

The Role of Civil Society in Ending Displacement and Peacebuilding

[Human Rights](#), [Internal Displacement](#), [Civil Society](#)

[Elizabeth Ferris](#), Senior Fellow, [Foreign Policy](#)

UN Peacebuilding Commission, Lessons Learned Working Group

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Good morning and thank you for the opportunity to share some experiences of civil society's efforts to end displacement and to contribute to peacebuilding. As you all know, civil society is made up of a rich array of groups, including professional associations, religious institutions, non-governmental organizations, trade unions, academic centers, women's groups and other organizations with varying degrees of capacity, expertise, and commitment. Civil society plays different roles in different contexts and cultures. Few civil society organizations explicitly characterize their work with internally displaced persons (IDPs) as peacebuilding – even though their efforts often influence whether IDPs are able to achieve lasting solutions and contribute to sustainable peace.^[1]

Before going into the specific contributions of civil society in ending displacement and peacebuilding, I want to emphasize the role of national authorities and the international community in ending displacement and in peacebuilding. Civil society initiatives sometimes complement efforts by governments and sometimes stimulate governments to take action. In some cases, international organizations or civil society – particularly international NGOs – may have more resources than local governmental authorities and inadvertently complicate the peacebuilding process.^[2] But civil society does not act on its own and cannot substitute for governmental action.

National Authorities

With respect to internal displacement, the *Guiding Principles on Internal Displacement* are very clear: “national authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.” (princ. 3) They also have the “primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons.” (princ. 28)^[3]

In other words, it is national authorities who are ultimately responsible for assisting and protecting IDPs during displacement and in establishing conditions and providing the means for their

durable solutions. But governments cannot do it alone.^[4] The *Guiding Principles on Internal Displacement* also specify that “international humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced” and that “authorities...shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced” including “to assist in their return or resettlement and reintegration.”^[5]

With respect to peacebuilding, there are three areas where only governments can take the lead and where governmental policies have significant consequences for the possibilities of IDPs to find durable solutions:

- Establishing security and rule of law
- Developing means for resolving conflicts over property
- Ensuring political transitions

Without security in their place of origin, IDPs cannot return. If they choose not to return, they still need security in their area of settlement – whether it is where they are presently living or in another part of the country. Over and over again, in situations as diverse as Iraq, Sierra Leone, and Nepal the principal impediment to finding solutions for IDPs is security. At the same time, finding solutions for IDPs contributes to sustainable peace. Where IDPs have not found solutions, their presence can be de-stabilizing and contribute to insecurity.

Re-establishment of security and rule of law is one area where civil society can rarely take the lead. There are of course, cases where international peacekeeping forces are able to provide security in the interim period, until national authorities can take over, but after conflicts are resolved, the expectation is that national governments are responsible for security. However, civil society and international organizations can play supportive roles, in areas such as mine clearance. For example, in Mozambique, one of the main deterrents to the return of IDPs and refugees was the presence of anti-personnel land mines in their areas of origin.

Immediately after the 1992 Peace Agreement, mine action was not a priority for the government of Mozambique, largely because UN Operations in Mozambique (ONUMOZ), the UN overall and the International Committee of the Red Cross (ICRC) had been given explicit responsibility for mine action, and also because of the many other pressing priorities facing the government.^[6] Thus, UN bodies assumed the initiative for mine action while international mine action NGOs initiated their own programs, supported by their independent relations with donors. Although mine action was carried out in Mozambique with little coordination between different actors, it was largely successful in reducing casualties, opening large areas of the country for safe use by civilians and facilitating the return of IDPs. One of the lessons learned from a 10 year review of mine action in Mozambique was that “although typically the mechanisms are not in place for linking mine action into the broader peace-building programme in a practical and concerted fashion, mine action can make important contributions to the peace-building process.”^[7] NGO

efforts in mine action are clear indications of a way in which civil society contributes to security and complements governmental action.

Secondly, property disputes are unfortunately common in post-conflict situations and make it more difficult for IDPs and returning refugees to find solutions. When their homes are occupied by others, mechanisms are needed to resolve property disputes; otherwise, this can be a source of new or renewed conflict. Governments are responsible for developing such legal mechanisms. The international community can be supportive by offering technical expertise, funding and support for such a process, as the Organization for Security and Cooperation in Europe (OSCE) did in Bosnia and as the International Organization for Migration (IOM) has done in a number of countries. Civil society groups, particularly legal aid organizations and NGOs can provide support by assisting individual IDPs with the claims process. Nevertheless it is governments which are responsible for establishing such mechanisms as instruments of law and civil society organizations which can support the process. For example, the Southern Sudan Law Society provides advice and assistance to returning IDPs in support of their efforts to recover their land and property and the Norwegian Refugee Council supports, Information Counselling and Legal Assistance (ICLA) offices which are specialized in legal advice.

