

## **THE NEED FOR A MORE FOCUSED RESPONSE: EUROPEAN DONOR POLICIES TOWARD INTERNALY DISPLACED PERSONS (IDPs)**

**By Philip Rudge**  
**January 2002**



The Brookings-CUNY Project  
on Internal Displacement



**NORWEGIAN  
REFUGEE COUNCIL**



**U.S. COMMITTEE  
FOR REFUGEES**

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## GLOSSARY

EU	European Union
IDP	Internally Displaced Person
ECHO	European Commission Humanitarian Aid Office
UNHCR	United Nations High Commissioner for Refugees
ECOSOC	Economic and Social Council, UN
NGO	Nongovernmental Organization
IGO	Intergovernmental Organization
DfID	Department for International Development, UK
CHAD	Conflict and Humanitarian Affairs Department, UK
OCHA	Office for the Coordination of Humanitarian Affairs, UN
OSCE	Organization for Security and Cooperation in Europe
MFA	Ministry of Foreign Affairs, Norway
NRC	Norwegian Refugee Council
HLWG	High Level Working Group, EU
IASC	Inter-Agency Standing Committee, UN

Currency exchange rate as of January 2002: 1 Euro: US \$.90

## **ACKNOWLEDGEMENTS**

The author would like to acknowledge the very generous help of many individuals who gave their information, their advice and their critical perspectives on the issues raised in this paper. Particular appreciation is due to officials from the Norwegian and UK government departments and the European Union ECHO office. A great debt is also due to the Norwegian Refugee Council and other NGOs in Norway who facilitated meetings and provided invaluable advice. The staff of the sponsors of this paper, the Brookings Institution-CUNY Project on Internal Displacement, the Norwegian Refugee Council Global IDP Data Base office in Geneva and the US Committee for Refugees drew up the terms of reference and provided essential feedback. I would gratefully acknowledge the particular assistance of Roberta Cohen (Project Coordinator), Bill Frelick, and Marc Vincent. The Offices of Dennis McNamara (IDP Network, OCHA) and of the UNHCR in Geneva, the UK, and Brussels were very supportive with information and insight.

The views expressed in this paper are those of the author and should not be attributed to the organizational sponsors or the individuals acknowledged above.

## **THE AUTHOR**

Philip Rudge is an independent consultant on refugee issues, based in London. From 1983 to 1997 he was General Secretary of the European Council on Refugees and Exiles (ECRE). In 1999 he was a visiting professor at the University of Michigan, Ann Arbor. He has recently undertaken a study for UNHCR on Corporate Social Responsibility and Refugee Protection, and is involved in various civil society projects in the region of the former Yugoslavia. He is Chairman of the Board of Trustees of the Refugee Legal Center, UK.

## FOREWORD

Twenty to twenty-five million persons forcibly displaced *within* their own countries, and struggling to survive, have become one of the more pressing humanitarian human rights and political issues now confronting the global community. However, donor governments do not always have specific policies toward persons forcibly displaced within their own countries, which may contribute to the overall *ad hoc* nature of the international response.

In 1998, the Brookings Institution Project on Internal Displacement and the U.S. Committee for Refugees commissioned a paper from James Kunder, the former director of the U.S. Office of Foreign Disaster Assistance (OFDA), to evaluate the U.S. Government's policies and programs toward internally displaced persons. The report, entitled *The U.S. Government and Internally Displaced Persons: Present but Not Accounted For*, made a series of recommendations to enhance the U.S. response, including special legislation on internally displaced persons (IDPs), a government policy and a lead government institution. Prior to the report's finalization, its findings were reviewed with U.S. Government officials at a meeting held in Washington D.C. Following its publication (November 1999), the State Department designated a focal point on internally displaced persons, and in 2001, the U.S. General Accounting Office (GAO) issued a report, *Internally Displaced Persons Lack Effective Protection*, which reinforced the call for a more targeted U.S. approach.

Turning to Europe, the Brookings-CUNY Project on Internal Displacement, the Norwegian Refugee Council, and the U.S. Committee for Refugees decided to examine the ways in which European governments approach situations of internal displacement. To this end, they commissioned a paper from consultant Philip Rudge on the response of the European Union, as well as of select European governments (Norway and the United Kingdom). The Rudge report calls for a more targeted approach by the European Union and European governments to the needs of internally displaced persons. In particular, it calls for a specific policy on IDPs, improved EU coordination in responding to situations of internal displacement, and increased attention to the issue of protection.

At a meeting organized in Brussels in November 2001, the three organizations discussed the report's findings with European Union officials and non-governmental organizations. In response, European Union officials agreed to examine more closely whether a special policy on IDPs is needed or whether IDP concerns should be better integrated into policies addressing overall vulnerability. They also agreed to consider the recommendations for enhancing coordination within the EU and promoting greater protection for internally displaced persons.

The findings were also circulated to the Governments of Norway and the United Kingdom. The Government of Norway, in response, in November 2001, appointed a focal point for internally displaced persons in the Ministry of Foreign Affairs. The Government of the United Kingdom welcomed the report and expressed interest in studying its recommendations to improve the European donor response to IDP emergencies.

We believe that the recommendations in the report should provide a valuable basis for discussion by these European donors and by other donor governments in Europe not directly covered in the report. It should also stimulate further actions by the European Union on behalf of the internally displaced. It is our view that the development in Europe of a more adequate policy and program infrastructure to deal with crises of internal displacement should go a long way toward improving the overall global response to humanitarian and human rights emergencies.

Roberta Cohen  
Co-Director  
Brookings-CUNY  
Project on Internal Displacement

Marc Vincent  
Coordinator  
Global IDP Project  
Norwegian Refugee Council

Bill Frelick  
Director  
U.S. Committee for  
Refugees



## SUMMARY FINDINGS

### GENERAL

The sponsors of this paper, namely the Brookings Institution-CUNY Project on Internal Displacement, the Norwegian Refugee Council and the US Committee for Refugees share the position that the internally displaced are an especially vulnerable group that merit international attention.

The central, ongoing policy debate among those who contributed insights to this paper is whether the humanitarian response to IDPs should be specifically “targeted” to this group or be integrated into policies which address overall vulnerability and need. Within that perspective the focus of this paper is the role of the European Union (EU), one of the world’s largest humanitarian donors in the assistance and protection of internally displaced persons (IDPs), and the role of two specific European donor states—the United Kingdom and Norway.

The United Kingdom was selected because it is a member state of the EU and in addition to its own national policy with regard to IDPs, is an important player in the development of the EU’s collective humanitarian assistance response. Norway was studied because it is not a member of the European Union but a prominent European donor state and very active as regards the international debate on IDPs. There are other European donor states that have an interest in internal displacement whose policies merit further study.

Progress in understanding the problem of internal displacement and in promoting the *Guiding Principles on Internal Displacement* is remarkable. In Europe, as in the USA, the intensification of the political debate over IDPs, particularly in the last year, has served to raise the awareness of the complexity of internal displacement among some officials in the governments concerned and in the European Union, particularly in the work of the European Commission Humanitarian Aid Office (ECHO).

The work of the Office of the Secretary-General’s Representative on IDPs is known and admired by specialists, and the commitment to enhancing wider respect for the *Guiding Principles on Internal Displacement* is evident in public statements of

international organisations, regional bodies and NGOs. Both the UK and Norway and the EU are involved in significant humanitarian assistance to IDPs (targeted or not) bilaterally, through non-governmental partnerships and through international organisations. The two governments and the EU support the current efforts of the Senior Inter-Agency Network and IDP Unit of the UN Office for the Coordination of Humanitarian Affairs (OCHA) to promote the more effective delivery of such assistance through the UN and associated agencies in the field.

The brief of the paper was not to go into the current debate about relative competencies of the international organisations to take the lead on the issue of internally displaced persons. Nevertheless, in all conversations with officials this was a constant theme, as was the related concern to improve coordination of the international efforts. The notion of coordination can be understood at several levels. At minimum, it means information sharing. From there it means developing a common understanding of the problems, ideally even reaching common agreement on approaches. Beyond this the notion becomes more difficult: common programming and even common funding raise complex problems of accountability among donor states which are not likely to be resolved at the present time.

Officials from both governments and the EU are these days acutely aware of the importance of evaluating the delivery of humanitarian aid and of the manifest public criticism of the weakness of the international humanitarian agencies in achieving their objectives. While efficient delivery of humanitarian assistance is essential, and weaknesses and failures in the international response are clearly troubling, this writer gained the distinct impression that sometimes this concern with coordination is a very welcome distraction from the more important issue of generating political will and providing the resources to look to the needs of many millions of vulnerable people.

Despite the efforts of the EU and the two governments concerned to address internal displacement, the international framework in which they operate is notable for its imprecision on the subject. Good policy making and good coordination require good analysis, and it is noteworthy that the 2000 UN Consolidated Inter-agency Appeals has been criticized for not offering an adequate substantial description of the internally displaced populations, their size, condition, primary needs, opportunities and long term outlook.<sup>1</sup>

<sup>1</sup> See: *The Consolidated Appeals and IDPs: the degree to which the UN Consolidated Inter-agency Appeals for the year 2000 support internally displaced populations*, Brookings Institution/UNICEF, August 2000.

The high profile intervention by Richard Holbrooke, former US Ambassador to the United Nations, early in 2000, although criticized at the time for being poorly thought out and possibly counterproductive, had the virtue of obliging States and the EU to re-formulate their position regarding the formal mandate questions. The UK and Norwegian Governments have expressed their view that for practical, financial and mandate reasons, the United Nations High Commissioner for Refugees (UNHCR) should not assume the overall mandate for IDPs beyond what it already does, work which is described by UNHCR itself in a restatement of its policy towards IDPs in May 2000. Officials at the EU concur in this judgement.

The contentious debate on IDPs in the UN Economic and Social Council (ECOSOC) and the unprecedented vote on the Omnibus UNHCR Resolution at the General Assembly in November 2000<sup>2</sup> is causing some serious reflection among officials on the most appropriate future strategies for advancing the cause of IDP protection and assistance.

For some it is a matter of listening more carefully to the objections raised; for others it is about greater consultation and training of the *Guiding Principles*. Some counsel a more conservative approach in order to protect what progress has been achieved already. In these circumstances, and especially in the case of the EU, their very low-key approach to the issue is construed as a positive virtue.

The donor states support training workshops on the *Guiding Principles* for the protection of IDPs but could do more individually or collectively in terms of exercising pressure on governments which fail to assist and protect their displaced citizens according to internationally accepted humanitarian law and human rights principles. Apart from some well-publicized interventions (on Chechnya for example) the EU as such is virtually silent on the subject, a reflection of the caution and selectivity with which the EU speaks on behalf of its Member States on foreign affairs.

Most officials acknowledged that while they were supporting a range of activities in favor of humanitarian assistance for IDPs, there were many immediate and long-term policy questions that needed addressing and which are not necessarily given due attention on the national level or in terms of European regional coordination. These questions relate to the

position of IDPs in the debate over the continuum from relief to development and the appropriate strategies to help IDPs build sustainable lives in the longer term. They also relate to the pros and cons of targeting aid to IDPs as contrasted with “integrated approaches to vulnerable people.”

The UK and the Norwegian governments have strongly endorsed the *Guiding Principles on Internal Displacement* as a clear restatement of the international humanitarian and human rights law principles that apply to internally displaced peoples, and they expect these principles to be promoted in field situations where they are delivering humanitarian assistance bilaterally, multilaterally and through non-governmental (NGO) partners.

There was less evidence of such a high level commitment in the EU. There was rather an assumption that the operational partners of the EU in the field would take that responsibility. Desk officers in ECHO, particularly those dealing with EU assistance to Afghanistan and Chechnya, stressed their priorities in preserving lives in highly dangerous and politically charged situations, where the promotion of the *Guiding Principles* was not their foremost concern.

Each government receives its fair share of criticism for the effectiveness and adequacy of its humanitarian assistance aid. However, the European Union provokes a far more rigorous critique. That the delivery of humanitarian assistance plays an important, even life-saving role, and that dedicated desk officers perform a vital job are not the issue. The critique is that there is no coherent policy across the European Commission (the “civil service” of the European Union), that different services within the bureaucracy may have different priorities in the same country, that different budget lines are written with no regard to other existing lines and that there is no shared intellectual basis for the initiatives that the Commission takes.

In this perspective a “policy” or “strategy” is less a matter of action based on clear principles, than a retrospective summary of what happened and where the money was spent. At a deeper level, critics, including staff in senior positions, do not perceive the Commission as an entity driven by policy at all but by an *ad hoc* competitive process which depends more on personalities and current pressures than on systematic, long term strategic thought.

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<sup>2</sup> Ordinarily adopted by consensus, Egypt called for a vote on the paragraph of the resolution referring to IDPs and the Guiding Principles. The vote was 139 in favor, none against, and 31 abstentions.

## THE EUROPEAN UNION

*“This is not a policy driven institution; not a place for thinkers. Practicalities come first. It is difficult to describe policy making; there is not one arrow from one box to another. It would be a mistake to believe that the process is ‘thinking, leading to policy, leading to action’... The reality is a complex game of influence; there is no culture of policy making or of working together.” (EU Commission Official)*

Despite its status as a major international humanitarian and development aid donor, the European Union lacks a coherence and direction in its policy-making regarding IDPs. The reasons for this are many: its growing pains as a relatively new supranational entity purporting to represent the interests of 15 sovereign Member States; constraints imposed by Member States on the autonomy or leadership of the EU in this area; the lack of policy thinking and coherence across the various divisions of the European Commission which have a role in humanitarian and developmental assistance; the relative passivity of the European Parliament; the politicization of its assistance in terms of the interests of European Member States; the impact of the individual ambition and dynamism of senior officials in the bureaucratic struggle for budgets and influence.

