Security, Reconstruction, and Reconciliation

When the wars end

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4 Protecting and reintegrating displaced women and children postconflict

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Introduction

In Africa and around the world, the overwhelming majority of refugees and internally displaced persons (IDPs), some 70–80 percent, are women and children. Women and children have particular protection and assistance needs beyond the needs and vulnerabilities that men suffer. In many conflicts, displaced women and children are specifically targeted for abuse, including rape and other forms of sexual violence. Children, whom armed groups increasingly rely upon to fill their ranks, are at heightened risk of abduction and forced recruitment by armed groups to serve either as soldiers or in roles such as porters, guides, and sexual slaves. Conflict, as well as the separation of families that often occurs in the course of displacement, also thrusts many women and children into new roles. There are dramatic increases in the number of women who become heads of households and are suddenly burdened with the primary responsibility of protecting and providing for their families. For displaced women and children, moreover, an end to conflict does not necessarily end the risks to their physical security and well-being. Indeed, they face additional challenges in the context of return or resettlement and reintegration.

Too often, a "one-size fits all" solution overlooks the particular needs and vulnerabilities that displaced women and children experience. For example, a 1994 assessment of the reproductive and health needs of women and girls in conflict situations in Africa found that many operational agencies considered the integration of gender considerations into the planning and implementation of their programs and activities "an irrelevance, or at best an optional extra, to be bolted on if there is time."[1] Ten years later, the reality on the ground has not significantly changed. To be sure, there is much greater awareness that displaced and other war-affected women and children are among those most adversely affected by conflict and displacement, and have particular protection, assistance, and reintegration needs that require special attention.[2] Even so, a perspective that takes into account the particular risks, needs, capacities, and views of women and children is seldom applied as a priority or in a serious and systematic manner. It may be that programs addressing women and girls' particular protection and assistance needs are eventually developed and undertaken. But, as one observer has pointed

out, "new ideas cannot simply be added onto existing programming that structurally resists them. It would be like adding eggs on top of a cake after it has already started to bake."[3] Ensuring protection and assistance for displaced women and children is not a marginal issue, but is central to the effectiveness of the overall response. If displaced women and children are not receiving the protection and assistance they need, this means that *most* displaced persons are not being protected and assisted.

This chapter focuses on seven key issues of concern for the protection and reintegration of displaced women and children in the aftermath of conflict. Specifically, these concerns are: (1) engaging women and children in the decisions that affect their lives; (2) peace-building; (3) protection during return or resettlement; (4) protection from sexual violence and exploitation; (5) education; (6) skills-training and income-generating opportunities; and (7) land and property rights. This is by no means an exhaustive list, but these are among the most critical areas that need greater attention and could yield important results.

While these concerns are relevant both to refugee as well as to internally displaced women and children, this chapter gives particular emphasis to internally displaced women and children. There are two main reasons for this. First, the vast majority of women that conflict in Africa uproots are displaced within their own countries: 13 million of the world's 25 million internally displaced persons uprooted by conflict and communal strife are in Africa; by contrast, the continent has 3.5 million refugees.[4] Second, and most importantly, when their own government denies them protection, IDPs, unlike refugees, have no established international regime to turn to for protection and assistance. As a result, many IDPs do not receive adequate protection, healthcare, food, shelter, or other assistance during their displacement. Indeed, internally displaced populations, specifically in Africa, suffer the highest mortality and malnutrition rates in humanitarian emergencies.[5] Moreover, the disparities in treatment continue during return or resettlement; while refugees can expect some support for reintegration from the United Nations High Commissioner for Refugees (UNHCR), IDPs do not necessarily receive the same assistance and often are left to fend for themselves. In addition to being discriminatory, as one long-time advocate for both groups has pointed out, this discrepancy also risks creating new tensions and undermines the very purpose of reintegration, which is to resolve, not encourage, resentments and conflict.[6]

Guiding principles to protect and assist the internally displaced

The *Guiding Principles on Internal Displacement* (Guiding Principles), the first international standards specifically for internally displaced persons, set forth the rights of internally displaced persons and the responsibilities of states and other actors toward them.[7] Developed by the Representative of the United Nations Secretary-General on Internally Displaced Persons, at the request of the United Nations Commission on Human Rights and the UN General Assembly, the Guiding

Principles compile and restate the various relevant norms of international human rights and humanitarian law and indicate what they mean in situations of internal displacement. The Guiding Principles cover all phases of internal displacement, addressing protection against arbitrary displacement, protection, and assistance during displacement, and safe and voluntary return or resettlement and reintegration.

The Guiding Principles contain many provisions of particular importance for internally displaced women and children. To begin with, there is recognition that addressing the particular needs of certain internally displaced persons, especially unaccompanied minors, expectant mothers, mothers with young children, and female heads of household, may require special attention (Principle 4).

The Guiding Principles prohibit gender-specific violence, with explicit reference to rape, forced prostitution, and indecent assault. They also prohibit slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labor of children (Principle 11). Principle 13 unequivocally asserts that in no circumstances shall displaced children be recruited or take part in hostilities. Displaced children, especially unaccompanied minors, are at heightened risk of forcible recruitment and of becoming child soldiers. In Liberia, where an estimated half of the 50,000 fighting forces were child soldiers, internally displaced children in the camps were particularly vulnerable to abduction and forced recruitment. In northern Uganda, children are believed to make up more than 80 percent of the ranks of the insurgent forces of the Lord's Resistance Army. Tens of thousands of children flee their homes each day at dusk into the city and sleep in the streets in an effort to escape abduction by rebel forces.

The Guiding Principles pay special attention to the integrity of the family. Especially for children, the family is the most basic unit of protection and psychosocial support. For internally displaced persons, the right to respect family life includes the right for family members to remain together during displacement and that separated families be reunited as quickly as possible, particularly when children are involved (Principle 17). Furthermore, Principle 16 provides that internally displaced persons have the right to know the fate and whereabouts of missing relatives.

