



# SPECIAL REPORT

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## ABOUT THE REPORT

The crisis of internally displaced persons (IDPs)—those who are driven from their homes by conflict, human rights abuses, natural disasters, and other causes, and who do not cross international borders—affects some 25 million people in 50 countries. From Sudan to Sri Lanka, from Colombia to Congo, from Angola to Algeria, IDPs suffer severe humanitarian hardships, lack basic human rights, and are subject to abuse, including forced conscription and sexual violence. In addition, the chaos and instability that accompanies internal displacement is an invitation to international crime, pandemic diseases, and trafficking in persons, drugs, and weapons. Host governments that are ultimately responsible for assisting, protecting, and returning IDPs to their homes are often unable or unwilling to do so.

This report proposes five steps to improve the global response to internal displacement. If taken, these steps would build ownership of IDPs by host governments and foreign donors, implement rules and standards governing the response, reform the response of the United Nations and the United States, and create a permanent advocacy constituency for IDPs.

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*The views expressed in this report do not necessarily reflect the views of the United States Institute of Peace, which does not advocate specific policy positions.*

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*Donald Steinberg*

## Orphans of Conflict

### Caring for the Internally Displaced

## Summary

- The world's 25 million internally displaced persons (IDPs) are the orphans of conflict. Although a range of humanitarian relief and protection is available to the displaced if they cross international borders and thus become refugees, no safety net exists for displaced persons who remain in their own countries.
- Host governments are often unable or unwilling to attend to the food, water, shelter, medical, and protection needs of IDPs. Moreover, they may deny international relief agencies and nongovernmental organizations (NGOs) the opportunity to enter sensitive regions and may restrict external aid, perceiving it as interference in the country's internal affairs. This pattern continues despite growing international acceptance of the concept that sovereignty entails a responsibility either to protect citizens within national borders or to accept international intervention on their behalf.
- Within international organizations and donor-country governments, responsibility for IDPs often precipitates a turf battle when resources and the political will to respond are present, and a game of hot potato if they are not. As a result of such inaction, IDP camps usually become sites of lethargy and desperation, and potential breeding grounds for crime, trafficking in drugs and persons, and terrorism.
- Much has already been done to advance the notion of rights and responsibilities of governments for their citizens that has direct application to the IDP crisis. Yet more is needed to address serious gaps in the provision of food, health care, housing, and protection for IDPs, as well as measures to resolve the root causes of displacement.

This Special Report proposes five steps to improve the global response to IDPs. These steps, if taken, would build ownership of IDPs by host governments and foreign donors, implement rules and standards governing the response, and create a permanent advocacy constituency for IDPs.

- First, national governments, foreign donors, and NGOs should apply the concept of sovereignty as the "responsibility to protect" to cases of large-scale internal displacement.
- Second, governments, international organizations, and NGOs should do more to implement the "Guiding Principles on Internal Displacement," a nonbinding but

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comprehensive statement of the rights of IDPs and domestic and international responsibilities.

- Third, the United Nations should restructure its response to the IDP crisis either by designating the UN High Commissioner for Refugees as the lead UN agency for IDPs or by having the secretary-general assign a specific UN agency the lead for each new crisis of internal displacement that emerges.
- Fourth, the U.S. government should give meaning to the leadership of the U.S. Agency for International Development (USAID) on IDP assistance issues by earmarking resources for IDPs and providing a legislative mandate for this responsibility. In addition, it should designate a point person to raise the profile of IDP issues at the U.S. Department of State and National Security Council.
- Fifth, the American public should create a new mechanism—a “USA for IDPs”—to highlight IDP crises, build a constituency for action, and provide a means for private Americans to respond financially.

## Introduction

The world's 25 million internally displaced persons, strewn throughout about fifty countries, are the orphans of conflict. These individuals have been driven from their homes by conflict, human rights abuses, ethnic cleansing campaigns, and natural disasters, and stay within their own country's borders. Countries with estimates of at least one million IDPs include Sudan, Colombia, Democratic Republic of Congo (DRC), Uganda, Iraq, Algeria, and Turkey. There has been a dramatic increase in the numbers of internally displaced persons since the end of the Cold War, with a 50-percent rise in the number of IDPs since 1989. The ebb and flow of conflict has resulted in some new names appearing on the list of countries facing major displacement (including Algeria, Burma, Côte d'Ivoire, DRC, Uganda, and Zimbabwe), increases in already heavily affected countries (especially Sudan, where about 2 million people have been displaced in the Darfur region, Colombia, Iraq, Somalia, and Nepal), and some improvements with the restoration of stability and resettlement of IDPs in others (including Angola, Afghanistan, Bosnia, and Liberia).<sup>1</sup>

Who are the internally displaced? Technically known as IDPs in humanitarian assistance lingo, they are typically among the most vulnerable populations in their countries, often coming from disadvantaged ethnic groups and poverty-stricken communities. They are Sudanese driven from their homes by decades of brutal civil war, counterinsurgency, sexual violence, and crimes against humanity. They are Colombians, including a large portion of Afro-Colombians, who have suffered for a half-century from civil strife called simply *La Violencia*. They are women and children of northern Uganda, crowded into squalid and ill-serviced camps to prevent murder, kidnapping, and forced military recruitment by the Lord's Resistance Army. They are Congolese civilians caught in the crossfire of ethnic militias, foreign troops, and insurgency groups. They are the survivors of the December 26, 2004, tsunami that devastated Indonesia, Sri Lanka, and other Asian and African states, coming on top of existing displacement in many of these countries because of internal strife.

There is a stark contrast in the treatment of IDPs, on the one hand, and refugees who are driven from their homes and cross international borders on the other. Since 1951, refugees have received legal rights, protection, and assistance from the UN High Commissioner for Refugees (UNHCR), supported by national mechanisms such as the U.S. State Department's \$774 million Migration and Refugee Assistance account. There are international awareness campaigns for refugees involving high-profile “goodwill ambassadors.” Within the U.S. Department of State, the “Up-to-Standards” program sets and seeks to ensure minimum levels of support for refugees in areas such as food, potable water, shelter, clothing, medical services, and protection.

No such safety net exists for IDPs. Although the international community's response to refugee crises is often inadequate, it is usually light-years ahead of the treatment given to IDPs. The latter enjoy no dedicated resource stream, no patron among international organizations or bilateral donors, and, despite a body of international humanitarian and human rights law, no formal system of legal rights and protection. Throughout Africa, Latin America, the Balkans, the Middle East, East Asia, and beyond, governments that are supposed to attend to these populations are often unable or unwilling to provide assistance and protection; they usually view the displaced as just another set of conflict victims who must compete for scarce resources. In many cases, the governments themselves are responsible for the conditions that lead to displacement and may restrict international organizations, NGOs, and international donors anxious to assist the internally displaced. This is especially true in periods of conflict, where aid to the displaced in rebel-controlled territories is considered aid to the enemy. Authorities may also fear that relief will lure more people into the camps.