Intellectually and practically the concept of the IDP is not one that most officials feel comfortable with in terms of prioritising or channeling aid. In this situation pragmatism prevails over clear policy, and notions of “generalized vulnerability” prevail over targeted approaches to IDPs specifically. This approach has its virtues: it results in significant funds reaching many internally displaced persons around the world. The question is whether this is an adequate role for the EU as it grows and extends its membership and resources, and as international concern for internal displacement increases; or whether the absence of policy leads to missed opportunities, particularly to promote protection standards.

The EU is a politically driven institution with its own preferences. Within this overall political context, where, then does one look for a clear EU “policy” on IDPs? “Policy” is presumably a guide to action, based upon a clear set of principles. It is also a legitimisation for expenditure of funds and the choice of priorities. A policy in this area might be expected to take note of the bigger political debate on internally displaced people

currently going on in other international fora. It could be expected to be informed by inputs from other parts of the Commission and the Council of Ministers concerned with wider political and economic relations between the EU as a whole and other states. Given the sensitive issues of sovereignty, EU policy would inevitably address the challenge of providing humanitarian assistance to a group of people who may be a political problem for a government that has failed to protect and assist that population, or is directly complicit in its displacement. There is little evidence that the actions of the Commission in favor of IDPs either take note of the wider debate or derive from a comprehensive, cross-department rationale.

In practice there is no policy or political difficulty for the European Commission Humanitarian Aid Office (ECHO) to work with people who are not refugees; nor is it a problem to work in a country with an oppressive government. The process of assistance is more pragmatic and *ad hoc*, trying to address real situations with tangible assistance. While IDPs have no “profile” in Brussels, the Commission does not positively avoid the IDP question and ECHO, maintaining its notional neutrality, is the primary instrument used to get assistance to where it should go. The EU, through ECHO, believes that policies should be “context driven,” the context being “people at risk” and “generalized vulnerability.” Within this perspective, the question of specific attention to gender is deemed part of the self-evident orthodoxy of all development and humanitarian assistance provided by ECHO.

In terms of scale of financial input, the humanitarian assistance budgets of ECHO are substantial even if in recent years they have been biased towards the European, particularly the Balkan, region. Judged against global human suffering and need the budgets will self-evidently never be enough. Judged against the criteria of capacity, management and “doing a good job,” they are acceptable to the EU Member States at this stage in the development of the Union. There is no obvious competition between resources for IDPs and refugees precisely because from ECHO’s perspective they are not viewed as particularly different.

Many officials in the European Union believe that tactically it is desirable *not* to provoke too visible a debate nor elaborate too prominent a policy towards IDPs as such since this would raise the profile of the issue and could set in train a series of actions (resolutions from the European Parliament, additional demands of scrutiny; new budget lines) which they believe could actually constrain or distort the delivery of humanitarian assistance which currently takes place.

This view is not just that of the cautious, over-worked bureaucrat. The European Parliament has not thus far been a serious contender in the IDP debate. From the perspective of the European Commission, the Parliament is too marginal to the issues, and amateurish in its approach. It is also true that one single Member of the European Parliament under pressure from a special interest group or NGO can have an inordinate impact. Sceptics therefore argue against a consciousness raising campaign as potentially counterproductive.

This is a very defeatist view, particularly in view of the growing international awareness of the IDP question. There is plenty of scope for a targeted approach to the key parliamentary committees (Human Rights, Justice and Home Affairs, Foreign Affairs) in order to raise the profile and quality of the discussion.

The reaction by some UN Member States (as in the 2000 meeting of ECOSOC) against the progress in promoting concern for IDPs is not felt in the Commission where UN resolutions are seen as remote and changing little of substance. However the broader international debate about humanitarian intervention, and not least its military implications, is an important issue for the Commission and does affect its thinking on the evolution of its common foreign and security policy.

The emerging priority for the EU as such, and the 15 Member States individually, is to work with their international partners on a broad range of human rights issues, promoting conflict prevention, democratization, good governance and restraint on the use of small arms and land mines while controlling the activities of corporate entities that benefit from war economies and profit from the exacerbation of conflicts within and between states.

The overall weaknesses in policy-making and coherence in the Commission are simultaneously both a cause of regret and satisfaction to Member States: regret that its performance is open to criticism and thus generates negative publicity in general amongst nervous electorates across the EU; satisfaction because Member States still hold dear their autonomy and control of policy and are politically content to see the Commission acting on a tight leash.

## UNITED KINGDOM

The issues of coordination and responsibility for the international community's response to IDPs are currently the key policy questions for the UK in the area of IDPs. The UK does not agree that UNHCR should be granted the extended mandate for IDPs. Indeed

they feel former US Ambassador Holbrooke's first intervention on this subject was hasty and *ad hoc* and lacked any rigorous analysis of the complexity of the issue. They are more sympathetic to the need to preserve the integrity of the UNHCR's refugee protection function which the UK fears could be compromised were it to extend its mandate.

As regards the need for a "special" policy for IDPs, the UK's concern is for greater efficiency in delivery and coordination of humanitarian assistance to IDPs. Within that overall framework, programming is pragmatic, based on the notion that UK humanitarian assistance is "needs driven" and that the needs of IDPs are similar to those of others in situations of acute vulnerability. In that sense there is no special approach to them. If there is a problem of vulnerability then the UK is prepared to act and the response is orientated in such a way as to ensure integrated approaches to the entire vulnerable community.

There is no "special structure" or "expert" on IDP issues within the UK administration. *De facto*, the principal official with overall responsibility for humanitarian affairs including IDPs is the Director of the Conflict and Humanitarian Affairs Department (CHAD) of the Department for International Development (DfID).

The information sources upon which the UK develops its response are various. DfID co-funds the Global IDP Data Base of the Norwegian Refugee Council in Geneva. It offers financial and political support to the Brookings-CUNY Project on Internal Displacement and gets information from UK missions in countries of internal displacement and also from its partners in the Red Cross Movement and the NGO community. DfID takes the view that there is a limit to the amount of specialized IDP knowledge required at DfID when its assistance work is "context driven," the context being people who are at risk and vulnerable. The initial analysis of country needs seeks to deal with the overall humanitarian nature of the problem which may or may not include IDPs.

As a donor, DfID prefers to channel its funds through the multilateral system where it has a proven track record, e.g. UNICEF, International Committee of the Red Cross (ICRC) and OCHA. DfID has no specific IDP preoccupations in its relations with its NGO partners, but it responds positively if an NGO proposes a project in the normal way to DfID with an element in which assistance to IDPs is important. DfID's view is that its funds should be used flexibly according to the needs of the vulnerable, and in that sense there is no obvious competition between funds

for IDPs and refugees. The nominal budget line for refugees has no target or limits to the expenditure.

DfID is not particularly concerned to prioritize protection issues for IDPs beyond endorsing the *Guiding Principles* and urging the UN Secretary-General's Representative to engage in greater advocacy of them. Rather DfID is dedicated to the promotion of human rights and humanitarian law everywhere in all its humanitarian and developmental projects in which the issue of protection for all vulnerable groups is implicit. It takes the view that there are enough instruments already; making real use of these rather than creating new ones is the preferred option. DfID's resistance to the notion of creating new areas of focus on IDPs is reflected in its participation in EU policy towards integrated approaches to internal displacement.

DfID and the UK Foreign Office are very aware of the risk of a backlash from some states, particularly among the G77, against the growing preoccupation of the international community with IDPs. As earlier noted, some evidence of this was seen at the 2000 ECOSOC meeting and in the objections raised at the reference to IDPs in the General Assembly Third Committee debate on the UNHCR Omnibus Resolution. DfID views its priority as being to focus less on these events and more on the delivery of practical assistance to IDPs.

As with the case of Norway, there is a serious moral contradiction between the UK's concern for the internally displaced overseas and its own deterrent refugee policy. The inconsistency in approach to people forcibly displaced risks jeopardising the moral authority that the UK government asserts for its humanitarianism and weakens its appeal to other less safe and prosperous states to assume the responsibilities implicit in the concept of global protection it officially espouses.

## NORWAY

Norway is one of the largest developmental and humanitarian donors in the world in absolute terms and *per capita*. Its contribution exceeds the UN target of 0.7% of GNP, and is well over double that of the United Kingdom. Norway's policy is to increase the proportion of its humanitarian assistance which goes through UN and other intergovernmental organizations, while holding at fixed levels its support through NGOs.

Norway's key contribution to the IDP issue lies in its high profile treatment of the issue in terms of the strategy of its humanitarian effort and its priorities in

foreign policy. In recent years Norway has played a very prominent part in the international debate about internally displaced persons, and it intends to use its role as a non-permanent member of the UN Security Council to pursue that approach with vigor, particularly with regard to promotion of the protection agenda embodied in the *Guiding Principles*.

Despite a high profile on the issue and a range of impressive activities, a question mark lies over whether there is yet an overarching policy which brings all these activities together into a coherent whole to which the various arms of the government are committed. Norway shares many of the UK's concerns about competence, delivery and coordination across the international agencies and does not support a single agency approach to the IDP issue in countries where internal displacement is a major humanitarian issue.

As a non-member of the EU, Norway is not part of the collective effort through the European Commission Humanitarian Aid Office, ECHO. While it shares much of the UK thinking in terms of rooting its IDP policy in the wider analysis of crises of war and peace, poverty and good governance, it takes a stronger line than the UK or the EU on the need for special policy for IDPs. Thus it has chosen to highlight the specificities of IDP situations and to "target" its assistance to those populations.

Norway supports academic research, sponsors the Global Data Base, lends support to the Representative of the Secretary-General on IDPs, and overall plays a prominent advocacy role in international fora. More than the UK or most other European governments, and like the European Union, its donor policy is formulated in very close consultation with an NGO community which is a very important source of information and policy guidance as well as a key channel of delivery of humanitarian assistance.

Responsibility for IDP policy lies explicitly with the Ministry of Foreign Affairs, although there is no designated IDP focal point or structure beyond the staff of the Humanitarian Affairs Department of that ministry.<sup>3</sup> The parliament in Norway has not taken any significant interest in the IDP issue beyond approval of the annual budget and report of the Ministry of Foreign Affairs and the Norwegian Development Organization NORAD.

Norway attaches great importance to its moral authority in developmental and humanitarian issues. As with the UK, this authority in respect of forced displacement of people is seriously weakened by its reputation regarding its national refugee and asylum policy.

<sup>3</sup> In November 2001, in response to the recommendations in this report, the Ministry of Foreign Affairs appointed one of its refugee advisors to serve as a focal point for IDP issues.

## RECOMMENDATIONS

The findings of this paper illustrate the remarkable advance in understanding and commitment to the importance of the global IDP situation shared by at least two European governments. This commitment is manifest in their public statements in international fora, in their support for the planning and information base for good policy, their espousal of the *Guiding Principles on Internal Displacement* and in their direct multilateral and bilateral humanitarian assistance.

Characteristic of their response is the lack of consensus over basic conceptual issues and thus over the appropriateness of targeted assistance to what is a very heterogeneous community of vulnerable people, often living among other vulnerable people and sharing many of their needs and aspirations.

The pros and cons of the approaches of the UK and Norway are described in this paper, but the major challenge lies in establishing a better institutional response from the European Union, to which the following recommendations are primarily addressed.

The absence of a culture of policy-making and of working together in the European Commission is very serious and the UK in particular could play an important role in ensuring a more coherent response from the European Union on which it has a major influence in humanitarian policy issues. Central to the international credibility of the European response, however, is the need for greater consistency between its concern for forcibly displaced persons within the European region as opposed to forcibly displaced persons outside the European region.

- 1. The European Commission should be defining policy, gathering the necessary information regarding IDPs and then providing the financial resources in support of the policy in a comprehensive approach.**

Currently the Commission's work in this area is very fragmented. There is an admirable overall human rights policy for the European Union, and there are budget lines, but there is no single unified approach and so no overall strategy. Officials in the Commission have commissioned independent evaluations of its work and are taking action based on the findings of these assessments to rectify some of the more egregious failings. Projects within the same beneficiary country are often managed by different people in various *services* within the Commission so that, while they may not be contradic-

tory, there is no assurance that they are complementary. There is a structural incapacity to design a policy which is not attached to an individual Commissioner, a situation which needs rectifying in the interests of administrative efficiency, accountability and clarity of purpose.

- 2. The EU should offer greater policy and political leadership than is currently the case on issues of internal displacement through more focused internal management of responsibilities and a more dynamic and informed external advocacy role.**

Because of the genuine and contentious international debate about the very usefulness and specificity of the concept of the "Internally Displaced Person" in planning operations, the EU Commission should undertake an in-depth intellectual and strategic discussion on its policies towards IDPs. This should go beyond the current, limited debate about "co-ordination" and the apportioning of lead agency responsibilities among international organizations, and tackle in-depth the appropriateness and relative advantages of "targeted" approaches as against generalized policies addressing vulnerability.

- 3. To lead this policy debate, the EU should move to a position where there is a clear focal point, a department or office responsible for drawing together policy strands on IDPs within the European Commission.**

This focal point should bring together the disparate efforts of ECHO, the Directorate for External Relations, and the Directorate for Justice and Home Affairs through its High Level Working Group.

- 4. The EU should encourage a much wider engagement of all its 15 Member States in the issues of internal displacement.**

Current interest is limited to a few European countries. The additional political influence on protection and assistance of IDPs from the active engagement of all 15 Member States would be very considerable.

- 5. Through its selection of NGO and IGO projects and its scope for advocacy with state actors in countries of significant internal displacement, the EU should take every opportunity to promote protection standards for IDPs as set out succinctly in the *Guiding Principles on Internal Displacement*.**

This means going beyond its traditional focus on food, medicine and shelter to advocate for the physical security and human rights of the affected populations.

