

Peace Agreements – thematically compiled version

Topic	Agreement and relevant parts
Definition	<p>Darfur Peace Agreement: Definitions p. (v): “Displaced person” means IDPs or refugees. “Internally Displaced Persons” (IDPs) mean persons or groups of persons who have been forced or obliged to flee 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 generalised violence, violations of human rights or natural or man-made disaster and who have not crossed an international border. “Returnee” means a displaced person who voluntarily returns to his/her habitual residence before displacement with the intention to re-establish himself/herself there. “War-affected person” means persons or groups of people who have suffered persecution during the conflict in Darfur as well as those whose life and livelihood have been adversely affected as a result of the conflict.</p> <p>Eastern Sudan Peace Agreement: Definitions p. 4: - Definition of IDP according to the Guiding Principles - IDPs probably fall also in the category of war affected persons.</p> <p>Liberia Peace Agreement (Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties): -</p> <p>Lomé Agreement: -</p> <p>General Peace Agreement for Mozambique: -</p> <p>Pact on Security, Stability and Development in the Great Lakes Region, incl. Dar es salaam declaration on peace, security, democracy and development in the Great Lakes Region, incl. relevant Protocols (Integral parts): Article 1 IDP-Protocol: para. 4 restates the idp-definition of the guiding principles; para. 5 also applies the term idp to persons displaced by development projects (Article 5 of the IDP-Protocol specifically deals with development-induced displacement, is, however, for not included in this list) Art. 6 para. 3 and 4 IDP-Protocol: Enactment of national legislation to domesticate the Guiding Principles and thereby ensure that this legislation contains a definition of an idp as in Art. 1 paras. 4 and 5 of the IDP-Protocol Art. 1 para. 3 and 4 Property-Protocol: as in the IDP-Protocol Art. 1 para. 8 Property-Protocol: Definition of the returnee as idps or refugees who return to their original places of residence in their country of origin</p> <p>General Agreement on the Establishment of Peace and National Accord in Tajikistan (incl. respective protocols): -</p> <p>Comprehensive Peace Accord Nepal (incl. relevant Codes of conduct and agreements): -</p> <p>Cambodian Peace Agreement: <i>[Agreement on a comprehensive political settlement of the Cambodia Conflict (incl. Annexes), Agreement concerning sovereignty, independence, territorial integrity and inviolability, neutrality and national unity of Cambodia, Declaration on the Rehabilitation and Reconstruction in Cambodia. (All contained in one document; references are made to pages for ease)]</i> -</p> <p>Guatemalan Agreement on a Firm and Lasting Peace (incl. Agreement on Resettlement of the Populations Groups Uprooted by</p>

	<p>Armed Conflict and Comprehensive Agreement Human Rights): Resettlement-agreement, para. 1: Uprooted population shall include all persons who have been uprooted for reasons connected with the armed conflict, whether they live within or outside Guatemala, and shall include, in particular, refugees, returnees and internally displaced persons, either dispersed or in groups, including popular resistance groups.</p> <p>Dayton Peace Agreement: -</p> <p>Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia: -</p> <p>Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (Erdut Agreement): -</p>
<p>Human Rights</p>	<p>Darfur Peace Agreement:</p> <ul style="list-style-type: none"> - Citizenship as basis for civil and political rights and obligations (para 23) - Catalogue of human rights (Art. 3, paras. 23-43) - Enumeration of civil and political rights; relevance with regard to IDPs in the post-displacement phase are in particular: Non-discrimination (para. 27), participatory rights (para. 31, 37), Property rights (para. 33), freedom of movement and choice of residence (para. 34); monitoring (para. 41) All Sudanese citizens have equal rights to... → social rights (para. 97) - Displaced persons will enjoy same HR as other citizens, in particular authorities have responsibility to ensure freedom of movement and choice of residence, including the right to return (para. 176) - Treatment of IDPs in accordance with IHL, HR and guiding principles set out in the declaration of principles (para. 177) - Pledge of all parties to agreement to provide protection and physical security to displaced persons in Darfur; necessary efforts are to be made to respond to violations of human rights, redress and ensure justice (para. 185) - Documentation to exercise legal rights (para. 191 und 192) - Protection of integrity of the family and right to family life. Reunification with unaccompanied minors (para. 193) - Cognizant of the debilitating effects of armed conflict, and appreciating the need for a comprehensive ceasefire in Darfur, the parties hereby guarantee the free movement of people (para. 214) Restriction to the free movement of people and goods is prohibited in the light of the ceasefire (para. 226f) - Restrictions to the free movement of people, acts of gbv and Child recruitment are prohibited in the light of the ceasefire (para. 226e, f, m) - Tasks of joint humanitarian facilitation and monitoring unit: monitor humanitarian assistance and welfare conditions; observing safety and respect for human rights in relation to IDPs other civilians and humanitarian supplies; make recommendation among others to the humanitarian coordinators of IDP camps, humanitarian orgs and the parties; providing support to existing national and international humanitarian coordination mechanisms for assistance in IDP camps and the UN (including in consultation with IDP-reps); supporting UN and humanitarian agencies; support UNHCR in facilitating return of refugees; facilitate relevant humanitarian orgs as requested by them in facilitating the voluntary and safe return of IDPs; defusing tensions among communities and building confidence (para. 260) - General commitments regarding protection of IDPs and humanitarian supply routes: Respect the rights of IDPs, refrain from activities undermining the safety, security and welfare of IDPs; refrain from activities that undermine or jeopardise humanitarian operations; create a conducive and non-intimidating environment for voluntary return of IDPs and refugees; special protection for women, children, disabled (para. 262) - Protection of women and children: child soldiers (para. 275; the parties in coordination with AMIS civilian police and humanitarian coordination mechanisms for assistance in IDP camps and the UN (including in consultation with IDP reps) shall ensure protection of women and children in camps from all forms of violence (para. 276); investigation, prosecution (para. 277); separate police counters (para. 278); AMIS civilian forces shall have specialist gender units (para. 279) <p>Eastern Sudan Peace Agreement:</p>

