consuming and may be more effective as training and institution-building than research. It is too early to judge the research *per se*.

Another promising topic would be a scientific mapping of changes in political and legal discourse about IDPs, combined with a survey of decision-making and institutional commitments by governmental, inter-governmental, and non-governmental humanitarian agencies. It is essential, for practitioners and academics, to understand the extent to which previous work on various aspects of sovereignty as responsibility have contributed to the norms and rules around which state expectations converge. Ongoing research within the academy indicates the extent to which ideas and norms matter.<sup>33</sup> And it would be desirable to understand better the precise impact of sovereignty as responsibility in contemporary world politics.

It is possible and desirable to quantify and compare change over time by examining the frequency that the term “IDP” or special treatment for this category of war victim appeared in journals, UN resolutions and documents, newspapers, and government publications. It would also be helpful to document the extent to which donors (governmental, inter-governmental, and non-governmental organizations) have established special programs or projects for IDPs as well as whether host governments and aid agencies have created any administrative mechanisms that respond to the special problems of this category of affected population.

The growing concern with non-state actors—on a spectrum from spoilers to be avoided through civil society organizations to be strengthened, and especially the gray area in between—is particularly important when conceptualizing strategies and tactics to counter internal displacement. Conceptual efforts to understand the interests of such actors is essential if the structure of such interests is to be affected as part of programming for assistance and protection to benefit IDPs.

Finally, a cost-benefit evaluation of the PID itself would be sensible. In particular, it would be useful to conduct a more thorough examination of the exact magnitude and utilization of funds. Donors should be in a better position to understand what portions of their contributions go to which parts of the work program, whether this leverage is used

to mobilize other funds and in-kind contributions, and how project priorities have changed over time.

## **Conclusion—Is Learning Possible Within The UN System?**

In what qualifies as one of the understatement of the decade, a report in mid-decade noted “a considerable gap between the aspirations of the mandate of the representative and his capacity to pursue them.”<sup>34</sup> Deng has clearly reached a plateau in terms of what a part-time volunteer can do, living from one grant cycle to another. A permanent mandate and a more adequate and guaranteed funding base are obvious requirements over the next decade.

Certain goals have been achieved—a normative framework is in place and international discourse has changed, guiding principles are circulating, and institutions have begun to emphasize the particular problems of IDPs within their programs and projects. However, a voluntary position with paltry and impermanent human and financial resources does not provide the capacity to undertake systematic monitoring of situations, or to follow-up on previous visits to those countries that continue to pose thorny problems of internal displacement or flaunt international decisions. Further in-depth research and analysis are prerequisites for on-going policy and advocacy efforts, but gaps are practical rather than conceptual or rhetorical.

The most powerful leverage available to the RSG and his colleagues is the subtle but growing support for recasting sovereignty as responsibility, a concept that has been facilitated by the last two secretaries-general, and especially by Kofi Annan. The International Commission on Intervention and State Sovereignty has also blessed the concept in the opening sentence of its report. Sovereignty and non-intervention are not timeless principles cast in concrete but rather products of actions and resistance by parliamentarians, aid workers, and intellectuals.

A consensus is gradually emerging about a state’s responsibilities and accountabilities to both domestic *and* international constituencies. A state is not able to claim the prerogatives of sovereignty unless it meets internationally agreed responsibilities, which include protecting the human rights of, and providing life-sustaining assistance to, all those within its jurisdiction. Failure to meet obligations on behalf of internally displaced persons legitimizes intrusion and outside intervention by the United Nations and the community of responsible states against a member of their club that misbehaves egregiously.

The most important factor behind the expansion of Security Council decisions in the 1990s was the humanitarian “impulse,” which is the understandable human desire to help those in life-threatening distress resulting from armed conflict.<sup>35</sup> Invariably, this urge translates into a limited political momentum and a sliding scale of commitments that permit international action to come to the rescue of some, but not all, war-affected populations. This momentum has made coalitions of the willing an episodic phenomenon

in world politics. When humanitarian and strategic interests culminate, a window of opportunity for those seeking to act on the humanitarian impulse opens.

The work on IDPs has contributed to the development of this impulse, although detractors are disgruntled because it is not an “imperative.” Those who believe that humanitarian values must be universal to be meaningful are dismayed because of unevenness in decisions by the Security Council, regional organizations, and individual states. The humanitarian imperative would entail an obligation to treat all victims similarly and to react to all crises consistently and with proportional resources—in effect, to deny the relevance of politics, which consists of weighing effectiveness and available resources. The humanitarian impulse is permissive, whereas the humanitarian imperative would be preemptory.

The humanitarian impulse is the maximum to which the community of states can aspire. This impulse was respected for IDPs and other victims of armed conflict more often in the 1990s than earlier, and it may be respected more systematically in the future. Because we cannot respond always, should not make us uncomfortable about acting sometimes. The dramatic growth in the influence of humanitarian values to justify diplomatic and military action on behalf of IDPs and other war victims is a positive development in world politics.

At the end of this issues paper, I am once again left asking myself, “Is learning possible within the international humanitarian system?” The establishment of “lessons-learned” units was part of a growth industry in the 1990s within the UN and elsewhere. For instance, both the Department of Peace-keeping Operations (DPKO) as well as OCHA established them as a result of operational problems in responding to civil wars, and a number of private agencies founded the Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP).<sup>36</sup> Academics and policy analysts, including those from the PID, also threw themselves into the intellectual fray as governments and foundations sponsored research about international responses of the 1990s. Nonetheless, have key lessons actually been learned?