Thirdly, the process of peacebuilding requires the establishment of a functioning, legitimate government; in many post-conflict situations, this includes a referendum on a new constitution, elections and activities to ensure a free and open political environment. In post-conflict situations, political participation can effectively contribute to peace, reconstruction, and long-term development. As a 2007 report from our project states: "taking seriously political rights, including the right to vote and take part in elections and referenda, is highly relevant to societies trying to emerge from conflict and build a more stable and prosperous future. Protecting the civil and political rights of displaced people – the right to vote, to freedom of assembly and association, and of expression – allows displaced persons to play an active role in shaping their own future and that of their nation."^[8] The OSCE has identified six specific obstacles to IDP enfranchisement: lack of documentation; discriminatory practices; obsolete and restrictive residence requirements; inadequate voting arrangements; lack of timely, adequate and clear information; and insecurity and acts of intimidation."^[9]

It is important for sustainable peace that IDPs are able to participate in the political process and it is only governments that are able to create the conditions to enable their participation. However, civil society can play an important role in civic education and in encouraging participation in elections. Both civil society and the international community have played powerful roles in legitimizing political processes through their work in monitoring of elections, as for example the Organization for Security and Co-ordination in Europe (OSCE) recently did in Kosovo^[10] and as the Peoples Voter Education Network (JPPR) has done in Indonesia.

While national authorities must take the lead in these three areas, international organizations and civil society can – and do – play supporting roles.

There are other areas where governments are expected to take the lead, but where both the international community and civil society can play important complementary roles, both in encouraging and monitoring the processes and in providing tangible financial and community support to enable these to be effective.

Promoting reconciliation and transitional justice. In some cases, civil society initiatives have spurred governments to establish truth and reconciliation commissions, e.g. Peru. Without this civil society pressure, governments on their own may not have done so. In fact, the very concept of transitional justice comes from civil society. It is important to recognize that reconciliation isn't an activity which is 'done' or 'delivered', but rather a process where civil society engagement is fundamental.^[11] Reconciliation is an important component of creating the conditions which facilitate the return of IDPs.

Reconstruction. Both the planning and implementation of reconstruction in post-conflict societies often depends on support from the international community and the participation of civil society. Reconstruction of infrastructure, including community services such as schools and clinics is another important aspect of creating conditions which are conducive to IDP return. When these conditions are not met, return may not be sustainable.

Let me turn now to an examination of specific contributions which civil society can make in supporting both solutions for IDPs and peacebuilding. In particular, I'd like to focus on two specific types of civil society organizations: national human rights institutions, and non-governmental organizations.

Although their members are named by governments, National Human Rights Institutions (NHRIs) act with varying degrees of autonomy. The United Nations distinguishes three types of National Human Rights Institutions (NHRIs): human rights commissions, (ombudsmen or ombudspersons) and specialized institutions focusing on the rights of specific vulnerable groups. NHRIs can play many roles in protecting IDP rights. At a 2005 meeting in Asia organized by the National Human Rights Commission of the Philippines, the following activities for NHRIs' work with IDPs were identified:

- Data collection;
- Monitoring the human rights of IDPs, with particular attention to vulnerable groups – women, children, indigenous groups, and ethnic and religious minorities;
- Investigating and acting upon individual cases involving violations of the human rights of IDPs;
- Bringing cases to higher courts, including the supreme court;
- Promoting laws and policies based on the Guiding Principles on Internal Displacement;
- Conducting educational awareness programs;
- Providing legal aid to IDPs;
- Registering IDPs to vote;
- Helping IDPs to secure documents;

- Advocating with local and national authorities;
- Training government officials in the rights of IDPs and the obligations of national and local authorities toward them;
- Establishing networks among IDPs; and
- Working together with civil society, in particular NGOs, to enhance the effectiveness of the programs and activities.[\[12\]](#)

In some countries such as Uganda and Sri Lanka, NHRIs play very important roles in monitoring IDP situations and often serve as fora for IDPs to make their voices heard. In some cases, NHRIs are given formal roles in supporting solutions for IDPs. For example, the Uganda Human Rights Commission (UHRC) has been assigned a role under the National Policy for Internally Displaced Persons to monitor the protection of the human rights of the internally displaced and to take part in the Technical Committee responsible for planning and coordination.[\[13\]](#) Most recently, the Kenyan Human Rights Commission monitored and reported on the problems faced by internally displaced persons; those reports fed into the peace negotiations and ultimately will contribute to the peacebuilding process.[\[14\]](#) By emphasizing the difficulties faced by IDPs to either return to the communities from which they had been displaced or to their areas of origin, the Kenyan Human Rights Commission was able to influence policies related to solutions.