Governments often invoke claims of national sovereignty and noninterference in their internal affairs to ward off those seeking to assist. In fact, the UN Guiding Principles on Internal Displacement assert the "right" of foreign humanitarian groups to offer life-saving support to IDPs and admonish host countries not to view such aid as "an unfriendly act or an interference in a state's internal affairs."<sup>2</sup> International bodies defend their right to engage on the basis of an ill-defined concept of sovereignty as responsibility to protect. As IDP advocates Roberta Cohen and Francis Deng suggested, "A state should not be able to claim the prerogatives of sovereignty unless it carries out its internationally recognized responsibilities to its citizens, which consist of providing them with protection and life-supporting assistance."<sup>3</sup>

Even where assistance is permitted, the international community is rarely ready to intervene effectively to protect and provide relief to the displaced. Cohen, co-director of the Brookings Institution Bern University Project on Internal Displacement, believes that the largely outmoded international system leaves large numbers of persons unprotected.<sup>4</sup> Among international bodies, UNHCR is the agency most experienced in assisting displaced persons, but, until recently, it did not assist IDPs unless it received a specific mandate from the UN secretary-general and got full funding from foreign donors. In the UN system, the "collaborative approach" gives all relevant agencies—especially UNHCR, the United Nations Children's Fund (UNICEF), the World Food Program (WFP), the United Nations Development Program (UNDP), the United Nations Office of the Coordinator of Humanitarian Affairs (OCHA), and the United Nations Office of the High Commissioner for Human Rights (OHCHR)—shared responsibility for each emerging crisis of displacement.<sup>5</sup> Too often, shared responsibility means that no single agency has the authority to bring to bear all the resources of the UN, and no single agency can be held accountable. Proposals to create a new agency responsible for the internally displaced, mandate an existing agency with this responsibility, or give responsibility to one of the leading agencies on a case-by-case basis for major crises involving massive displacement have met with institutional resistance. The International Committee of the Red Cross (ICRC) and the International Organization for Migration may have somewhat clearer mandates to assist the internally displaced, but, despite excellent work in a number of crises, they frequently lack sufficient resources or access to internally displaced populations, especially on issues of physical protection or a comprehensive approach to needs.

Donor governments—which contribute everything from humanitarian relief to peace-keeping forces—often face similar organizational difficulties. While USAID has recently asserted its primacy within the U.S. government for addressing the needs of displaced populations, the reality is more confused.<sup>6</sup> It is the State Department, through its Bureau of Population, Refugees, and Migration, that has the mandate for funding UNHCR and ICRC. In practice, responsibility for IDPs within the U.S. government is a game of tug-of-war between USAID, the State Department, and other agencies when resources and

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the political will to respond are present. If not, the game shifts to one of hot potato. Further, although there is ample pressure on refugee issues from the American people and NGOs, often spearheaded by the diaspora of the refugee community, typically there is less grassroots interest in the plight of IDPs. This is especially true in cases where governments have restricted media access to the areas of displacement, thus eliminating the “CNN effect.”

Failure to address adequately the plight of the internally displaced can have dire consequences. From Angola to Afghanistan, from Chechnya to Colombia, from Sri Lanka to Sudan, IDPs lack food, shelter, water, medical assistance, education, security, and employment. The Centers for Disease Control and Prevention estimate that those affected by internal displacement can have death rates sixty times those of the nonaffected local population.<sup>7</sup> The displaced are particularly vulnerable to exploitation, including forced conscription, trafficking, crime, and arbitrary detention. Displaced women in particular are subject to sexual violence, including rape used as an instrument of war. In the face of continuing unrest, IDPs often spend years, if not decades, away from their places of origin. An IDP crisis usually coincides with a decline in the receptivity of neighboring countries to accept refugees, especially in Africa.

Beyond the personal tragedy, displacement can undermine stability and cause chaos in the countries where it occurs on a massive scale. Into this vacuum can come the growth of international terrorist networks, criminal activities, proliferation of weapons of mass destruction, trafficking in drugs and persons, and other threats to international security. Especially in a post-September 11 world, the international community cannot afford to ignore any such situation. In addition, crises that cause internal displacement can quickly lead to mass refugee flows, and threaten the stability of neighboring countries and entire regions.

To address the IDP crisis adequately, it is important to restructure the architecture of the domestic and international response. First, it is essential to build ownership of IDPs by affected governments and foreign donors, using the concept of the “responsibility to protect.” These entities must then implement the rules and the standards that dictate the appropriate response, based on the Guiding Principles on Internal Displacement. Next, major actors in the international community—including the United Nations and the United States—need to reorganize their response mechanisms. Finally, a means of keeping attention, funneling private resources, and building a permanent advocacy constituency for IDPs must be found. The remainder of this report discusses each of these requirements in turn.

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## **Sovereignty as the “Responsibility to Protect” in IDP Crises**

The principle of sovereignty for the past 350 years has stressed the rights of governments of sovereign states, including the right to serve as arbiter of legitimate behavior within national borders, the right to enter into treaties with other countries, and the right to control transborder movements.<sup>8</sup> Each government constitutes a sovereign actor. This concept is frequently associated with the Treaty of Westphalia, which in 1648 formed the basis for today’s nation-states.

Yet ideas about sovereignty have been evolving dramatically in recent years in a way that bodes well for developing mechanisms to address the issue of IDPs. Increasingly, the international community is coming to understand the concept of sovereignty as including the responsibility to protect. This notion was articulated most clearly by the 2001 report of the International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, sponsored by the Canadian government. The report puts forth the principle that governments are responsible for protecting human life and human rights within their own territories. In extreme conditions, the principle applies to situations involving actual

or anticipated large-scale loss of life because of deliberate state action; state neglect; inability to act or state failure; and to actual or anticipated large-scale “ethnic cleansing,” whether carried out by killings, forced expulsion, acts of terror, or rape.

## The Responsibility to Protect: Core Principles

### 1. Basic Principles

- A. State sovereignty implies responsibility, and the primary responsibility for the protection of its people lies with the state itself.
- B. Where a population is suffering serious harm as a result of internal war, insurgency, repression, or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of nonintervention yields to the international responsibility to protect.

### 2. Foundations

The foundations of responsibility to protect, as a guiding principle for the international community of states, lie in:

- A. Obligations inherent in the concept of sovereignty.
- B. The responsibility of the Security Council, under Article 24 of the UN Charter, for the maintenance of international peace and security.
- C. Specific legal obligations under human rights and human-protection declarations, covenants, and treaties; international humanitarian law; and national law.
- D. The developing practice of states and regional organizations and the Security Council itself.

### 3. Elements

The responsibility to protect embraces three specific responsibilities:

- A. The responsibility to prevent: to address both the root causes and direct causes of internal conflict and other man-made crises putting populations at risk.
- B. The responsibility to react: to respond to situations of compelling human need with appropriate measures, which may include coercive measures like sanctions and international prosecution, and, in extreme cases, military intervention.
- C. The responsibilities to rebuild: to provide, particularly after a military intervention, full assistance with recovery, reconstruction, and reconciliation, addressing the causes of the harm the intervention was designed to halt or avert.

### 4. Priorities

- A. Prevention is the single most important dimension of the responsibility to protect: prevention options should always be exhausted before intervention is contemplated, and more commitment and resources must be devoted to it.
- B. The exercise of the responsibility to both prevent and react should always involve less intrusive and coercive measures being considered before more coercive and intrusive ones are applied.

**Source:** International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: International Development Center, December 2001).

Without fulfilling this responsibility, the report underscores, a government will lose some of its sovereignty in the sense of being able to act freely internally and internationally without the intervention of the international community. At the extremes, there is little disagreement within the international community as to how far this responsibility extends. Many would argue that the government of Rwanda sacrificed its sovereignty by promoting a genocide that resulted in 800,000 deaths of Tutsis and moderate Hutus in April–June 1994. Similarly, the international community had little criticism of the U.S. military action against the Taliban regime in Afghanistan, which was judged to have sacrificed not only its sovereignty but its right to exist through its support for the al Qaeda

network, later found responsible for the terrorist acts of September 11, 2001, and other attacks. The principle was established that a government may sacrifice its sovereignty because of not only acts of commission, but also acts of omission, such as failing to ensure that the state is not used as a staging grounds for acts of international terrorism.

