

EXODUS WITHIN BORDERS: THE GLOBAL CRISIS OF INTERNAL DISPLACEMENT

**Opening Lecture: The Global Overview by Roberta Cohen,
Co-Director, The Brookings Institution-CUNY Project on
Internal Displacement**

**Lecture Series
Skopje, Macedonia
May 31, 2001**

First, I'd like to thank the Center for Refugees and Forced Migration Studies of the Institute for Sociological, Political and Juridical Research of St. Cyril and Methodius University for initiating this lecture series on "Exodus Within Borders." By doing so it has recognized that a comprehensive look at forced migration must include not only refugees but internally displaced persons (IDPs). Indeed, it is my hope that this Center and other academic institutions in the region will begin to systematically incorporate in their curricula the study of internal displacement. I am in particular grateful to Professor Pande Lazarevski, the Director of the Institute, Professor Mirijana Naicheveska, the head of the Center, and to Dr. Sunoor Verma, who came to Washington and who has tirelessly worked to put together this conference. Second, I should like to express appreciation to UNHCR Skopje, which has given strong support to the series, most notably Mr. Amin Awad, the UNHCR Representative, and Ms. Brenda Goddard, who contributed to the development of the program. And my thanks go as well to the Open Society Institute for its support of the lecture series.

Last but not least I am grateful to the lecture team for joining me in this venture. The group, as you will see, is a rich mix of academic disciplines and expertise. And because the subject of internal

displacement is such a new one, the team includes some of the actual *pioneers* in this field.

As for the venue of the lecture series, I can hardly think of a more appropriate place to open discussions on the subject of internal displacement. Since the early 1990s with the breakup of the former Yugoslavia, the Balkans region has experienced some of the worst conflict and displacement in Europe since the second world war. It is estimated that there are today 500,000 internally displaced persons in Bosnia and Hercegovina, 480,000 in Serbia, 34,000 in Croatia and 20,000 in Macedonia. That totals more than one million internally displaced persons in this region alone. And only two years ago the war in Kosovo produced an additional 500,000 internally displaced persons and 900,000 refugees, most of who were able to return to their homes. So the subject of internal displacement is hardly an academic one in this part of the world but a real problem affecting large numbers of people and involving unresolved issues of national borders, multiethnic versus mono-ethnic states, minority rights and democratization. But before we consider the special features defining internal displacement in the Balkans, let us in this first lecture put the problem in a global context.

The phenomenon of internal displacement is not new. Indeed, it's as old as human history. Once territorial markings came into being and then more formally the nation state, both externally displaced and internally displaced persons became a reality even if they were not called refugees and IDPs. Indeed, in Europe, during the last century, especially prior to and during the second world war, both Hitler and Stalin forcibly displaced millions of their citizens, and the war itself created tremendous numbers more internally displaced persons.

But it was not until the last 10 years of the 20th century that the term *internally* displaced person regularly came into use and that

international attention turned to trying to create an international system to deal with such people. It must be recalled that following the second world war, international efforts focused on creating laws and machinery to provide international protection to people who fled *across* borders because of persecution. The Refugee Convention and the UN High Commissioner for Refugees came into being in 1951 – a great step forward at that time since before then persons who sought asylum on the territory of a foreign state were routinely turned back.

But the international system created for refugees did not extend to persons forcibly displaced and at risk *within* their own countries. Displaced persons who were unable to cross the border because of geographic barriers or because the fighting was too fierce or because they were too old, young or sick to try, or because they wanted to stay in their own countries – were not considered to fall under this international protection umbrella. To be sure, if there were an internal armed conflict, the International Committee of the Red Cross would help if it were allowed entry. But for the most part, internally displaced persons were not considered of concern to the international community. Traditional notions of state sovereignty precluded this concern. Governments were considered to have the exclusive responsibility of providing for the wellbeing and security of their citizens. When they failed to do so or deliberately subjected their populations to forced displacement, starvation, mass killings and other serious abuses, the international community basically stood by.