- 6. The EU should assess the effectiveness of the collaborative arrangements organized at the international level for IDPs to ensure that these arrangements are benefiting IDPs on the ground.**
- 7. The EU should adopt a less cautious and more assertive approach to issues of IDPs in its interventions at the UN and other international meetings and in support of the mandate of the Secretary-General's Representative on Internally Displaced Persons.**
- 8. The EU should give higher priority to the issue of IDPs in the ongoing internal policy debate over the linkages between relief and development operations.**
- 9. The EU should demonstrate a more even-handed donor approach to issues of internal displacement throughout the world so that Eurocentric bias in funding is succeeded by a more generous global approach.**

To its credit, ECHO's Aid Strategy for 2001 does report a shift in resources to "forgotten crises" around the world.

- 10. Greater efforts should be made to ensure that funding to European NGOs strengthens partnerships with local NGOs and helps build local capacities for IDPs.**
- 11. ECHO should improve its programming in general which will be relevant for work with IDPs.**

Independent evaluations of the humanitarian assistance work of ECHO in recent years have been in many respects positive. Action, however, is required on the negatives that have been identified, namely:

- ECHO needs to be more rigorous in the selection of its operational partners, particularly NGOs, to ensure that they have sufficient experience and the capacity to deliver.
- ECHO needs greater clarity regarding the linkage between humanitarian relief and longer-term

development, and should ensure that this understanding is promoted in its field operations and with its partner agencies.

- Regarding the fields of health and nutrition, ECHO needs to strengthen its focus on sustainability and capacity building, and to improve its analysis, prioritization and policy on appropriate interventions.
  - ECHO needs to strengthen its work on protection, including more energetic promotion of the *Guiding Principles on Internal Displacement*.
  - ECHO needs to ensure that the gender dimensions of operations are better integrated.
  - ECHO needs to speed up its response to funding applications, particularly in emergency cases.
  - ECHO needs to improve its consultations for its Global Plans for humanitarian assistance and involve local authorities and other actors as well as UN institutions.
  - ECHO should ensure that it works with local communities and makes greater use of local resources.
  - ECHO needs to improve the *ad hoc* nature of its internal coordination, and develop a more comprehensive approach involving joint planning with other parts of the EU administration within the emerging framework of its Common Foreign and Security policy.
  - ECHO needs to develop an institutional memory so that experience and lessons learned may be integrated into the planning for future emergencies and longer-term crises.
- 12. The EU and all European governments should develop a greater appreciation of the negative impact of their defensive and deterrent asylum and migration policies on global respect for protection principles, particularly in regard to building a wider international consensus around implementing the *Guiding Principles on Internal Displacement*.**

The analysis offered in this paper could usefully be extended to other European countries which are already important humanitarian donors, and to those which thus far have not demonstrated a significant engagement in the issues. A greater consensus on some key conceptual issues underlying approaches to internal displacement is highly desirable both on the individual country level and also collectively throughout the European Union.

## THE BRIEF, METHOD AND KEY QUESTIONS

Following a critical study by James Kunder of the policy making of the USA in respect of internally displaced persons which was published at the end of 1999, the Brookings Institution Project on Internal Displacement, the Norwegian Refugee Council, and the US Committee for Refugees commissioned this paper so as to extend the analysis to the European region.

In view of its role as one of the world's major humanitarian assistance agencies, it was thought useful to look into the policy of the European Union itself. In addition, bearing in mind the many state systems that exist in the European region and time constraints, two states were selected as illustrative of current policy engagement with the IDP question: one, the United Kingdom, a member of the EU; the other Norway, a non-member of the EU.

Between September 2000 and April 2001, the author visited and otherwise communicated with officials in Oslo, London, Brussels, and Geneva; reviewed documents and other background material that throw light on the policy making; attended seminars on the topic, and where possible consulted with the non-governmental organisations engaged in partnerships with the selected states and the EU in humanitarian assistance to IDPs. The consultations were completed before the events of September 11, 2001 and the subsequent intensification of the crisis of internal displacement in Afghanistan.

To facilitate a standardized analysis, this inquiry was carried out on the basis of some "key questions" that were addressed in advance of meetings to officials in the UK and Norwegian governments and in the European Commission. These questions were as follows:

- Does the European Union, and do European governments, have a particular policy towards the problems of internal displacement? If there is no policy, should there be one? On what basis does the EU and do governments get involved in assisting IDPs? How does public awareness or pressure affect policy as it relates to IDPs?
- Does the EU, and do European governments, have institutional structures (offices, experts) focusing on the questions of internal displacement?

- Where do the EU and European governments obtain their information on situations of internal displacement? What are their information needs? How is the information used and how do they see their changing needs in future?
- What factors determine whether EU members take a multilateral or a bilateral approach to providing assistance? How is complementarity maintained? Does the EU, and do European governments earmark certain humanitarian assistance funds for situations of internal displacement? Are most of the funds channeled multilaterally or unilaterally? Are the funds adequate to the need? Is there competition between funds for refugees and IDPs?
- Does most European aid go to particular situations or organisations? If so, which ones? What are the determining criteria? What are the consequences for internally displaced persons in other countries?
- When assistance is provided, how are protection issues addressed? Is aid ever conditional on protection issues? Should it be? To what extent is diplomacy used to advocate for increased protection? To what extent are gender concerns factored in?
- To what extent are efforts made to promote the application of the *Guiding Principles on Internal Displacement*?

This paper briefly outlines the context of the IDP policy discussion. It discusses the policy-making process of the European Union, and the Norwegian and UK government positions and approaches. It offers some reflections based on conversations with a wide range of officials and NGO personnel, some of whom took a very critical line and wished to provide their insights and reflections in confidence. It then offers some reflections on the similarities and differences between the American experience described by James Kunder and the cases from Europe. Finally it provides a short bibliography of valuable source material for those who may wish to pursue the issues in greater depth.

## THE CONTEXT AND BACKGROUND

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), there are some 25 million IDPs in 40 countries around the world. The precise number is impossible to establish because of the constantly changing nature of conflicts and displacements and the objective difficulties in many field situations in identifying exactly who are internally displaced persons, and for how long they can be so described. Nevertheless the scale of human suffering is great and growing and the humanitarian imperative for international action is clear. Yet at the end of 2000 the international debate over internally displaced persons is highly charged, and characterized by rather mixed signals about the intentions and policies of states, be that individually or collectively.

The enormous progress made in recent years in raising the IDP issue in international fora, the distillation of humanitarian and human rights law into the *Guiding Principles on Internal Displacement*, and the substantial practical humanitarian aid channeled by a number of powerful donor states all testify to the growing awareness of the critical human needs of internally displaced persons and the willingness of parts of the international community to address them.

During 2000, however, serious reservations and criticisms were heard from some members of the Group of 77 countries about the growing prominence given to the issue of internal displacement. However diplomatic the language at ECOSOC and in the debate over the omnibus resolution of UNHCR at the UN General Assembly, the messages are clear: that promoting international and national responsibility for the protection of IDPs is very sensitive for many states, particularly—though not only—those whose governments may be responsible for causing, or at least not preventing, internal displacement, and that the notion of the supremacy of individual human rights over considerations of national sovereignty remains highly contentious.

Opinions differ as to whether the current controversy within the international community is a serious reverse or merely a temporary interruption to the process of appreciating the situation and needs of IDPs. It would be simplistic to characterize this controversy as a split between the dominant and assertive North and the defensive and suspicious South. Indeed, the Report of the UN Secretary-General's Representative to the 57<sup>th</sup> session of the UN Commission on Human Rights demonstrates

significant support from states of the South both in terms of the content of the *Guiding Principles* and the commitment to their promotion. Different coalitions of states form around the different aspects of the IDP issue.

The controversy around the international community's response cannot be separated from the changed realities of the post Cold War era. The strong international impetus for humanitarian action discernible at the beginning of the 1990s is waning, except in areas of interest to powerful states (e.g. Kosovo, East Timor). Humanitarian assistance policies to vulnerable groups such as IDPs cannot ignore the structural reasons for conflict: battles over identity and resources, poverty, bad governance, human rights violations, environmental and infrastructural degradation.

The other side of the coin of internal displacement is the growing concern by many states over external displacement, primarily since the ideological basis of asylum for victims of human rights violations has radically changed and states throughout the world are far less willing to grant asylum on a prolonged basis. Sceptics of the current European interest with IDPs point to the development of policies of deterrence to asylum seeking over the last decade and the renewed interest in regional "containment" as manifestations less of humanitarian concern but more of the inexorable extension of the politics of "Fortress Europe."

Any inquiry into the policies of European donor states towards IDPs has to contend with the fact that the picture is a dynamic one, and that there are different opinions and strategies on how far the focus should be trained on IDPs or the wider humanitarian and human rights agenda. In addition it is not uncommon that descriptive language of our central preoccupation is used loosely. There is a confusion between refugees and IDPs with the attendant risk that the essential protection needs of IDPs are not sufficiently understood.

This terminological problem is not helped by the disagreement even within the humanitarian community about who is and who is not an internally displaced person. The very term IDP has even been described as "odious terminology" beloved by bureaucrats and lawyers. Albeit less polemically, there is also a significant body of opinion in the legal and humanitarian world which questions the usefulness of the concept.

In comparison with the approach to the protection of IDPs, the international regime for the protection of refugees seems a model of clarity, a situation full of irony for those who believe refugee protection

is itself under threat around the world. The essential distinction between the refugee and the internally displaced person has been carefully described.

The *Guiding Principles on Internal Displacement* categorize internally displaced persons as those

*"forced or obliged to flee or to leave their homes or places of habitual residence in particular as a result of, or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human made disasters, and who have not crossed an internationally recognized border."*

The refugee on the other hand is defined in the 1951 Geneva Convention on the Status of Refugees as a person who, as a result of

*"well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear is unwilling, to avail himself of the protection of that country."*

Any person recognized as a refugee is protected against being forced to return to the country where he or she fears persecution under the widely accepted prohibition against *refoulement*. This crucial issue relating to the different status of the affected individuals is essential to the nature of the action the international community can take on their behalf.

The description of who is an IDP remains contentious and not as clear cut or widely accepted as the definition of who is a refugee. That definition of a refugee is based on legally binding commitments. *The Guiding Principles* are not themselves legally binding, although they are based on existing human rights and humanitarian law, and have great moral authority.

Where there is greater consensus among donor states is in the analysis of the changing nature of conflict in the post Cold War era, in particular the proliferation of internal conflicts where the displacement of civilians is not an accidental consequence but a central objective of the conflict. The growth of human rights and humanitarian law also leads to a

challenge to address forced internal displacement which in the past would have been considered as solely within the scope of national sovereignty.

While the definitional and descriptive arguments rage, the challenge to national sovereignty implicit in the new "doctrine" of humanitarian action is received with excitement by some and with acute defensiveness by others. The sponsors of this paper, the Brookings Institution-CUNY Project on Internal Displacement, the Norwegian Refugee Council and the US Committee for Refugees share the position that the central concern is not to grant the internally displaced a privileged status, but to identify who and where they are and then to ensure that their needs are not ignored.

## THE EUROPEAN UNION

As far as the institutions established by the 15 Member States<sup>4</sup> of the EU are concerned, the questions of interests and responsibilities in humanitarian assistance are complex. Navigating one's way around these bodies is a bewildering experience, even for those who work there. Their work can only be understood in the context of an analysis of the evolving supranational entity that the European Union constitutes. This, in detail, is beyond the purpose of this paper but some background may illuminate the policy problems of the EU in addressing the IDP issue.

Over a wide range of economic, social and political issues, Member States of the EU have differing views as to the extent to which they wish to cede policy decisions which were traditionally sovereign to the competence of a regional European body. The EU has moved far from its origins as a primarily economic entity. It is now a highly politicized pact with growing foreign policy, development and humanitarian ambitions. The inevitable tensions between the competencies and national egotisms of Member States, the democratic aspirations of the European Parliament and the accumulating powers of the European Commission strongly influence the process of policy-making in many fields.

The Union is its Member States, currently 15, and in recent years both national governments and EU

<sup>4</sup> The Member States of the European Union at the end of 2000 are: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, and UK.

officials have become acutely sensitive to the charge of remoteness, centralization and a lack of transparency in the activities of the bureaucracy and intergovernmental committees. Much is now heard of the principle of “subsidiarity,” meaning that, wherever possible, decisions should be taken at the most local and decentralized level, reserving to a higher, central level only those matters which are of overwhelming Union-wide interest and where it is of obvious advantage to all Member States to cede a certain authority to this supranational level. Humanitarian assistance is one of those issues where national plans co-exist with Union programming.

The “civil service” of the Union, the European Commission, is based in Brussels; the European Court is in Luxembourg, and the Parliament, directly elected from the electorate of each Member State, meets in parliamentary buildings in both Brussels and Strasbourg. At the Nice Summit of Heads of Government in December 2000, agreement was reached on a major expansion of membership of the EU towards central and Eastern Europe during the next decade. It would be premature to assess how smoothly this process will go. Nevertheless in an acrimonious and often chaotic process, the Nice Summit reinforced the influence of the larger states (UK, Germany, France and Italy) and was seen by many observers as entailing, at least in the short term, a reduction in the influence of the Commission.

The whole project of European co-operation and integration remains intensely controversial. Norway decided in a referendum to remain outside the EU, a situation unlikely to change in the medium term. In the United Kingdom “euroscepticism” is a significant political reality with which any British government must contend in a political culture where any real or imagined ceding of authority from national government to the supranational level provokes electorally dangerous reactions in the bulk of the UK press and in conservative political circles.

In this context there is intense scrutiny of the relative and evolving powers and competencies of Member States represented in the meetings of the European Council (heads of state or government), the Council of the European Union (minister level),<sup>5</sup>

the Commission and the Parliament. The periodic intergovernmental conferences that revise and update the treaty base of the EU have over the years granted increasing powers to the Commission and the Parliament in the interests of transparency and efficiency. States differ as to how far and how fast the processes of European integration should go.