The Guiding Principles also underscore the importance of internally displaced persons having all the necessary documents to exercise their rights. They specify women's equal rights to personal identification and other documentation, and their right to have this documentation issued in their own names (Principle 20). Issuing documentation directly to and for women is important in order to avoid situations where women heads of household or single women have to struggle to be recognized in the exercise of their rights, including in obtaining access to relief assistance and medical care. Moreover, special attention is to be paid to the health needs of women. Women should have access to female healthcare providers and services, including reproductive healthcare, and victims of sexual and other abuses should have access to counseling (Principle 19).

Internally displaced children, like all children, have the right to education. Special efforts are to be made to ensure the full and equal participation of women

and girls in educational programs (Principle 23). The authorities need to ensure that internally displaced children receive free education at the primary level and that further education and training facilities are available, in particular to adolescents and women, whether or not they live in the camps. As stated in their introduction, the Guiding Principles are specifically intended to provide guidance to states faced with the phenomenon of internal displacement. They also provide guidance to other authorities and groups, which includes insurgent groups; this is important as millions of internally displaced persons are in areas that are under the control of nonstate actors and to which humanitarian access often is very difficult. Moreover, when governments are unable or even unwilling to fulfill their responsibilities toward internally displaced populations, the international community has a role. Accordingly, the Guiding Principles provide guidance to intergovernmental organizations, international agencies, and nongovernmental organizations. Above all, it is an important document for internally displaced persons themselves, providing them with awareness of their rights and a tool to buttress their advocacy efforts. Since their presentation to the United Nations in 1998, the Guiding Principles have gained significant international standing and recognition as a tool and standard to address situations of internal displacement.[8] All regions of the world, including in Africa, are widely using them. In 1998, a UN regional seminar on internal displacement in Africa, cosponsored with the Organization of African Unity (OAU), recommended the wide dissemination of the Guiding Principles in Africa and called for particular attention to be paid to protect, assist, and reintegrate the needs of internally displaced women and children.[9] The following year, the OAU Commission on Refugees and Displaced Persons took note of the Guiding Principles "with interest and appreciation" and recommended to the OAU Council of Ministers that member states cooperate with the Representative of the Secretary-General in their implementation. The African Union has carried on this commitment to the Guiding Principles: at a seminar in 2003 on migration in East Africa, the Horn, and the Great Lakes, governments reaffirmed their commitment to the Guiding Principles as a useful tool and standard for addressing situations of internal displacement.[10] Subregional bodies also have recognized and are promoting the Guiding Principles. For instance, the Accra Declaration on War Affected Children in West Africa, which member countries of the Economic Community of West African States (ECOWAS) adopted in 2000, welcomed the Guiding Principles and called on ECOWAS member states to provide full protection, access, and relief to internally displaced persons in accordance with the Guiding Principles. In September 2002, ECOWAS member states at a seminar on migration further recommended the development of national laws on internal displacement and the training of regional peacekeepers, using the Guiding Principles as a framework.[11] The following year, countries in the East African subregion covered by the Inter-Governmental Authority on Development agreed to direct particular attention to develop policies that ensure the protection of the internally displaced and address the needs of especially vulnerable groups, such as women heads of household and children, and took note of the Guiding Principles as a useful tool

for developing and evaluating appropriate national policies and legislation on internal displacement.[12]

A number of countries have adopted national legislation or policies on internal displacement that make use of the Guiding Principles, and Africa has led the way. In 2000, Angola became the first country to enact legislation expressly based on the Guiding Principles, in its "Norms on Resettlement." The following year, the Government of Burundi signed a "Protocol for the Creation of a Permanent Framework of Cooperation for the Protection of Displaced Persons," which has the promotion and application of the Guiding Principles as a key objective. Uganda developed a national policy on internal displacement based on the Guiding Principles, and a similar initiative is underway in Nigeria. Liberia, in November 2004, became the first government to formally adopt the Guiding Principles. Nonstate actors also are making use of the Guiding Principles: the Sudan Peoples' Liberation Movement and Army developed a policy on internal displacement that spells out the standards for the return or resettlement and reintegration of the displaced.[13]

The Guiding Principles provide a common reference point for governments, regional organizations, international agencies, civil society, and IDPs themselves to monitor the rights of IDPs and assess the effectiveness of national and international responses, including finding durable solutions to their plight. To reach IDP women and children in Africa, their wide dissemination and use is important. To facilitate this, the Guiding Principles have been translated into several local African languages, including Dinka, Kirundi, Nuer, and Swahili. Ensuring that the message of the Guiding Principles reaches the large numbers of IDPs, given that many women are illiterate, may require creative dissemination techniques, such as drama and radio programs. The IDPs themselves perhaps best convey the importance of doing so. In the words of an Angolan widow and mother of four, who was trained at Salga Camp in Luanda province,

> I knew that we had rights, just like any other person. Now that I know exactly what they are, it is my responsibility to ensure that my community understands them too. I am thankful for this opportunity to learn and teach about our rights. If we know about the Guiding Principles and [n]orms [on resettlement based on the principles], we know our lives can improve.[14]

Key protection and reintegration concerns

When wars end, specific attention to the particular needs of internally displaced women and children continues to be required. Within the scope of this chapter, it is possible to discuss only selected aspects of the required response. Seven specific areas where greater attention is needed and could yield important results are: (1) engaging IDP women and children in the decisions that affect their lives; (2) peace-building; (3) protection during return or resettlement; (4) protection from sexual violence and exploitation; (5) education; (6) skills-training and income-generating opportunities; and (7) land and property rights for women.

Engaging internationally displaced women and children in decision-making

Internally displaced persons, the Guiding Principles affirm, have the right to request and to receive protection and humanitarian assistance. Moreover, as earlier noted, specific groups of IDPs such as children, mothers with young children, and female-headed households, are entitled to protection and assistance that takes into account their special needs.[15]

Involving displaced women in the decisions that affect their lives is the most effective way to provide this assistance. As providers for their families, women play a central role in reducing the vulnerability, not only of their family, but also their community affected by displacement. Agencies have found that involving women in program design and delivery to be particularly efficient and effective, as women are best placed to know what are their family needs. Often they introduce ideas or raise concerns that would otherwise go overlooked. Moreover, engaging women in the design and implementation of relief and reintegration assistance programs can be critical for their protection. Distribution of aid *by* women directly *to* women helps prevent the scenario where women trade sexual favors in order to obtain assistance for themselves and their families.

