

Durable Solutions for Internally Displaced Persons: An Essential Dimension of Peacebuilding

[Human Rights](#), [Internal Displacement](#), [United Nations](#)

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UN Peacebuilding Commission, Working Group on Lessons Learned

http://www.brookings.edu/speeches/2008/0313_internal_displacement_kalin.aspx

MARCH 13, 2008 —

Let me start with thanks to the Peacebuilding Commission and the Peacebuilding Support Office for having made this Lessons Learned session possible.

This is the second time I have the honour to address the Commission. On May 2, 2007, a meeting was held with the Commission on “Displacement and Peacebuilding” allowing me to present some ideas along with the UN High Commissioner for Refugees Mr, Guterres. While the High Commissioner was talking about refugees I focused on the 25 million IDPs worldwide displaced by armed conflict. I emphasized the need to focus on durable solutions early on in the crisis and not wait for protracted situations to develop. I underlined that for IDPs, as citizens of their own country, their freedom of movement also allowed them to decide where they wanted to reside and to choose between return, local integration or settlement to other parts of the country. I stressed that peace-building and finding durable solutions for the displaced are interlinked. Peace-building is necessary to find durable solutions, and without durable solutions for the displaced, sustainable peace-building was not possible. Finally, I expressed my hope that in the context of finding durable solutions for the displaced, the Peace-building Commission should provide a platform for consensus building on priorities such as the need for security, the rule of law, reconstruction and reparation, as well as land restitution and reform. The Peace-building Commission could also become the advocate for specific concerns such as early recovery and long term developments needs that would foster peace-building efforts.

I’m extremely pleased to have today the opportunity to continue to work with you. While we are focusing today on IDPs, we should not forget about the need to also look at durable solutions for refugees. While in many regards the needs of the two groups are the same, there are also differences: IDPs often return before refugees do; their return in most cases happens spontaneously while refugee returns are often organized; and IDP returns happen at the domestic level only while refugees returns have an international dimension with countries of refuge playing a certain role.

The briefing paper I prepared for this meeting highlights four key elements necessary for finding durable solutions for IDPs.

The first is of a procedural nature: Return or other solutions should take place voluntarily based on an informed decision by the persons concerned without coercion of any kind.

Then, there are three substantive requirements:

Ensuring the safety of returnees including disarmament and demobilization, mine-clearance and rebuilding the rule of law

Returning property to the displaced and reconstruction of their houses

Creating an environment that sustains return, including through appropriate funding mechanisms: Returnees must have access without discrimination to basic public services, documentation and employment and income-generating opportunities; there must be reconciliation with local communities etc

The paper then goes into a description of three country situations I have been dealing with (Sudan, Côte d'Ivoire, BiH) and two situations the PBC has addresses (Burundi and Sierra Leone). These descriptions serve as examples to identify lessons learnt rather than case studies to be discussed on their own.

What is important is to focus on the conclusions from the experience of these and other countries. They can be summarized as follows:

1. Peace agreements alone are not sufficient to trigger and achieve durable solutions for internally displaced persons: While in some cases the cessation of hostilities or the conclusion of a peace agreement may lead to spontaneous returns of internally displaced persons; these often prove to be unsustainable; and in many other cases the displaced hesitate to return as long as problems relating to security, access to property, livelihoods, basic services and infrastructure remain.

2. In post-conflict situations, successful return of IDPs to their homes and former places of habitual residence require 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 an environment that sustains return is created by the government and the international community. In this regard, the following peacebuilding activities are particularly relevant for displaced persons and returnees:

Security

Monitoring of a ceasefire or peace agreement

Providing security through relocating combatants, disarmament, demobilization and reintegration

Re-establishment of local state authority by strengthening capacities of good governance
Judicial sector reform: re-establishing law enforcement and the rule of law.
Security sector reform comprising national armed forces, security units and police
Monitoring of the return of IDPs by international actors or national actors (e.g. National Human Rights Institutions)
Furthering reconciliation between local communities and returnees
Establishing family reunification mechanisms

Property Restitution

Restitution mechanisms should be conceived in a way that supports parallel peacebuilding efforts that define procedures to settle disputes over land and property rights

Both the formal laws defining property and tenure and informal or traditional practices and mechanisms should be taken into account in defining the types of homes, lands and property that should be subject to restitution or compensation

Restitution processes must guard against discrimination, in particular against female-headed households or minority groups

Restitution programs should be based on both fair and accessible procedures and clear rules that balance the rights of claimants against those of subsequent occupants

Creating a sustainable environment

Undertaking post-conflict reconstruction, i.e. re-establishing basic infrastructure and services

Restitution of documentation to returnees to allow them to access basic public services and education

Ensuring access to livelihoods including through the distribution of seeds and tools, demining of agricultural land, micro-credit programs, non-discriminatory access of returnees to employment, etc.

Ensuring the political transition to and the establishment of an effective and legitimate government in which the various sectors of society, including IDPs and returnees, can become stakeholders

3. The quality of the process leading to durable solutions is another key element necessary for ensuring its sustainability. The decision of internally displaced persons whether to return or opt for another solution must be voluntary, i.e. made in the absence of coercion, and based on full and accurate information; and they must be allowed to participate in decisions affecting their future in order to make them responsible actors in the recovery process.

4. Many of the measures necessary to achieve durable solutions are part of any peacebuilding efforts, but they may be insufficient successfully to solve displacement situations unless they are tailored to the specific needs of returnees and communities receiving them. Peacebuilding activities that fail to address the specific needs of IDPs may benefit non-displaced communities

but preserve or even reinforce obstacles to sustainable return and reintegration. In this context, consulting returnees as well as receiving communities about specific displacement-related needs is essential.

5. Activities addressing the need for safety, property restitution and reconstruction, as well as an environment sustaining return, should take place to the extent possible in parallel: A phased approach focusing initially on security issues and with other activities relegated to a later phase risks creating a gap between the humanitarian phase and the reconstruction/development phase. Efforts should be made to integrate a development perspective at an early stage of return/recovery, although the situation still may be too volatile and not conducive for traditional development projects. Such efforts must be robust enough to overcome the traditional dichotomies of the humanitarian and the development logics (short-term versus long-term; transition versus sustainability as goals; communities as beneficiaries versus communities as actors, etc.)