It was not until the last decade of the 20th century that questions began to be raised about protecting people in their own countries – should there not be some sort of international legal instrument for people uprooted in their own countries? Should there not be some international institutional arrangements to help them? In other words, a sense of international responsibility began to emerge toward people at risk in their own countries. A major reason for the

change was the upsurge in numbers of internally displaced persons. In the early 1980s, according to the UN High Commissioner for Refugees, there were only 1.2 million in 11 countries. By 1997, 20 to 25 million were to be found in more than 50 countries, many of them emanating from or following the cold war.

A second reason the issue of internal displacement came to the fore was that countries that were engaged in proxy wars in Angola, Mozambique, El Salvador or Afghanistan, no attention was paid to the internally displaced. It was only when the humanitarian dimension of the situation came into view and was recognized as requiring international attention. The end of the cold war opened up possibilities for crossing borders and reaching the internally displaced. This was reinforced by greater acceptance of the humanitarian concern of the international community. This view had long been championed by the human rights movement, which insisted that states have obligations under the UN Charter and international human rights agreements. Humanitarian organizations also began to insist that, in the absence of medicines, the international community should find ways to become involved. Thus, in the Sudan in 1989 and 1990, the UN Security Council urged rebel forces to accept food and supplies for the internally displaced. Indeed, a humanitarian program, Operation Lifeline Sudan, was set up to reach IDPs and other affected persons. And in the cases of Iraq, Somalia, Bosnia and Rwanda, the Security Council authorized relief to displaced persons and other affected populations.

Technological advances – what we call the CNN factor – also helped. Watching people starving on TV screens generated public demands for international action and outpourings of aid to persons displaced within their own countries.

To be sure, some of the interest in protecting people in their own countries arose out of a desire to curb refugee flows. The political advantage that had motivated many nations to accept refugees during the Cold War gave way – in the early 1990s – to a desire to limit their entry. Both Western governments and governments in other parts of the world began to demonstrate less willingness to accept large numbers of refugees, and instead, focused their energies on the need to promote protection and assistance for those displaced *within* their own countries. The *decreasing* number of refugees in the world today and the *increasing* number of IDPs are inextricably connected.

Still another reason the issue of internal displacement gained prominence was because of the realization that peace and reconstruction in war-torn societies could not take place without the effective reintegration of displaced persons. Many of the countries devastated by civil war had anywhere from one third to three quarters of their population forcibly uprooted. It thus became impossible to talk about reconstruction and development without taking into account the return and reintegration of both refugees and internally displaced persons. And here in the Balkans, one can see that the returns of displaced persons and the resolution of their property claims are intrinsically linked to the restoration of peace and stability in different areas.

Finally, the protection of the internally displaced came to be seen as having political and strategic ramifications, necessitating international action. Indeed, in 1998, United Nations Secretary-General Kofi Annan warned that if left unaddressed, internal displacement could cause not only internal instability but could

spill across borders and upset external and regional stability. This, he said, necessitated international concern in support of national efforts. And since the 1990s, the UN Security Council has made linkages between situations of humanitarian disaster and international peace and security.

Increased visibility to the problem, however, has not made it easier to deal with. There are today in the world an estimated 20 to 25 million persons internally displaced by conflict, internal strife and systematic violations of human rights. Most are women and children. At least 10 million can be found in Africa, 5 million in Asia, 3 to 4 million in Europe, and 2 million in the Americas. Access to them is often difficult because of ongoing fighting or because governments or insurgent groups deliberately obstruct assistance to the displaced, fearing that the aid will fortify the other side. Access may also be complicated by the different manifestations of internal displacement. In most countries, internally displaced persons do not congregate in easily accessible camps or settlements, like refugees, but disperse so as to avoid identification, or they may seek refuge in local communities.

Despite the difficulties in reaching them, international humanitarian action becomes necessary because of the lack of attention to their needs by their own national authorities. In many situations of internal displacement, governments do not have the capacity to help their displaced populations or they deliberately refuse to do so. In civil wars that divide countries along racial, religious, ethnic or linguistic lines, governments often see their displaced populations as “the enemy,” not as their own citizens to be protected and assisted. Similarly, insurgent groups often use displaced populations as human shields, forcing them to provide cover and to join insurgent ranks. The result is that in many situations of displacement, internally displaced persons are more often deprived of basic life giving support than other members of the population. And because they are cut off from their homes and