The Guiding Principles underscore the importance of ensuring the full participation of women in planning and distributing assistance as well as when planning return or resettlement and reintegration processes.[16] In addition, the Protocol to the African Charter on Human and People's Rights on the rights of women stipulates that states are to take measures to ensure the increased participation of women in all levels of the structures established for the management of camps and settlements for refugees, returnees, and displaced persons.[17]

Too often, IDP women are left out of decision-making processes and their views are ignored. In Burundi, when the UN Representative of the Secretary-General on Internally Displaced Persons asked to meet with the leaders of an IDP camp housing several thousand women and 25 men, only men came forward to discuss the problems of the camp.[18] More recently, human rights monitors seeking to consult with IDPs uprooted by the conflict in Darfur, Sudan, where rape of women and girls has been widespread and systematic, it was again men, who were a small minority of the displaced, who often spoke for the group.[19] Even when displaced women are included in camp management structures, they frequently struggle to have their voices heard and their views taken into account. In Liberia, where there were provisions for a "women's representative" on IDP camp management committees, IDP women reported great difficulty in getting the men on the committee to listen to their concerns; one woman expressed frustration that the men did not bother to inform her as to when the camp committee meetings would occur.[20] It is therefore critical to also encourage and support the organizations that displaced women themselves form. Moreover, this assistance must continue after displaced women leave camps and settlements to return or resettle. Often there is a tendency to disband women's organizations created during displacement crises.[21] Yet, in postconflict situations, women's groups that

seek to empower women and promote their engagement in the economic and political arenas are essential to women's reintegration as well as to rebuilding the country as a whole.

Displaced children also should be engaged in developing programs to address their particular needs, for instance, as regards to education and how best to safeguard them from military recruitment. Article 12 of the Convention on the Rights of the Child affirms that children have the right to have a say in matters affecting their own lives.

Peace-building

Among the areas in which it is important for displaced women and children to have a say is in efforts to resolve the conflicts that uprooted them. Although women and children account for the vast majority of civilians that armed conflict uproots and otherwise affects, and indeed often are specifically targeted by combatants, those negotiating peace agreements seldom hear their voices even though women so often make important contributions to conflict resolution and reconciliation within their communities.

All over Africa, grass-roots initiatives have sprung up whereby women, including displaced women, promote peace-building and national reconciliation. For example, in Burundi, where ethnic conflict has sought to pit ethnic Hutus and Tutsis against one another, a women's network called *Dushirehamwe* (meaning "Let's Reconcile!") took internally displaced women to their areas of origin to speak with their former neighbors from the other ethnic group, thereby promoting reconciliation as well as confidence-building among the different ethnic communities.[22] In another initiative, one of the women's groups in this network, called *Gatumba* and whose members included Hutus as well as Tutsis, obtained land so that displaced women from both groups could work together in the field, discussing issues of mutual concern as they worked. The leader of the group traveled to Bujumbura once a month to get news about the peace process and reported the news back to the displaced women.[23] In northern Uganda, a displaced women's group created forums for IDP women to express their feelings and concerns about their experiences in the displacement camps by performing plays and dances, which provided psychosocial support to the women and promoted greater national awareness of their plight.[24] In Liberia, the author witnessed a powerful performance by the Children in Reconciliation Program, which brings together children from the sixteen different ethnic groups to perform dances and plays promoting national reconciliation and peace.

In contrast to the active role that women frequently play in conflict prevention, conflict resolution, and peace-building, few women have seats at the negotiating table in formal peace-processes. The UN Secretary-General, in a report to the Security Council, pointed out that "[w]hile the impact of the contribution of women to informal peace processes is well known, obstacles to their participation and to the systematic incorporation of gender perspectives in formal peace processes remain."[25] Among the obstacles the Secretary-General identified

[redacted]re: the typically male-dominated leadership of political parties, which extends [redacted]to the selection of the parties' representatives at peace negotiations; the tendency [redacted]to overlook women's concerns and needs when "peace at any cost" becomes [redacted]imperative; and practical obstacles such as the lack of resources to participate in [redacted]lengthy negotiation processes.[26] And yet, as African refugee women have pointed [redacted]out, "[i]f any chance for effective resolution and for stabilization of the African [redacted]continent is to be attained, women must be involved and embraced in the [redacted]structure of leadership and peace negotiations."[27]

In recent years, attention has begun to be drawn to women's exclusion from peace processes and the need to ensure that their voices and concerns are in fact heard. In a particularly significant development, in October 2000, the UN Security Council adopted a resolution recognizing that the participation of women and girls in peace processes "can significantly contribute to the maintenance and promotion of international peace and security," and accordingly called for measures to be taken to support women's involvement in negotiating and implementing peace processes.[28] Since then, a number of initiatives have been undertaken to support women's greater engagement in peace processes. These initiatives include training women in negotiation and mediation skills and providing support to women in specific countries to outline a common agenda of the concerns they expect to be addressed in the peace and reconstruction processes.[29]