On the other extreme, a government does not give up sovereignty by simply failing to meet the full social, political, and economic needs of its population. A nation does not lose its United Nations seat and face international sanctions, for example, just because its rates of illiteracy, poverty, or infant mortality rise above a certain level.

What does the sacrifice of sovereignty mean? It means in certain extreme conditions that the international community has the right to intervene militarily and, if necessary, replace the regime. This right rarely should be exercised, and when it is, it should be with the approval of the full international community. Again, in the case of Afghanistan, the United Nations and various regional bodies as much as authorized the replacement of the Taliban regime by defining the attacks of September 11 as military aggression against the United States.

But lesser failures of a government to protect its own citizens meet with lesser impingements upon sovereignty. These measures could include economic sanctions being adopted against the government, the denial of its United Nations seat, the refusal of foreign governments to allow senior officials of the government to travel across their territories, the freezing of personal assets of government officials or official assets of the government, arms embargos, enforcement of no-fly zones, or the indictment of senior officials before the International Criminal Court or other international tribunals.

Beyond a host government's obligation to protect, a second new tenet in the evolution of the concept of sovereignty is that the international community has the right and the responsibility to intervene in certain extreme situations if the host government is complicit in the situation or is unwilling or unable to prevent it. The goal of this intervention in the first instance is to get the government to end its complicit behavior and/or meet its responsibility to its own citizens. If this is not possible, the goal is to protect human beings directly—with or without the government's approval—from the actions or conditions that threaten their lives, human rights, and material well-being.

Former U.S. secretary of state Madeleine Albright believes that this interpretation of the concept of responsibility to protect has become commonplace in international forums. "There were times when I was UN ambassador when I would be sitting in the Security Council and I would think, 'Here we are, an organization of sovereign states, and most everything we're dealing with relates to the internal affairs of countries,'" she said. "Yet no one questioned that we had the authority and even the responsibility to do so."<sup>9</sup>

Secretary Albright acknowledged, however, that there is a long distance between asserting this claim and taking action. "Too frequently, I felt we were debating the placing of commas in a resolution while people were dying on the ground," she observed. Further, the application of the responsibility to protect is not universal. Joel Charny, vice president for policy at Refugees International, pointed out: "Countries like Russia and China are able to resist international engagement in the situations like Chechnya and Tibet, while less powerful countries like Sierra Leone and Congo will be prime for intervention."<sup>10</sup>

One symbol of the growing acceptance of this concept is the recent replacement of the Organization of African Unity (OAU) by the African Union (AU) in 2001. The OAU, formed during a period in which states were emerging from colonization and anxious to establish their independence and sovereignty, had as its basic inviolable principle that states should not intervene in other states' internal affairs. By contrast, the AU accepts the notion that certain principles—including the stability of states, human rights, and good governance—transcend national borders. It has institutionalized the concept of "peer review," whereby the AU investigates the internal affairs of member states—especially related to economic policy—and publicly proclaims whether or not the country is meeting the AU's standards of transparency and good governance. Similarly, the New

Partnership for Africa's Development—adopted as a program of the AU at the Lusaka Summit in 2001—puts forward the notion that international assistance to African states can be based on the extent to which governments are obeying basic principles such as transparency, social investments, anticorruption, and good governance.

Is the responsibility to protect one of those principles that has come to transcend national borders? Does it find application in cases of massive internal displacement? Is a government responsible for protecting its citizens from becoming internally displaced and providing life-sustaining assistance to IDPs? If a government is complicit in creating conditions of internal displacement, or cannot or will not prevent displacement from occurring or assist IDPs, does the international community have the right and responsibility to intervene on their behalf?

The answers are yes, based on two premises. First, individuals have universal human rights—including the right to survival and personal safety—that governments are responsible for defending. Situations involving substantial displacement are usually accompanied by much higher death rates. As noted above, death rates from violence and disease have been shown in some cases to be sixty times higher than in nondisplaced communities in the same country. Moreover, the capacity of individuals to exercise other rights—to attend school, receive health care, or participate in elections—is disrupted by internal displacement. Women in particular in displaced situations may be subjected to gender-based violence and domestic violence. Therefore, a government that engages in behavior that causes or fails to prevent displacement, or fails to assist IDPs, should be compelled to change its behavior or the international community must step in.

Second, massive internal displacement brings chaos and instability that may serve as potential breeding grounds for international terrorist networks, criminal activities, the proliferation of weapons of mass destruction, trafficking in drugs and persons, pandemic diseases, and other threats to international order. Internal displacement is also the first step on the road to massive refugee flows, which can threaten the stability of neighboring states and require intervention by the international community. Thus, assisting IDPs and working on permanent solutions to IDP crises can be viewed as a preventive step to dealing with each of these potential threats to international stability.

Applying the responsibility to protect to the crisis of IDPs has gained acceptance in principle from many governments. Francis Deng, special representative of the UN secretary-general (SRSG) for internal displacement from 1992 to 2004, reported that in more than thirty missions to countries faced with internal displacement, no government has denied its responsibility to attend to the needs of its IDPs. He said: "No government has told me: 'Look, this is our business. It is none of your business whether we are responsible or not.' They accept the assertion that sovereignty entails responsibility. The question is how to translate that verbal commitment into action on the ground, otherwise these declarations of responsibility become just so much lip service."<sup>11</sup>

Mechanisms have been developed to measure the fulfillment of the responsibility to protect IDPs. Erin Mooney, deputy director of the Brookings-Bern Project on Internal Displacement, identified measurements to determine whether a government is taking seriously its responsibility to protect IDPs.<sup>12</sup> These include: adopting strategies to prevent displacement; acknowledging the problem and government responsibility; training government officials on rights of IDPs; creating an environment in which IDPs can safely advocate for their rights; protecting marginalized groups of IDPs, especially minority ethnic groups and indigenous populations; collecting data on numbers, locations, and conditions of IDPs, disaggregated by gender and age; conducting a registration process; adopting and implementing national legislation protecting IDP rights; involving civil society and IDP communities in policymaking; creating an institutional focal point on internal displacement with a mandate to assist and protect IDPs, backed by political authority and adequate resources; promoting durable solutions for return (if safe) or resettlement; and inviting and giving safe and unimpeded access to international agencies seeking to provide assistance and protection when the government is unable to do so.

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## Guiding Principles on Internal Displacement

The Guiding Principles on Internal Displacement were developed in 1998 by former SRSG Francis Deng, supported by a team of international lawyers and experts in a process organized by the Brookings Institution IDP project. The Guiding Principles constitute an “IDP Bill of Rights” in protection, assistance, and return based on existing international humanitarian and human rights law and analogous rights under the 1951 Refugees Convention and related acts.

### Introduction to the Guiding Principles on Internal Displacement

#### SCOPE AND PURPOSE

1. These guiding principles address the specific needs of internally displaced persons worldwide. They identify rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement, as well as during return or resettlement and reintegration.
2. For the purposes of these principles, internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or human-made disasters, and who have not crossed an internationally recognized state border.
3. These principles reflect and are consistent with international human rights law and international humanitarian law. They provide guidance to: (a) the Representative of the Secretary-General on Internally Displaced Persons in carrying out his mandate; (b) states when faced with the phenomenon of internal displacement; (c) all other authorities, groups, and persons in their relations with internally displaced persons; and (d) intergovernmental and nongovernmental organizations when addressing internal displacement.
4. These guiding principles should be disseminated and applied as widely as possible.