separated from their communities, livelihoods, and all familiar sources of protection, they are especially easy targets for physical assault, forced recruitment, and sexual abuse. Surveys have found mortality rates among internally displaced persons as much as 60 percent higher than those for conflict affected, non-displaced persons in the same country. In fact, the highest mortality rates ever recorded during humanitarian emergencies involve IDPs. And some of the highest malnutrition rates recorded in recent years have been in IDP populations. Even in the more developed European countries where displaced persons, unlike in other parts of the world, do not starve to death or die on mass from disease, IDPs can be sorely neglected. Governments are often willing to assist only those internally displaced persons belonging to the same ethnic group as the dominant one in the government. And even then, they may do so inadequately as in Georgia or Azerbaijan, where IDPs can still be found living in railway cars and empty hospital rooms even though the emergency is over. In Chechnya, those internally displaced persons from a different ethnic group than the government of the Russian Federation are in truly desperate straits.

Responding to the increasing international concern at the numbers of IDPs and their clear need for assistance and protection, the UN Secretary-General in 1992 appointed a Representative on Internally Displaced Persons, Dr. Francis Deng, to study the problem and come up with recommendations for international action. I have worked closely with Dr. Deng since his appointment in trying to answer the fundamental questions: Who are the internally displaced? How are they different from and similar to refugees? Who is responsible for them – their governments, the international community? Should there be an international legal framework for them? Should international organizations be assigned certain responsibilities? What are the best solutions to the problem?

the introduction to the Guiding Principles on Internal Displacement, IDPs are described as “persons or groups of persons places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized disasters, and who have not crossed an internationally recognized state border.”

involuntary movement and remaining within one’s national borders. The definition also includes the major causes of violations, and natural or human-made disasters, although the qualification, “in particular” makes clear that internal displacement

Basically, the definition tries to strike a balance between too narrow a framework that risks excluding people and one so broad

primarily on people who, if they were to cross a border would qualify as refugees, but it also includes people who would qualify as refugees, those uprooted by natural and human-made disasters. The rationale for including these was two-fold: first,

governments have been known to respond to natural disasters by discriminating against or neglecting certain groups on political or

This same reasoning applies to those arbitrarily displaced by development projects. But persons who migrate because of

cases the element of coercion is not so clear.

It should be emphasized that the IDP definition, unlike the refugee definition, does not confer legal status on the internally displaced. IDPs are in their own country and therefore, unlike refugees, are not provided with a substitute legal protection. What the IDP definition does is to help identify who the displaced are and who among them may need special assistance and protection.

Since it was formulated in 1998, the definition has received broad support, although questions have arisen about its application. Different organizations use different parts of it, applying it according to their expertise and mandates. Thus, UNHCR, in keeping with its mandate, deals only with those persons in the definition displaced by conflict and human rights violations, that is, those persons who would be refugees if they crossed a border. And NGOs like the U.S. Committee for Refugees, which publishes annual statistics on IDPs, counts only those displaced by conflict and human rights violations. Thus, the total of 20 to 25 million IDPs, generally quoted internationally, includes only those who would be refugees if they crossed a border. Yet millions more internally displaced persons are uprooted by natural disasters and by development projects. When these are added to the total, it goes up beyond 40 million. Whereas international organizations regularly become involved in helping persons displaced by natural disasters, some governments and experts continue to argue against the inclusion of persons displaced by development projects in the definition of IDPs on the grounds that such cases should not be of concern to the international community. But when development projects do not meet the standard of overriding public interest and forcibly displace poor, indigenous and marginalized groups without consultation, respect for their human rights or the provision of adequate resettlement or compensation, they certainly should be counted as IDPs. Indeed, we must explore such cases more fully with a view to identifying those where protection and human rights issues are heavily involved and where the displaced may need *international* attention.

Knowing when internal displacement ends, or who no longer should be considered internally displaced, is a related question that still needs to be answered. For refugees, displacement ends when they return to their countries or find another durable solution or when UNHCR determines that that it is safe for them to return and ends the group's status as refugees. For IDPs, there is no cessation clause and no international organization can make such a determination. So we must ask, does internal displacement end when the displaced return home? What if their homes are occupied by others? Does it end when they integrate into other areas? What if they continue to want to return home, as many Greek Cypriots or Bosnians do, despite their integration elsewhere? Does it end when the situation causing the displacement has ceased to exist? In the absence of guidelines, calculations are made on a case-by-case basis and are arbitrary. Governments decide it, organizations that count decide it or noone decides it. The Representative of the Secretary-General, as a result, has been asked by the UN to provide guidance on this question and we are going to be exploring the issue to see if we can come up with something helpful in making such decisions.

