

RELEASE OF
The Report
“From Responsibility to Response: Assessing National Approaches to Internal Displacement”

by

Elizabeth Ferris, Erin Mooney and Chareen Stark

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The Report: its salient features

Internal displacement is one of the major humanitarian and security problems in the world today. Millions of people are forced to leave their homes, families, jobs and communities and migrate to safer areas within their countries in order to escape from armed conflict, ethnic strife and other forms of violence. They are often denied basic human rights. At the close of 2010, there were an estimated 27.5 million internally displaced persons (IDPs) in more than fifty countries who had been forcibly uprooted by armed conflict, ethnic strife and other forms of violence, a number that has increased steadily from around 1997. Against this backdrop, this study examines government responses in 15 of the 20 countries most affected by internal displacement due to conflict, generalized violence and human-rights violation: Afghanistan, the Central African Republic, Colombia, the Democratic Republic of Congo, Georgia, Iraq, Kenya, Myanmar, Pakistan, Nepal, Sri Lanka, Sudan, Turkey, Uganda and Yemen. It is a central principle of international law that states should bear the primary duty and responsibility to protect the fundamental rights and freedom of persons within their borders, including the internally displaced. While IDPs remained entitled to the full protection of rights and freedoms available to the population in general, they face vulnerabilities that the non-displaced persons do not face. Therefore, the states need to provide special measures of protection and assistance to IDPs that correspond to their particular vulnerabilities. This study seeks to shed light on how and to what extent, if any, the governments of the above-mentioned countries are fulfilling their responsibilities to the IDPs. This document also intends to provide guidance to governments in such efforts.

The present study is an offshoot of the Brookings-Barn Project on Internal Displacement: *Addressing Internal Displacement: A Framework for National Responsibility* (2005). It suggested 12 benchmarks for governments to use as a guide to develop effective national policies for preventing, responding to, and resolving internal displacement situations. These twelve benchmarks are: 1) prevent displacement and minimize its adverse effects, 2) raise national awareness of the problem, 3) collect data on the number and condition of the IDPs, 4) support on the training on the rights of the IDPs, 5) create a legal framework for upholding the rights of IDPs, 6) develop a national policy on internal displacement, 7) designate an institutional focal point on IDPs, 8) support national human rights institution to integrate internal displacement into their work, 9) ensure the participation of the IDPs in decision-making, 10) support durable solutions, 11) allocate adequate resources to the problem, and 12) cooperate with the international community when national capacity is insufficient.

Using this framework as an assessment tool, a comparative analysis across the 15 countries is presented in chapter one. The second chapter includes four in-depth case studies in which the 12-point framework is applied — Georgia, Kenya, Afghanistan and Sri Lanka. All four of these countries have very high percentage of IDPs. For instance, in Georgia, 5.5 per cent of the country’s population is conflict-induced IDPs (according to the data till May, 2011). Here displacement has

resulted from two different conflicts, centred in and around the regions of South Ossetia (also known as Tskhinvali) and Abkhazia. In both the regions, displacement took place in two waves. In early 1990s, following the disintegration of the Soviet Union and Georgia's resulting declaration of independence in 1991, conflicts broke out in South Ossetia and Abkhazia over their claims to self-determination. These two conflicts together made some 300,000 people homeless. In August 2008, people of these regions again fled from their homes as a five-day war broke out between Georgia and Russia. In Kenya, the violence that erupted after 2007 election made 663,921 people homeless. However, this was not the first time the country had experienced violence-induced displacement. Identity-based politics, contested land rights, conflict over natural resources among the pastoralist groups, incursions into Kenyan territory by armed militia from Sudan, Ethiopia and Somali and natural disasters have consistently forced people to migrate. The situation is worse in Afghanistan, where three decades of armed conflict, serious human-rights violation and ethnic clashes have displaced millions of Afghans as IDPs and as refugees. According to a survey conducted by the International Committee of the Red Cross in 2009, 76 per cent of Afghans affected by conflict have experienced some form of forced displacement during their lives. In Sri Lanka, a 26-year civil war between the government and the Liberation Tigers of Tamil Eelam (LTTE) has produced multiple, overlapping waves of internal displacement, resettlement and return. Conflict-induced displacement started in Sri Lanka as early as August 1977. And it is estimated that more than 280,000 persons were internally displaced between April 2008 and May 2009, when after a final assault on the northeast, the government declared an end to the conflict. For the most part, these case studies were based on interviews with in-country policy makers and practitioners. Chapter three draws on the analysis across the fifteen countries to provide overall observations as well as recommendations to governments that seek to protect and assist IDPs.