**Source:** “Guiding Principles on Internal Displacement,” in Roberta Cohen and Francis Deng, *Masses in Flight: The Global Crisis of Internal Displacement* (Washington, D.C.: Brookings Institution Press, 1998), 305–316.

The Guiding Principles define IDPs essentially as people forced to flee their homes to avoid armed conflict, widespread violence, violations of human rights, or natural or man-made disasters, and who have not crossed international borders. The principles state that IDPs enjoy full rights under international and domestic law, including the freedoms of thought, religion, expression, association, suffrage, and language. National authorities have the primary duty to protect and provide humanitarian assistance to IDPs without discrimination on the basis of race, gender, religion, or other factors. Some types of IDPs—including children, expectant mothers, female heads of household, the disabled, and the elderly—deserve special protection and assistance. The principles charge national authorities and international actors with respecting human rights so as to prevent displacement and minimize its effects. When displacement occurs, national authorities should ensure the safety and health of IDPs, avoid separating families, disseminate full information, and preserve the right to remedy. IDPs, including women, should have access to documents needed to exercise legal rights, such as birth certificates, identification documents, and marriage certificates.

The principles highlight the role of national and international authorities on protection issues—including protection from murder, summary execution, disappearance, discrimi-

natory arrest, land mines, rape, torture, inhuman treatment, slavery, sexual exploitation, forced labor, child conscription, and terror. IDPs should be protected against pillage, attacks, and being used as shields for military operations. Property left behind by IDPs should be protected against destruction and arbitrary appropriation. IDPs should be free to move in and out of camps and seek safety in another part of the country or asylum in another country. They should be protected against forcible return to unsafe situations.

The Guiding Principles also prescribe socio-economic rights, including the right to an adequate standard of living based on access to food, water, shelter, clothing, sanitation, education, and medical services, including psycho-social services. The principles highlight the need to involve women in the planning and distribution of basic supplies. Similarly, special emphasis is placed on the health needs of women (including reproductive health care and counseling for victims of sexual abuse), women's and girls' education, and prevention of contagious diseases, such as HIV/AIDS. The principles assert that international humanitarian organizations have the right to offer services to IDPs and that consent to do so should not be arbitrarily withheld, especially when national authorities are unable or unwilling to provide aid. The principles state that humanitarian assistance should not be diverted for political or military reasons, that authorities should grant free passage of humanitarian aid to IDPs, and that people providing humanitarian aid should be protected.

On the question of permanent solutions, the principles state that national authorities should create conditions that permit IDPs to return safely to their homes or resettle in another part of the country. IDPs should be involved in planning and managing their return, resettlement, and reintegration. IDPs who return to their homes or are resettled should enjoy full rights, including equal access to public services and recovery of their property. If this is not possible, they should receive compensation. International humanitarian organizations should be able to assist the return, resettlement, and reintegration of IDPs.

The Guiding Principles have received reasonable support from international bodies. The UN General Assembly in 2003 "welcomed the fact that the Guiding Principles were being used as a standard by an increasing number of states." This action built on a 1999 UN General Assembly resolution that praised Francis Deng's use of the principles in his dialogues with governments, intergovernmental organizations, and NGOs, and requested that he continue his efforts. It also expressed appreciation that UN agencies, regional bodies, and NGOs were using the principles in their work and encouraged their further dissemination and application. Various UN Security Council presidential statements and resolutions have referred to the principles. In his recent proposal for UN reform, Secretary-General Kofi Annan called on states to observe the principles. Regional organizations—including the Organization of American States, the Economic Community of West African States, the Intergovernmental Authority on Development in the Horn of Africa, the Organization of African Unity (now the African Union), and the Organization for Security and Cooperation in Europe—have urged their members to adopt the principles into national law and apply their standards to the internally displaced. The Inter-Agency Standing Committee (IASC), composed of the heads of the major international humanitarian and development organizations, welcomed the principles and called on its staffs to apply them in the field. The UN has published a handbook to assist these organizations in implementing them.

At the national level as well, there have been moves to establish the principles as the "gold standard" for treatment of the internally displaced. Colombia, Uganda, Sri Lanka, the Philippines, Angola, Peru, Burundi, Liberia, Georgia, and other nations have codified all or part of the principles in national law, although implementation of the principles has often been less than stellar.

Despite this progress, there remains resistance to the principles in some quarters. In the past, several governments—notably India, Egypt, China, and Mexico—have highlighted that the principles themselves are not legally binding. Elisabeth Rasmusson of the Global IDP Project said that most developing countries are "totally paranoid about

***Some have recommended the adoption of a UN convention on the rights of the internally displaced. It is likely, however, that some countries—including the United States—will resist the codification of economic and social rights in a formal treaty, and that many other countries will resist the codification of the international community’s right to supersede national sovereignty.***

***Faced with a leaderless international donor community and the absence of an effective machinery for intervention, the Sudanese government has been able to resist international pressure to protect and assist the displaced. The result has been hundreds of thousands of deaths since February 2003 and untold suffering.***

the Guiding Principles, viewing them as a first step toward intervention.”<sup>13</sup> For his part, USAID administrator Andrew Natsios, while encouraging wide international support for the principles as “a useful framework for dealing with IDPs,” stated that the United States does not accept the principles as an expression of governing international law.<sup>14</sup>

Some have recommended the adoption of a UN convention on the rights of the internally displaced. It is likely, however, that some countries—including the United States—will resist the codification of economic and social rights in a formal treaty, and that many other countries will resist the codification of the international community’s right to supersede national sovereignty. Walter Kalin, representative of the UN secretary-general for the human rights of IDPs, feared that the text of a negotiated treaty might provide a less comprehensive set of rights than the Guiding Principles themselves.<sup>15</sup> Thus a preferable means of moving forward would be through increased international usage of the Guiding Principles and more formal adoption by regional organizations such as the Council of Europe, the Organization of American States, and the African Union. Equally important is the incorporation of the principles into national legislation, going beyond mere platitudes. Kalin is now preparing a handbook for the adoption of national laws consistent with the Guiding Principles.

## **Restructure the UN’s Approach to IDPs**

In their recent study of the UN response to the protection of IDPs, Simon Bagshaw and Diane Paul wrote: “[T]en years after Rwanda, the United Nations had still not adopted the protection of civilians and the prevention of displacement as a core part of its mandate. The UN’s approach to protection of internally displaced persons is still largely ad hoc and driven more by the personalities and convictions of individuals on the ground than by an institutional, system-wide agenda.”<sup>16</sup>

For many years, the UN and its partners have responded to the needs of IDPs through the so-called “collaborative approach.” UN agencies that assist, protect, and help return IDPs to their homes are tasked to work together according to their specific mandates and with their individual resources and capabilities. Within the UN system, such agencies include the UNHCR, World Food Program (WFP), UNICEF, UN Development Program, and others. None of these agencies has a defined leadership role. As each new crisis of internal displacement arises, the Emergency Relief Coordinator draws together the UN agencies charged with providing assistance and asks them what they can provide. A similar process occurs at the country level, led by the UN humanitarian coordinator. Beyond the United Nations, important contributions toward meeting IDP needs from the International Committee of the Red Cross and the International Organization for Migration must also be coordinated.