The need for reliable statistics was one of the early recommendations made by the Representative, and both the U.S. Committee for Refugees and the Global IDP Project have become the two organizations in the world today systematically counting IDPs. They would be the first to acknowledge that the figures used are really *guesstimates* since in most cases IDPs are not counted individually and often IDPs are inaccessible to outsiders. Governments and insurgent groups, moreover, often understate the numbers of IDPs in order to deny the magnitude of the problem or increase the numbers in order to secure more humanitarian aid. There is also a lot of confusion in reporting. Newspaper articles frequently give totals of refugees when they mean IDPs and vice versa, and sometimes rural to urban migration is mistakenly

counted as internal displacement. Nonetheless, it has become clear that the numbers of internally displaced persons are far greater than those of refugees and that there has been an upward trend in IDP totals since the 1980s.

Most cases of conflict-induced displacement have one element in common: certain ethnic groups or minority groups in the society feel or are dispossessed and abandoned by the national authorities and in the absence of national remedies, seek to reverse this through some form of political or cultural autonomy. Sometimes they even foment civil war to achieve their goals. Governments, on the other hand, fearing the disruption of the state, seek to maintain control over the group and often repress them. In looking around the world, one sees case upon case of governments monopolized by or identified with one ethnic group to the exclusion or marginalization of others, resulting in civil conflict and mass displacement. It is no coincidence that many internally displaced persons are members of minorities.

In Europe especially, there is a strong ethnic component to internal conflicts. But even in conflict situations in which ethnicity may not be so apparent, it is often a factor as well. In conflicts over inequities of distribution of wealth and resources, such as in the Americas, the affected underclasses often come from a particular ethnic or indigenous group, or in failed states where different groups get locked in combat in what are called “wars of profit,” they often come from opposing tribes or clans.

Some analysts blame ethnic-based violence on political leaders or insurgent leaders who manipulate ethnic, religious or linguistic differences for their own political or military purposes. Others point out that the reason these leaders can successfully exploit existing differences is because there are *genuine* grievances in the society about the sharing of political and economic power that need to be addressed. Whichever the more pertinent explanation to

differences in a society that generate conflict but rather the consequences of those differences when it comes to sharing power

There are in the world today some 3000 ethnic groups, and most do not have their own nation state. Whether or not pluralism or the violence and displacement remains to be seen. We do know that the greater sharing of power, greater political freedoms, and more that the numbers of internally displaced persons by conflict will remain high in the years ahead.

Secretary-General had to tackle the issue of sovereignty, which is often the main challenge to dealing with problems of internal the concept of sovereignty as responsibility in an effort to reconcile the tension between national sovereignty and international it stipulates that governments have the principal responsibility to provide life-supporting protection and assistance for their own responsibilities to their citizens, they are expected to request and accept outside offers of aid. If they refuse or deliberately obstruct has a right and even a responsibility to assert its concern. International involvement in such cases can range from diplomatic or in exceptional cases, to military intervention.

Deng makes this case in all of his dialogues with governments, and form of responsibility. The main reason is that traditional notions

of sovereignty have begun to change. Governments no longer can really argue that sovereignty allows them to deny life-sustaining support to their citizens. They are seen as having responsibilities to their citizens and to the international community. Reflecting this, the UN Secretary-General told the General Assembly in April 2000 that sovereignty can “not be a shield for crimes against humanity.” And Francis Deng declared that when large numbers of people are in desperate need for the basics of life, the international community can not close its eyes and say this is an internal matter.

The development of the Guiding Principles on Internal Displacement, the first international standards for IDPs, which we will address in the next session, underscores that internal displacement requires both national *and* international action. Presented by the Representative of the Secretary-General to the UN in 1998, the Principles basically affirm the doctrine of sovereignty as responsibility. They assert that primary responsibility for the displaced rests with their governments, but they underscore the important role the international community has to play when governments fail to discharge these responsibilities. Governments, the Principles assert, must allow rapid and unimpeded access by humanitarian organizations to IDPs.

