



WORKSHOP ON THE IMPLEMENTATION OF THE REPUBLIC OF UGANDA'S NATIONAL POLICY FOR INTERNALLY DISPLACED PERSONS

**CONCLUDING STATEMENT OF KHALID KOSER
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I have been asked to synthesize some of the key issues that have arisen, and identify areas for further discussion in this session and beyond this workshop. A full report on the workshop will be prepared at the Brookings Institution and circulated to everyone who has attended.

In his opening statement, the Representative of the UN Secretary-General (RSG) on the Human Rights of Internally Displaced Persons, Walter Kälin, called for frank and constructive discussion that went beyond politics to understand and acknowledge the problems faced by internally displaced persons (IDPs) in Uganda today. He also called for a pragmatic and realistic approach to finding solutions. Our observation is that the RSG's hopes in this regard have been more than fulfilled by this workshop. We have heard critical and at times passionate interventions. And there has been recognition from all parties that there is scope for improvement on the part of all of them, and a joint responsibility to ensure that it takes place.

As organizers as well as rapporteurs, we have been delighted with the level of participation at the workshop. Well over 100 people have attended, representing central and local government, donors and the international community, human rights institutions, academia, the media, civil society and IDPs themselves. We were honoured that several Ministers of State and senior Ministers were able to join us. There was representation from across Uganda, and we were particularly pleased to have been able to facilitate so many participants from the north of the country. In total we heard from some 15 speakers.

In his welcoming statement the RSG also explained the background and purpose of this workshop. It builds on a visit to Uganda in 2003 by his predecessor, Dr. Francis Deng, to discuss a draft of the national policy for internally displaced persons. Both Drs. Deng and Kalin have praised the policy, and it is clear that a number of important steps have been taken in its implementation. To name but a few: The national policy has been adopted; a structure of governance has been established from national through district to sub-county level; there has been significantly improved security in several areas, and a very considerable budget has been allocated to reconstruction and rehabilitation. This in turn has resulted in some tangible positive results – access has on the whole increased, there have been substantial return movements and there have been positive policy steps towards protecting children, for example.

At the same time, it has also become clear that the policy has not always been as effective as it should be. There are still up to two million IDPs in Uganda, and we have heard about the problems facing them, including security and an absence of law enforcement authorities, poor access to food and water, inadequate healthcare, poor education, an insufficient judicial system, problems with land and property rights, and a range of specific problems for women and children including gender-based violence.

Against this background, the focus for this workshop has been to identify the obstacles to implementing Uganda's national policy, and how to overcome them and so ensure that the policy fulfils its considerable potential.

Let me turn now to some of the **Key Challenges to Implementation**

A wide range of challenges have been identified and discussed in depth over the last two days. We have found it convenient to group them into six main areas: security, and access, political will, capacity, coordination, information and finally gaps in the national policy itself. Allow me to say a few words on each of these in turn.

Security and access

One of the recurring themes through this workshop has been the problem of ongoing insecurity in certain regions in Uganda. This has restricted access for the international community; it limits the extent to which the government can effectively deliver services, and by implication it means that the national policy cannot be properly implemented in the affected areas. The reason this is of such great concern is that it is exactly in these areas where IDPs are most at risk and need most assistance.

Political will

Several speakers have also referred to a lack of political will on the part of the Government of Uganda. This does not refer to a lack of will to implement the national policy. But it does refer to a lack of political will to create the conditions in which the policy can be effective. It has been suggested there is a reluctance to address the root causes of the conflict that have created IDPs in the first place and keep them displaced. We have heard comments that there is sometimes an overoptimistic perspective that the conflict is drawing to an end when in fact it is ongoing. And as a result of not being able to implement the national policy, it has been suggested that the government is at times over-reliant on the international community and NGOs for protecting the rights of IDPs who are nevertheless Ugandan citizens.