Peace agreements in Afghanistan, Bosnia-Herzegovina, El Salvador, Guatemala, Northern Ireland, Rwanda, Sierra Leone, South Africa and Sudan all included recommendations on the establishment of NHRIs, which offer opportunities for their further engagement with IDPs and with peacebuilding although in many cases they have not had sufficient capacity to function effectively and IDPs are rarely explicitly part of their mandate.

Let me now turn briefly to the role of non-governmental organizations (NGOs) in finding solutions to displacement and peacebuilding. Both national and international NGOs (the latter being those that work in countries other than their own) play many roles in ending displacement and in supporting peacebuilding initiatives – from providing operational support to returning IDPs to monitoring the implementation of peace agreements to working for reconciliation in local communities.

National NGOs in particular do not draw sharp distinctions between peacemaking and peacebuilding or between human rights, humanitarian and development work. Usually national NGOs work in all of these areas and may in fact have a more comprehensive response to IDPs than international agencies. Steve Utterwulge illustrates this with his description of the work of NGOs with IDPs in Angola, concluding that peacemaking and peacebuilding are not sequential phases. In fact, he argues that supporting IDPs' involvement in peacemaking can enhance their work in peacebuilding. The work done by the Centre for Common Ground in Angola prepared and supported IDPs to play an active role in peacemaking – via theater, dialogue and training. IDPs were taught about their rights and 20,000 Angolan IDPs were trained on the Guiding Principles of Internal Displacement. This enabled the IDPs to insist on their rights when it came time for them to find solutions. These activities also paved the way for them to play leadership roles in their

communities when they returned to their places of origin.^[15] Involving IDPs in peacemaking is a way of building a community-based constituency for peace both during and after their displacement..

Although there were few instances of formal IDP representation in the Sudanese negotiations for the Comprehensive Plan of Action (CPA), there was a series of 'bottom-up' or 'track-three' initiatives with IDPs and other parts of civil society. People-to-people peace processes began with the Wunlit Peace Agreement in 1999 between the Dinka and Nuer communities. A second example was the Akur Peace Agreement of 200 between Ngok Dinka and Missiriya. After a decade of talks the CPA was signed in 2005. USAID, which had supported people-to-people initiatives during the war, has developed a 'People-to-people Peace-building for Southern Sudan' which seeks to target and mitigate local conflicts that could escalate and threaten implementation of the CPA. With a focus on five urban centers of Southern Sudan as well as the areas of Abyei, Nuba Mountains and Southern Blue Nile, the initiative seeks to build local capacities for conflict resolution^[16] – capacities which can be used in peacebuilding.

In comparison with IDPs, there are many more documented examples of ways in which refugees have acquired skills during exile which have promoted peacebuilding upon their return, e.g. El Salvador and Guatemala. I have also been struck by the careful planning undertaken by Tamil refugees in India to ensure that the skills they acquire while they are refugees are the skills that will be needed someday in consolidating peace in Sri Lanka.^[17] There is less historical evidence available for the role of IDPs in peacemaking/peacebuilding, but there are current examples which indicate interesting possibilities. For example, a recent report on IDPs in the Democratic Republic of the Congo explains how they have mobilized into a volunteer community watch force to provide security in IDP camps. In North Kivu, for example, there are some 200 community watch volunteers in the four IDP sites, compared to about 60 police officers. They patrol the camps around the clock and report corrupt leaders or rapists to the police.^[18] Their engagement in these community watch activities could be useful in later monitoring security in their communities of origin.

Another area which requires further attention is the role of women's groups. The study we conducted earlier on addressing internal displacement in peace processes, peace agreements and peacebuilding highlighted the important role which women's groups can play in these processes and suggested that IDPs work closely with women's groups to ensure that their concerns are addressed.^[19] A recent meeting here in New York emphasized the importance of ensuring that women's concerns are fully addressed in peacebuilding initiatives.^[20] In some situations of internal displacement, such as Georgia, IDP women's groups have organized both to provide assistance and to advocate for solutions. The IDP Women's Association, the Coalition of Women's NGOs of Georgia and Women's Unity for Peace have worked hard to bring their communities together and to contribute to the peacemaking process.^[21] These initiatives may provide a basis for the continued engagement of IDP women in peacebuilding.

In conclusion, civil society is an important actor in finding solutions for IDPs and in contributing to peacebuilding. But civil society does not act in a vacuum. In particular, the role of national authorities in providing security is essential. Working with IDPs during their displacement can enable them to play important roles in the peacebuilding process. Civil society organizations can: raise awareness of the particular protection and assistance concerns of IDPs; support the education of local elected representatives and strengthen the role of local leaders to ensure that they are able to respond to the particular needs of IDPs; ensure a ready flow of information to displaced populations about durable solutions and support IDP participation in decisions about their future; monitor and report on the implementation of peace agreements with particular regard to their provisions for durable solutions.^[22]

NHRIs are particularly well-placed to: monitor conditions of return, local integration or resettlement to another part of the country for IDPs; conduct inquiries into reports of violations of IDPs' human rights; investigate complaints particularly regarding compensation or restitution for property, and discrimination against returnees; monitor and report on the implementation of peace agreements with particular regard to their provisions for durable solutions; and advise the government on the rights of IDPs.