The upshot of these complex processes is that coherence and consistency of policy across the EU is not one of its greatest virtues. Indeed, there are those in the various bodies of the European Union who lament the lack of coordination between the left hand and the right, who point to policy decisions taken arbitrarily by force of personality, and in particular, according to the budgetary skills of Commissioner “X”.

There are those who conclude that although there is a certain frenetic activism about the EU, the Commission itself is not a policy driven organization where long term strategic thinking is prized. Political scientists observe that at its current state of evolution, Member States are far from ceding the kind of authority to the Commission that the Commission would wish. The Member States want the Commission to succeed, but not to be too successful.

The issue of humanitarian assistance and therefore support for IDPs is mainly a matter for the European Commission Humanitarian Aid Office (ECHO) which takes the lead on humanitarian assistance of all kinds, and is answerable to the EU Commissioner for Development and Humanitarian Aid Poul Nielson. However, before describing the role of ECHO it needs to be recalled that other parts of the bureaucracy have interests that touch upon IDP questions.

The Justice and Home Affairs Directorate of the Commission, which is largely responsible for internal European Union issues, deals with refugee policy. On a Dutch initiative, a “High Level Working Group” (HLWG) was established in 1998 to take a “comprehensive approach” to refugee and asylum issues. This Working Group, which also includes representatives from Canada and the US, undertakes in-depth studies of the countries of origin of asylum seekers. The analysis includes a description of all the potential causes of flight, and these will include internal displacement.

<sup>5</sup> It is important to distinguish these bodies of the European Union from a totally distinct institution, namely the Council of Europe. This latter body was established after the Second World War to promote democracy and human rights in Europe; its growing membership is now in excess of forty States and its Secretariat is permanently based in Strasbourg. Its Parliamentary Assembly comprises members of the national parliaments of its Member States who are sent to Strasbourg as delegates; they are not directly elected to this Assembly. Further confusion is easy since the European Parliament of the EU also has regular meetings in the same Strasbourg parliamentary buildings. The Council of Europe is best known through the European Human Rights Court system which is based in Strasbourg and oversees the implementation of the European Convention on Human Rights.

The many critics of the High Level Working Group allege that its interest in IDPs is less humanitarian than political, in the sense that EU refugee policy is strongly driven by policies of deterrence and that to prevent the arrival of internally displaced persons as asylum seekers in EU states is an important preoccupation.

One illustration for this criticism is in regard to asylum seekers from Chechnya, where the EU is prone to use the doctrine of "Internal Flight Alternative" with the massive displacements of people in Chechnya; at the same time that very displacement is condemned, albeit rather half heartedly, in terms of the realpolitik considerations of the Community as a whole.

It is notorious how the EU condemned the atrocities by states and non-state actors in the Great Lakes region of Africa in the mid-1990s in far more vigorous terms than it has ever done on Chechnya for the obvious political reasons of the delicacy and importance of its relationships with Russia.

The HLWG looks at all measures available to Member States regarding the country in question because of the renewed interest in looking at migratory movements within the framework of development cooperation and external relations. The ramifications of internal displacement also may need in future to be dealt with in the light of the discussion over European Union resettlement-based refugee policy. For example, the move spear-headed by the UK government to clamp down on "spontaneous" asylum seeking and to focus on the processing of asylum claims abroad will define categories of people who may benefit from such a program from within the countries where they are at risk.

In terms of the information base used by the Justice and Home Affairs High Level Working Group, sources are now more diverse and comprehensive than was the case in EU policy in the early 1990s when it was severely criticized for being closed and secretive and based on analyses heavily influenced by foreign policy priorities. This Working Group meets on average four times during each six month rotating Presidency and uses the CIREA information service which is an EU data base on information relating to immigration and asylum issues.

A further part of the European Commission with an interest in these matters is the Directorate General for External Relations (RELEX in the EU jargon). This Directorate has broad responsibilities across the range of EU foreign policy interests, but, anomalously, administers a specific budget line relating to uprooted people in Africa and Asia. It is also respon-

sible for undertaking the fundamental thinking towards a future Common EU Foreign and Security Policy in which issues relating to the forced displacement of people externally or internally are an element.

Although IDPs do not normally figure in the fundraising discussions held by the UNHCR Brussels Office with the Commission, UNHCR has sought financial assistance for the return home of internally displaced people in Sri Lanka from the budget line administered by the Directorate General for External Relations. This budget line has also funded UNHCR projects in Burma, Thailand, Bangladesh, Nepal, and Afghanistan.

The European Union is one of the world's major political and economic institutions, and in the 1990s it has matched its growing influence by becoming a major humanitarian actor. The reasons for this lie not only in the humane instincts of the electorates of the Member States, but also in the fundamental re-thinking in the post Cold War period of foreign and security issues and the priorities of humanitarian intervention and human rights. ECHO became the world's largest single donor of humanitarian assistance in 1994. In 1999 it contributed some 820 million Euros (US \$957.27 million).

ECHO was set up by the European Commission in 1992 to bring a more coordinated approach to the EU's international humanitarian aid program which hitherto had been the responsibility of several services and directorates in the Brussels bureaucracy. However, not all the EU's activities are covered by ECHO. For historical and political reasons the Directorate General for Development continues to fund emergency food aid, and the Directorate General for External Relations finances human rights and conflict prevention projects.

## THE MANDATE AND ACCOUNTABILITY OF ECHO

The European Commission comprises a number of Directorates General responsible for the main areas of the Commission's work. ECHO is one of the special *services* of the Commission and is accountable to various bodies. As the European Community has its own legal personality, ECHO is in effect an equal partner with the humanitarian aid departments of the governments of the EU Member States. It reports, as do all Commission services, to a Commissioner, in this case the Commissioner for Development and Humanitarian Aid. The budget is determined by the budgetary authorities of the European Parliament and the Council of Ministers. Its annual reports are submitted to the

Development Committee of the European Parliament and to the Development Cooperation Working Group within the Council of Ministers. Its expenditures are also scrutinized by the Court of Auditors.

For advice and decision on policies and priorities ECHO is assisted by the Humanitarian Aid Committee which is composed of representatives of the appropriate government departments in the capitals of Member States. It is chaired by a Commission representative. This Committee is required to agree to major expenditures and is consulted and informed on other smaller scale projects. It is also intended to serve as a forum for reflection on major humanitarian challenges and a place where Member States compare their national humanitarian activities.

The mandate of ECHO's humanitarian work is explicitly stated in its Regulation:

*"Assistance, relief and protection operations on a non-discriminatory basis to help people in third countries, particularly the most vulnerable amongst them, and as a priority those in developing countries, victims of natural disasters, man made crises such as wars and outbreaks of fighting, or exceptional circumstances comparable to natural or man made disasters."*

The mandate is explicit also in stating that the assistance "*must cover the full duration of a crisis and its aftermath.*"

"Humanitarian" for ECHO means dealing with situations that derive from crises rather than from structural problems such as poverty, which belongs to the other distinct responsibilities of the Development Directorate General.

The way the annual budgets are constructed is a result of consultations between the budgetary committees of the Parliament and the Council of Ministers. The Parliament is an important player in this regard since EU money dedicated to humanitarian purposes is deemed to be "non-obligatory", which means that it is outside of the obligatory expenditures defined by the Treaties of the European Union.

Within its global budget, ECHO staff draw up internal allocation of funds.<sup>6</sup> In situations where ECHO proposes an engagement of 6-12 months in a crisis country or region and an expenditure in excess of 10 million Euros (US \$11.67 million), the working instrument is the Global Plan (see examples below).

This is submitted to the Humanitarian Aid Committee (HAC) for approval, which is almost invariably given. To respond to urgent needs, the Development Commissioner him/herself can authorize non-emergency expenditure up to 2 million Euros, and emergency expenditure up to 10 million Euros.

The European Parliament has always been broadly supportive of ECHO's humanitarian work and there is a willingness to support emergency reserves when necessary. The 1999 Kosovo crisis was such an emergency which unlocked some 350 million Euros (US \$408.59 million) not previously budgeted for. Questions of policy may be raised in the Parliament's Development Cooperation Committee, the Foreign Affairs and Human Rights Committee, and of course in the Budgetary Affairs Committee. The Parliament did join the initiative in calling for evaluations of the work of ECHO.

The political preferences and priorities for ECHO are a function of the EU and its Member States' external relations priorities as a whole. A powerful illustration of the political as against purely humanitarian choices made by ECHO is the fact that from 1993-1999 some 40 percent of the entire EU Humanitarian Assistance budget was allocated to the former Yugoslavia. This constitutes more than what was made available to the 70 African, Caribbean, and Pacific countries. While more than 120 countries around the world have received humanitarian assistance since 1993, the vast majority of the rest has been directed to the following principal recipient states: the former Yugoslavia, Rwanda and the Great Lakes region, Sudan, Iraq, Afghanistan, Tajikistan, Somalia, and the former Soviet Union.

While the EU commits itself to programs of the UN agencies, its support to the humanitarian efforts of the NGO community is large and rising. In 1995, approximately 45 percent of ECHO's funds were channeled through NGO partnerships; by 1999 that figure had risen to over 60 percent. The share is higher if the onward disbursement of funds to NGO implementing partners of UN agencies that receive ECHO's financial support is included. In general ECHO works with European NGOs because of its concern with the accountability and integrity of NGOs in the areas of humanitarian need.

Assuming it can satisfy itself about their probity

<sup>6</sup>The budgetary context for ECHO's funding is as follows: Article 254 of the Fourth Lome Convention; Budget lines B7-210 (Disaster Aid Developing Countries); B7-211 (Emergency Food Aid); B7-214 (Humanitarian Aid to Central & Eastern Europe); B7-215 (Humanitarian Aid to ex USSR) B7-216 (Humanitarian Action in Third Countries); B7-217 (Refugees and Displaced Persons in Developing Countries); B7-219 (Operational Support, Disaster Preparedness).

and competence, ECHO aims for working relationships with some 400 NGO partners, though the expectation is that in reality it will be the larger NGOs which will be the principal partners. The philosophy behind this is one shared by a number of European donors, namely that NGOs are often quicker and more flexible in their responses, closer to the reality of the vulnerable people themselves, and less bureaucratic or politically constrained than bigger UN and intergovernmental organizations.

ECHO is currently assessing its whole partnership relations with its NGO partners because of important questions being raised about the power, accountability, and transparency of many NGOs. The changing roles of humanitarian NGOs and donors in the 1990s is well described in the *Inter Agency Standing Committee Global Humanitarian Appeal 2000*:

*Where once NGOs acted in the coordinating instructions of a multilateral agency, handling one aspect or one part of a refugee camp, for example, they began to take on much greater coordination roles, managing entire camps themselves. NGOs have also been obliged to work more closely with new players: peacekeeping forces, the military, local civil society. In other words, traditional roles have changed, with NGOs being asked to work with a greater array of actors, and to take on responsibilities as well as a greater workload.*

*This broader, higher profile role in the immediate aftermath of the Cold war led to what some critics called an "NGO triumphalism," with voluntary agency leaders feeling empowered to make poorly conceived but widely broadcast demands for the United Nations to do this or the United States to do that.*

*Some critics lay the ill-fated imbroglio in Somalia at the feet of NGOs; others moaned the lack of political sophistication among NGOs dealing with the Hutu exodus into Zaire following the Rwandan genocide. A more subtle criticism of NGO programming also emerged during the 1990s. A "do no harm" critique suggested that too often international NGOs exacerbated a bad situation by ignoring local capacities, by creating new dependencies and by providing assistance which might actually add fuel to a conflict. While NGO leaders found such criticisms overstated, they forced a re-*

*thinking of issues that were already of some internal concern. NGOs that once thought only about relief, for example, must now take into account issues of protection and human rights.*

The dimensions of the IDP issue involve not only emergency humanitarian relief, often in acute form, but also considerations of longer term sustainability. The international debate about the 'gap' or the continuum between relief and development touches on the fate of IDPs as on much else.

As the policy of ECHO towards IDPs is embedded in its general policy of providing integrated assistance to vulnerable people and its commitment to covering "*the full duration of a crisis and its aftermath,*" there are inevitably "grey areas" between emergency and development. The European Commission is active in tackling these issues, as demonstrated, for example, in a Communication from the Commission in May 2001 on cooperation with the UN in the field of development and humanitarian assistance, and in its annual Strategy Papers.

## HOW WELL DOES ECHO FUNCTION?

At the end of the 1990s, the Council of Ministers of the Member States called for evaluations of ECHO's work and two independent evaluations have been made in recent years which cover the entire period of work of ECHO since 1992. Their general conclusions are broadly positive:

*ECHO is currently financing the delivery of humanitarian assistance at least as well as any other organization, and probably better and in a more cost-efficient manner than any other comparable international organization."*

In summary, on the positive side, the evaluations found that:

- Global Plans (country funding strategies), despite their limitations, were a positive development and largely appreciated as a planning framework;
- Budget implementation rates were satisfactory by international standards;
- The revised FPA (Framework Partnership Agreement) made a positive contribution in enhancing

- predictability of procedures and constitutes a relative simplification;
- UNHCR's work would not have been of the same quality without ECHO's support;
- ECHO has sustained the operations of many international agencies and NGOs under otherwise difficult circumstances, making a major contribution to stability within the international system of humanitarian response;
- Cost effectiveness at the project level is mostly good, especially for operations with NGOs;
- ECHO's achievements in evaluation and audit are specifically singled out by the consultants for praise;
- ECHO's impact has always to be assessed bearing in mind failures elsewhere in adequately responding to crises.