This pattern results in a marked difference between the treatment of IDPs and refugees, who have the UNHCR to provide more consistent coverage and advocacy on their behalf. In 2000, for example, former U.S. ambassador to the United Nations Richard Holbrooke traveled to northern Angola to highlight the lack of attention to IDPs who lived in squalor several hundred meters from a well-tended camp for refugees from the Congo. His call for greater support for the IDPs improved the lot of displaced Angolans, but his proposal for a single UN entity to attend to IDPs drew little support. In Sierra Leone in 2003, refugees returning to their communities from neighboring countries were assisted with transportation and support for reconstruction in their home communities. At the same time, returning IDPs were abandoned along roadsides waiting with a few belongings for private transportation back to their homes.

In many cases, governments that have created conditions leading to displacement use this absence of UN leadership to restrict foreign donors from assisting IDPs. The crisis in Darfur—involving some two million people driven from their homes in what the UN calls ethnic cleansing and crimes against humanity—demonstrates the pitfalls of the

current system all too well. Faced with a leaderless international donor community and the absence of an effective machinery for intervention, the Sudanese government has been able to resist international pressure to protect and assist the displaced. The result has been hundreds of thousands of deaths since February 2003 and untold suffering. Only pressure from the visits of UN secretary-general Kofi Annan and U.S. secretary of state Colin Powell opened the door for expanded international assistance, with the number of humanitarian workers in Darfur increasing from 200 in early 2004 to about 10,000 one year later.

The UN has sought to address the weaknesses of the collaborative approach. It has set up an Inter-Agency Internal Displacement Division (IDD), a Geneva-based division of the UN Office of the Coordinator for Humanitarian Affairs. Under the able leadership of Dennis McNamara, the IDD has begun to focus attention on some of the hardest cases of displacement—including Sudan, Colombia, Somalia, Uganda, Burundi, DRC, Liberia, and Nepal. It has also established the Senior Network on Internal Displacement and instructed its staff in countries impacted by internal displacement to adopt a more aggressive response. In September 2004, the Inter-Agency Steering Committee Working Group endorsed a policy package, developed by the IDD and the Senior Network on Internal Displacement, to reform the system.<sup>17</sup> The package included guidance to humanitarian and resident coordinators and country teams that spelled out their roles and responsibilities, a roadmap for implementing the collaborative approach, a checklist to help country teams protect and assist IDPs, a list outlining roles and tasks of different UN and non-UN actors during displacement, guidance on protection for IDPs, and an overview of training and advocacy support available from international agencies.

In August 2004, UNHCR responded to the UN failure to gain access and provide effective protection and assistance to IDPs in Darfur by issuing new instructions to the field. In forward-leaning language, former high commissioner Ruud Lubbers advised that “special attention [should] be given to opportunities and strategies allowing for the integration of durable solutions for refugees and IDPs. . . . It is also in the context of creating conditions conducive to return, and overcoming serious protection and other obstacles, that UNHCR is well placed to bring its expertise, capacity, and mandate to bear. Solving problems of displacement is UNHCR’s strength.”<sup>18</sup> He mandated UNHCR officials on the ground to report on all situations involving IDPs, and to discuss planning for UNHCR involvement, the types of UNHCR involvement anticipated, and reasons for UNHCR’s involvement or noninvolvement. He noted as well that funding should not be regarded as a major impediment to UNHCR’s engagement in an IDP issue because “when UNHCR is able to demonstrate to donors a coherent and compelling case to why [it] should be engaged with IDPs in any given situation, [it] is able to generate sufficient support, both in political and financial terms.”<sup>19</sup> In recent speeches, then-UNHCR acting high commissioner Wendy Chamberlin and assistant high commissioner Kamel Morjane have reinforced UNHCR’s “predisposition” to become involved in assisting IDPs.

Walter Kalin believes that these and other steps are essential to address the weaknesses of the collaborative approach—namely, “lack of authority, lack of accountability, and the inability to compel agencies to take on the toughest cases.”<sup>20</sup> These reforms, however, fail to address the basic structural problem inherent in the collaborative approach: lack of leadership in terms of the UN architecture. When every agency shares responsibility, no individual or agency is ultimately accountable for organizing an effective response. When there is adequate international attention, there can be what former UNDP reconstruction coordinator Julia Taft called “management by suffocation.”<sup>21</sup> When there is less attention, the UN response is more limited, as in Colombia, northern Uganda, DRC, Burma, and elsewhere. U.S. assistant secretary of state for population, refugees, and migration (PRM) Eugene Dewey stated that the collaborative approach “too often puts the UN response on automatic pilot.”<sup>22</sup> While UNHCR’s greater engagement in IDP issues has helped in many situations, a recent internal review reported that “there has been no consistency in UNHCR’s timing of a decision to become engaged with IDPs. Major influences on the

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timing of UNHCR's decisions include significant political changes, the level of public and political interest, and the timing and intensity of media coverage."<sup>23</sup>

There are three alternatives to the current approach. At a minimum, the UN secretary-general could designate a single agency to lead in each crisis involving substantial internal displacement, selecting the agency best suited to respond in any given situation. This might be called the "adopt-a-crisis" approach. In most cases, the lead agency would be UNHCR, with UNICEF or WFP also possibilities. These agencies would gradually build an internal capability to meet the needs of IDPs and direct the overall UN response. Given the secretary-general's personal imprimatur and his commitment to identify appropriate resources, the lead agency would have the authority vis-à-vis other UN agencies (and, by extension, donor countries and NGOs) to mandate and coordinate the contributions that lie within their competencies. One criticism of this approach is that it would require the allocation of permanent staff as surge capacity and the duplication of internal expertise in each agency on the chance that it will be designated to lead an IDP response.

An alternative with greater clarity and predictability would be to give the mandate to UNHCR, which has proven capacity to protect and address the needs of some 12 million refugees and already attends to 6.3 million IDPs. The magnitude of the assignment at hand—with IDPs outnumbering refugees by two-to-one—means that the character and capability of UNHCR would be stretched to the limit by the permanent assignment of this responsibility to it. The agency would have to phase in this additional responsibility, focusing at the outset on an agreed set of priority countries. UNHCR also would have to conscientiously ensure that taking on a formal role for IDPs would not weaken its role as advocate for keeping borders open for the displaced who choose to cross borders and seek asylum.<sup>24</sup> Even with this leadership role, UNHCR would need to call on the support of other agencies—especially WFP and UNICEF—to meet the assistance needs of IDPs.

Finally, the UN could set up a new agency to assist IDPs. Susan Martin, executive director of the Institute for the Study of Forced Migration at Georgetown University, has proposed the creation of a "High Commissioner for Forced Migration."<sup>25</sup> But creating a new agency that may duplicate capabilities in current institutions is wasteful and unlikely to gain the required political and financial backing from member states. As with the codification of the Guiding Principles, some countries would balk at creating a separate organization perceived as being charged with superseding the sovereignty of individual states.

Another possible improvement at the UN level would be the creation of a contingency fund that could be drawn down to address emergency needs in crisis situations. British Secretary of State for International Development Hilary Benn has called for a "virtual fund" of \$1 billion for this purpose.

In any of these set-ups, there remains an important continuing role for the representative of the UN secretary-general for the human rights of IDPs—currently the talented Swiss jurist Walter Kalin—in pressing national governments, donors, and nonstate actors to address the needs of IDPs, and in helping to mainstream IDP issues throughout the UN agencies.

The collaborative approach to respond to the needs of IDPs has failed to provide consistent support. The UN, with the support of donor governments, must move swiftly to a system that assigns a specific agency—either permanently or on a case-by-case basis—to respond to IDP needs for protection, assistance, and return.