It was at the request of UN bodies that the Representative created a legal framework for the internally displaced in collaboration with a team of international legal experts. The Principles set forth the rights of the internally displaced and the obligations of both governments and insurgent groups toward these populations. They are based on humanitarian and human rights law and refugee law by analogy and offer protection prior to displacement, during displacement, and during return and reintegration. They bring together into one coherent document existing law relevant to the internally displaced and tailor its provisions to their needs.

The international response to the Principles has been overwhelmingly positive, although there are some governments in the Group of 77 that have raised questions, even some objections to the Principles on the grounds that governments did not draft them. However, the Principles have been formally and unanimously acknowledged by UN bodies and by several regional organizations, and the UN Secretary-General has urged the Security Council to encourage member states to observe the Principles in situations of mass displacement. Most importantly, a number of governments have begun using the Principles as a basis for their laws and policies on internal displacement, and international organizations and NGOs are finding them a valuable monitoring and advocacy tool. This worldwide usage of the Principles points to changing notions of sovereignty.

The expanding role of international organizations in protecting and assisting internally displaced persons also reflects changing notions of sovereignty and an emerging international responsibility toward internally displaced persons. Over the past decade, a multitude of humanitarian, human rights and development organizations have come forward to provide protection, assistance, and reintegration and development support to internally displaced persons. These include the UN High Commissioner for Refugees (which currently is assisting some 4 million internally displaced persons worldwide), the International Committee of the Red Cross (which is assisting 5 million in 49 countries), the World Food Programme (which provided food to 19 million IDPs in 1999), UNICEF, the UN Development Program, the International Organization for Migration, the World Health Organization, the Office of the High Commissioner for Human Rights. There is also a coordinating body, the Office for the Coordination of Humanitarian Affairs, which will soon have a special unit on IDPs. And there are a myriad of non-governmental organizations.

Their role on the ground in directly helping people *within* their own countries is a new and defining feature of the post cold war world. But it is a highly difficult engagement. Indeed, in recent years, more humanitarian staff have been killed in humanitarian emergencies than peacekeepers. As a result, the safety of humanitarian staff has become one of the more pressing issues facing the international community when it deals with internal displacement.

We will look more closely at the role of international and regional organizations in later sessions. I would only emphasize at this point that despite the involvement of many organizations, the international response is still *ad hoc*, with the different organizations basically picking and choosing the situations in which they will become involved on the basis of their mandates, resources or other considerations. The result is that large numbers of internally displaced persons worldwide go without protection and assistance. At the same time there is now a reinvigorated effort to strengthen collaboration among the different agencies and remedy the gaps in response.

One of the more outstanding gaps is the protection of internally displaced persons. To begin with, no binding legal framework for IDPs is yet in place, although the Guiding Principles are rapidly gaining ground as respected guidelines. In addition, protecting IDPs in civil war situations requires special skills. Access may need to be negotiated, relocations and evacuations undertaken, safe areas created, and intercessions made to ensure that the displaced are not forcibly returned to conditions of danger or subjected to other serious human rights abuse.

Not many international humanitarian and development organizations have these kinds of skills or experience. To be sure, the ICRC does, and increasingly the UNHCR, UNICEF and a variety of NGOs have begun to focus attention on ways to provide

initiatives beyond their mandates or experience and fear that advocacy on behalf of the displaced will compromise their ability

At the same time, international agencies have increasingly been experimenting with ways to enhance protection for IDPs. And that

Indeed, internally displaced persons, whether in Bosnia or elsewhere, have made clear that offerings of relief while ignoring

descriptions of the victims as the “well-fed dead.”

Unfortunately, no consensus yet exists over which international

what steps they should take. Some agencies have found that increasing their active presence in places where there are

joint advocacy can prove effective while also protecting individual agencies from being singled out for retribution. Designing

important means of addressing protection concerns. For example, ensuring that women do not have to go far for firewood, or that

will be raped in a given situation. Prompt and efficient reporting of protection problems to those who can act upon them is also critical.

workers were initially silent when they became aware of concentration camps and other gross abuses. Now, it is more likely

organizations to human rights groups and others who can take measures to expose violations and try to stop them. During returns

found that in some cases it helps to actually accompany the displaced home, help them reclaim their homes, or set up

institutions to deal with land and property disputes. I would note too that the sending of international monitors for the population census, scheduled to take place in this country in the fall, would also qualify as a protection measure.