On the negative side, some important criticisms have been made. The evaluations found that too little attention is given to protection issues, to the competence of partner NGO organizations, to the linkages between relief and development, and to consulting and working with local actors and resources.

So far as the debate over international competence to lead on IDP issues is concerned, the EU does not support the idea that UNHCR should be given an expanded mandate, but supports the IASC and the lead role for OCHA.

ECHO desk officers expressed to this writer the concern that a strong focus on targeting IDPs could have serious disadvantages. These were described as creating a politicized category of recipients not in line with humanitarian principles, with the consequent risk of: 1) camps of IDPs which would relieve the host government of its responsibilities; 2) ignoring local populations with serious needs, thereby producing tensions between IDPs and other vulnerable people comparable to those that arise when refugees are singled out for special treatment in deprived populations; 3) the creation of "phoney" IDP camps with a "pull effect" for assistance. This clearly calls for empirical analysis in field situations of the reality or otherwise of these assertions.

## THE GLOBAL PLANS

These country funding strategies are usually fully supported by Member States, and when partners implement assistance it is within the Global Plan since ECHO itself is not operational. Every six months there

are reflective meetings of the Humanitarian Aid Committee at which broader strategic issues are addressed. The information sources of ECHO are many and varied. The EU Commission has some 70 experts ("consultants") in the field who feed advice to the center, but the greatest information input is from the NGOs through which ECHO disburses a large proportion of its funds. ECHO plays an important role in giving Member States the information it possesses.

Beyond the Global Plans, ECHO is called upon to respond to emergencies. In such situations, for example the Mozambique floods of 1999, a rapid reaction system functions which gives the go ahead for action and subsequently reimburses the partner for the costs involved. From the dozens of country global plans and emergency responses which ECHO constantly elaborates and updates, some brief illustrations give an insight into the process.

## COLOMBIA

An example of the thinking behind a Global Plan and the extraordinary challenges which internal displacement in Colombia poses to the international community can be seen in this Executive Summary:

*In 1999 the intensification of the internal conflict and the struggle between guerrilla and paramilitary groups for control of territory in rural areas led to a dramatic increase in the number of internally displaced persons in Colombia. The internal conflict has escalated over the past five years with both groups claiming to have regained territorial control and it is estimated that over 1,000,000 people have been displaced.*

*Displacement is frequently an objective of the conflict and the number of civilians driven from their homes by paramilitary groups has risen. Therefore the present humanitarian crisis in Colombia can be described as a human rights emergency.*

*One consequence of the increased internal conflict is the deterioration of security conditions for humanitarian workers. Witnesses are not welcomed and hence humanitarian workers are vulnerable. It can be said that humanitarian space was being reduced in Colombia in 1999. Both UNHCR and ICRC offices in Bogota were occupied by internally displaced persons.*

*Despite the government's efforts to start peace negotiations, the armed conflict is expected to continue unabated or could even worsen, since both government and guerilla groups are determined to strengthen their hand at the negotiating table. The government's current focus is on fostering development programs directly related to the peace process, in cooperation with international financial institutions. It remains to be seen if such efforts bear fruit as the armed conflict shows signs of taking a turn for the worse, at least in the early stages of the peace process.*

*In addition to the basic aim of preserving and saving lives (Humanitarian Aid regulation L 163/2 of 2<sup>nd</sup> July 1996) humanitarian aid should contribute as much as possible to the restoration of the social tissue in the current Colombian situation.*

The conclusion from this analysis was that ECHO's strategy for Colombia in 2000 should incorporate the following key elements, which have featured in its strategy over recent years:

- Humanitarian aid should play a preventative role by providing emergency humanitarian aid to the forecast areas of expulsion;
- Aid will be provided taking into account the degree of vulnerability, which is highest in the first months of displacement;
- Humanitarian aid will be provided to assist the return and/or resettlement process;
- The respect for International Humanitarian Law will be reinforced as a contribution to the peace process;
- Working relations with the Colombian institutions will be enhanced so that the authorities assume their responsibilities vis-a-vis forced internal displacement.

It is noteworthy that ECHO has been active in Colombia since 1992, and that its interest in IDPs has been largely at the instigation of NGOs both in country and in the European NGO solidarity networks working for Latin America.

Indeed the ECHO Global Plan for Colombia, with the active support of several of the EU Member States, is almost entirely dedicated to the IDP issue and it intends to help IDPs near their place of origin to return if they can. It focuses not on the big towns but

on small villages. The local partners are ICRC and the Colombian NGOs cooperating with the *Red de Solidaridad Social*. Some 80 percent of the ECHO funds go to NGOs; 10 percent to ICRC and 5 percent to UNICEF. The assistance is in terms of material for shelter and "productive packages" intended to assist with long term integration.

At the political level, the EU does not formally support the US-backed "Plan Colombia" exercise which is intended "to support the peace process." Nevertheless there is a strong foreign policy interest in the EU in Colombia, not least because of its impact on the global drug business. For that reason, EU Foreign Affairs Commissioner Javier Solana was in Colombia in June 2000 to pursue the wider EU development interest in the massive structural problems of Colombia. From the European perspective, the solution of these problems give more hope for the future of IDPs and other vulnerable groups than the option for military solutions and program of pacification.

## CHECHNYA/INGUSHETIA

On some occasions the normal Global Plan approach is deemed by ECHO to be inappropriate to the situation. Because of the critical emergency character of the situation and the enormous political implications of relations between the EU and Russia there is no "Global Plan" for Chechnya. Instead humanitarian assistance is agreed "by decisions," though Member States are informed of the action taken and the assistance provided and give it their approval.

The enormously complex issues of access and security make for very limited control over implementation of programs of humanitarian assistance. The politics of the situation are such that Russia rejects outside intervention, but nevertheless receives substantial assistance. ECHO is engaged, though it is the clear wish of the Commission that the Russian government would undertake the needed humanitarian action.

Member States of the EU and the US are unwilling to be operational in the province because of kidnappings and generalized violence. In fact, an NGO, the Danish Refugee Council, took the lead in the registration of the victims of the conflicts and established a legal registration data base on all the IDPs in Chechnya and Ingushetia, a project funded by the UN and ECHO.

An insight into the ECHO rationale for engagement is found in the internal planning documents prior to a decision on 1999-2000 budget allocations:

*There is still little hope of a political settlement in the very near future, hence implying further need in terms of humanitarian aid. In this vein the current draft decision also includes the continuation of essential health projects, both in Chechnya and Ingushetia...*

*Monitoring of the development of the humanitarian situation in the region shows clearly that the IDP population is by no means sufficiently prepared for the winter, for which particularly low temperatures are expected.*

*In Ingushetia, urgent winterization activities in camps and spontaneous settlements will be crucial for survival. In Chechnya the situation is especially dramatic for those who are living in partly destroyed housing and in camps. The provision of essential winter relief and sheltering for them has become urgent too. During the winter, movements of people between Ingushetia and Chechnya will certainly be reduced. Therefore IDPs and other particularly vulnerable people in Chechnya need to be targeted before the peak of the winter season....*

*In Ingushetia the humanitarian situation of IDPs has not improved at all...After one year of living in precarious conditions, the population is morally and physically exhausted. Accommodation has been over-used (tents are permeable to weather, wagons are nests for epidemics).*

*Living conditions in spontaneous settlements are disastrous. Moreover after one year of cohabitation, a certain tension has arisen between host families and IDPs, forcing some of the latter to resettle in other places, most often in spontaneous settlements. Including in "official" camps, gas and electricity is supplied on an irregular basis only... therefore to ensure survival, urgent shelter intervention is required in these locations, as well an official demarche so as to obtain regular provision of gas and electricity...*

*The situation in Grozny as well as in certain districts of Chechnya is reported to be disastrous. A new influx of people, i.e. those who could afford to move temporarily, has already arrived in Ingushetia in advance of the winter...*

*In Ingushetia medical facilities have been seriously overstretched following the arrival of about 200,000 IDPs in the republic, which itself counts 340,000 inhabitants. In Chechnya medical conditions have not been spared by war actions and are therefore in bad condition.*

*It is generally admitted that further mine-laying has been performed during the recent conflict, including air delivered mine-laying in and around Grozny. Mines are located around military positions and air installations..., scattered in large fields... or laid in the form of booby traps in lost terrain (especially in urban areas) the two latter ways of mine laying constitute a constant danger for civilians returning to Chechnya. They may even be considered an obstacle to the return of IDPs since these mines are typically located in areas used for grazing, agriculture, wood gathering and other outdoor activities. Mine fields cleared by authorities are systematically re-mined by Chechyan fighters at night. In this context, mine awareness education is very much needed.*

The response of ECHO to this crisis is to focus on winterization, shelter, medical needs and mines awareness both for the IDPs and the local communities. The target groups are defined thus:

### **Populations and Regions Concerned**

The total IDP population registered for humanitarian aid in Ingushetia is around 150,000 people. According to official sources over 170,000 IDPs are now located in this republic. A new influx of IDPs is expected before the beginning of the winter. In Chechnya, the Danish Refugee Council estimates the number of potential beneficiaries for humanitarian aid to be about 261,000 people (127,000 IDPs; 13,000 host families; 121,000 vulnerable people.)

### **Beneficiaries Targeted by Proposed Projects**

- Médecins du Monde (four months): 23,406 IDPs in Ingushetia and Chechnya. 50% of the beneficiaries are children under 15 years, and 30% are women. 50,000 persons (wounded and sick civilians) assisted in 14 hospitals within Chechnya and two medical facilities in Grozny.

- Médecins sans Frontières (five months): 25 hospitals in Ingushetia, 23 priority health institutions in Chechnya.
- Danish Refugee Council/Danish De-mining Group (six months): mine awareness campaigns. 35 Chechen IDP families in Ingushetia, and 15,000 in Chechnya; mine awareness training targeting 8,000 to 10,000 IDPs between 7 and 25 years in Ingushetia camps. The program should be expanded at a later stage to approximately 400 schools in Chechnya.
- Danish Refugee Council (four months): IDPs and most vulnerable people in Chechnya, in particular in Grozny; IDPs in Ingushetia.
- Hilfswerk (six months): 30,000 beneficiaries in seven camps and several settlements in Ingushetia.

### Scale of Assistance

From 1993 to 1997, the European Commission, via ECHO, has allocated a total amount of 52,170,168 ecu (US \$65.42 million) for humanitarian assistance to the Russian population. This makes the EU the largest donor in the region.<sup>7</sup>

### Protection and Human Rights

From the brief descriptions of the emergency projects, it is impossible not to note the lack of initiatives in the human rights and protection area. Chechnya represents an important example of an acute crisis where international staff face grave risks to their security, even their lives. In such a situation it is not surprising that the management is more by “remote control” with correspondingly less severe criteria for monitoring and evaluation. Nevertheless although such matters of life and death are important in the minds of desk officers, it reveals a failure of purpose in the EU that the Russian authorities are not made more explicitly accountable for protection issues.

Since the protection standards of the *Guiding Principles* represent fundamental principles of international humanitarian and human rights law their respect is not an optional extra. It is noteworthy that the Russian government has publicly claimed that as

regards Chechnya it is observing the *Guiding Principles*. It is regrettable therefore that this rhetorical commitment is not matched by concrete actions in EU projects and public statements to promote the *Principles* and give higher priority to protection principles.

### AFGHANISTAN

Afghanistan constitutes another acute emergency of appalling human suffering for the whole population including IDPs, where interventions on the ground are fraught with immensely difficult security operations for ECHO and NGO staff, indeed for all foreign staff.<sup>8</sup> Intimidation of NGOs and the withdrawal of UN staff caused ECHO to cancel its aid in 1998 and re-think its strategy.

*In this context it was decided therefore not to draft an overall plan for 1999 but to work on the basis of decisions. This followed from the marked reduction of funds allocated to the country and enabled us to proceed step by step as events unfolded towards a new strategy and to respond ad hoc to humanitarian emergencies.*

In 2000, a further review of strategy was undertaken. The new strategy aims were defined:

- To maintain a humanitarian presence in the most vulnerable areas;
- To target the most vulnerable;
- To encourage a participatory approach with the Afghan people, especially women;
- To promote a regional and integrated approach;
- To foster coordination and collaboration between NGOs and other humanitarian agents;
- To promote collaboration with local NGOs;
- To improve coordination with the Directorate General for External Relations;
- To link emergency and development aid projects;
- To help returnees from Iran who are vulnerable.

*ECHO’s programs in Afghanistan have become more consistent through a participative, regional, integrated approach tar-*

<sup>7</sup>Decisions covering humanitarian response to the present emergency: ECHO/RUS/215/1999/02000 19 October 1999 for 1.2 million ecu; ECHO/RUS/215/1999/04000 20 December 1999 for 1 million ecu; ECHO/TPS/215/1999/01000 June 1999, including 205,000 ecu allocated in favor of Chechyan refugees in Georgia; ECHO/TPS/210/2000/01000 14 January 2000 for 5 million ecu; ECHO/TPS/210/2000/07000 22 May for 5 million ecu; ECHO/RUS/210/2000/01000 29 May 2000 for 200,000 ecu; ECHO/TPS/2000/15000 22 August 2000 for 5 million ecu.

<sup>8</sup> This was written before the events of September 11, 2001, and subsequent developments in Afghanistan.