Any military historian anxious to avoid fighting the last war knows that lessons are difficult enough to identify in the first place. Political, temporal, military, strategic, and geographic translations from one situation to another are methodologically arduous and operationally problematic. A note of caution should be introduced when looking over the impact of the last decade of experience by the RSG and the PID, with an eye toward the future. Public policy analysts often overlook the three stages of learning. The first is identification, when problems are observed and data collected. The second is diagnosis, when information is analyzed and underlying beliefs questioned. And the third is implementation, when revised policies and procedures are actually institutionalized and public and bureaucratic support is mobilized on behalf of changes.

Scholars and practitioners who are members of the international conference circuit frequently employ the conventional vocabulary of “lessons learned,” but decision-makers and bureaucrats rarely implement corrective measures. Lessons are usually identified by people who are not responsible for changing the rules. And decision-makers rarely

understand the details and policy implications of major studies. What is commonplace and essential in the business literature—the third step, specific changes in policy and behavior—often is missing within the humanitarian enterprise.

Why is there a gap between lessons compiled and actually learned, between “rhetoric” and “reality”? Cynics would point to hypocrisy and leave it at that. Sometimes they are right, but often there are more complex reasons. Governments and agencies are not monoliths, but this reality is often overlooked when examining applied research. Those who conduct evaluations, draft resolutions, and make statements usually have not secured political backing from important actors. Competing interests dominate bureaucratic decision-making. Even when policy changes formulated to reflect lessons appear to have been agreed in headquarters, it can prove extremely difficult to translate them into practice on the ground.

To the extent that lessons remain relegated to file-drawers, coffee tables, and book jackets, the concept of learning is perverted. It would be more accurate to speak of “lessons spurned.” Scholars and policy analysts should be humble about how little the system delivery of assistance and protection for IDPs has changed over the 1990s as a result of research efforts.<sup>37</sup> The proverbial bottom line is clear: There are obvious limits to analysis and advocacy without the political will by major donors to act on lessons.

## NOTES

- <sup>1</sup> 2001 UNHCR Population Statistics, 7 June 2002 (data available at <http://www.unhcr.ch/cgi-bin/texis/vtx/home?page=statistics>).
- <sup>2</sup> Commission on Human Rights, *Specific Groups and Individuals: Mass Exoduses and Displaced Persons* (16 January 2002), UN document E/CN.4/2002/95.
- <sup>3</sup> Roberta Cohen and Francis M. Deng, *Masses in Flight: The Global Crisis of Internal Displacement* (Washington, DC: Brookings Institution, 1998), p. 3. The figure of 25 million in 49 countries is the current estimate by the authoritative Norwegian Refugee Council at [www.idproject.org](http://www.idproject.org). For other information, see also Roberta Cohen and Francis M. Deng, eds., *The Forsaken People: Case Studies of the Internally Displaced* (Washington, DC: Brookings Institution, 1998); David A. Korn, *Exodus Within Borders* (Washington, DC: Brookings Institution, 1999); and Francis M. Deng, *Protecting the Dispossessed: A Challenge for the International Community* (Washington, DC: Brookings Institution, 1993).
- <sup>4</sup> United Nations High Commissioner for Refugees, *The State of the World's Refugees 1997-98* (Oxford: Oxford University Press), p. 54.
- <sup>5</sup> Francis M. Deng and Larry Minear, *The Challenges of Famine Relief: Emergency Operations in the Sudan* (Washington, DC: Brookings Institution, 1992); and Francis M. Deng and I. William Zartman, eds., *Conflict Resolution in Africa* (Washington, DC: Brookings Institution, 1991).
- <sup>6</sup> Francis M. Deng, "Frontiers of Sovereignty: A Framework of Protection, Assistance, and Development for the Internally Displaced," *Leiden Journal of International Law* 8, no. 2 (1995), pp. 249-286; and Francis M. Deng et al., *Sovereignty as Responsibility* (Washington, DC: Brookings Institution, 1995).
- <sup>7</sup> Adam Roberts, "The Role of Humanitarian Issues in International Politics in the 1990s," *International Review of the Red Cross* 81, no. 833 (March 1999), p. 19.
- <sup>8</sup> Michael Ignatieff, "Human Rights: The Midlife Crisis," *The New York Review of Books* XLVI, no. 9 (20 May 1999), p. 58.
- <sup>9</sup> See S. Neil MacFarlane, *Intervention in Contemporary World Politics* (Oxford: Oxford University Press, 2002), Adelphi Paper 350, p. 79. He cites, among others, the struggles between Protestants and Catholics in 15<sup>th</sup> and 16<sup>th</sup> Century Europe, the interventionist tendencies of the French Revolution, and the position of the Holy Alliance in the 19<sup>th</sup> Century as well as by others with humanitarian intervention in the same period.
- <sup>10</sup> Christine Bourloyannis, "The Security Council of the United Nations and the Implementation of International Humanitarian Law," *Denver Journal of International Law and Policy* 20, no. 3 (1993), p. 43.
- <sup>11</sup> Th. A. van Baarda, "The Involvement of the Security Council in Maintaining International Law," *Netherlands Quarterly of Human Rights*, 12, no. 1 (1994), p. 140.
- <sup>12</sup> Edward Luttwak, "Kofi's Rule: Humanitarian Intervention and Neocolonialism," *The National Interest*, no. 58 (Winter 1999/2000), p. 60.
- <sup>13</sup> Kofi A. Annan, *The Question of Intervention* (New York: United Nations, 1999).
- <sup>14</sup> See Raimo Väyrynen, *The Age of Humanitarian Emergencies*, Research for Action #25 (Helsinki: World Institute for Development Economics Research, 1996); and Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2000).
- <sup>15</sup> International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: International Development Research Centre, 2001). The accompanying volume by Thomas G. Weiss and Don Hubert, *The Responsibility to Protect: Research, Bibliography, and Background* (Ottawa: International Development Research Centre, 2001) contains a bibliography with 2,200 entries, one indication of the "cottage industry."
- <sup>16</sup> Independent International Commission on Kosovo, *Kosovo Report* (Oxford: Oxford University Press, 2000).
- <sup>17</sup> Alton Frye, ed., *Humanitarian Intervention: Crafting a Workable Doctrine* (New York: Council on Foreign Relations, 2000), and *Interagency Review of U.S. Government Civilian Humanitarian & Transition Programs*, document dated 12 July 2000.
- <sup>18</sup> Advisory Council on International Affairs and Advisory Committee on Issues of Public International Law, *Humanitarian Intervention* (The Hague: AIV and CAVV, 2000), and Danish Institute of International Affairs, *Humanitarian Intervention: Legal and Political Aspects* (Copenhagen: Danish Institute, 1999).
- <sup>19</sup> David Rieff, *A Bed for the Night: Humanitarianism in Crisis* (New York: Simon & Schuster, 2002).

