

Peacebuilding Commission -Working Group on Lessons Learned

Comparative Lessons from Addressing Internal Displacement in Peacebuilding

Thursday, 13 March 2008
Conference Room 2

Chair's Summary

1. Resolving internal displacement and finding durable solutions for internally displaced persons (IDPs) are inextricably linked to achieving lasting peace, especially where the scale of displacement is significant and the percentage of the population displaced is high. There are some 25 million persons displaced by violent conflict within their own country. Finding durable solutions for them is an essential dimension of peacebuilding.
2. In preparation for the meeting, the Representative of the UN Secretary-General (RSG) on the Human Rights of IDPs submitted a briefing paper which drew some lessons learned from internal displacement situations in five country specific situations, namely Sudan, Côte d'Ivoire, Bosnia and Herzegovina, Burundi and Sierra Leone. UNHCR shared its policy framework and implementation strategy on the return and reintegration of displaced populations. Finally, the Brookings Bern Project on Internal Displacement prepared a paper on the role of civil society in ending displacement and peacebuilding.
3. H.E. Mr. Raymond Wolfe, the Permanent Representative of Jamaica to the United Nations, chaired the meeting in absence of the Permanent Representative of El Salvador, H.E. Mrs. Carmen Maria Gallardo Hernandez. Panelists included Professor Walter Kaelin, Representative of the Secretary-General on the Human Rights of Internally Displaced Persons, Mr. Neill Wright, Senior IDP Coordinator for UNHCR, and Dr. Elisabeth Ferris, Co-Director of the Brookings-Bern Project on Internal Displacement. The discussant was Dr. Edward Luck, Vice-President and Director of Studies, International Peace Academy (IPA).
4. Prof. Walter Kaelin underscored that peacebuilding processes and finding durable solutions for the displaced are inevitably interlinked. Peacebuilding is necessary to find durable solutions, and without durable solutions for the displaced, sustainable peacebuilding in many country situations was not possible. While pointing out the similarities between the needs of refugees and IDPs, he emphasized the few, but important differences: IDPs often return before refugees do; their return in most cases happens spontaneously while refugee returns are often organized; and their return happens at the domestic level only, while refugee returns have an international dimension. He also emphasized the need to focus on durable solutions early on in a particular crisis and not to wait for protracted displacement situations to develop.

He stressed the major lessons learned from the five situations described in the background paper:

- Peace agreements alone are not sufficient to trigger and achieve durable solutions for IDPs as their specific needs, such as security, access to property and livelihoods and availability of basic services and infrastructure, remain unsolved.
 - The successful return of IDPs requires at least the following conditions: that their safety during and after returning is guaranteed, that their property is restored and their houses are reconstructed, and that the environment that sustains return is created by the government and the international community.
 - The quality of the process leading to durable solutions is of critical importance. While in post-conflict situations IDPs usually want to return, they must be granted the free and informed choice between return to the place of origin, integration in the area of displacement, or relocation in other parts of the country.
 - Only if the specific needs of returnees and communities receiving them are addressed, a sustained reintegration is assured.
 - Efforts should be made to integrate a development perspective in parallel to the process of finding durable solutions for IDPs and to overcome the traditional dichotomies of the humanitarian and development processes.
 - Funding must be made available quickly and in a flexible way in order to address early recovery needs as soon as windows of opportunity for return open. In this regard, the Peacebuilding Fund (PBF) is one tool that can help to fill important peacebuilding gaps, but it is insufficient to resolve current systemic problems.
5. Mr. Neill Wright, Senior IDP Coordinator for UNHCR, underscored UNHCR's operational expertise to protect and assist both refugees and some 12.8 million IDPs worldwide. He stressed the high value that the High Commissioner for Refugees places on UNHCR's work with the Peacebuilding Commission, especially in relation to resolving situations of protracted displacement. He reiterated the basic conditions for successful return, i.e. voluntary, informed decision, safety of returnees, recovery of land and property or appropriate compensation as well as an environment that sustains return, and illustrated these with concrete examples from UNHCR's experience. He underscored that displacement, by its very nature, creates tensions – between those displaced, as well as between the displaced and the receiving communities both at the time of displacement and at the time of any solution to displacement. National laws ensuring that the rights of all citizens, including the displaced, are respected form a key element in promoting reconciliation. He noted that in case of ethnic cleansing - one of the worst forms of persecution and conflict-induced displacement - it was understandable that for many persons displaced in this way return might be the most difficult solution, that integration in areas of displacement and relocation to other parts of the country provided realistic alternatives, and that the need for justice also needs to be pursued in such situations. Finally, he concluded that the extent to which the voluntariness of refugee repatriation is assured may often be greater than that for IDP returns and called for a more systematic registration and profiling of IDPs, in order to better assess their willingness prior to their return.
6. Dr. Elizabeth Ferris, Co-director of the Brookings-Bern project on Internal Displacement, reflected on the role of civil society in ending displacement and in peacebuilding efforts. She stressed that national authorities have the primary duty and responsibility to protect and assist IDPs. While national governments have to initiate the establishment of security conditions, the