*geted on emergency aid, thanks to partners who are small in number but focussed in their approach. In operational terms in 2000 ECHO would like to continue to work on the basis of ad hoc decisions which are more suited to the continual uncertainties of Afghanistan. A global plan does not ensure an appropriate response to one-off emergencies or the same flexibility and speed of reaction as a decision. Three financing decisions will be drafted by the end of the year worth approximately 5 million euros.*

*One decision is planned before next winter to combat urban vulnerability with projects aimed at women and men in Kabul, Mazar, Kandahar and Herat. A second decision will cover the continuation of programs with medical and medical/feeding NGOs around the front lines and in Kabul. A third will address aid to returnees who are vulnerable...*

*After more than 20 years, Afghanistan's humanitarian situation continues to attract superlatives of the wrong kind. The influx of displaced persons from the latest offensives and the returnees from Iran and Pakistan are also worsening vulnerability indicators. Therefore it is recommended that we maintain an active presence in the country where for many Afghans educated and uneducated an NGO presence represents not only an opportunity to work in a normal environment but an opening to the wider world.*

An evaluation mission to Afghanistan in August 2000 came to the following conclusions regarding the IDP situation:

### Evaluation of "Targeted" or Community Approaches

Afghanistan has posed to ECHO some basic dilemmas of targeting assistance to IDPs. Great difficulties surround the credibility of the registration of the beneficiaries who must possess a registration card to obtain any further assistance. The key problems are identified thus:

- to distinguish the true and false IDPs in the knowledge that the level of vulnerability is such that people themselves move long distances in order to benefit from a registration card even if they are not IDPs;

- beneficiaries move from one camp to another to get repeated assistance;
- IDPs lodged with host families tend to go to the camps in order to benefit from the aid available there. To avoid this scenario the local population should not be forgotten in terms of assistance since it too is under great economic pressure in accommodating the IDPs. Even if Afghan solidarity is well known, in this context of vulnerability, it has its limits. For these reasons, the registration must be done once only and very quickly to avoid the negative effects, and this requires excellent coordination between the partner agencies. The level of intervention and the moment of intervention must always be weighted in such a way as to avoid the "pull factors" and to leave in place "coping mechanisms."

The evaluation points out other problems of coordination between NGOs and ECHO, issues of distrust and duplication of effort. It concludes:

*In Afghanistan many situations can only be analyzed at the micro, not the macro level, in detail not in general as regards the political/military situation, the socio-economic context, the ethnic context and the humanitarian situation that derives from this. For that reason field visits by desk officers are indispensable. An in-depth look at the situation on the ground revealed a deterioration in the humanitarian situation which needed greater focus on the needs of IDPs.*

*The effects of the drought on top of the 21 year old civil war is contributing to chronic underdevelopment. Food insecurity is great. If large-scale actions are not taken immediately, the lack of seeds risks paralyzing the productive capacity of the country for years to come and thus long term-food insecurity.*

*The Taliban's ban on women working has caused unequal effects according to sector and region. But as regards humanitarian assistance the pragmatic approach is preferable to a political/cultural approach. One cannot impose western Christian principles in a country where the principles of Islam are mixed up with principles from rural Pashtu puritanism, a dominant ethnicity and very specific ancestral tribal customs.*

In terms of positioning ECHO's assistance in this situation of national humanitarian crisis, the approach is to continue to concentrate on assistance for IDPs, continue actions to ensure food security in partnership with WFP and the NGOs, continue to be present in the cities to fight against urban vulnerability, and maintain assistance near the front lines to come to the aid of displaced people fleeing the conflict.

The difficulty of working in this highly dangerous environment is evident from this analysis. It highlights concerns at desk officer level about the politicization of provision of humanitarian assistance and a tension between human rights standards and humanitarian principles; and, while not condoning the cruelty of those responsible for the displacement, is anguished by the lack of understanding by some donors of the local cultural mores. It stresses partnership and coordination with other UN and intergovernmental agencies and a focus on acute survival needs.

## SUDAN

Sudan continues to suffer the world's longest current civil war and the world's largest population of internally displaced persons at some 4 million, a figure which constitutes some 80 percent of the entire population of southern Sudan. In addition it is estimated that the number of deaths to civilians during years of military conflict and war related disease and famine is nearly 2 million. Half a million people from southern Sudan have fled the country and are now refugees in other countries. Upwards of 2 million people currently face food shortages in Sudan. In this context the allocation of the humanitarian aid provided for the Sudan is heavily influenced by the brutal realities of forced internal displacement.

Since 1994, ECHO has produced regular Global Plans to mount its humanitarian assistance. These have been characterized by increasing complexity as the scale of the crisis became clearer, and the analysis of the situation in country became more detailed and comprehensive. In addition, the colossal level of human suffering and the apparent intractability of the conflict have posed critical questions about the appropriateness of humanitarian intervention, about the relation of relief to development in a situation of conflict, and about the importance of advancing human rights observance as "...closely linked to the causes of humanitarian need and the provision of humanitarian aid."

Later Global Plans include sections on "lessons learned" and evaluations. Over the years the ECHO

approach has shifted from short-term emergency responses to longer-term planning, in recognition of the fact that the Sudan constitutes "...a long and complex emergency [requiring] a medium-term perspective, rather than the short-term perspective that is the most logical response in most emergency situations."

The succession of Global Plans shows the development of a more comprehensive and assertive approach. For example, the Global Plan in 1997 lays out for the first time what ECHO expects of the NGOs it funds in pursuit of its own objectives both to foster self sufficiency and also to relate emergency relief work with longer term development action. In ECHO's view, NGOs should:

- strengthen local capacities through training Sudanese staff;
- understand social environments and strengthen coping mechanisms;
- develop genuine partnerships with target communities in which the community is prepared to contribute as much as it can to project implementation;
- reduce to a minimum the payment of incentives to local staff engaged in project work.

In the same 1999 Global Plan ECHO demonstrates an alertness to the possible negative effects of its interventions:

*ECHO has tried to develop a more open dialogue on this issue with its operational partners by specifying that proposals submitted for consideration under this Global Plan should demonstrate an understanding of the potential negative effects of the proposed program and of the compromises that will need to be made in order to ensure effective program implementation. The response from requesting organizations was disappointing, with partners either lacking the necessary information to address the issue or reluctant to share information and concerns with a potential donor."*

This Global Plan reflects the severity of the social crisis facing the population and also the relative visibility of the internally displaced people in different regions of the Sudan:

*Some of the greatest problems are: very poor or non-existent water and sanitation*

*infrastructure; lack of access to agricultural land; and lack of access to employment and regular income (...). Overall, whereas in the no-go zones of Sudan it is the populations in general, including the displaced, that struggle to meet their basic needs, in government-controlled Sudan the displaced are more easily identifiable.*

### Critique of ECHO's Program in Sudan

The ECHO programs in Sudan are the subject of normal internal evaluations. They were also reviewed in exceptional detail by a team from Trinity College Dublin in 2000.<sup>9</sup> Following an in-depth study of the field situation and reflections on the process of policy making at ECHO Headquarters, the team identified the following as the key problems of implementation both at HQ and field level:

- *Lack of coordination between ECHO and other parts of EC*

The policy of linking relief and development calls for comprehensive and integrated planning although in many ways, ECHO and related EC divisions work autonomously. The Food Aid Unit within DG Development is an important supplier of food aid to Sudan, and this has historically been an important component of EU assistance. But ECHO and DG Development offices are poorly integrated—both physically (being on different sides of Brussels) and managerially. While there exist EC guidelines on how various departments should co-operate, ECHO staff described the policy environment for the Horn of Africa as somewhat *ad hoc*.

- *Problems of coordination within ECHO*

There are few meetings between the ECHO Policy Unit and ECHO Country Desks. Because the Policy Unit sees itself as establishing broad guidelines and principles—rather than detailed strategies for specific countries, Country Desks tend to have a degree of autonomy in shaping policy. In many ways this is understandable, although consequently EC and ECHO policy statements are often perceived by desk officers as not reflecting the reality in their area. Contrasting approaches may be adopted in Sudan and Somalia

without these differences having been properly thought through within ECHO and the Policy Unit.

While aid policy has embraced conflict resolution and the encouragement of social change within countries (an agenda that policy documents describe as *political*), there are no regular meetings between the ECHO Policy Unit and the EC's Foreign Policy Unit. Political direction is described as being sporadic and unsystematic. At the same time, there are no formal mechanisms to allow ECHO to feed into strategic policy-making. It is not clear, for example, which organizations are to push through the potentially important role of humanitarian assistance within the emerging Common Foreign and Security Policy (CFSP). Country Desk staff tend to engage with Member States which have a particular interest in a particular country (in the case of Sudan, with the UK and the Netherlands) rather than with wider issues of EU policy.

- *Senior staff unfamiliar with key policy statements*

Due to work pressure, senior desk staff have often been unable to read up on, or properly familiarize themselves with, all the key areas of policy. At the same time, there has been little discussion or guidance within ECHO on how such policies should be implemented. This tends to reinforce the day-to-day autonomy of desk officers and helps to establish a culture in which the effective policy is worked out between the desk officers and the field staff. One ECHO member commented "...the whole policy arena is disjointed, there are too many shows on the road. Actions and statements are issued, but nobody follows them up."

- *Formal coordination mechanisms ineffective*

The Humanitarian Aid Committee (HAC) was established as a formal mechanism to link ECHO with the views of Member States. Its brief is to enlist the support of Member States in order to help ECHO undertake the tasks set out in ECHO's Global Plans. Desk officers however describe the monthly meetings of HAC as unsatisfactory, saying it is not able to exert much influence over what ECHO does. The donor representatives are usually managing a portfolio of countries and, in a normal meeting, Sudan might be one country discussed among many others. While a political crisis or the particular interests of the donor

<sup>9</sup>Sudan: Unintended Consequences of Humanitarian Assistance. A Report to the European Community Humanitarian Office. University of Dublin, Trinity College, April 2000.

representatives may focus attention on a particular country, time is limited and most countries receive little discussion.

- *Little evidence of in-depth country analysis*

As a result of pressure of work and limited human resources, ECHO has not been able to develop in-depth understanding of the countries in which it operates. In the case of Sudan, there has been some improvement in recent years with the move towards more detailed annual Global Plans. For understandable reasons, however, this falls short of the in-depth analysis that can feed into flexible policy.

- *Problems of institutional memory*

ECHO policy statements have referred to the importance of making the most use of staff expertise and experience although the EC's personnel and recruitment policy makes this difficult to achieve in practice.

ECHO field staff are employed on a different contractual basis to ECHO Brussels staff. Field staff are employed on short-term contracts. These contracts can be renewed so that field staff may acquire many years' regional experience. However EC regulations prevent field staff being employed in Brussels. Employment in Brussels would mean taking on field staff as core EC functionaries. At the same time, the EC functionaries who staff the ECHO office in Brussels are not allowed to transfer to field positions.

In part, this system arose through the belief that emergencies were short-term events. However, as short-term relief operations have developed into long-term complex emergencies this system appears increasingly problematic. ECHO has been unable to fully utilize experienced field staff in Brussels, and the periodic rotation of EC functionaries means that Brussels staff with ECHO experience are often replaced by other functionaries usually from non-emergency departments. Meanwhile, the experienced staff move into completely new environments.

The system is stacked against the harnessing of experience.

Many of the above problems do not arise from a lack of interest or commitment among ECHO or EC staff. The problem is not a lack of serious personnel but a serious lack of personnel—in combination with an organization that is geared to a stable, rule-based environment rather than a complex and mutating one.

The implementation of the comprehensive policy

framework envisaged in theory would require a major staff increase and an overhaul of present duties and responsibilities. Lack of available staff makes effective coordination and monitoring problematic. It also means that it is difficult to undertake detailed country analysis so as to incorporate it into policy.

In these circumstances, policy discourse gravitates toward relatively simplistic views and understanding which can be applied to, or imposed on, a wide range of countries. At the same time, the marked lack of coordination both within ECHO and between ECHO and other parts of the EC has impeded comprehensive and strategic planning.

The Trinity team draws attention to some urgent recommendation for ECHO's work based on the Sudan experience. Their analysis *inter alia* touches on:

- Information policy, specifically more systematic collection and dissemination of field information to develop real expertise about the political and historical context and thus plan programs more effectively. Such an information policy should be backed up by longer-term research.
- The problem of rapid staff turnover and the failure to build and use an institutional memory. This could be partly addressed by ECHO relating more to agencies which focus on building long term capacity using Sudanese as well as expatriate staff.
- The need for ECHO to move towards a three-year funding cycle which would enable all concerned, including the implementing agencies, to promote longer-term planning.
- The multiplier value of ECHO funding comparative case studies of Sudan's experience with other similar emergencies elsewhere, so as to develop a range of alternative approaches to emergency aid.
- The value of ECHO expanding programs of family tracing, voter registration, and legal aid, making particular use of local lawyers.

Through this and other evaluations, the common theme emerges, namely the critical need to seek solutions of the conflict in Sudan at the political level through the development of a policy towards Sudan within the perspective of the European Union's Common Foreign and Security Policy.

## THE UNITED KINGDOM

The Department for International Development (DfID) has been very active in recent times in many initiatives and meetings about IDPs. DfID has clearly asserted in public statements the importance of the issue, the value of the *Guiding Principles* and the immense needs of many internally displaced persons.

Although it does have concerns about the strategy of raising the profile of the IDP issue at the present time, it is nevertheless prominent in its general financial and moral support for the role of the UN Secretary General's Representative, the Inter-Agency Network on Internal Displacement created by the IASC in July 2000, OCHA's IDP Unit, and the Global IDP Data Base.

DfID shares concerns about the specificity of targeted humanitarian assistance to internally displaced persons expressed in the conclusion of the OCHA paper: "Crisis of Internal Displacement: Status of the International Response through IASC members and Their Partners 2000" (July 2000):

*A further difficulty frequently raised in the country profiles is the difficulty and/or undesirability of distinguishing between internally displaced persons and other vulnerable groups. In some cases internally displaced persons are difficult to define; in others the distinction itself can add to the insecurity of those assisted, or create tensions between host communities and internally displaced persons. This finding underlines the need for an integrated response that takes into account the specific needs of internally displaced persons as well as of other vulnerable populations in situations of armed conflict."*

But at the same time it supports more focused attention to the needs of IDPs by the international community.