Capacity

A repeated concern we have heard has been a lack of capacity at all levels, but especially at the level of local government. We have heard of shortages of trained manpower, a lack of resources, and a poor communications and transport infrastructure. Again these sorts of obstacles have seriously undermined the ability at the local level to deliver on the commitments of the national policy. On the topic of resources in particular, it has been suggested that the current structure for feeding funds from central to local government is inadequate, relying as it does on conditional grants.

Coordination

Another recurrent theme of the workshop has been a lack of coordination, identified at a range of levels. Concerns have been expressed that the distinction between short-term humanitarian aid and longer term development and reconstruction is not always maintained. It has been suggested that there is a danger of overlap and competition as a result of the plethora of international agencies currently active in Uganda, especially in the North. A lack of coordination has also been reported both among NGOs and between NGOs, local authorities and government. We have also heard of inadequate coordination between the government framework for IDPs and other relevant government frameworks.

Information

Information gaps have also been identified. It has been suggested that there is a lack of awareness of the provisions of the national policy within all relevant government ministries, and especially at the local level. It was also pointed out that IDPs themselves, and their representatives, are particularly poorly informed on the provisions of the national policy and their rights.

Gaps in the National Policy

We also heard some criticism of the national policy itself. It was suggested that the policy does not adequately cover land and property issues, nor community reconstruction and environmental protection. We also heard this morning doubts that the funding structure envisaged in the national policy is realistic or sustainable. It has also been suggested that the national policy does not adequately consider the question of coordination between central and local government. It will be important to address these and any other gaps in the policy in its implementation.

I'll turn now to some of the concrete **Responses and Recommendations** that have emerged from our discussion

In some cases we have heard very specific recommendations for responding to these implementation challenges, for example that specific attention needs to be paid to the responsibilities of district and sub-county chairs in mobilizing local resources. Such specific responses will be included in the final report, as will the conclusions of the focus groups. For the purposes of this presentation let us highlight six issues.

One set of responses falls under the broad heading of resources. We have heard requests for increasing contributions from the international community, targeted on humanitarian concerns as well as reconstruction and development. More funding is needed for security. A better system is required for allocating funds for the implementing the national policy from central government to local level committees. The provisions in the national policy for local funding need to be re-evaluated. There has also been a recommendation for more resources to be made available to the Ugandan Human Rights Commission for the specific task of monitoring. And more generally greater resources are needed to develop adequate capacity at all levels to implement the policy, including human capital.

Second, it has been suggested that more coherent governance is required. This recommendation applies at a number of levels: At the level of central government all relevant ministries should be involved in implementing the plan, including but not exclusively ministries with responsibility for health, education, human rights, law enforcement and security. There is a mechanism in place to enable this, but we have heard that the inter-ministerial coordinating committee has never met. Greater coherence is also needed between central and local government – attention needs to be paid to proper representation for district and sub-county levels, and the allocation of responsibilities between different levels of government needs to be clarified.

A third concrete recommendation has been for far wider dissemination of the national policy. It was suggested that the policy needs to be translated further so that it is more accessible to more people. Training in the provisions of the national policy is also required at all levels of government, as well as for the police force and military. IDPs themselves should also be properly informed of their rights enshrined in the policy.

Fourthly, there have been a set of specific recommendations for increase funding and capacity for data, research and monitoring. More accurate data are required on not just the number of IDPs, but also other socio-economic and demographic characteristics such as mortality rates, as well as education, nutrition and other indicators. Needs-based assessments have been suggested at the sub-county level. Consistent monitoring is also required, not just of the conditions of IDPs, but also of the extent to which the national policy is being implemented.

A fifth recommendation, which overlaps with several others, concerns participation and representation. In this context we would particularly like to highlight repeated requests that IDPs and their representatives be fully integrated in the implementation of the national policy.

A final recommendation concerns maintaining the current momentum for protecting the rights of IDPs in Uganda. And in this regard it is important to recognise that we have heard commitments from representatives of all the stakeholders present here to continue their work towards the more effective implementation of the national policy in Uganda.