Unfortunately, human rights field staff -- that is the field staff of the UN High Commissioner for Human Rights and of human rights organizations -- continue to be absent from most emergency situations. But at the same time in recent years, human rights organizations have begun to examine whether they should play a more active role in the field. Indeed, debates have begun over whether the traditional human rights roles of monitoring and reporting should be expanded to include more active protection strategies such as facilitating returns, advocating with the authorities, and helping to strengthen and build local capacities to deal with displacement. The idea has also surfaced of a standby corps of protection specialists to be activated in emergencies, drawn from police and constabulary units, humanitarian and human right organizations, and security experts to provide technical advice and also deploy staff to carry out protection responsibilities.

Despite the absence of a division of labor to deal with protection in the field, it is noteworthy that the UN's Inter-Agency Standing Committee, composed of the heads of all the major humanitarian, human rights and development organizations and NGO umbrella groups, adopted a policy paper on protection at the end of 1999 calling upon all humanitarian and development agencies in the field to familiarize themselves with the Guiding Principles and to take steps to enhance protection, including by working closely with local communities and local organizations in promoting community-based protection.

Of course, in some situations the only way protection of displaced and other affected populations is deemed possible is through

military and police action. This region has seen more than enough of this kind of response so I am hardly needed to provide

the cases of Iraq, Somalia, Rwanda, Bosnia, Kosovo and East Timor, has a highly mixed record when it comes to protecting

generally succeeded in preventing mass starvation, and in some cases have provided limited security, but for the most part, there

other affected populations inside the country. Indeed, in 1999, UN officials publicly apologized for failing to do their part to save the

of these military actions have reached the consensus that international intervention should only be undertaken if the political

numbers, equipment, resources, training and mandates to do the job.

truism -- that the most effective protection by far is not intervention at all but *prevention* but a symptom of a far deeper problem within a society. Neither

political settlements needed to resolve the disputes and inequities

on peacekeeping and peace building, known as the Brahimi report,

minority rights and institute political arrangements in which all

become convinced that the state belongs to all people.”

with minority issues are clearly needed to head off the conflicts

organizations must expend far greater energies working toward the

bear on potential warring parties and offering development aid, investment and debt relief to those who will work to bring conflicts under control. International development and financial institutions like the World Bank also need to become involved earlier on to help stabilize situations, prevent conflict and displacement through programs that reduce economic inequities, and contribute more fully to return and reintegration.

Our lecture series the next few days will cover a broad range of issues relevant to internal displacement; in addition, break out sessions will be held to focus on those issues meriting further attention. What I would emphasize in concluding this first opening lecture is that the international system set up after the second world war to protect persons outside their countries of origin is incomplete and inadequate to the challenge of today's human rights and humanitarian emergencies. While there has been definite progress over the past ten years in recognizing that a more comprehensive approach to forced migration is needed, we still do not have an effective or predictable international system to respond to the needs of those forcibly displaced *within* their own countries. After the 1994 genocide in Rwanda, most attention and resources went across the border to those who fled to Zaire, leaving those displaced inside largely to fend for themselves. And during the 1999 Kosovo crisis, most attention and resources again went across the border and very little to those trapped inside until after the war was over.

There are some who continue to question whether the internally displaced should be identified as a special category at all on the grounds that singling out this group will lead to discrimination against others, and that situations, not categories of people should be addressed. But the fact of the matter is that internally displaced persons have special needs whether they are in camps or cellars, merge into urban slums or hide to avoid identification. Prior to

distinct, as amply set forth in the Guiding Principles. While the problems of all groups, such approaches must recognize and displaced men, women and children. Otherwise, we will continue the internally displaced are largely ignored and that discrepancies

There is nonetheless a growing international concern over the international levels to try to do something to remedy the problem. in support of international protection for internally displaced together an international system during the 21 century that we can system for the internally displaced will be the true test of an greater meaning to existing concepts of human rights and shaping this system. We must not leave such work only to us.