The most recent and comprehensive statement of the position of the UK regarding IDPs dates from June 2000. It is very exercised with the issues of responsibility and competence in organizing effectively the international response to IDP questions. The statement is characteristically pragmatic in its approach. It is as follows:

*a) The United Kingdom welcomes the global debate that is taking place on the pro-*

*tection of internally displaced persons. We note the positions put forward by UNHCR, WFP, ICRC and others, and welcome the supplementary guidelines on internally displaced persons agreed by the Inter-Agency Standing Committee (IASC) on 5 April 2000.*

*b) The UK would like to see enhanced co-ordination on internally displaced persons, both in the field and at the policy level, including more clearly defined roles for international agencies. This paper sets out how we think this can be achieved.*

*c) Estimates for the number of internally displaced persons (IDPs) in the world vary widely, depending on what categories of displacement are included. This paper is concerned with those who have been forcibly displaced within their own country, either by conflict and other complex emergencies (estimated at well over 20 million) or natural disasters.*

*d) Unlike refugees who cross international borders, those who are forcibly displaced within their own country are largely dependent upon their own governments to uphold their rights. However, although it is each government's primary responsibility to protect and assist their citizens, they are sometimes either unable or unwilling to do so. In such cases IDPs look to the international community for support.*

*e) The international community has a number of mechanisms through which it can protect and assist IDPs, but as recent debate has shown, these have not been fully effective. This has been due to three main factors: i) restricted access to affected populations; ii) slow and unclear systems for determining responsibilities for providing support to IDPs; and iii) limited resources. This paper looks specifically to the second issue of international systems.*

### International Law on Protection of IDPs

*f) First, it is important to point out that IDPs are as entitled to the protection of in-*

*ternational and domestic law as anyone else in their country. So although there is no international legal instrument which deals specifically and solely with the treatment of IDPs, the 1949 Geneva Conventions and their 1977 protocols provide for civil immunity from military attacks and abuses, and for material support for those in need. These provisions apply to all citizens, including IDPs.*

*g) Moreover, the UN Secretary General (UNSG)'s Representative for Internally Displaced Persons—Mr. Francis Deng—has helped to develop a set of guiding principles on international standards for protection and assistance to IDPs. These Guiding Principles bring together and clarify existing provisions within international law. They have been endorsed by the UN General Assembly and constitute the international normative framework for the provision of protection and assistance to IDPs. The Guiding Principles have been acknowledged by the Economic and Social Council, and by international organizations, regional bodies and non governmental organisations, all of which have been widely disseminating them to the wider humanitarian and development community. We believe that they provide a sound framework for assistance to IDPs, and do not think there is the need for a separate international legal instrument specifically on IDPs at present.*

#### UN Responsibilities for IDPs

*h) At present, there is no single UN agency with the lead responsibility for IDPs. There have been concerns that this could be reducing the level and effectiveness of assistance to IDPs. The agency most often under pressure to take the lead on IDPs is UNHCR, because refugees and IDPs can have similar needs.*

*i) We would argue against the global nomination of a lead agency for assisting IDPs for three reasons. First, it is not always logical or practical to treat IDPs as a*

*homogeneous group with distinct needs; their circumstances vary substantially from country to country; and their needs are often not clearly distinguishable from those of other victims of conflict or disaster who have not fled their homes.*

*j) Second, the ability of UN agencies to provide assistance to IDPs varies from country to country, depending on their operational experience, their field presence in the country concerned, and their relations with the relevant authorities and local communities.*

*k) Third, there would be practical difficulties in nominating one UN agency to take the lead on protecting and assisting IDPs, since this would require a huge increase in their resources as well as a re-negotiation of their core mandate. For example, UNHCR would have to more than double its resource base (as its target beneficiaries would go up from 21.5 million to at least 45 million) and persuade its 54 Member States to agree both to the extended mandate and to funding it. We would also be concerned that it would not be in the interest of refugees to “dilute” UNHCR’s mandate, which should remain focused on the vital task of improving protection for refugees.*

*l) We therefore believe that the UN should be seeking to protect and assist both IDPs and other victims of complex emergencies and natural disasters according to the specific needs of each situation. Thus the responsibility for providing support should be determined on a case by case basis rather than globally. This is a view shared by the IASC, UNHCR, the World Food Program (WFP) and the International Committee of the Red Cross (ICRC) and others. We note that, where agencies are nominated by the international community to take the lead in a given country because of their comparative advantage, they are more likely to be able to mobilize the resources necessary to respond effectively.*

### Role of the Inter-Agency Standing Committee

*m) The IASC produced a policy paper in December 1999, which addressed the issue of protection for IDPs. It later supplemented this with guidelines for UN Humanitarian/Resident Coordinators on assistance and protection for IDPs (March 2000). We agree with the ideas put forward in these two papers, and further suggest that in countries where one UN agency has a clear comparative advantage for caring for IDPs, the IASC should have the responsibility for formally designating the lead to that agency, under the advice of those countries' UN Resident/Humanitarian Coordinators.*

*n) We suggest that guidelines should be developed to help the IASC take forward this designation process in a consistent, transparent and timely manner. These guidelines should be based on the IASC's outline of the Capacities of Different Organizations with regard to the protection of Internally Displaced Persons contained in the Annex to its Policy paper issued in December 1999. The guidelines might take the form of a one or two page document offering concise definitions of the different IDP scenarios and their characteristics, and setting out how these can be matched to the expertise and skills offered by different UN (and other) agencies. We would expect the guidelines to be applied flexibly, taking into account the IASC's own expertise on IDPs, the advice of the UN Resident/Humanitarian Coordinators, and any other situation-specific information available.*

*o) In order to take forward the development of these guidelines, we suggest that a working group might be established, in which the Emergency Relief Coordinator (who heads the IASC) and Francis Deng*

*(UNSG Representative for IDPs) should play a leading role. We suggest that all international humanitarian agencies should designate a point of contact on IDPs, who should coordinate their input on the guidelines through this working group.*

### Assistance at Country Level

*p) In a situation where one UN agency has the comparative advantage and has been recognised as such by the IASC, the Country Director of that agency should take the responsibility for coordinating the provision of protection and assistance to IDPs, reporting to the Emergency Relief Coordinator. Where no such agency has been identified by the IASC, then the UN Resident/Humanitarian Coordinator should, by default, take on this role. We would expect whoever had overall responsibility for IDPs at the country level to coordinate the efforts of other UN agencies, seek the active cooperation of the International Red Cross and NGOs, and help and/or press government and local authorities to fulfil their obligations to protect and assist IDPs.*

*q) We would wish to stress that the nomination of a lead UN agency for IDPs does not absolve other organizations of their responsibilities for protecting and assisting displaced persons. Rather, we see the lead agency's role as coordinating the overall response, with individual agencies working according to their usual mandate within that framework. In this context, we support the IASC's recommendation that the UN Resident/Humanitarian Coordinator should encourage the development of Memoranda of Understanding between key partners to clarify roles and responsibilities on the response to IDPs.*

Norway	(\$45m)	Switzerland	(\$10 m)	Spain	(\$0.7m)
Sweden	(\$40m)	Belgium	(\$8m)	Greece	(\$0.05)
Netherlands	(\$40m)	France	(\$8m)	Turkey	(\$0.12m)
UK	(\$28 m)	Portugal	(\$7m)		
Denmark	(\$18 m)	Finland	(\$6m)		
Italy	(\$16m)	Ireland	(\$3m)		
Germany	(\$13m)	Luxembourg	(\$2m)		

r) We also suggest that, in cases where IDP populations are particularly large and/or their needs particularly complex, the UN Resident/Humanitarian Coordinator or lead UN agency should consider the creation of an “in country IDP team” made up of key partners. This team would agree locally specific operational guidelines defining their roles and responsibilities. They would also develop and implement a comprehensive workplan with specific goals, activities and measurable targets for protecting and assisting the IDP population. This “comprehensive workplan” suggestion is in line with the recommendations made by the IASC in its guidelines for Resident/Humanitarian Coordinators.

s) We recommend that at the global level, the Office of the Coordination of Humanitarian Affairs (OCHA) ensures that this approach is systematically applied, reporting on this as part of the Secretary General's Annual report to ECOSOC.

#### The Role of the UN Secretary General's Representative for IDPs

t) We regard it as crucial that the international community focuses on the need to seek durable solutions for IDPs as well as the need to give them humanitarian assistance. We also think it important that there is a strong advocate for IDPs at the international level. In this respect, we are strongly supportive of the work being carried out by Francis Deng's office. We regard Mr. Deng as having been influential in raising the profile of IDPs internationally, and welcome his work on seeking remedies and solutions for IDPs, in dialogue with governments and humanitarian and development agencies.

u) We believe that the influence of the UNSG Representative for IDPs should be maximised across the UN. We should particularly like to see the office engage in more advocacy. For now, it is also important that Mr. Deng's office maintains independence from the UN system as a whole. The UK believes that these ends can best be

served by Mr. Deng's Office continuing to be supported by voluntary funds, although these need to be increased. The UK is already supporting Mr. Deng's work, and would be ready to contribute more funding, as necessary.

This policy paper constitutes the clearest statement of the UK position. For other insights into the approach, reference needs to be made to the major White Papers issued since the coming to power of the Blair government in 1997: *Eliminating Poverty: a Challenge for the 21<sup>st</sup> century* (1997), and *Eliminating World Poverty: the Challenge of Making Globalization Work for the Poor* (2000). These define the UK government and DfID's overall policy to eliminate poverty, promote human rights and sustainable development.

#### **NORWAY**

Norway has over the past few years played a prominent part in the international debate about internally displaced persons. The government has developed a high profile on IDP issues, including those of competence and of coordination of international efforts.

The Norwegian government does not support a single agency response to the IDP issue and shares the UK view about the role of UNHCR.

At a seminar in Oslo at the end of November 2000 held to discuss the Norwegian response to the Office for the Coordination of Humanitarian Affairs (OCHA) Consolidated Appeal for Afghanistan and Sudan, Norwegian officials again pledged to use their new position as a non permanent member of the UN Security Council to advance the cause of IDPs and the promotion of the *Guiding Principles*. As Chair-in-office of the Organization for Security and Cooperation in Europe (OSCE) for 1999, Norway took opportunities to raise the IDP issue, especially with regard to the CIS and the Balkans.

Ambassador Bjorn Skogmo, permanent representative at the UN Office in Geneva, speaking on October 7, 2000 on international protection at the Executive Committee meeting of UNHCR:

*In order to better protect the internally displaced, we need to ensure the respect for International Humanitarian Law and Human Rights. My delegation would like to*

*underscore the need for a strong partnership between the UNHCR, the ICRC and other United Nations partners, and point out the Guiding Principles as useful and welcome. We also welcome the inter-agency co-operation through the IASC and its Working Groups and encourage further efforts to strengthen initiatives that benefit IDPs.*

Norway is not a member of the EU and thus not part of the collective effort through the European Commission Humanitarian Aid Office. Nonetheless, Norway believes there is a need for a “special” policy for IDPs and it is seeking actively to forge one. It takes a more assertive view of this than does the UK. In the last decade it has developed its own particular approach to the issue. It commissions independent academic research; sponsors the Global IDP Data Base managed by the Norwegian Refugee Council in Geneva; supports the mandate of the Representative of the Secretary-General on Internally Displaced Persons; pursues tactical diplomatic interventions at the UN and other fora; and contributes substantial humanitarian assistance to field operations, largely through partnerships with the nongovernmental community.

Discussions with government officials in the Ministry of Foreign Affairs and the development aid agency, NORAD, and with representatives of the nongovernmental community reveal a social democratic consensus common to the Nordic region as a whole.

Within this civil debate the opinions and information of NGOs play a significant role in influencing, even to the point of determining, official government policy. Much of the humanitarian assistance to IDPs is channeled directly through NGOs, whose access to officials is transparent and frequent. In this context the role of the Norwegian Parliament is surprisingly small.

Norway has no “special structure” or “expert” on IDP issues. The policy questions are handled by the Humanitarian Affairs department of the Ministry of Foreign Affairs.

The Norwegian approach is similar to that of the UK in the sense that it seeks to root its policy in the wider analysis of crises of war and peace, poverty and good governance. This is on the assumption that it is not possible to aid vulnerable groups if the structural reasons for conflict are ignored. Norway remains one of the largest humanitarian donors in the world both in absolute terms and *per capita*. An illustration of this

extraordinary effort can be seen in terms of the overall Consolidated Appeal by the UN OCHA for the year 2000, in which Norway’s contribution at \$45 million is fourth behind the USA (\$335 million), Japan (\$156 million), and the European Union (ECHO) (\$78 million). Its donation constitutes 5.1% of the total donor contributions. It is ahead of all the other European States.<sup>9</sup> Of non-European states, Norway’s contribution exceeds Canada (\$30m), Australia (\$25m), Korea (\$18m), New Zealand (\$1m), and South Africa (\$0.5m).

Though the policy of Norway is not to earmark the aid, much of the assistance donated by Norway to OCHA and its associated UN bodies is implicitly intended for the relief of IDPs. In addition aid is given directly to Norwegian NGOs, notably the Norwegian Refugee Council, Norwegian Church Aid, Norwegian Peoples’ Aid, Save the Children, and the Red Cross.

A breakdown of these contributions is shown in the annual reports from the Ministry of Foreign Affairs Department for Human Rights, Democracy and Humanitarian Affairs. For example, in the 1999 program of humanitarian assistance for Angola, the Norwegian Refugee Council received 4.8 million Norwegian Krone for internally displaced people in M’banza Kongo and 5.6 million Krone for internally displaced people in Huila province. Similarly in Eritrea, Norwegian People’s Aid received 3 million Krone funding for medical assistance to IDPs.