<sup>20</sup> Walter Kälin, *Guiding Principles on Internal Displacement: Annotations* (Washington, DC: American Society of International Law, and Brookings Project on Internal Displacement; 2000), Studies in Transnational Legal Policy No. 32.

<sup>21</sup> For a discussion, see Guy Goodwin-Gill, *The Refugee in International Law* (Oxford: Clarendon Press, 1996), second edition.

<sup>22</sup> See Thomas G. Weiss and Amir Pasic, "Dealing with Displacement and Suffering Caused by Yugoslavia's Wars," in Roberta Cohen and Francis M. Deng, eds., *The Forsaken People* (Washington, DC: Brookings, 1998), pp. 175-231; and Thomas G. Weiss and Amir Pasic, "Reinventing UNHCR: Enterprising Humanitarians in the Former Yugoslavia, 1991-1995," *Global Governance* 3, no. 1 (Jan.-Apr. 1997), pp. 41-57.

<sup>23</sup> There are substantial voices of dissent within UNHCR and outside against the expansion of the agency to provide aid to so many victims rather than be the protector solely of refugees. See, for example, Gil Loescher, *The UNHCR and World Politics: A Perilous Path* (Oxford: Oxford University Press, 2001).

<sup>24</sup> Kofi Annan, *Renewing the United Nations: A Programme for Reform* (New York: United Nations, July 1997).

<sup>25</sup> Arthur Helton, *The Price of Indifference: Refugees and Humanitarian Action in the New Century* (Oxford: Oxford University Press, 2002), pp. 286-293.

<sup>26</sup> UN document HR/4584, REF/1172, 18 April 2002.

<sup>27</sup> John Fawcett and Victor Tanner, *The Internally Displaced People of Iraq* (Washington, DC: Brookings Institution-SAIS Project on Internal Displacement, October 2002).

<sup>28</sup> UN document A/50/558, p. 11.

<sup>29</sup> Paulo Sergio Pinheiro, "Musings of a UN Special Rapporteur on Human Rights," *Global Governance* 9, no. 1 (Jan.-March 2003), forthcoming.

<sup>30</sup> *Manual on Field Practice on Internal Displacement* (New York: OCHA, 1999) is a useful compendium of best practices that complements the *Handbook* and should also be translated.

<sup>31</sup> These options were spelled out by Roberta Cohen and Jacques Cuénod, *Improving Institutional Arrangements for the Internally Displaced* (Washington, DC: Refugee Policy Group, October 1995), pp. 81-86. These options were debated by an independent group of experts on 30 September 1998 at the Brookings Institution. See "Roundtable Report on New Directions for the Mandate of the Representative of the Secretary-General on Internally Displaced Persons," unpublished document. For additional analysis, see Thomas G. Weiss, "Whither International Efforts for Internally Displaced Persons?" *Journal of Peace Research* 36, no. 3 (May 1999), pp. 363-373.

<sup>32</sup> Michael Pugh and S. Alex Cunliffe, "The Lead Agency Concept in Humanitarian Assistance: The Case of the UNHCR," *Security Dialogue* 28, no. 1 (1997), pp. 17-30.

<sup>33</sup> For instance, see John Boli and George M. Thomas, eds., *Constructing World Culture: International Nongovernmental Organizations since 1875* (Stanford: Stanford University Press, 1999); Ann Marie Clark, *Diplomacy of Conscience: Amnesty International and Changing Human Rights Norms* (Princeton: Princeton University Press, 2001); Martha Finnemore, *National Interests in International Society* (Ithaca: Cornell University Press, 1996); Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998); Audie Klotz, *Norms in International Relations: The Struggle against Apartheid* (Ithaca: Cornell University Press, 1996); David Holloran Lumsdaine, *Moral Vision in International Politics: The Foreign Aid Regime, 1949-1989* (Princeton: Princeton University Press, 1993); Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, *The Power of Human Rights: International Norms and Domestic Change* (New York: Cambridge University Press, 1999); and Paul Kevin Wapner, *Environmental Activism and World Civic Politics* (Buffalo: State University of New York Press, 1995). For a recent review of the literature, see Theo Forrell, "Realistic and the Constructivist Challenge: Rejecting, Restructuring, or Rereading," *International Studies Review* 4, no. 1 (Spring 2002), pp. 49-72.

<sup>34</sup> UN document A/50/558, p. 20.

<sup>35</sup> The humanitarian impulse also appears in the face of natural disasters, but the politics of helping are totally different when acting without support of or even against the will or stated wishes of local political authorities. For a longer discussion, see Thomas G. Weiss, "The Humanitarian Impulse," in David Malone, ed., *The UN Security Council in the Post-Cold War World*, forthcoming.

<sup>36</sup> For additional information, see ALNAP, *Humanitarian Action: Learning from Evaluation, Active Learning Network for Accountability and Performance in Humanitarian Action Annual Review Series* (London: ALNAP, 2001).