Special attention needs to be paid to ensure that IDP women are part of peace and reconstruction process efforts and that their particular views and concerns are heard. One noteworthy example comes from Burundi, where, parallel to official peace negotiations, women, including refugee and internally displaced women, organized and took part in an All-Party Burundi Women's Peace Conference in Arusha, Tanzania in July 2000. Nineteen political parties, civil society, refugees, and internally displaced women were represented at the conference, which was aimed at focusing the attention of the peace negotiators on the particular concerns of Burundi's war-affected women. The final peace agreement incorporated several recommendations made at the conference. These recommendations included special measures to guarantee the safe return and reintegration of refugee and IDP women and children; provisions to punish the perpetrators of war crimes and gender-based violence, including rape, sexual violence, forced prostitution, and domestic violence; and affirmed girls' equal rights to education.[30] Liberian women also lobbied actively for their voices to be heard in the peace process that ended the country's devastating 14-year civil war in August 2003. The Women in Peace-Building Network played a pivotal role, staging demonstrations and marches that eventually succeeded in securing women's representation at the peace talks. The presence of Liberian women's groups at the peace negotiations was instrumental in ensuring that the resulting peace agreement devoted specific attention to the needs of women and children. Of particular note, the peace agreement specifies that the national authorities shall accord particular attention to the rehabilitation of vulnerable groups or war victims, including children and women, that the conflict severely affected as well as, with the assistance of the international community, shall mobilize resources to address

their special demobilization and reintegration needs. It also specifies that the government design and implement a plan for the voluntary return and reintegration of refugees and internally displaced persons, in accordance with international conventions, norms, and practices. In addition, the peace agreement specifies that "in formulating and implementing programs for national rehabilitation, reconstruction and development, for the moral, social and physical reconstruction of Liberia in the post-conflict period," the government is to ensure the maintenance of gender balance in apportioning responsibilities for program implementation.[31]

Displaced and other women in countries in conflict should be encouraged and supported to press for their voices to be heard and their particular concerns taken into account in peace processes. The African Center for the Constructive Resolution of Disputes (ACCORD) has found that while many women are eager to participate in conflict resolution, they require training in negotiation and mediation skills, which ACCORD now provides.[32] Women Waging Peace, a non-governmental organization that advocates for women's full participation in formal and informal peace processes around the world, recently published a toolkit to further assist such efforts. Entitled *Inclusive Security, Sustainable Peace*, the toolkit provides practical strategies to support women peace-builders, and includes a chapter on protecting refugees and IDPs.[33]

Women Waging Peace also has been working to put the principles of the toolkit into practice. For instance, in the fall of 2004, the organization brought together a group of Sudanese women to develop a common set of recommendations to use in their advocacy work regarding both the peace process between the government and the Sudan People's Liberation Movement/Army concerning southern Sudan as well as the ongoing conflict and devastating humanitarian and displacement crisis in the western province of Darfur. Among the recommendations that the women formulated were: support for the voluntary and safe return, resettlement, and reintegration of refugees and IDPs; for the UN Security Council to establish a commission of inquiry to investigate reports of systematic rape of women and girls and to work with local women's organizations in doing so; for donors to fund safe and effective delivery of reproductive healthcare to refugee and internally displaced women; and for the deployment of women police officers in IDP camps.[34] Meetings were then organized for the Sudanese women with policy-makers in the United Nations and the US government (which was spearheading the peace process in southern Sudan) to help ensure that their recommendations reached those facilitating or otherwise engaged in the peace talks.

The fact that women still faced challenges in having a seat at the table underscores the fact that far more work is needed to sensitize men and foster greater accountability to ensure women's inclusion in the peace processes. While women did attend the peace talks, they were not part of the official delegations nor permitted to participate in the working groups. One of the parties to the talks reportedly gave the rational that "it would be embarrassing to include a woman in our delegation, when the government delegation does not have any."[35] Countries or organizations facilitating peace negotiations should be expected to insist that

women have an equal opportunity to participate in the proceedings, and not only on subjects such as health and social issues that are often misrepresented as "women's issues," but in all aspects of the discussions. Following the signing of the peace agreement for southern Sudan on December 31, 2004, the next challenge for southern Sudanese women has been to press for participation in the various commissions being established as part of the peace agreement, including those that will address issues of land tenure, the distribution of oil revenue, and the drafting of the constitution, as well as to be well-represented at the donor conference being planned to discuss reconstruction needs.[36]

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa affirms that "[w]omen have the right to a peaceful existence and the right to participate in the promotion and maintenance of peace."[37] To this end, states are to take measures to ensure the increased participation of women, including "in the local, national, regional, continental and international decision-making structures to ensure physical, psychological, social and legal protection of asylum seekers, refugees, returnees and displaced persons, in particular women" as well as in all aspects of the planning, formulating, and implementing of postconflict reconstruction and rehabilitation.[38] Children, too, must have a voice. An international conference on war-affected children has called upon states to establish channels to enable children to bring their perspectives and ideas directly to national leaders and their governments.[39] As UN Secretary-General Kofi Annan has pointed out, ensuring a social climate conducive to sustainable peace requires that the peace process represents all sectors and elements of society affected by conflict – not just the fighting forces.[40]

Protection during return and resettlement

The signing of a peace agreement does not always signal the end of hostilities or that it is safe for displaced persons to return to their places of origin or resettle in other parts of the country. It may be months, even longer, before combatants are demobilized and disarmed. Moreover, intercommunal tensions and protection concerns may persist, and can increase, in the postconflict period. There can be a risk of retributive acts and new disputes, in particular as regards to land and property ownership, will arise. At the same time, protection mechanisms may be weak or altogether lacking; in protracted conflicts, a functioning police and judicial system often becomes a casualty of war. As a result, women, especially single unaccompanied women and women heads of household, and children remain at a particular risk.

To begin with, and as the Guiding Principles specify, return or resettlement must be voluntary. Women accordingly must have a say in the decisions about return or resettlement and should be actively engaged in the planning of return or resettlement as well as the reintegration processes. This planning should take into account the situation of groups who tend to experience heightened vulnerability, including women heads of household and unaccompanied minors.