None of the respondents in this investigation experienced in their daily work a competition between the needs of refugees and IDPs beyond the obvious conclusion that there are never enough funds to address the needs of the total population of vulnerable people in need. However, hard choices must inevitably be made by policy makers in the donor institutions or their implementing partners in IDP situations, and analysis from field situations of how assistance is practically allocated would throw further light on this issue.

Do all these activities add up to a coherent policy? All persons contacted in the course of preparing this study expressed the sense that, one way or another, Norway had not developed an entirely coherent policy towards IDPs. There was a general satisfaction that the government and NGOs, according to their respective competencies and constituencies, engaged in a great deal of activity in this sphere. Nevertheless the view was that an overarching policy did not exist to weld these activities into a coherent whole.

Various reasons were given for this, some deriving from practical limitations, others from a more profound evaluation of the complexity of the IDP

question and the best strategies to address it. In terms of population Norway is a small, albeit extremely wealthy, country. The Norwegian government machinery is relatively small and while it is very energetic in tracking the international debate, intervening at key fora and successfully allocating significant funds, it nevertheless cannot deploy many qualified staff specialising in this field in the Ministry of Foreign Affairs (MFA).

The information on which the government plans its activities is largely supplied by independent NGOs rather than from government sources themselves, except in the case of Angola where there is a particularly active and engaged Ambassador and powerful Norwegian interests relating to oil and trade. There is little parliamentary input to, or interest in, the planning and oversight of the ministry's policies beyond the annual budgetary debate.

The increasing trend in Norwegian international assistance, be it humanitarian or developmental, is to support UN bodies. Budgets for the six principal Norwegian NGOs have remained at virtually the same level for three years as the proportionate and absolute aid to UN agencies has risen. The objective is clear: Norway takes the view that the UN is in great need of support at this point in its history, while Norwegian NGOs can look to other sources of funding, be that from their supporters and constituencies or from Norwegian society at large. (This analysis needs to be understood in the context of a political development in Norway over the last year, namely the rise of a right wing political movement which could challenge the government and its traditionally generous internationalism.)

To be true to the character of Norwegian policy, the substantial role played by the NGO community is central. The Norwegian Refugee Council, Norwegian Church Aid and Norwegian People's Aid, for example, all play a strategic role in advising the government and in channeling funds. They are in their respective ways "constituency" or "partner" organizations with a radical appeal to support refugees and IDPs around the world; they are also close partners and implementing agencies for the Norwegian government. Of these, the closest to the government is the Norwegian Refugee Council. While it receives and manages funds from the UN and EU, the great majority of the funds of the Norwegian Refugee Council derive from the humanitarian budget of the MFA. In 1999 this was 260 million Krone (\$35m) out of a total NRC budget of some 290 million Krone. Its operational activities as described in its Annual Report are:

- Humanitarian assistance and efforts to enhance the protection of refugees and internally displaced persons, currently in 13 project countries on four continents;
- Political lobbying to raise political and financial support to displaced persons.

Its mandate, unlike that of many other refugee agencies in Europe, has always been both for refugees and for internally displaced people. It explicitly highlights its interest in IDPs through "Collaboration with the UN Special Representative for IDPs" and "Information and counseling to promote the rights of IDPs through the Global IDP Project." In 1999 the NRC was included in the official Norwegian delegation to the UNHCR Executive Committee, where it raised IDP issues, notably those concerning Colombia.

One issue which detracts from Norway's otherwise remarkable demonstration of solidarity for displaced people is its policy of asylum and the receiving of refugees into Norway itself. While national asylum and reception policies are beyond the scope of this paper, many respondents to this enquiry drew attention to the extremely low level of refugee recognition in Norway and the serious loss in moral consistency that this represents.

Critics of Norwegian refugee policy, which in the last decade have included the non-governmental community and at times the UNHCR, have argued that the "export value" of generous asylum policies in the states of the North is part of the essential global compromise with the South in the effort to achieve better standards of protection and assistance for all victims of forced displacement. Norway's moral authority on the IDP issue is clearly jeopardised by its poor reputation with regard to its national refugee and asylum policies.

#### **EUROPEAN AND AMERICAN APPROACHES: SOME SIMILARITIES AND DIFFERENCES**

This attempt to understand how some European donor states make their policy towards internally displaced persons follows an analysis of US policy-making, made in 1999 by James Kunder and entitled: *The US Government and Internally Displaced Persons: Present, but Not Accounted for*. To extend his analysis to a wider geographical and political level it was thought useful to look at the way the institutions of the European Union approach this issue, and then at one EU Member State, the UK, and one non EU Member State, Norway.

Although the resulting picture is selective, looking at policy approaches in this sample may have a wider relevance. Not all European states are actively engaged on this issue. An analysis of the policy response of the other Nordic donor states, the Netherlands and Austria would be useful as they are the most involved actors on the European scene. A full description of the policies of the 15 states of the EU (and indeed other Member States of the Council of Europe) might be of some interest, especially as it would raise the profile of the question in countries where IDP policy is not highly developed. As this paper suggests, there is an important discussion to be had as to the pros and cons of raising the profile of the IDP issue at the present time. However, as Mr. Kunder concluded,

*without focused leadership and dedicated resources, the institutional response to internal displacement from both the local authorities and international agencies will be diffuse, inconsistent and inadequate.*

His comment refers to the US, but his general proposition applies equally to other governments who are major players in international humanitarian assistance.

The Kunder paper describes the very special particularities of the United States government system and the way it develops its humanitarian policies. For any policy he identified the key elements that must always be in place:

- the statutory basis for US action;
- the interest and authorization of Congress;
- “authoritative” policy documents;
- a government lead agency;
- adequate funding and staff resources;
- structured links with external organisations, including NGOs and international organizations.

All of these elements are relevant to a greater or lesser extent in Europe, as is the conviction that greater coordination of policy within each national government (and among governments) needs strengthening as a matter of urgency.

Given the Europeans’ predilection for integrated approaches to IDPs within the broader humanitarian and developmental policy, the need for a statutory basis for their action is less compelling. Compared to the US where there are separate government departments for refugees, disaster assistance, and transitions to development, in both the UK and Norway, only one

government department addresses the issues comprehensively under legal authorization by parliament.

The European Union situation is more complex. While largely a matter of the authorization of the work of the European Commission Humanitarian Aid Office (ECHO), a part of the Development Directorate, there are also budget lines which are under the authority of other Directorates of the European Commission. There is little coordination among these.

There is in principle no legal constraint on the budgets available to these two states or to the European Commission which would prevent them from allocating humanitarian assistance to IDPs in the programs they support through international organisations or NGO partners.

In terms of the interest and support of the respective parliaments, the European reality is not dissimilar to that described by Kunder in the US:

*Congress has not recognized internal displacement as a discrete policy issue that requires attention and oversight.*

In the UK and Norwegian Parliaments the IDP issue as such receives very little explicit attention, subsumed as it normally is into debates about general development, humanitarian assistance, and refugee policy.

There has been, however, one major exception to the relative indifference of national parliaments in the 1990s and that is related to the most important European crisis of forced displacement since the end of the Second World War, namely that resulting from the conflicts in the former Yugoslavia. Yet the most controversial issue, and the one which most engaged the parliaments and wider political culture, was the response by European states to refugees and asylum seekers from the region and the consequent introduction of “temporary protection” regimes and the vigorous implementation of the range of deterrent policies developed in Europe in the last two decades of the 20<sup>th</sup> century.

The response of states to the situations in the respective entities that emerged from the disintegration of Yugoslavia varied significantly. Regarding Bosnia, the main political impulse, and parliamentary interest, was on strategies to contain the movement of people within the region. To further the strategy of containment massive humanitarian aid (and military power) was mobilized in this instance to assist and protect populations of people internally displaced in the region. While declining in terms of political

interest and financial means, this remains the priority still.

In the case of Kosovo, the main parliamentary interest was directed at the 800,000 refugees who, once having crossed an international frontier, were offered assistance and protection; the many tens of thousands who were internally displaced and suffering acute danger and distress received no such support and protection. How far this was a pragmatic reading of the extent of European public tolerance or an unwillingness to take the risks that would necessarily have been involved in protecting the Kosovar IDPs is a matter of debate. The result was an unequal response to vulnerable individuals who happened or not to cross an international border.

Parliamentary interest depends to a great extent on the interest of individuals and of the wider public in humanitarian crises around the world. Any analysis of how this interest is generated and sustained must inevitably seek to weigh the importance of compassion fatigue in the context of the apparent intractability of such complex emergencies, the short attention span of most players and the lust of the popular media for new crises: the “CNN effect.”

In terms of the total level of humanitarian and development aid available for all such purposes Norway has a proud record of reaching the UN recommended level in terms of proportion of gross domestic product.

Less impressively, the declining budgets from the UK in the 1980s and 1990s led to a position where overall humanitarian and development assistance was far less than half the proportion of GDP recommended by the UN. From this very low level, the new UK government since 1997 has significantly reversed the downward trend.

The expenditures of the European Union have risen to high levels in the 1990s, but a great part of that rise was precisely attributable to the crises in the former Yugoslavia, including the needs of IDPs. The record is less good for other crises of internal displacement elsewhere.

In terms of authoritative policy documents, Kunder states:

*There is a dearth of authoritative US government policy documents on internal displacement and no process in place to produce such documents.*

In the European case, the issue of IDPs as such is generally incorporated into policy statements (White

Papers, Annual Reports, Reports to Parliament) on the overall humanitarian programs of the states concerned.

In view of the interest at ECOSOC and the annual meeting of the UNHCR Executive Committee in 2000, the Norwegian and UK governments have made official written statements of their commitment to the IDP issue, though these official statements focus very much on the issues of competence of the UN and other intergovernmental organisations and on the lack of coordination. Given the close cooperation between the NGOs and the government in Norway, the government ministries concerned have available to them excellent analyses on this issue; the Parliament—if it wants them—is not lacking in detailed and authoritative studies and policy perspectives on the subject.

In the UK a number of the most active and high profile international humanitarian NGOs are engaged in IDP assistance and the Department for International Development (DfID) has expressed its approach in policy position papers that have been widely disseminated. As far as this author was able to ascertain, the EU does not possess an authoritative overall policy document on IDPs, because it does not possess an authoritative overall policy on this issue.

In terms of a lead agency, Kunder criticizes the lack of

*institutional leadership within the (...) government structures,” and remarks that “no agency has assumed clear responsibility for internal displacement issues and programs.*

Unsurprisingly, each government arranges its responsibilities in respect of humanitarian and development aid in its own way. In Norway the humanitarian aid budget is administered by the Ministry of Foreign Affairs, headed by a cabinet minister. Development aid policy is formulated and administered by a separate agency responsible for Norwegian Development Cooperation. There is some overlap in the interests of these two, not least in issues relating to long term internal displacement issues. This overlap problem is currently being addressed by a special interdepartmental group.

In the UK, DfID has overall responsibility for development aid and humanitarian assistance, the latter being the particular focus of the Conflict and Humanitarian Affairs Department (CHAD).

In neither government, nor in the EU, is there an Office or an Expert tasked with the specific role of mobilizing political and program support for IDPs. For the EU, ECHO undeniably has the lead role,

although other Directorates (for example External Affairs) control some budgets and approve some programs in this field. The visibility of IDPs is high in Norwegian policy. But Kunder's remark about the "relative invisibility" of many internally displaced populations in current US policy formulation could be said to describe the situation of the UK and the EU.

On funding and staff resources questions, Kunder believes that in the US staff and resources are

*totally incommensurate with the magnitude of the global displacement crisis.*

In the European case this funding and staff question is very difficult to disentangle. In the case of many programs funded by the EU, UK, and Norway, it is not possible to calculate precisely what proportion of the budgets go towards assisting internally displaced persons. The EU spends a high proportion of its budget in response to NGO proposals which include *inter alia* assistance to IDPs. This is also the case in the UK and Norway, although a clear trend is developing in both these countries whereby a greater proportion of funds are being channeled through multilateral institutions. There are few if any official staff assigned specifically to the issue of IDPs in itself.

Advocacy and participation in international debates are matters for the diplomats instructed from their capitals or government representatives who cover the range of humanitarian issues. The Norwegians, however, often include a representative from the Norwegian Refugee Council, which is specialized in IDP issues, as a policy adviser on its delegations. As for staff to ensure the targeted delivery of assistance and protection programs, the governments and the EU usually leave the task to the NGOs and international agencies in field operations, agencies which are funded by the European donors.

So far as the absolute allocation of financial resources is concerned, the needs of IDPs must compete against other humanitarian priorities. Those NGOs and officials consulted in the course of this enquiry agreed that: a) in terms of responding to human need, there are never sufficient resources; b) donor agencies are generally flexible and responsive to emergency or unpredicted needs; c) while limited budgets impose inevitable priorities, there is no competition between funds which is detrimental to either refugees or IDPs; d) current resources are probably commensurate with the current management capacity of the donors to do a good job; e) the resources dedicated to conflict prevention, promotion of good gover-

nance and respect for human rights, and long-term social and cultural reconstruction after conflict remain grossly inadequate.

In terms of links with international agencies and NGOs, the US has only in recent years become a more active interlocutor in international debates on IDPs. By contrast Norway in particular has for at least a decade been an active interlocutor in the international debate on IDPs, and intends to be more so with its new position as a member of the UN Security Council.

While all states, including the European governments, can be accused of being unduly passive in the face of the vast scale of human suffering manifested in the problems facing millions of IDPs, it should be emphasized that cooperation with NGOs and multilateral organizations is well developed in the EU, UK, and Norway. Reflecting the long-standing role of civil society organizations and the explosive growth of humanitarian NGOs in the 1990s, the great proportion of EU and Norwegian aid goes through their NGO partners. In the case of the UK, a significant amount of aid is channeled in this way, although the proportion is declining as the UK switches more of its funding to multilateral organizations.

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