<sup>37</sup> For a discussion of the failures to change as a result of analyses, see Nicola Reindorp and Peter Wiles, *Humanitarian Coordination: Lessons from Recent Experience* (London Overseas Development Institute, 2001); and A. Wood, R. Apthorpe, and J. Borton, eds., *Evaluating International Humanitarian Action: Reflections from Practitioners* (London: Zed Books, 2001).





## Annex 1\*

### Key UN Publications, 1992-2002

Commission on Human Rights, *Analytical Report of the Secretary-General on Internally Displaced Persons*, UN document E/CN.4/1992/23.

Commission on Human Rights, *Comprehensive Study by the Representative of the Secretary-General on the Human Rights Issues relating to Internally Displaced Persons*, UN document E/CN.4/1993/35.

General Assembly, *Report Prepared by the Representative of the Secretary-General on Internally Displaced Persons*, 1993, UN document A/48/579.

Commission on Human Rights, *Report of the Representative of the Secretary-General on Internally Displaced Persons*, UN document E/CN.4/1994/44.

Commission on Human Rights, *Profiles in Displacement: Sri Lanka*, UN document E/CN.4/1994/44/Add.1.

General Assembly, *Report Prepared by the Representative of the Secretary-General on Internally Displaced Persons*, 1994, UN document A/49/538.

Commission on Human Rights, *Report of the Representative of the Secretary-General on Internally Displaced Persons*, UN document E/CN.4/1995/50.

Commission on Human Rights, *Profiles in Displacement: Colombia*, UN document E/CN.4/1995/50/Add.1.

Commission on Human Rights, *Profiles in Displacement: Burundi*, UN document E/CN.4/1995/50/Add.2.

Commission on Human Rights, *Compilation of Legal Norms*, UN document E/CN.4/1995/50/Add.3.

Commission on Human Rights, *Profiles in Displacement: Rwanda*, UN document E/CN.4/1995/50/Add.4.

General Assembly, *Report Prepared by the Representative of the Secretary-General on Internally Displaced Persons*, 1995, UN document A/50/558.

Commission on Human Rights, *Report of the Representative of the Secretary-General on Internally Displaced Persons*, UN document E/CN.4/1996/52.

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\* The Annexes have been prepared with the assistance of the Brookings-SAIS Project on Internal Displacement.

Commission on Human Rights, *Profiles in Displacement: Peru*, UN document E/CN.4/1996/52/Add.1.

Commission on Human Rights, *Compilation and Analysis of Legal Norms*, UN document E/CN.4/1996/52/Add.2.

General Assembly, *Report Prepared by the Representative of the Secretary-General on Internally Displaced Persons*, 1996, UN document A/51/483.

General Assembly, *Profiles in Displacement: Tajikistan*, 1996, UN document A/51/483/Add1.

Commission on Human Rights, *Report of the Representative of the Secretary-General on Internally Displaced Persons*, UN document E/CN.4/1997/43.

Commission on Human Rights, *Profiles in Displacement: Mozambique*, UN document E/CN.4/1997/43/Add.1.

General Assembly, *Report Prepared by the Representative of the Secretary-General on Internally Displaced Persons*, 1997, UN document A/52/506.

Commission on Human Rights, *Report of the Representative of the Secretary-General on Internally Displaced Persons*, UN document E/CN.4/1998/53.

Commission on Human Rights, *Compilation and Analysis of Legal Norms, Part II*, UN document E/CN.4/1998/53/Add.1.

Commission on Human Rights, *Guiding Principles on Internal Displacement*, UN document E/CN.4/1998/53/Add.2.

*Guiding Principles on Internal Displacement* (New York: Office for the Coordination of Humanitarian Affairs, 1998 (in booklet form); also published as UN document E/CN.4/1998/53/Add.2). Translated from English into Abkhaz, Albanian, Arabic, Armenian, Azerbaijani, Bahasa Indonesia, Burmese, Cebuano, Chin, Chinese, Dari, Dinka, French, Georgian, Kirundi, Luo, Macedonian, Magui, Pashtu, Portuguese, Russian, Ruturo, Serb-Croat, Sgaw Karen, Sinhala, Somali, Spanish, Swahili, Tagalog, Tamil, Tetum, Turkish.

Commission on Human Rights, *Report of the Representative of the Secretary-General on Internally Displaced Persons*, UN document E/CN.4/1999/79.

Commission on Human Rights, *Profiles in Displacement: Azerbaijan*, UN document E/CN.4/1999/79/Add.1.

Commission on Human Rights, *Report of the Workshop on Internal Displacement in Africa*, UN document E/CN.4/1999/79/Add.2.

General Assembly, *Report Prepared by the Representative of the Secretary-General on Internally Displaced Persons*, 1999, UN document A/54/409.

Commission on Human Rights, *Report of the Representative of the Secretary-General on Internally Displaced Persons*, UN document E/CN.4/2000/83.

Commission on Human Rights, *Profiles in Displacement: follow-up mission to Columbia*, UN document E/CN.4/2000/83/Add.1.

Commission on Human Rights, *Summary Report of Workshop on Implementing the Guiding Principles on Internal Displacement (Colombia)*, UN document E/CN.4/2000/83/Add.2.

Commission on Human Rights, *Profiles in Displacement: East Timor*, UN document E/CN.4/2000/83/Add.3.

Commission on Human Rights, *Report of the Representative of the Secretary-General on Internally Displaced Persons*, UN document E/CN.4/2001/5.

Commission on Human Rights, *Profiles in Displacement: Forced Relocation in Burundi*, UN document E/CN.4/2001/5/Add.1.

Commission on Human Rights, *Summary Report of the Regional Workshop on Internal Displacement in the South Caucasus*, UN document E/CN.4/2001/5/Add.2.

Commission on Human Rights, *Profiles in Displacement: Armenia*, UN document E/CN.4/2001/5/Add.3.