Return or resettlement must also occur in conditions of safety. National authorities have a responsibility to create the conditions that enable the safe return or resettlement of the displaced. This requires a range of actions from landmine clearance to measures that ensure the respect for human rights, restore the rule of law, and foster national reconciliation. Above all, it requires the protection of the physical security of displaced persons at all stages of the return or resettlement process; that is, during transit, at the reception centers as well as at the destination. Due regard must be given to ensuring the safety of women and children, with special attention to those at heightened risk. For example, arrangements must be made to protect the physical safety of unaccompanied women, women heads of household, and unaccompanied minors by establishing separate, secure areas for them with adequate security and lighting.[41]

Stationing international field staff in areas of return and resettlement can be a critical means of not only monitoring security conditions, but also increasing safety in such areas until national authorities can assume this responsibility effectively. Protection officers monitoring the safety of women and children must have a thorough knowledge of the United Nations High Commissioner for Refugees' *Guidelines on the Protection of Refugee Women*, which in large part are relevant to IDPs, and of strategies to promote their implementation.[42]

Sexual violence and exploitation

Particular effort must be made to protect girls and women from sexual violence and abuse, which are not only rampant in conflict situations, but also can persist long after the wars end. Overcrowded and poorly protected displacement camps and other settlements are notoriously dangerous places for women and girls, especially for women heads of household and unaccompanied girls. Women and girls also are particularly at risk of sexual attack when they venture outside of the camps to collect firewood or water. The displacement crisis in Darfur, where the rape of IDP women and girls, in particular when they leave the camps to collect firewood, has been widespread and systematic, underscores that this long-standing and reoccurring problem has yet to be effectively addressed.[43]

When wars end, sexual violence against women and girls can also persist. An April 2004 mission to Liberia of the Women's Commission for Refugee Women and Children (in which the author participated) found that eight months after the peace agreement ending the 14-year civil war, rape and sexual violence continued to occur, especially in IDP camps, where protection and assistance were minimal. Moreover, when displaced women are left in camps while their husbands and male relatives scout out prospects for return, they can be vulnerable to sexual violence and abuse.[44] They may also face sexual violence and abuse in transit, as a form of retribution once they return, or when seeking access to reintegration assistance or to land and property. Particular mention must be paid to the children born to rape survivors, who risk being mistreated or even abandoned by their mothers and families and are therefore at particular risk of abuse and exploitation.[45]

Gender experts have identified many steps that can be taken to mitigate the vulnerability of displaced women and girls to sexual violence and abuse. Camps and settlements should be designed with a view to shield displaced women and girls from these risks, for instance by secure and well-lit latrine areas, locks on bathing facilities, and community security patrols. Even something as simple as giving IDP women and girls lanterns and whistles can significantly reduce their vulnerability to sexual assault. The UNHCR's guidelines to prevent sexual, gender-based violence, which apply also to IDPs, set out these and other practical measures.[46]

Several strategies can allow women to avoid walking alone in unsafe areas in search of firewood for cooking. Communal firewood collections can be organized. Alternatively, IDPs and refugees could be provided with firewood or alternative forms of fuel. In protracted crises, a cost-effective solution would be to plant fast-growing trees close to IDP and refugee camps. Furthermore, humanitarian assistance could be designed with fuel efficiency in mind, for instance, by providing short-cooking beans that have the same nutritional value as beans that require two or three times the amount of cooking time.[47]

Sexual exploitation is another serious protection concern. Because women are often compelled to trade sexual favors to receive assistance, the distribution of aid directly to women and by women, which now is a standard operating procedure for the World Food Program, can greatly reduce women's vulnerability to sexual extortion. Nonetheless, reports from the field underscore that much more remains to be done. A 2002 report by UNHCR and Save the Children exposed widespread sexual abuse and exploitation of refugee and IDP women and girls by peacekeepers and humanitarian personnel in West Africa. Indeed, the incidence of sexual assault, prostitution, and trafficking of women and girls often *increases* in postconflict countries when large peacekeeping forces are present. This is a particularly acute problem in the Democratic Republic of Congo, where there are widespread reports of UN peacekeepers sexually assaulting and exploiting young girls.[48] International personnel have a responsibility not to engage in sexual exploitation and abuse of those they are supposed to protect and assist. In this connection, it is important to note that the Guiding Principles also apply to United Nations and other international staff and peacekeepers. Codes of conduct prohibiting sexual abuse and exploitation by peacekeepers and UN staff now exist, but better training of staff on this issue and closer monitoring and enforcement of these standards is needed.

It is also essential that victims of sexual abuse and exploitation have avenues for recourse when abuse is threatened or occurs. Even if a victim is ready to come forward, effective reporting systems are seldom available and there are little prospects of the crime being punished. Moreover, judicial reform may be required: in Liberia, women's groups are pressing to amend national legislation that limits the crime of rape to incidences of penile penetration, and thereby excludes the various other forms of sexual violence that women and girls suffer during and after the conflict.

Another concern in war-ravaged countries is the fact that survivors of sexual violence often have great difficulty getting medical attention such as treatment for

sexually transmitted diseases, including HIV/AIDS, prevention of unwanted pregnancy, and confidential counseling and support. In Darfur, the organization Physicians for Human Rights reported that Sudanese doctors at health clinics and hospitals turned away IDP women who had been raped when they sought medical care.[49] The Guiding Principles underscore that victims of sexual violence must have access to counseling and appropriate medical care, including HIV/AIDS prevention.[50]

Education

War takes a terrible toll on children's education. After 14 years of civil war in Liberia, which uprooted 70 percent of the population, more than 75 percent of the educational infrastructure in the country was destroyed or severely damaged. The prolonged nature of the conflict means that an entire generation has grown up with severe disruptions in education. Illiteracy rates are astoundingly high (estimated at 78 percent nationwide), especially for women. Months after the conflict ended, less than half of school-aged Liberian children had access to education, and of those who attended school, there were twice as many boys as girls.[51] In the IDP camps, even higher percentages of children were without schooling. Many Liberians point out with deep concern that for the first time in the country's history, children in Liberia are less educated than their parents, leading to a "lost generation."[52]

Education, of course, is essential for children's development. For displaced and other war-affected children, going to school can also be critical for their psychosocial well-being, as it provides a degree of stability and normalcy in their traumatized lives. It can also help reduce children's exposure to threats of sexual exploitation, trafficking, and military recruitment. Displaced children in northern Uganda, for instance, have pointed out that being in school is perhaps the best way to prevent the recruitment and re-recruitment of children into armed groups.[53] Classrooms, moreover, can also be effective forums to convey life-saving information about risks like landmines and HIV/AIDS. Moreover, access to education is an important element to integrate displaced children into the local community, as well as when they return to their home areas or resettle elsewhere.