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## **Improve the U.S. Government's Response to IDP Crises**

Within the U.S. government, the response to situations of internal displacement has been sketchy. As noted above, when a particular situation rises high on the radar screen of the international community, a turf battle usually ensues among various U.S. government

agencies, most notably USAID's Office of Foreign Disaster Assistance (OFDA) and Food for Peace (FFP), and the State Department's PRM Bureau. This can send a mixed signal to international agencies. For example, UNHCR reports that at the start of the Darfur crisis, USAID was calling for UNHCR's active engagement to assist IDPs in Sudan, while PRM—UNHCR's mandated funder—was discouraging it.

Recently, USAID administrator Andrew Natsios asserted that USAID has the lead within the U.S. government on assistance for IDPs.<sup>26</sup> The agency's October 2004 *USAID Assistance to Internally Displaced Persons Policy* notes that in the U.S. government *Foreign Affairs Manual* (2FAM 066.3), "AID/OFDA has the responsibility for assisting people displaced within their own country as a result of natural or man-made disasters."<sup>27</sup> Thus, the policy paper states that USAID "will serve as the U.S. government's lead coordinator on internal displacement to ensure a coherent response from the U.S. government and the international community," working closely with the State Department, other U.S. government entities, UN agencies, international organizations, NGOs, host governments, and local institutions in affected countries. It also states that all USAID bureaus and missions "shall be committed and able to plan, implement, and coordinate appropriate short- and long-term programs that respond to internal population displacement where it exists." Among the primary actors are Disaster Assistance Response Teams sent to respond to emergencies, and missions in more than seventy-three countries.

USAID recognizes the comprehensive nature of the challenge, noting the need to "address the broad array of needs confronting all phases of displacement, ranging from emergency relief to transitional aid to long-term development assistance." In addition to material assistance, "USAID advocates that IDPs should be granted the full security and protection provided for under applicable norms of international human rights law, international humanitarian law, and national law." USAID promotes lifesaving humanitarian access to needy populations, the protection of IDPs during all phases of displacement, and wider international recognition of the UN Guiding Principles on Internal Displacement. It recognizes, however, that internal displacement raises difficult challenges and complex legal and sovereignty issues.

USAID justifies assistance not merely as humanitarian and development responses, but as a fundamental element of U.S. national security. Its policy paper asserts that "there is a growing concern that failure to respond adequately to the needs of failed states and large displaced populations can become a catalyst for regional instability, and in some circumstances can produce disaffected individuals who become vulnerable to exploitation by international extremists."

But despite this seeming solution to the response problem, USAID cannot at present address the full range of issues affecting IDPs. Most significantly, while USAID has focused its attention on humanitarian assistance and, to a lesser extent, the protection of IDPs, it is often ill equipped to address the root causes of displacement. As former assistant secretary of state for African affairs Susan Rice said, "USAID can stop the hemorrhaging, but it cannot enlist the full force of the U.S. government in preventing displacement and addressing the political roots of the crises."<sup>28</sup> She added that it is vital to have high-level advocates in the National Security Council and the State Department to press senior policymakers to focus on resolving these issues, because "the fact of large-scale internal displacement in and of itself is not a motivation for action. Even in Africa, IDP crises rarely stare you in the face."

Furthermore, even on the assistance side, there is little money dedicated to IDPs within the USAID budget. USAID special adviser for IDPs Jeff Drumtra stated that there are few line items for IDPs, even in the budget of OFDA, which has the nominal lead. There is nothing equivalent to the Refugee Migration Account, a \$774 million account administered by State's PRM for refugees that is mandated in large part to fund UNHCR and ICRC. While USAID officials estimate some \$500 million was spent on IDPs over the three-year period, 2002-04, they admit that this is just a "seat of the pants" estimate.<sup>29</sup>

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There is also resistance within USAID to creating an “elite class” of IDPs who warrant special treatment. Instead, many within USAID would like to shift the issue from IDPs to vulnerable populations, an approach that may fail to address the unique problems of the displaced. In this regard, as five-year plans from specific missions arise, there has been resistance to including IDPs in them. In addition, USAID has focused mostly on humanitarian assistance and less on protection. This may lead to the so-called “well-fed dead” phenomenon, in which there are adequate social services but an absence of security that results in violent deaths.

Nor is USAID well structured to address IDP issues. Functional and geographic bureaus in Washington mean that IDP issues may fall through the cracks, especially in development budgets. USAID has tried to address these concerns with the creation of a special adviser's position for internal displacement, but this official lacks the clout to force regional and functional bureaus within USAID to take seriously the plight of IDPs, including providing scarce financial and personnel resources for this issue.

Putting USAID in charge of assistance to IDPs brings into sharp focus the need to work on a multilateral basis to address IDP crises. Julia Taft argues that USAID has an institutional bias against operating in collaboration with UN agencies, NGOs, and other international agencies: “USAID wants to own too many of the crises around the world and operate on a completely bilateral basis. This is a prescription for an ad hoc and inadequate response.”<sup>30</sup> Eugene Dewey agrees: “The real lead in IDPs crises isn't a particular U.S. government agency; it's the international community as a whole. And USAID doesn't do well with interface.”<sup>31</sup> He noted that whenever senior USAID officials talk about U.S. contributions to a high-profile disaster situation, they must be reminded that the U.S. government should not be bearing full responsibility. In Darfur, for example, Dewey pointed out that the United States is providing the lion's share of total aid, but this represents only about a third of the total that is needed.

James Kunder, in his former role as an adviser to the Brookings Institution–Bern University IDP project and the U.S. Committee on Refugees, proposed six essential elements that would indicate that the U.S. government is taking the IDP crisis seriously: (1) legislation must provide a sound statutory basis for action, (2) Congress must focus on IDPs as a discrete policy issue that requires attention and oversight, (3) U.S. government agencies must have authoritative policy documents, (4) a lead government agency must be designated with clear responsibility, (5) financial and staff resources must be adequate to address assistance and protection needs, and (6) linkages with international organizations and NGOs must be expanded.<sup>32</sup>

In practical terms, this means that USAID needs to receive resources dedicated exclusively to internally displaced persons. Congress needs to provide these funds, frequently express its concern about IDPs (as it does about refugees), and provide a legislative mandate for USAID to lead on IDP assistance and protection. For its part, USAID needs to adopt a more inclusive policy toward working with UN agencies, other international bodies, and NGOs. It must work through the question of funding for international agencies with PRM. It must also elevate the status of its special adviser for internal displacement to give this position the clout it needs to implement the USAID policy paper.

Equally important, USAID must have a counterpart on the political side of the U.S. government to insist that senior policymakers attend to the root causes of internal displacement. The U.S. secretary of state should formally designate a senior official—most likely the assistant secretary for population, refugees, and migration, but perhaps the assistant secretary for democracy, human rights, and labor, or the newly established coordinator for reconstruction and stabilization—to be the watchdog for cases of potential or existing large-scale internal displacement and the principal interlocutor with USAID. This official would have the authority to insist that senior policymakers, especially regional assistant secretaries, make addressing the root causes of these situations a key part of their mandate. Similarly, the national security adviser should designate the senior director

for democracy, human rights, and international organizations to serve a similar function at the National Security Council.