Commission on Human Rights, *Profiles in Displacement: Georgia*, UN document E/CN.4/2001/5/Add.4.

Commission on Human Rights, *Profiles in Displacement: Angola*, UN document E/CN.4/2001/5/Add.5.

Commission on Human Rights, *Report of the Representative of the Secretary-General on Internally Displaced Persons*, UN document E/CN.4/2002/95.

Commission on Human Rights, *Report of the Mission to the Sudan*, UN document E/CN.4/2002/95/Add.1.

Commission on Human Rights, *Profiles in Displacement: Indonesia*, UN document E/CN.4/2002/95/Add.2.

Commission on Human Rights, *Report of the Seminar on Internal Displacement in Indonesia*, UN document E/CN.4/2002/95/Add.3.

Commission on Human Rights, *Report of the Representative of the United Nations Secretary-General on Internally Displaced Persons*, UN document E/CN.4/2003/86.

Commission on Human Rights, *Profiles in Displacement: follow-up Mission to Sudan*, UN document E/CN.4/2003/86/Add.1.

Commission on Human Rights, *Profiles in Displacement: Turkey*, UN document E/CN.4/2003/86/Add.2.

Commission on Human Rights, *Profiles in Displacement: Mexico*, UN document E/CN.4/2003/86/Add.3.

Commission on Human Rights, *Profiles in Displacement: Philippines*, UN document E/CN.4/2003/86/Add.4.

Commission on Human Rights, *Report on the International Conference on Internal Displacement in the Russian Federation*, UN document E/CN.4/2003/86/Add.5.

## Annex 2

### Principal UN Decisions, 1992-2002

Commission on Human Rights Resolution 1992/73, *Internally Displaced Persons* (requested Secretary-General to appoint a Representative to undertake a comprehensive study on the issue of internally displaced persons).

Commission on Human Rights Resolution 1993/95, *Internally Displaced Persons* (extended the mandate two years).

General Assembly Resolution 1993, A/RES/48/135, *Internally Displaced Persons*.

Commission on Human Rights Resolution 1994/68, *Internally Displaced Persons*.

Commission on Human Rights 1995/57, *Internally Displaced Persons* (extended mandate further three years).

General Assembly Resolution 1995, A/RES/50/195, *Protection of and Assistance to Internally Displaced Persons*.

Commission on Human Rights Resolution 1996/52, *Internally Displaced Persons*.

Commission on Human Rights Resolution 1997/39, *Internally Displaced Persons*.

General Assembly Resolution 1997, A/RES/52/130, *Protection of and Assistance to Internally Displaced Persons*.

Commission on Human Rights Resolution 1998/50, *Internally Displaced Persons* (extended mandate further three years).

Economic and Social Council, 1998/1; 1998/2, *Agreed Conclusions*.

Commission on Human Rights Resolution 1999/47, *Internally Displaced Persons*.

General Assembly 1999, A/RES/54/167, *Protection of and Assistance to Internally Displaced Persons*.

Commission on Human Rights Resolution 2000/53, *Internally Displaced Persons*.

Security Council, *Presidential Statement on Promoting Peace and Security: humanitarian assistance to refugees in Africa*, 13 January 2000, UN document S/PRST/2000/1.

Commission on Human Rights Resolution 2001/54, *Internally Displaced Persons* (extended mandate a further three years).

General Assembly 2001, A/RES/56/164, *Protection of and Assistance to Internally Displaced Persons*.

Commission on Human Rights Resolution 2002/56, *Internally Displaced Persons*.

Economic and Social Council, E/2002/L.34, *Strengthening of the coordination of emergency humanitarian assistance of the United Nations*.

In addition to the resolutions specific to the mandate of the Representative, a number of thematic or country specific resolutions of the Commission on Human Rights, the General Assembly and the Security Council refer to the issue of internal displacement. For example: General Assembly resolutions on Assistance to Refugees, Returnees and Displaced Persons in Africa, on the United Nations High Commissioner for Refugees, on the Sudan, and a Security Council resolution on Burundi.

## **Annex 3**

### **Funding Information**

The work of the mandate and the Project has been funded over the years, although at different times, by a variety of governments and foundations. In addition to these donors, the United Nations has provided the mandate with a number of in-kind contributions and support services.

The current year's operating budget is approximately \$1.2 million, not including the value of in-kind and support services.

#### **GOVERNMENTS**

##### *Support for Program Activities:*

Canada  
Denmark  
Netherlands  
Norway  
Sweden  
United Kingdom  
United States

##### *Support for Research Officer in Geneva:*

Norway

##### *Support for Research Officer in NY/DC:*

Canada

##### *Support for Seconded Staff Member to IDP Unit in Geneva:*

Austria

##### *Support for RSG Mission to Angola:*

Japan

#### **FOUNDATIONS**

##### *Support for Research and Program Activities, including the Development of the Guiding Principles:*

Ford Foundation  
John D. and Catherine T. MacArthur Foundation  
McKnight Foundation  
Mellon Foundation



*Support for the Translation and Publication of the Guiding Principles and Handbook:*  
Schurgot Foundation

*Support for Project on Institutional Arrangements and Project on When Displacement Ends:*

Georgetown University (with grants from the John D. and Catherine T. MacArthur Foundation and the Mellon Foundation)

### **UNITED NATIONS**

*Office of the Secretary-General:*

Provided a contribution for preparation of two-volume study, *Masses in Flight and The Forsaken People*

*Office of the High Commissioner for Human Rights (OHCHR):*

Provides a part-time support person in Geneva; funds 2 to 3 missions per year for the RSG; provides office support for Project research officer in Geneva

*United Nations Children's Fund (UNICEF):*

Support for RSG mission to Burundi and for report on CAP

*United Nations High Commissioner for Refugees (UNHCR):*

Seconded for two years a staff member to serve as RSG's UN liaison in NY

*Office for the Coordination of Humanitarian Affairs (OCHA):*

Provides office space and support for RSG's UN liaison in NY (position currently vacant).