Access to education is a right. In line with established international human rights law, like the Convention on the Rights of the Child, the *Guiding Principles on Internal Displacement* underscores the responsibility of national authorities to ensure that IDPs receive free and compulsory education at the primary level. In addition, the Guiding Principles urge authorities to make educational and training facilities available to the internally displaced, including adolescents and women, whether or not living in camps, as soon as conditions permit.[54] Moreover, the minimum international standards on education in emergencies that recently have been developed emphasize that education must reach all groups in an equitable manner, with express reference to internally displaced populations.[55]

Too often, however, education is treated as a secondary need, addressed only after conflicts have subsided and the displaced have begun to return home.

Yet, conflicts and emergencies can go on for years or even decades, leaving many IDP children to grow up without education as well as deprived of the protection and support that going to school can provide. Moreover, even when conflicts end, it may be months, even years, before IDPs are able to leave camps and other settlements and begin to rebuild their lives. Of the estimated more than 27 million children in emergencies worldwide who lack access to formal education, the vast majority are internally displaced children.[56] Greater attention therefore needs to be paid to understanding and overcoming the barriers to education that IDPs so frequently face.[57]

These barriers include:

Lack of infrastructure. In war-ravaged countries, schools often are destroyed or severely damaged. Because of conflict in Sierra Leone, for example, more than 40 percent of primary schools were destroyed, with 30 percent destroyed in the Kenema district alone. In Angola, fighting destroyed more than 1,000 schools and 24,000 classrooms during the war.[58] Schools may even be specific targets for attack. In the ongoing conflict in Darfur, Sudan, schools as well as teachers have been singled out for attack as part of what Human Rights Watch has characterized as an effort "to stop a culture and prevent people from being educated."[59]

Inadequate facilities. When schools do exist in IDP camps, typically they are makeshift, underresourced, overcrowded, and limited to primary education. In IDP camps visited in post-conflict Liberia, less than half of the children had access to learning opportunities. Many of the schools that had been established – often by the IDPs themselves, without government or international assistance – lacked the most basic supplies, such as blackboards, chalk, books, and even roofs.[60] Schools often also are in need of repair. In Ituri province of the Democratic Republic of Congo, children are sent home when it rains because of leaky roofs.[61] Another serious problem in educational facilities is the lack of clean drinking water and adequate sanitation, which puts children's health at risk. In southern Sudan, an assessment by the Africa Educational Trust found that only one-third of more than 1,100 schools visited had latrines, and of the schools with latrines, the facilities were severely inadequate: 1 latrine for every 186 students and teachers, compared to the recommended 1:25 ratio for girls and the ratios of between 1:40 and 1:60 for boys.[62]

Lack of funding. In conflict situations, education commonly tends to be among the most underfunded aspects of the humanitarian response. In 2002, of the US$46 million the United Nations requested to address educational needs in humanitarian emergencies worldwide (excluding Afghanistan), only $17 million was actually contributed or pledged. None of the countries in Africa – Angola, Burundi, Democratic Republic of the Congo, Eritrea, Liberia, Sierra Leone, Somalia, Sudan, and Uganda – received even half of the funds requested, and most received less than a third. The most dramatic case was Liberia, where no funds were pledged for educational programs. In each case, the majority of the funding requests were to support education for internally displaced children and youth.[63] There remains a tendency among many donors to consider education

strictly a development activity, to be supported only when conflicts end and displaced persons return home. Such an approach can leave children in protracted emergencies without education as well as the protection and support it provides. Once a conflict ends, moreover, education is not necessarily a priority for donors. In Liberia, some eight months after the conflict ended, donors had funded only 15 percent of the education component of the UN appeal for Liberia.[64] In Sierra Leone, support for education actually dropped in the first two years after the war ended, from 46 to 18 percent of the amount required.[65]

Safety. Where educational services are not available in IDP camps and settlements, the nearest schools may be a considerable distance, and walking to and from school may not be safe for IDP children. Traveling to school may require traversing areas strewn with landmines. It may also involve crossing checkpoints set up by military forces or other armed groups, where children may be subjected to harassment and abuse and are at greater risk of enforced military recruitment and abduction. Threats of sexual violence en route to school can make going to school too dangerous for girls. Once at school, additional safety concerns can arise. For instance, the risks of sexual assault associated with the lack of separate lavatories for girls can deter displaced girls from attending school altogether.

Loss of documentation. Displacement often results in the loss or confiscation of identity documents, without which IDPs may be unable to enroll in state schools. Obtaining reissued documents can be very difficult and some countries require IDPs to return to their area of origin, even if the area is unsafe. Guiding Principle 20 affirms the right of IDPs to obtain reissued copies of documents lost in the course of displacement without having to return to their area of origin. The loss of documentation attesting to educational achievement can hamper IDPs' education and the employment of IDP teachers.

Language. Since internal displacement often occurs along ethnic lines and disproportionately affects minority groups, displaced children may not speak the local language in the areas to which they are displaced. Guiding Principle 23 affirms the right of IDPs to receive an education respectful of their culture, language, and identity.

School fees. Education, as international law proscribes and the Guiding Principles reiterate, is to be free, at least at the primary level.[66] In practice, it is commonplace to informally levy school fees at the primary level. Moreover, in most cases, fees officially apply at the elementary and secondary levels, at which point IDP and refugee school attendance rates plummet dramatically. It is difficult for IDP families, having lost their usual source of income, to pay school fees. While there are cases where governments take the step to waive school fees for IDP children, these policies are not necessarily applied in practice. When visiting IDP camps in Burundi, where it was national policy to waive school fees for internally displaced children, the author noticed that large numbers of children were in the camps during the school day. IDP women explained that this was because local officials expected them to pay the school fees, which they could not afford.[67]

The imperative to find money to pay for school fees has driven girls and women into prostitution and other exploitative sexual relationships. A 15-year-old IDP

girl in northern Uganda explained that she and her friends had no other option if they wanted to continue going to school: "We don't have sponsorship for schooling. This is the way we do it. We can't dig in the fields to sell vegetables because it's too dangerous."[68] The UN Programme on HIV/AIDS (UNAIDS) reports that in impoverished countries, most women and girls who engage in prostitution or enter into exploitative sexual relationships do so specifically to earn income to pay for school fees, either for their children, their siblings, or themselves. Abolition of primary and secondary school fees accordingly is a key recommendation to reduce the scourge of HIV/AIDS.[69] This would not only make it easier for IDP and other children from impoverished families to attend school, but would also remove an important causal factor compelling displaced women and girls to sell sex and thereby put their health and physical security at even greater risk.