rule of law and mechanisms to restitute and compensate for property losses, civil society in many contexts plays an important role in consolidating these processes. Many of these processes cannot be imposed through a top-down approach but must be developed in consultation with civil society itself. National Human Rights Institutions (NHRIs) and national NGOs, in particular, have a critical role to play in monitoring the rights of IDPs and promoting a holistic approach rather than making the traditional distinction between humanitarian action, development programs and peace-making.

7. The session's discussant, Dr. Edward Luck, welcomed the opportunity presented by the PBC-Working Group on Lessons Learned to examine how to address IDP concerns in peacebuilding in situations under the consideration of the PBC, as well as their linkages with the "responsibility to protect" of UN member states. From the viewpoint of an independent scholar, he offered suggestions about how the PBC can contribute to overcoming the traditional dichotomies between humanitarian aid and development programs. In addition, he suggested the need for criteria that could be applied to PBF-supported initiatives to best address this issue.
8. The four presentations were followed by comments and questions from the floor. Speakers reaffirmed many of the conclusions and recommendations presented by the panelists. They also raised additional issues further enriching the discussion. Some concrete observations and recommendations of particular relevance to the work of the Commission are as follows:
 - Address internal displacement as an integral part of peacebuilding.
 - The role of the PBC in dealing with internal displacement is manifold:
 - Raise awareness about the importance of finding durable solutions for displaced populations as a key element of a peacebuilding strategy.
 - Create a common understanding about the relevance of internal displacement in peacebuilding and develop good practices and set standards on how to tackle this issue.
 - Integrate the special needs of displaced populations, where relevant, into the national strategic frameworks of the countries under its consideration.
 - Promote and further national efforts to resolve displacement situations.
 - Marshall resources for return and reintegration through the Peacebuilding Fund
 - The voluntariness of the decision and safety of returnees are necessary, yet insufficient, conditions for a successful return. Many IDPs, in particular those from younger generations, are not prepared to return from urban to rural areas, when basic services are lacking. This can lead to a significant change in the post-conflict demographics of a country. The creation of a sustainable environment for returnees is essential through post-conflict reconstruction, through access to basic public services and livelihood opportunities, through non-discriminatory access to employment opportunities, and through non-discriminatory participation in political processes, such as elections, to achieve durable solutions for IDPs and to consolidate peace.
 - Early recovery activities must be launched at an early stage of a peace process, and in parallel to short-term humanitarian assistance, in order to trigger and sustain return and other solutions.

- Local communities' initiatives, which are well positioned to address the special needs of IDPs and receiving communities, should be promoted by the PBC.
 - Successful property restitution processes should be conceived in a way that supports parallel peacebuilding efforts. They are vital to mitigate tensions between returnees and the communities receiving them and to further reconciliation.
 - Both the formal laws defining property and tenure, and the existence of informal or traditional practices, should be taken into account in property restitution processes.
 - One frequent problem in property restitution is the proof of authenticity of claims due to lack of documentation or destruction of archives. While property records and archives should be maintained in peacetime and safeguarded during war, there are good practices with regard to the identification of property owners in such situations that could be replicated in other contexts.
 - In some cases, compensation instead of property restitution may better respond to IDPs' needs.
 - Ways should be found to bring the voices of IDPs should be brought into the peacebuilding process. Most peace agreements contain IDP-specific principles and commitments; however, these are not used in a systematic manner. It would be useful to clarify when limitations of the rights to freedom of choice and movement might be justified. For example, to avoid the premature return of the displaced, which might create new displacement, a systematic inclusion of benchmarks in peace agreements can be appropriate.
 - A PBC Working Group on Lessons Learned meeting on the role and contribution of National Human Rights Institutions to Peacebuilding should be considered.
 - The representative of Burundi requested the PBC to strengthen the capacity of the *commission pour le retour*, including the recruitment and training of magistrates in their country.
9. In closing, the Chair highlighted the relevance of the topic of internal displacement to the work of the Peacebuilding Commission and thanked the panelists and all other participants for their contributions to the meeting. It is hoped and expected that further discussions on this theme may occur in the PBC's Country Specific Configurations.