## Annex 4

### Personnel\*

#### Office of the RSG on Internally Displaced Persons and the Brookings-SAIS Project on Internal Displacement

##### SAIS staff:

Francis M. Deng ( <i>Sudan</i> )	Representative of the UN Secretary-General on Internally Displaced Persons Co-Director, Brookings-SAIS Project
Erin Mooney ( <i>Canada</i> )	Deputy Director, Brookings-SAIS Project
Kristin Janson ( <i>Canada</i> )	United Nations Association of Canada Junior Professional Consultant (2002-03)
Kate Brantingham ( <i>USA</i> )	Administrative Assistant

##### BROOKINGS staff:

Roberta Cohen ( <i>USA</i> )	Co-Director, Brookings-SAIS Project
Gimena Sanchez-Garzoli ( <i>Argentina/USA</i> )	Research Analyst
Marianne Makar ( <i>USA</i> )	Senior Research Assistant / Grants Officer
Charles Driest ( <i>USA</i> )	Staff Assistant

##### NEW YORK UN office: currently vacant

UN Liaison, based at OCHA

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\* The Brookings-SAIS Project also engages numerous consultants from all regions of the world to work on a variety of research, outreach and local capacity-building projects.

**GENEVA staff:**

David Fisher Senior Research and Legal Officer  
(USA)

**OHCHR, Geneva:**

Pablo Espiniella Human Rights Officer assigned to RSG on IDPs mandate  
(Spain) (& other responsibilities)

**OCHA IDP Unit, Geneva:**

Peter Neussl secondee to the IDP Unit on behalf of the office of the RSG  
(Austria)

**Former Staff**

Phil Orchard UNAC Intern Sept. 2001-August 2002  
(Canada)

Galit Wolfenson UNAC Intern August 2000 July 2001  
(Canada) part-time consultant Fall 2001

**NEW YORK UN office:**

Sivanka Dhanapala UN/NY liaison Nov. 1999- Sept. 2001  
(Sri Lanka) seconded by UNHCR

**GENEVA staff of Project:**

Simon Bagshaw Senior Research Officer Sept. 1999-Sept. 2001  
(U.K.)

**OHCHR staff serving the mandate, Geneva:**

Marlene Alejos Human Rights Officer July 2001-Sept. 2002  
(Guatemala)

Juan-Pablo Ordonez Human Rights Officer April-July 2001  
(Colombia)

Erin Mooney Human Rights Officer 1997-2001  
(Canada) Consultant 1996, 1995

<i>Daniel Helle</i> <i>(Norway)</i>	Junior Professional Officer seconded by Norway	1995-1997
<i>Bat-Erdene Ayuush</i> <i>(Mongolia)</i>	Associate Human Rights Officer	1995-1996
Maria Stavropoulou <i>(Greece)</i>	Human Rights Officer	1993-1996



## Annex 5

### RSG Country Missions, 1992-2002

- 1992 *Former Yugoslavia*, visited 12-22 October (Report E/CN.4/1993/35, annex, paragraphs 157-174).  
*Russian Federation*, visited November (Report E/CN.4/1993/35, annex, paragraphs 175-187).  
*Somalia* (Report E/CN.4/1993/35, annex, paragraphs 188-201).  
*Sudan* (Report E/CN.4/1993/35, annex, paragraphs 202-235).  
*El Salvador*, visited 24-27 November (Report E/CN.4/1993/35, annex, paragraphs 236-244).
- 1993 *Sri Lanka*, visited 10-17 November (Report E/CN.4/1994/44/Add.1).
- 1994 *Colombia*, visited 10-18 June (E/CN.4/1995/50/Add.1).  
*Burundi*, visited 30 August- 4 September (E/CN.4/1995/50/Add.2).  
*Rwanda*, visited 7-11 December (E/CN.4/1995/50/Add.4).
- 1995 *Peru*, visited 12-25 August (E/CN.4/1996/52/Add.1).
- 1996 *Tajikistan*, visited 1-12 June (A/51/483/Add.1).  
*Mozambique*, visited 21 Nov - 3 December (E/CN.4/1997/43/Add.1).
- 1998 *Azerbaijan*, visited 21 May-1 June (E/CN.4/1999/79/Add.1.).
- 1999 *Colombia*, visited 20-27 May (E/CN.4/2000/83/Add.1),  
first follow-up country mission.
- 2000 *Burundi*, visited 6-11 February (E/CN.4/2001/5/Add.1), follow-up mission at  
request of IASC in response to forced relocation.  
*East Timor*, visited 26 February-1 March (E/CN.4/2000/83/Add.3), at request of  
CHR Resolution 1999/S-4/1, *Situation of Human Rights in East Timor*.  
*Georgia*, visited 13-17 May (E/CN.4/2001/5/Add.4).  
*Armenia*, visited 18-19 May (E/CN.4/2001/5/Add.3).  
*Angola*, visited 31 Oct- 9 November (E/CN.4/2001/5/Add.5).
- 2001 *Sudan*, visited 11-18 September (E/CN.4/2002/95/Add.1).  
*Indonesia*, visited 24-29 September (E/CN.4/2002/95/Add.2).
- 2002 *Sudan*, visited 22-25 May (E/CN.4/2003/86/Add.1).  
*Turkey*, visited 27-31 May (E/CN.4/2003/86/Add.2).  
*Mexico*, visited 18-27 August (E/CN.4/2003/86/Add.3).  
*Philippines*, visited 6-13 November (E.CN.4/2003/86/Add.4).