Material requirements. Tuition fees are not the only costs that impede IDP children's school attendance. Typically, students must also pay for their own school supplies, including pencils and books, as well as for uniforms or appropriate clothing and shoes. Students may also have to pay informal fees to teachers (whose salary, if paid at all, often is inadequate for them to survive) or school associations. These additional costs may be prohibitive for displaced families.

Economic and other responsibilities. IDP children often miss school because their labor is needed at home with domestic or agricultural work or to generate income to help ensure their families' economic survival. This is particularly true among IDP children from families with women heads of household, but also is common among IDP families generally. Girls, in particular, are burdened by household and childcare responsibilities or may have to tend to crops, either to help their mothers or assume the responsibility while their mothers seek outside work. School attrition and dropout rates are especially high among adolescent girls as family poverty and the lack of alternatives drive many out of school and into early marriage, prostitution, and situations of heightened vulnerability to sexual exploitation and trafficking.

Gender barriers. As evident from examples already noted, girls in particular face barriers in realizing their right to an education. When IDP families can afford to send a child to school, they most often choose their sons. As a district education officer reported in northern Uganda: "In camps, people have no money. If a child goes to school, it's the boy who attends."[70] Reliance on girls to carry out household chores and agricultural work typically results in girls starting school later and leaving earlier than boys. Indeed, parents may even feel that women's traditional roles of child-rearing, tending to crops, and household responsibilities mean that girls do not need an education as much as their male siblings. Where traditional marriage practices entail a dowry being given to the girl's parents, poverty increases the pressure for girls to be married off early, typically around age 12 or 13, after which they no longer attend school. Parents may keep their daughters at home in order to protect them from the risks of sexual and gender-based violence discussed previously that girls face going to and from school. The lack of "decent" clothing as well as sanitary supplies has caused significant school absenteeism

among girls, especially adolescents. Moreover, even when girls are in school, gender discrimination within the classroom can hold them back: teachers tend most often to turn to girl students to carry out classroom chores such as sweeping and getting water, which they must carry out during the lessons and, as a result, miss out on learning.[71] However, as the woman camp leader of an IDP camp in Sierra Leone underscored: "It isn't only boys who should learn. Girls have to learn too. They say, if you educate a girl, you educate a nation."[72] Indeed, leading economists have concluded that educating girls may be the single most effective way to boost the economic development of countries.[73] Much more needs to be done to enable IDP girls, including adolescent girls, to stay in school and have equal access to learning opportunities. Principle 23(3) of the Guiding Principles calls for special efforts toward the full and equal participation of women and girls in educational programs.

The experience of displacement. IDP children who are able to overcome barriers and attend school may still face additional challenges to learning as a result of the difficult experiences they have suffered. The organization Save the Children reported to a conference on internal displacement in East Africa that even when IDP children are able to attend school, many are simply "too exhausted to realize their potential," in particular as a result of being required to work long hours to help support their families.[74] Moreover, high rates of malnutrition and psychosocial trauma can impede their ability to concentrate and learn.

Bridging the gaps in education that displacement so often entails for IDP children is critical to their development, safety, and well-being. Steps that should be taken to help ensure that IDPs have access to education include:

- Prioritizing education for IDPs, at the earliest stages of emergencies, including by systematically providing interim educational services, such as "school in a box" kits and mobile educational programming, in IDP camps and settlements;
- Hiring IDP teachers, especially female teachers, to teach in IDP camps and settlements, as the presence of women can help to reassure female learners;
- Organizing escorts for IDP children by older children, their parents, or protection monitors to help ensure their safety walking to and from school;
- Reissuing documentation to IDPs who have lost their documentation so that they can register for school without having to return to their areas of origin;
- Advocating for the abolition of school fees at the elementary and secondary levels so that impoverished children are not turned away;
- Ensuring IDPs access to education in a language they understand;
- Sponsoring feeding programs to encourage school enrollment, help safeguard against malnutrition, and support children's realization of their intellectual potential;
- Taking special measures to facilitate the school attendance of displaced girls, for example, by supplying them with clothing, soap, and sanitary material.

building separate latrines, and providing childcare opportunities for adolescent mothers;

- Providing alternative schooling (like evening classes) or skills-training programs for IDP children and adolescents whose household or economic obligations impede regular school attendance;
- Monitoring and reporting on the availability of national and international funds available for IDPs' education in particular countries; and
- Establishing scholarship programs to help fund education, including higher education, for IDP students, building on examples of such initiatives for refugee children and adolescents.

Overall, it is essential to introduce these and other such measures at the earliest stages of emergencies. Doing so is critical both to minimize the disruption in education that displacement inevitably entails and to maximize the potential protection and support that going to school can offer displaced and other war-affected children. Ensuring children's access to education can also be key to restore and maintain peace and security in war-affected countries. In Liberia, child soldiers with whom the author spoke the day they emerged from the bush and handed in their weapons were unanimous in replying that "going to school" was what they wanted most as they began to rebuild their lives. Education is indeed an important means for rehabilitating and reintegrating child soldiers and other children abducted by fighting forces back into society. Without educational opportunities, these children remain at high risk of re-recruitment into armed groups and of turning to criminal and even terrorist activity.

Skills-training and income-generating opportunities

A key challenge facing displaced women, and one which only increases when conflict ends and humanitarian assistance begins to be phased out, is the need to generate an income to support themselves and their families. This is especially critical for the large number of displaced women who become heads of household and the sole caretakers of their families. Guiding Principles 22 and 23 affirm that women have the right to employment, to participate in economic activities, and to receive training as soon as conditions permit. Providing women with such opportunities is important not only for supporting displaced persons' self-reliance but also for reducing the economic pressures that increase displaced women's vulnerability to sexual exploitation or force them into prostitution in order to ensure their families' survival.