Some of the major findings of this study reveal that:

- It is very difficult to take any measure to stop internal migration in the countries assessed,
- The government response is heavily influenced by politics,
- Nearly all the government surveyed do acknowledge the existence of internal displacement and their responsibility to address it as a national priority. However, public statement is not always a useful indicator of government's commitment to uphold the fundamental human rights and freedoms of IDPs;
- IDP-specific laws and decrees that are sensitive to IDPs' rights have developed in all regions of the world where internal displacement is a matter of concern. However, there are notable limitations to the scope of the laws and gaps in implementing them;
- Most of the fifteen government surveyed have adopted policies or action plans to respond to the needs of IDPs. However, there exists major gap between policy formulation and translating it into practice;
- It is very difficult to collect data on government allocation of financial resources for IDPs.
- National human rights' institutions contribute greatly to improve national responses to internal displacement in a number of countries,
- International actors are valuable resources for efforts aiming to improve government response to IDPs,
- Most of the governments surveyed emphasize on return of the migrants as the durable solution by most of the governments.

This study offers the following recommendations to political leaders to translate their responsibilities to IDPs into effective response:

- Make responding to internal displacement a political priority;
- Designate an institutional focal point with sufficient political power to provide meaningful protection and assistance to IDPs;
- Develop and adopt laws and policies, or amend existing ones, in line with the twelve above-mentioned benchmarks;
- Devote adequate financial and human resources to address internal displacements; support the work of national human rights' institutions engaging in IDP issues;
- Ask for international assistance when it is required;
- Do not put off the search for durable solutions for IDPs — and involve IDPs in the process.

It is expected that this study will inspire further research, help in policymaking regarding the issues of internal displacement and provide a guideline to the governments to more effectively exercise their responsibilities towards IDPs.

The Release: discussion and suggestions

The report was formally released at the Academy of Fine Arts, Kolkata, on April 5, 2012, by the Calcutta Research Group. The President of the Group, Sabyasachi Basu Ray Chaudhury, delivered a cordial welcome address and invited Walter Fernandes, Director, North-Eastern Social Research Centre, Guwahati, to release the report. In releasing the report, Fernandes expressed his appreciation for the massive effort that has gone into the making of the report. This compendium of painstakingly collected data, he agreed with the Brookings Institution, performs the important task of grounding theoretical, and in this sense, macro-focal concepts in the specificities of case-studies; in other words, it mobilizes theoretical knowledge for the purpose of gaining better understanding of the situation on the ground. Having said this, Fernandes did not fail to point out a possible area of oversight in the report. It explores the link between disaster-related and conflict-related displacement; however, the focus is not on cases of displacement caused by planned development. This, according to him, is the link that needs to be established: that is, how development-related displacement causes conflict.

In a video presentation that followed, Elizabeth Ferris, Co-Director, Brookings-LSE Project on Internal Displacement, detailed what she thought were the germane features of the report. These have already been elaborated above; but, more importantly, Ferris drew our attention to the shortcomings of the report. In a commendable spirit of self-critique, she pointed out that the report does not deal very well with non-state actors. Additionally, the IDPs come across in the report as clustered together in homogeneous groups. Conflicts and natural disasters, however, calls for different kinds of responses.

The shortcomings Ferris mentions dovetail with what Fernandes had already pointed out before her. Speaking on the North-East of India, a region torn by strife between the state and non-state groups, he had argued that the non-state groups there have all developed vested interest in the ongoing conflict; it is unlikely therefore that a peaceable settlement and cessation of conflict will be encouraged by these groups in the north-east. Fernandes's cautionary note emphasizes the importance of understanding specific ground realities of displacements, their inter-regional contrast within the same country, and the network of interests and aspirations that come to grip the non-state actors affected by such displacements. All this will have to be addressed, as Ferris would agree,

if displacement has to be tackled effectively worldwide. A balance that is, between the big picture and local specificities has to be struck.

The two presentations by Fernandes and Ferris were followed by a stimulating panel discussion on the report. The discussion was chaired by Ranabir Samaddar, Director, Calcutta Research Group.

The first speaker was Subodh Raj Pyakurel, Chairperson, Informal Sector Service Centre (Insec), Nepal. In presenting a case for displacement in Nepal, he substantiated with examples what Fernandes had indicated: development as a cause of displacement. In Nepal, Pyakurel argued, maximum displacement has been and will be caused by the construction of high-powered dams. A Chinese project of building a dam allegedly will displace 18,000 families. Yet, the people facing imminent displacement hardly recognizes the peril as the Chinese company has promised to build them a satellite city. So, as in north-east India where people have developed vested interest in perpetuating the conflict, in Nepal too people have become active supporters of project that may displace them.