## Annex 6

### **Regional and Country Workshops, Seminars and Conferences organized by the Brookings Project on Internal Displacement**

1998 October -- *Workshop on Internal Displacement in Africa*, Addis Ababa, Ethiopia (cosponsored by Brookings Institution, UNHCR, Organization of African Unity) (UN document E/CN.4/1999/79/Add.2).

1999 May -- *Workshop on Implementing the Guiding Principles on Internal Displacement*, Bogotá, Colombia (cosponsored by Brookings Institution, Grupo de Apoyo a Organizaciones de Desplazados, U.S. Committee for Refugees) (UN document E/CN.4/2000/83/Add.2).

2000 February – *Regional Conference on Internal Displacement in Asia*, Bangkok, Thailand (cosponsored by Asia Forum for Human Rights and Development, Brookings Institution Project on Internal Displacement, Chulalongkorn University, Norwegian Refugee Council, UNHCR, U.S. Committee for Refugees) (UN document E/CN.4/2001/5; paragraphs 32, 46, 47).

2000 May -- *Regional Workshop on Internal Displacement in the South Caucasus*, Tbilisi, Georgia (cosponsored by the Brookings Institution Project on Internal Displacement, Norwegian Refugee Council, OSCE Office for Democratic Institutions and Human Rights) (UN document E/CN.4/2001/5/Add.2).

2001 June -- *Seminar on Internal Displacement in Indonesia*, Jakarta, Indonesia (cosponsored by Brookings-CUNY Project on Internal Displacement, Centre for Research on Inter-Group Relations and Conflict Resolution at the University of Indonesia, National Commission on Human Rights of Indonesia, OCHA, UNDP, UNHCR) (UN document E/CN.4/2002/95/Add.3).

2001 October – *Seminar on the Compliance of the Legislation of Armenia with the Guiding Principles on Internal Displacement*, Yerevan, Armenia (cosponsored by the Brookings Institution Project on Internal Displacement, Georgian Young Lawyers' Association, OSCE Office for Democratic Institutions and Human Rights).

2002 February – *Seminar on the Compliance of the Legislation of Georgia with the Guiding Principles on Internal Displacement*, Tbilisi, Georgia (cosponsored by the Brookings Institution Project on Internal Displacement, Georgian Young Lawyers' Association, OSCE Office for Democratic Institutions and Human Rights).

2002 February – *Seminar on the Compliance of the Legislation of Azerbaijan with the Guiding Principles on Internal Displacement*, Baku, Azerbaijan (cosponsored by the Brookings Institution Project on Internal Displacement, Center of Legal and Economic



Education Azerbaijan, Georgian Young Lawyers' Association, OSCE Office for Democratic Institutions and Human Rights).

2002 April – *International Conference on Internal Displacement in the Russian Federation*, Moscow, Russian Federation (cosponsored by the Brookings-CUNY Project on Internal Displacement, the Institute of State and Law of the Russian Academy of Sciences, Partnership on Migration (UN document E/CN.4/2003/86/Add.5).

2002 October – *Workshop on International Migration in West Africa: Concepts, Data Collection and Analysis, and Legislation* (cosponsored by the the Economic Community of West African States, International Organization for Migration, and with the assistance and participation of the Brookings-SAIS Project on Internal Displacement).

2002 November – *Seminar on Internal Displacement in Southern Sudan*, Rumbek, Sudan (cosponsored by Brookings-SAIS Project on Internal Displacement, UNICEF) (UN document E/CN.4/2003/ 86/Add.6).

The Project also convenes meetings on thematic issues, such as development-induced displacement, criteria for when displacement ends and how to deal with “difficult countries.”

## Annex 7

### **Publications: Brookings-SAIS Project on Internal Displacement**

#### **Books**

*Protecting the Dispossessed: A Challenge for the International Community*, Francis M. Deng (Brookings Institution Press, 1993)

*Masses in Flight: The Global Crisis of Internal Displacement*, by Roberta Cohen and Francis M. Deng (Brookings Institution Press, 1998)

*The Forsaken People: Case Studies of the Internally Displaced*, co-edited by Roberta Cohen and Francis M. Deng (Brookings Institution Press, 1998)

*Introduction*, Roberta Cohen and Francis M. Deng, pp1-14

*Burundi: A Patchwork of Displacement*, U.S. Committee for Refugees, pp15-56

*Rwanda's Internally Displaced: A Conundrum within a Conundrum*, Larry Minear and Randolph C. Kent, pp57-96

*Liberia: A Nation Displaced*, Colin Scott, pp97-138

*The Sudan: Cradle of Displacement*, Hiram A. Ruiz, pp139-174

*Dealing with the Displacement and Suffering Caused by Yugoslavia's Wars*, Thomas G. Weiss and Amir Pasic, pp175-232

*Internal Displacement in the North Caucasus, Azerbaijan, Armenia, and Georgia*, Thomas Greene, pp233-312

*Turmoil in Tajikistan: Addressing the Crisis of Internal Displacement*, Jennifer McLean and Thomas Greene, pp313-358

*Sri Lanka's Vicious Circle of Displacement*, H.L. Seneviratne and Maria Stavropoulou, pp359-398

*In Search of Hope: The Plight of Displaced Colombians*, Liliana Obregon and Maria Stavropoulou, pp399-454

*Will Peru's Displaced Return?* Maria Stavropoulou, pp455-499

*Exodus within Borders: An Introduction to the Crisis of Internal Displacement*, by David A. Korn (Brookings Institution Press, 1999)

*The Handbook for Applying the Guiding Principles on Internal Displacement*, jointly published with OCHA, 1999 (translated from English into Albanian, Bahasa Indonesia, French, Macedonian, Portuguese, Russian, Spanish)

*Guiding Principles on Internal Displacement: Annotations*, by Walter Kälin, jointly published with the American Society of International Law (ASIL), June 2000