What bears underscoring is thast it is not enough simply to ensure that there exist skills-training and income-generating projects for displaced women, but that these activities are economically meaningful. Too often, the programs designed for women have relegated them to activities such as soap-making, tie-dye, and handicrafts, which bring in little income and have a limited market. Instead, displaced women need access to viable economic activity that would enable them to support themselves and their families. Displaced women in a number of countries

have shown themselves adept at working in nontraditional activities such as carpentry, masonry, road-building, reforestation, and other activities critical to rebuilding war-torn countries.[75] Women must be encouraged and supported to engage in these areas of work.

One way of promoting women's participation in such activities has been to introduce gender clauses into quick-impact projects that international agencies and nongovernmental organizations often sponsor to support the reintegration of refugee and internally displaced persons. These clauses specify that women workers will receive equal pay with men and set benchmarks for women's equal participation. Another option is to introduce quick-impact projects specifically designed for women. In either case, women and adolescent girls must be supported, for instance with childcare facilities, to participate in such skills-training and employment activities.[76]

Consultation with the displaced, including women, in the design of these projects is key to ensure that the projects are relevant to the income-generating needs of the displaced. In Rwanda, displaced women that returned to their village after the genocide jointly identified priorities and worked together to build a road from their village to the capital Kigali. The new road reduced the amount of time it took to travel from the village to the capital from 3 hours to only 20 minutes, thereby increasing opportunities for these women to market goods and have access to other income-generating opportunities.[77]

Indeed, many displaced women demonstrate extraordinary entrepreneurial skills in the most trying circumstances. To support these skills, programs providing women credit to start their own small businesses are critically important. Gender discrimination often limits women's opportunities to access credit programs. Special attention must be paid to ensure that women have equal access to credit opportunities. In particular, micro-credit (smallscale lending requiring little or no collateral) programs for displaced women are needed. Typically, with just a small amount of credit, women are able to create the type of small businesses that, as one analyst pointed out, "can make the difference between absolute dependency and the ability to become self-supporting, or at least to meet the daily subsistence needs of their families."[78] Moreover, in addition to alleviating women's poverty and thereby reducing their vulnerability to sexual and other types of exploitation, microfinance programs pay tremendous dividends in improving the social status of women. Studies show that women who have access to microfinancing get more involved in family decision-making, suffer less domestic violence, are more politically and legally aware, and participate more in public affairs than other women.[79]

Land and property rights for women

Ensuring the right of women to inherit, own, and purchase land and property also is important for the long-term economic self-reliance, security, and reintegration of refugee and internally displaced women. In Africa, while women are

the primary source of agricultural labor, many women who have fled return as widows and face difficulty obtaining access to their land and property as a result of customary laws and practices that favor men in property ownership and inheritance. This was a significant problem in Rwanda for the many displaced widows, seeking to return home after the genocide, who were legally barred from inheriting land left by their deceased husbands or parents. A similar restriction undermined the return and reintegration of internally displaced and refugee women in Burundi.[80] In Sudan, where customary law also prescribes that land is inherited by the male relative, widowed women without sons may be compelled to marry their deceased husband's relative in order to have access to land and property. Without the ability to own and access land, women heads of household face great difficulty in providing for their families and, without the means to be self-reliant, also are at greater risk of exploitation and abuse.

The Representative of the United Nations Secretary-General on Internally Displaced Persons has called on governments to adopt legal measures to address the problems faced by returning internally displaced women, including property and inheritance rights.[81] The Fourth World Conference on Women reiterated this recommendation.[82] It was also affirmed at the 1995 Regional Conference on the Legal Status of Refugee and Internally Displaced Women in Africa, which gave special attention to the issue of women's property and inheritance rights.[33]

In the decade that has followed, certain progress has been made in legal recognition of women's rights in Africa. In Rwanda, advocacy by local women's groups along with international agencies eventually pressed the government to remove the restrictions on women's property rights from national legislation. In Liberia, at the urging of local women's groups as well as the UN Special Rapporteur on Violence Against Women, legislation was amended to extend to women married under customary law the same inheritance rights enjoyed by women married in a civil law ceremony.[84] Coming just months after the signing of a peace agreement, this development was most timely in that it occurred in advance of the return process for refugee and internally displaced populations. Of broader significance throughout Africa, the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa affirms that a widow has the right to an equitable share in the inheritance of the property of her husband and of her parents.[85]

Legal reform to protect women's property and inheritance rights is, of course, only the first step. When national legislation is changed to safeguard women's property rights, there still is a need for awareness raising to ensure its implementation. Indeed, special efforts will be required to ensure that refugee and IDP women are informed of their rights. In countries with high rates of illiteracy among women, creative means of disseminating this information, such as through radio programming and drama, can prove useful to reach women who cannot read. Civil society, in particular local women's groups and associations of women lawyers, should have a strong role in these awareness-raising campaigns as well as in monitoring the implementation of laws and taking up cases where displaced women are denied the right to own and inherit land and property in national courts.

Conclusion

In conclusion, greater attention should be devoted to addressing the protection, assistance, and reintegration needs of displaced women and children in the aftermath of conflict. The *Guiding Principles on Internal Displacement* give specific attention to these needs and can be a useful tool to press for effective national as well as regional and international responses to address them. Moreover, efforts to increase attention on the particular situation of displaced women and children will be most effective when displaced women and children are viewed not as victims, but instead are listened to and are actively engaged in developing and implementing strategies to address their needs, protect their rights, and build their skills and capacities. Viewed in this way, important opportunities exist in crisis and postconflict situations to promote their economic, social, and political empowerment. Indeed, because women and children represent such a powerful potential force for reconciliation, this may prove a most valuable means of promoting sustainable peace and development in the long run.

Notes

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16 *Guiding Principles*, Principle 18(3) and Principle 28(2).
17 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women adopted by the African Union, July 11, 2003, Article 10.
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