Civil society has an important role to play in finding solutions for internal displacement and thus contributing to peacebuilding.

^[1] One exception to this is the study by Steve Utterwulghe, "Conflict Management in Complex Humanitarian Situations: Peacemaking and Peacebuilding Work among Angolan IDPs," *Journal of Refugee Studies*, vol. 17, no. 2, 2004. Oxford University, pp. 222-242 in which the linkages between IDPs, peacemaking and peacebuilding are explicitly drawn.

^[2] See, for example, the classic work by Mary Anderson, *Do No Harm: How Aid Can Support Peace – or War*,. Boulder: Lynne Rienner Publishers. 1999

^[3] See the *Guiding Principles on Internal Displacement*. The Brookings Institution and the United Nations. Principles 3 and 28. 1998 Available at <http://www3.brookings.edu/fp/projects/idp/resources/GPEnglish.pdf>

^[4] Even in wealthy countries, such as the United States, governments rely on civil society to assist in finding solutions for IDPs as in the Hurricane Katrina-induced displacement in 2005. NGOs and, in particular, church groups, have played a key role in rebuilding homes and in assisting those displaced in other areas. See Anne Richard, *Role Reversal: Offers of Help from Other Countries in Response to Hurricane Katrina*, Washington DC, Center for Transatlantic

Relations, 2006. for a fascinating description of international attempts to support those displaced by Katrina.

[5] *Guiding Principles*, 25 and 30.

[6] Geneva International Centre for Humanitarian Demining, *A Review of Ten Years Assistance to the Mine Action Programme in Mozambique*, Geneva, October 2005, pp. 66-67.

[7] *Ibid.*, p. 151.

[8] *Addressing Internal Displacement in Peace Processes, Peace Agreements and Peace-Building*. The Brookings Institution. 2007. Available at <http://www.brookings.edu/reports/2007/09peaceprocesses.aspx> . p. 36. Also see: Walter Kalin, "Keynote address: political rights of persons displaced by conflict," Colloquium at the International Organization for Migration, 13 June 2006.

[9] A. Ghimire, "Enfranchising IDPs in Nepal," *Forced Migration Review*, vol. 28, 2007, p. 48.

[10] OCSE Mission in Kosovo. Accessed at <http://www.osce.org/kosovo/> on 3/10/2008.

[11] Rhodri C. Williams, *The Contemporary Right to Property Restitution in the Context of Transitional Justice*, Occasional Paper Series, International Center for Transitional Justice, May 2007. Genevieve Jacques, , *Beyond Impunity: an Ecumenical Approach to Truth, Justice and Impunity*. World Council of Churches. 2000

[12] Roberta Cohen, "National Human Rights Institutions – Concluding Statement," www.brookings.edu/speeches/2005/1028_nhris.aspx?p=1

[13] Walter Kälin, "Statement to the National Human Rights Institutions in Africa," www.brookings.edu/speeches/2007/1008_africa.aspx.

[14] See for example, "Kenya: Repatriation of IDPs Criticised," *The East African Standard*, 16 February 2008 <http://www.eastandard.net/news/?id=1143981965&cis=4> ; "Rights Activist Pinpoints Reforms to Resolve Crisis," 12 February 2008, <http://allafrica.com/stories/200802120531.html?viewall=1>

[15] Utterwulghe, op cit.

[16] *Addressing Internal Displacement*, pp. 49-50.

[17] See for example, the reports of OfERR in WCC, *Activity Reports of Work with the Uprooted*, Geneva: World Council of Churches, 2001-2007.

[18] See www.reliefweb.int/rw/RWB.NSF/db900SID/EGUA-7CFRD4?OpenDocument

[19] *Addressing Internal Displacement in Peace Processes, Peace Agreements and Peace-Building*. The Brookings Institution. 2007. Available at <http://www.brookings.edu/reports/2007/09peaceprocesses.aspx>. p. 45.

[20] See Commission on the Status of Women, "Women's full participation in conflict prevention, peacebuilding needed to end use of sexual violence as weapon, ensure legal rights, say commission speakers," www.reliefweb.int/rw/rwb.nsf/db900SID/EGUA-7CDNSW?OpenDocument, 29 February 2008.

[21] *Addressing Internal Displacement*, p. 46.

[22] *Addressing Internal Displacement in Peace Processes, Peace Agreements and Peace-Building*. The Brookings Institution. 2007. Available at <http://www.brookings.edu/reports/2007/09peaceprocesses.aspx> . p. 43