Against this backdrop, Pyakurel's strategy is to recognize why these people of Nepal support such a project. Perhaps, people do not so much mind development, and being concomitantly displaced, if justice and reconciliation go hand in hand with the process of displacement. In other words, people would only be convinced of the merits of development if it does not mean benefits for people in some distant, mostly urban, locations, and if they get security and the benefits are at least partially obtained locally. However, this method of guaranteeing justice and reconciliation to the IDPs, in Pyakurel's opinion, is not something that the Maoists or the government has been able to ensure in Nepal. It is Non-Government Organizations, such as Insec, that have taken this crucial step.

Ameena Mohsin, Department of International Relations, Dhaka University, Bangladesh, next presented her observations on the current situation of IDPs in Bangladesh. In the context of the report and the ways it suggests to alleviate the abjection of such uprooted people, Mohsin importantly pointed out a central paradox that distorts policy in Bangladesh: the country was born at a moment of Olympian displacement, which occurred not once but in successive historical waves; yet, Bangladesh continues to be a country that does not recognize IDPs. Nor is this all: it also does not recognize indigenous groups — that is, people who are likely to be the worst and the most recurrent victim of displacement. Mohsin, identified and elaborated a number of areas where forced displacement of underprivileged groups have been happening. Be it at the behest of land-grabbing mafia which demolishes slums, reservation of forests that disenfranchise women or moral policing that evicts sex workers and closes brothels—displacement and IDPs generated as a result mark and mar the body politic of Bangladesh. Then there are the vast numbers of Urdu-speaking (popularly referred to as Bihari) Muslims who are more like 'stranded Pakistanis' in Bangladesh. The country, according to Mohsin, has done precious little for these groups.

I.A. Rehman, Director, Human Rights Commission of Pakistan, presented a gloomier picture for Pakistan in terms of dealing with the IDP situation. He mentioned that while Pakistan has the usual share of displacement induced by natural disasters, conflict and development common to all South Asian countries, it is also unique in the sense that at least 80,000 people were displaced in Balochistan at the behest of the state and its army to protect gas fields! In addition, Pakistan also experiences a high incidence of religious displacement. Rehman rued the fact that the state itself sponsored displacement of its people and expressed little hope that the guideline set out in the report will ever be taken seriously by the Pakistani establishment.

In his presentation on Sri Lanka, Jeevan Thyagaraja, Director, Consortium of Humanitarian Agencies, Sri Lanka, had a more hope-inspiring tale to narrate. He said that Sri Lanka may not have written policies to combat the misery generated by internal displacement but he spoke of the role of

resettlement authority. This extremely powerful body, in his opinion, has not done badly. Thyagaraja explained that since 1983, Sri Lanka has had a succession of institutional focal points and as such, there has been a considerable history of 'IDP-training'. In the light of the Lankan experience, Thyagaraja insisted that there was a greater need to recognize national efforts alongside international initiatives, that the standard and quality of the work done needs to be appreciated and emulated, and that this should be done keeping in mind the different time and space — and the particularities they generate — of displacements in different countries.

Paula Banerjee, Secretary, CRG, as the last speaker, spoke on India. She felt that talking of internal displacement as if in a vacuum is unfruitful at least on two accounts: first, displacement is linked to gender, violence, poverty, capital and such long-term processes; second, oftentimes, displacement does not remain internal but spills over national boundaries. This spilling over and interlinking of several critical issues of political economy has its roots in the history of the subcontinent. After all, South Asia has had a continuous history of movement and migration which partition and decolonization has further complicated by rendering them illegal. As such, what may seem to be a refugee problem from the Westphalian perspective of Europe, may, in fact, be a continuation of much older patterns of movement. Again, the interlinkages between gender and capital, violence and abjection, render propositions such as one of a durable solution, as made by the report, impossible. A wide historical and geographical panorama is needed to understand displacement in South Asia and yet a careful scrutiny of local specifics, regional particularities is also required. It is this balancing act that would ensure a better understanding of the IDP situation in India, a more efficient way of addressing internal displacement. She also pointed out, and expressed hope, that increasingly larger number of IDPs are refusing to remain passive groups waiting for the state's largesse. They are organizing themselves in protest and petition to wrest from the state what is rightfully theirs.

The panellists were followed by a lively discussion which was capped by Samaddar's thought-provoking intervention on two counts. He explained that it may be a little dodgy to insist on a proper headcount of IDPs. Fixing their identities thus may prove a laborious process, as different actors, inflected by different ideologies, may come up with widely varying numbers. Numbers, after all, are contentious entities. Also, the strict identification may not in reality help the IDPs, who are otherwise coping and getting by in a much more diffuse and indeterminate identity regime. Secondly, he asked if there was after all any need to work out a comprehensive, catch-all policy and one unified institutional framework. There is a plurality of situations; so it may only be fair that there be a plurality of responses. A day of lively debate and stimulating discussion ended on such a cautionary note: every case of displacement needs to be taken seriously, considered within the context of their history and space, and then linked to broader theories and meta-narratives of global IDP experience.