## Build the Domestic Constituency for IDPs

If the mandate is established for international intervention on behalf of IDPs and the architecture of response is improved, there is still the question as to whether there is sufficient political will to respond. Under the current circumstances, it is possible to generate a domestic constituency for an issue involving substantial internal displacement, but it is difficult. In many ways, the IDP crisis in the Darfur region of Sudan constitutes the “perfect storm” of displacement. Coming on top of long-term displacement in Sudan, which produced about four million IDPs, the rebellion and counterinsurgency campaign in Darfur has produced up to two million IDPs in the space of two years, in addition to almost 200,000 people in refugee camps in eastern Chad. As *Washington Post* columnist Sebastian Mallaby—who was nominated for a 2005 Pulitzer Prize for his efforts to raise the profile of the Darfur crisis—observed, “Darfur moved from zero to genocide in rapid order.”<sup>33</sup> Mallaby noted that the crisis is also “owned and operated by the Sudanese government,”<sup>34</sup> which is afforded sovereignty and susceptible to pressure. Extraordinary media attention has focused on Darfur. Columnist Nicholas Kristoff of *The New York Times* has made Darfur his cause célèbre. Pulitzer Prize-winning author Samantha Power, movie stars Angelina Jolie and Don Cheadle, and International Crisis Group official John Prendergast have been in the forefront of those highlighting the need for greater response. *Washington Post* correspondent Emily Wax won the Medill Medal for Courage in Journalism for her reporting on the Darfur crisis in Sudan, reporting that produced a total of sixteen front-page stories. This reporting was also key to the *Washington Post*'s publication of thirty editorials from April 2004 to March 2005 pressing for more international action in Darfur. At the height of the 2004 U.S. presidential campaign, *Time* magazine devoted its October 4, 2004, cover story to “The Tragedy of Sudan.” Members of Congress, including Senators Sam Brownback (R-Kansas) and Jon Corzine (D-New Jersey) and Representative Frank Wolf (R-Virginia), traveled to the region and documented the atrocities in interviews and op-ed pieces.

The result has been as great a public response as for any African issue of its kind since the anti-apartheid movement of the 1980s. There has been the formation of the “Save Darfur” coalition by more than 100 nongovernmental organizations, including a wide number of religious groups, committed to humanitarian relief and political action to end the killing. The U.S. Holocaust Memorial Museum has issued “Genocide Alerts” for Darfur and drew together 500 student leaders from 80 colleges and universities as a means of mobilizing student pressure on the U.S. administration and Congress to act. Beginning at Brandeis University, students have organized the Genocide Intervention Fund, a movement that has spread to other campuses to raise funds for the African Union force in Darfur. Letter-writing campaigns have been cited as instrumental in a number of cases in getting congressional support for the Darfur Accountability Act, a measure designed to enhance U.S. engagement in addressing the Darfur crisis. On the website of the NGO umbrella organization Interaction are eight pages listing NGOs active in Sudan and seeking contributions. Darfur-related blogs are helping to inform and mobilize public opinion.

In his study of the news media's influence on peace operations, Warren Strobel has generally downplayed the impact of the so-called “CNN effect.”<sup>35</sup> He wrote: “Images and written accounts of the horrors of the post-Cold War world that stream into the offices of government officials do not dictate policy outcomes.”<sup>36</sup> Even so, Strobel acknowledged that such reports can suggest policy options and help those seeking to pursue new policies. Former national security adviser Anthony Lake said that such pressure can have a greater impact on government positions than is generally acknowledged. He noted that policymakers are moved more by humanitarian issues than they let on in policy discussions: “They frequently have Wilsonian instincts, but these need to be wrapped in powerful

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***It is disturbing, however, that it takes the level of death and destruction of a Darfur to mobilize public opinion. In addition, similar crises in Colombia (up to 3.4 million IDPs), Democratic Republic of the Congo (2.3 million), and northern Uganda (1.4 million) have received much less interest from the international community, as have other cases estimated to involve at least a half a million IDPs—namely, Algeria, Azerbaijan, Bangladesh, Burma, Côte d'Ivoire, India, Indonesia, Iraq, and Turkey.***

Jacksonian language." In his hierarchy of influences on U.S. policymakers, he placed in rank order media coverage of crises, especially on television; information from trusted nongovernmental organizations; intelligence and embassy reporting; scrutiny from Congress, including calls to testify; and editorials and op-ed pieces in the major media.<sup>37</sup>

It is disturbing, however, that it takes the level of death and destruction of a Darfur to mobilize public opinion. In addition, similar crises in Colombia (up to 3.4 million IDPs), Democratic Republic of the Congo (2.3 million), and northern Uganda (1.4 million) have received much less interest from the international community, as have other cases estimated to involve at least a half a million IDPs—namely, Algeria, Azerbaijan, Bangladesh, Burma, Côte d'Ivoire, India, Indonesia, Iraq, and Turkey.<sup>38</sup>

Further, in their advocacy efforts, international agencies and NGOs tend to treat IDPs as second-class citizens. Joel Charny of Refugees International points out that although "everyone has a sense of what a refugee is, no one outside the humanitarian community has any idea of what an 'IDP' is."<sup>39</sup> UNHCR coordinator of external affairs John Fredriksson adds: "It's hard to market an acronym."<sup>40</sup> A recent appeal by the U.S. fund-raising arm of the UN High Commissioner for Refugees, USA for UNHCR, is a good example. While USA for UNHCR has highlighted the crisis within Darfur elsewhere in its publicity and UNHCR has assumed major responsibility for IDPs in the province of West Darfur, a USA for UNHCR mass-mailing appeal read:

There are 17 million people, most of them women and children, fleeing persecution and armed conflict right now. Will they survive their flight, or will their persecutors hunt them down—as has happened so often to those who flee in the middle of the night with bundles of clothing, blankets, and children in their arms? We have vowed never again . . . Cambodia, Rwanda, Kosovo, Sudan. Unless you and I have the courage to rescue the world's *refugees*, their possessions will be left scattered on the roadside, and they, along with their children, will face the unimaginable.<sup>41</sup>

The appeal conjured up images of Darfur: "Today's enemies of humanity tote guns, whips, and burning torches as they pursue women and children running out of Darfur, Sudan." However, it does not point out that 90 percent of the displaced in Darfur are IDPs. While highlighting UNHCR assistance to 200,000 Darfurians who crossed the border into Chad, the appeal noted, almost as an afterthought, "In addition, UNHCR is responsible for protecting those displaced people in West Darfur, one of the province's most insecure areas."

For a number of reasons, IDP crises internationally lack the urgency and appeal that draw support from the general public. Many IDP situations have gone on in silence for years or even decades. Migration of individuals driven from their homes by conflict may be indistinguishable from migration for economic reasons. There is not a government in a neighboring country calling attention to the crisis—as is the case for refugees—and demanding international support if the country is going to be prepared to allow refugees to enter and receive asylum. In many cases, IDP situations occur far from the scrutiny of the international media, especially when the governments of affected countries restrict media access. Mary Pack, who works on refugee and IDP issues at Interaction, says that engagement in IDP situations for NGOs is based on internal pressure coming from its personnel on the ground, not on outside pressure to engage.<sup>42</sup>

There is the need for a new mechanism to generate public interest in IDP crises around the world and to provide a conduit for private citizens to respond to the crises. A new "USA for IDPs" should be established by a permanent network of NGOs, private citizens, student organizations, religious groups, corporations, and other institutions concerned about the humanitarian and political toll of IDP crises. It would draw together organizations similar to those that have mobilized on an ad hoc basis in response to Darfur. It would serve as an early-warning mechanism to highlight human rights abuses that may give rise to cases of massive internal displacements, complementing the newly established State Department Office of the Coordinator for Reconstruction and Stabilization and USAID's Humanitarian Information Unit. "USA for IDPs" would cooperate with and complement the excellent work done by such organizations as the Brookings-Bern Project

on Internal Displacement, the Norwegian Refugee Council's Global IDP Project, Refugees International, Interaction, the International Committee of Voluntary Agencies, and the Inter-Agency Standing Committee. Like the U.S. committees for UNICEF, UNHCR and UNDP, "USA for IDPs" could establish itself as a nonprofit organization and raise funds directly for IDPs. US Committee for UNICEF president Charles Lyons believes such an effort for "USA for IDPs" would take considerable effort to build a "brand-name" needed to be successful in the highly competitive field of private fundraising, but he believes it may be possible to generate enough resources to make it worth the effort.<sup>43</sup> The proposed organization could then channel these resources to whichever international agency or NGO has the greatest comparative advantage in any particular IDP crisis.