*Guiding Principles on Internal Displacement and the Law of the South Caucasus, Georgia, Armenia and Azerbaijan*, jointly published with the American Society of International Law, the Georgian Young Lawyers Association, and the OSCE Office for Democratic Institutions and Human Rights, forthcoming 2003

## **Papers**

*Improving Institutional Arrangements for the Internally Displaced*, by Roberta Cohen and Jacques Cuenod, 1995

*Refugee and Internally Displaced Women: A Development Perspective*, by Roberta Cohen, 1995

*Rethinking “Relief” and “Development” in Transitions from Conflict*, by Steven Holtzman, January 1999

*The U.S. Government and Internally Displaced Persons: Present, But Not Accounted For*, by James Kunder, jointly published with the U.S. Committee for Refugees, November 1999

*The Consolidated Appeals and IDPs: The Degree to Which UN Consolidated Inter-Agency Appeals for the Year 2000 Support Internally Displaced Populations*, by James Kunder, jointly published with UNICEF, August 2000

*Internally Displaced Persons and Elections: The OSCE Region*, by Simon Bagshaw, September 2000

*Internal Displacement in the Americas: Some Distinctive Features*, by Roberta Cohen and Gimena Sanchez-Garzoli, May 2001. This is the English version of an article published in Spanish by the Inter-American Institute of Human Rights and UNHCR in *Derechos Humanos y Refugiados en las Américas: Lecturas Seleccionadas*, Costa Rica, 2001

*Selected Bibliography on the Global Crisis of Internal Displacement*, by Gimena Sanchez-Garzoli, December 2001

*The Need for a More Focused Response: European Donor Policies Toward Internally Displaced Persons*, by Philip Rudge, jointly published with the Norwegian Refugee Council and the U.S. Committee for Refugees, January 2002

*Recent Commentaries about the Nature and Application of the Guiding Principles on Internal Displacement*, by Walter Kälin, Francis Deng and Roberta Cohen, April 2002

*National Human Rights Commissions and Internally Displaced Persons, Illustrated by the Sri Lankan Experience*, by Mario Gomez, July 2002

*The Internally Displaced People of Iraq*, by John Fawcett and Victor Tanner, October 2002

*Risks and Rights: the Causes, Consequences and Challenges of Development-Induced Displacement*, by W. Courtland Robinson, April 2003

### **Seminar Reports**

*Report of a Workshop on Internal Displacement in Africa*, jointly published with UNHCR, October 1998 (UNHCR devoted a special issue of the *Refugee Survey Quarterly* to this seminar, entitled *Internal Displacement in Africa*, 1999)

*Summary Report of Internal Displacement in Colombia: Workshop on the Dissemination and Implementation of the Guiding Principles on Internal Displacement*, jointly published with the Grupo de Apoyo a Organizaciones de Desplazados, and the U.S. Committee for Refugees, May 1999 (also published in Spanish)

*Summary Report of the Regional Meeting on Internal Displacement in the South Caucasus*, jointly published with the Norwegian Refugee Council and the OSCE Office for Democratic Institutions and Human Rights, May 2000

*Report of the Regional Conference on Internal Displacement in Asia*, February 2000 (contained in a special issue of *Refugee Survey Quarterly*, entitled *Internal Displacement in Asia*, 2000, a seminar jointly undertaken with the Asian Forum for Human Rights and Development, Chulalongkorn University, Norwegian Refugee Council, UNHCR, and the U.S. Committee for Refugees)

*Report of the Vienna Colloquy on the Guiding Principles on Internal Displacement*, Vienna, Austria, September 2000

*Report of the Seminar on Internal Displacement in Indonesia: Toward an Integrated Approach*, Brookings Institution-CUNY Project on Internal Displacement, Center for Research on Inter-Group Relations and Conflict Resolution of the University of Indonesia, National Commission on Human Rights, OCHA, UNDP, UNHCR, June 2001

*Report of the Roundtable on Compliance of Legislation of Armenia with the Guiding Principles on Internal Displacement*, Yerevan, October 2001

*Report of the Roundtable on Compliance of Legislation of Azerbaijan with the Guiding Principles on Internal Displacement*, Baku, February 2002

*Report of the Roundtable on Compliance of Legislation of Georgia with the Guiding Principles on Internal Displacement*, Tbilisi, February 2002

*Report of the Brainstorming Session on When Displacement Ends*, jointly published with Georgetown University Institute of International Migration, Washington DC, April 2002

*Report of the International Conference on Internal Displacement in the Russian Federation*, jointly published with the Institute of State and Law of the Russian Academy of Sciences and Partnership on Migration, Moscow, April 2002 (also published in Russian)

*Report of the Seminar on Internal Displacement in Southern Sudan*, jointly published with UNICEF, Rumbek, November 2002

### **Articles**

Francis M. Deng and Roberta Cohen have published numerous articles on the subject of internal displacement in journals such as *Bulletin of the Atomic Scientists*, *Forced Migration Review*, *Foreign Affairs*, *Global Governance*, *Harvard International Review*, *Refugee Survey Quarterly*, *United Nations Chronicle*; chapters in various books on the subject of displacement; and opeds in a variety of newspapers including the *New York Times*, the *Washington Post*, *International Herald Tribune*, *Christian Science Monitor*, *Baltimore Sun*, and *Newsday*. Erin Mooney (who became Deputy Director of the Project) and Simon Bagshaw (Senior Research Officer) have also published articles on internal displacement in journals such as the *Forced Migration Review*, *International Journal of Refugee Law*, *International Migration*, and *Refugee Survey Quarterly*.

### **Website**

For a complete listing of all the reports, articles and other activities of the Brookings-SAIS Project on Internal Displacement, see website:  
[www.brook.edu/fp/projects/idp/idp.htm](http://www.brook.edu/fp/projects/idp/idp.htm)