## Conclusion

In the late summer of 2005, the tragedy of internal displacement was brought home to the people of the United States by the devastation of Hurricanes Katrina and Rita. Internal displacement took on an American face as the entire country dealt with mass migration from the Gulf Coast region. The inadequacy of the initial response to Hurricane Katrina brought into sharp focus how difficult the challenges of assisting IDPs can be, even for the wealthiest countries. One hopes that this experience will lead to greater action and generosity in addressing internal displacement in other countries around the world.

The 2005 UN Summit Declaration just adopted also gives hope for a more forthcoming global response to internal displacement as it endorses the wide application of the concept of the responsibility to protect and the Guiding Principles on Internal Displacement. Further, recent statements by the new UN High Commissioner for Refugees, Antonio Guterres, suggest that this organization intends to take on increasing responsibility for protecting and assisting the internally displaced, albeit within the context of the UN's collaborative approach.

In his introduction to the groundbreaking study, *Masses in Flight*, UN secretary-general Kofi Annan wrote: "Internal displacement has emerged as one of the great human tragedies of our time. It has also created an unprecedented challenge for the international community: to find ways to respond to what is essentially an internal crisis."<sup>44</sup> This Special Report suggests that applying the concept of the "responsibility to protect" to cases of large-scale internal displacement, fully implementing the Guiding Principles on Internal Displacement, restructuring the response to IDPs in the United Nations and the U.S. government, and creating a permanent constituency to promote the interests of IDPs can go a long way toward giving the "orphans of conflict" a permanent home—their own.

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## NOTES

1. Global IDP Project, Internally Displaced People Worldwide map (Geneva: Norwegian Refugee Council, February 2005). Online. Available: [http://www.idproject.org/images/website\\_maps/IDP\\_worldmap.gif](http://www.idproject.org/images/website_maps/IDP_worldmap.gif)
2. "Guiding Principles on Internal Displacement," in Roberta Cohen and Francis Deng, *Masses in Flight: The Global Crisis of Internal Displacement* (Washington, D.C.: Brookings Institution Press, 1998), 305–16.
3. Cohen and Deng, *Masses in Flight*, 7.
4. Roberta Cohen, interview by author, Washington, D.C., April 29, 2005.
5. The Brookings Institution, "Report of Roundtable Towards a Comprehensive Regime for Refugees and Internally Displaced Persons," (convened by The Brookings Institution-Johns Hopkins SAIS Project on Internal Displacement and the Migration Policy Institute, held at the Brookings Institution, April 29, 2004).
6. U.S. Agency for International Development, *USAID Assistance to Internally Displaced Persons Policy*, PD-ACA-558, Washington, D.C., August 2004.
7. Centers for Disease Control, "Famine-Affected, refugee, and displaced populations: recommendations for public health issues," *Morbidity and Mortality Weekly Report* 41, RR-13 (July 24, 1992). Peter Salama, Paul Spiegel, and Richard Brennan, "Refugees—No Less Vulnerable: The Internally Displaced in Humanitarian Emergencies," *The Lancet* 357, no. 9266 (May 5, 2001).
8. Stephen D. Krasner, "Compromising Westphalia," *International Security* 20, no.3 (Winter 1995–96), 115–51.
9. Madeleine Albright, interview by author, Washington D.C., May 4, 2005.
10. Joel Charny, interview by author, Washington, D.C., May 19, 2005.
11. Francis Deng, interview by author, Washington D.C., April 14, 2005.
12. Erin Mooney, "Realizing National Responsibility for Internally Displaced Persons" (roundtable report on the "Protection of Internally Displaced Persons," December 2, 2004). Online. Available: [http://www.brook.edu/fp/projects/idp/20041209\\_mooney.htm](http://www.brook.edu/fp/projects/idp/20041209_mooney.htm)
13. Elisabeth Rasmusson, interview by author, Geneva, May 9, 2005.
14. U.S. Agency for International Development, *USAID Assistance to Internally Displaced Persons Policy*.
15. Walter Kalin, interview by author, Geneva, May 9, 2005.
16. Simon Bagshaw and Diane Paul, "Protect or Neglect? Toward a More Effective United Nations Approach to the Protection of Internally Displaced Persons" (Brookings-SAIS Project on Internal Displacement and UN Office for the Coordination of Humanitarian Affairs Inter-Agency Internal Displacement Division, November 2004), 3.
17. Marc Vincent and Simon Bagshaw, "The Collaborative Response," *Forced Migration Review* 22 (January 2005): 52–53.
18. United Nations High Commissioner for Refugees, *Involvement with IDP Situations: A Process for Decision-making*, UNHCR Inter-Office Memorandum no. 046/2004 and Field Office Memorandum no. 048/2004, Ref. PRL12.01.
19. Ibid.
20. Kalin interview.
21. Julia Taft, interview by author, Washington D.C., March 15, 2005.
22. Eugene Dewey, interview by author, Washington D.C., March 14, 2005
23. Vanessa Mattar and Paul White, "Consistent and Predictable Response to IDPs: A Review of UNHCR's Decision-making Processes" (working paper, Evaluation and Policy Analysis Unit, United Nations High Commissioner for Refugees, EPAU/2005/2, March 2005).
24. Brookings Institution, "Report of Roundtable."
25. Ibid.
26. Andrew Natsios, remarks, luncheon seminar with Sadako Ogata, held at the Brookings Institution, Brookings Institution-Bern Project on Internal Displacement, Washington D.C., March 9, 2005.
27. U.S. Agency for International Development, *USAID Assistance to Internally Displaced Persons Policy*.
28. Susan Rice, interview by author, Washington, D.C., April 26, 2005.
29. Jeff Drumtra, interview by author, Washington, D.C., February 25, 2005.
30. Taft interview.
31. Dewey interview.
32. James Kunder, "The U.S. Government and Internally Displaced Persons: Present, But Not Accounted For" (working paper, Brookings Institution and U.S. Committee for Refugees, Washington D.C., November 1999)
33. Sebastian Mallaby, interview by author, Washington, D.C., March 21, 2005.
34. Ibid.
35. Warren P. Strobel, *Late-Breaking Foreign Policy: The News Media's Influence on Peace Operations* (Washington, D.C.: U.S. Institute of Peace Press, 1997), 211.
36. Ibid.

37. Anthony Lake, interview by author, Washington, D.C., February 15, 2005.
38. Global IDP Project, Internally Displaced People Worldwide map.
39. Charny interview.
40. John Fredriksson, interview by author, Washington, D.C., May 27, 2005.
41. USA for UNHCR solicitation, 2005; emphasis added.
42. Mary Pack, interview by author, Washington, D.C., April 5, 2005.
43. Charles Lyons, interview by author, Casa de Campo, Dominican Republic, April 17, 2005.
44. Cohen and Deng, *Masses in Flight*, xix.

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