- Citizenship shall be the basis for civil and political rights and obligations (art. 1, para. 3)
- Political system shall ensure respect, protection and promotion of human rights and fundamental freedoms for all citizens (Art. 1, para. 4)
- The parties reaffirm their commitment to respect and promote human rights and freedoms as detailed in the interim national constitution and in international human rights covenants ratified by the Government of Sudan (Art. 6, para. 13)
- Fundamental principles for resolving economic, social and cultural issues (Art. 19, paras. 44-55): Overarching aim shall be poverty eradication, guaranteeing equitable distribution of wealth, ensuring quality of life, dignity and good living conditions of all citizens; ensure social justice among all people; languages, cultures and beliefs of the people shall be respected, promoted and protected, including through education and media; Education as a right of every citizen; Promotion of public health and guarantee of equal access and free primary health to all citizens;
- Ceasefire and security arrangement – general principles: Affirmation that respect for constitution, rule of law, good governance, fundamental human rights and the provision of a decent standard of living for citizens are essential for security (IN TEXT STEHT NICHT ESSENTIAL SONDERN DETRIMENTAL; JEDOCH GEHE ICH DAVON AUS, DASS ES SICH UM EINEN FEHLER HANDELN DÜRFTE) (Art. 24, para. 86)
- Appendix C; Principles for the Resolution on the Conflict in Eastern Sudan: Protection of the fundamental freedoms and rights of the citizen (1), political, economic, social and cultural marginalization as the core problem (2), fair share of national resources and affirmative action to address past inequalities as well as sustained social, economic and cultural development are key to a just and lasting settlement (3) etc.

Liberia Peace Agreement (Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties):

- Commitment to promote full respect for IHL and human rights (preamble)
- Respect for IHL in post conflict Liberia (Art. XV)
- Basic civil and political rights shall be fully guaranteed and respected. This includes the right to life and liberty, freedom from torture, fair trial, freedom of conscience, expression and association, and the right to take part in the governance of one's country (art. VII, para. 1)
- A national commission on human rights shall monitor compliance with the basic rights and promote human rights education. To this end it shall work together with the civil society, international hr orgs and relevant UN agencies. (Art. VII, para. 2.3)
- Technical, financial and material assistance shall inter alia be sought from OHCHR (Art. VII; para. 4)
- Truth and reconciliation commission (Art. XIII)
- The national transitional legislative assembly shall have responsibility for encouraging and supporting the emergence of a new democratic space, particularly in the areas of human rights and freedom of expression (Art. XXIV, para. 7 lit. c)

Lomé Agreement:

Part Five, para. 1: Recognition of importance to uphold, promote and protect the human rights of every Sierra Leonean

Article XXIII : As a reaffirmation of their commitment to the observation of the conventions and principles of human rights and the status of refugees, the Parties shall take effective and appropriate measures to ensure that the right of Sierra Leoneans to asylum is fully respected and that no camps or dwellings of refugees or displaced persons are violated.

Article XXIV: Guarantee and promotion of human rights

Article XXV: Establishment of a autonomous quasi-judicial national human rights commission to strengthen the existing machinery for addressing grievances; promotion of human rights education; technical and material assistance may be sought from OHCHR, African Commission on HPR and other relevant IOs; Consortium of local human rights and civil society groups shall be encouraged to help monitor human rights observance.

Art. XXVI: Establishment of Truth and Reconciliation Commission to provide among

others a forum for both victims and perpetrators of human rights violations to tell their stories in order to facilitate healing and reconciliation; recommend measures to be taken for the rehabilitation of victims of human rights violations

Article XXXI: Right to education and health

General Peace Agreement for Mozambique:

Protocol III, para. I and II (principles which should guide the drafting of the Electoral process); rights listed mostly relate to elections, such as freedom of the press and access to media, freedom of association, expression and political activity.

Protocol III, para. III: Liberty of movement and freedom of residence: All citizens shall have the right to move about throughout the country without having to obtain administrative authorization. All citizens have the right to choose to reside anywhere in the national territory and to leave or return to the country.

Protocol III, para. IV (c): Mozambican refugees and displaced persons shall not forfeit any of the rights and freedoms of citizens for having left their original places of residence.

Protocol III, para. IV (d): Mozambican refugees and displaced persons shall be registered and included in the electoral rolls together with other citizens in their places of residence

Protocol III, para. V (2): The right to vote; in particular lit. c: Exercise of the right to vote shall be conditional on registration in the electoral rolls

Protocol III, para. V (4): Voting assemblies: At each polling place there shall be a Voting Assembly composed of: All citizens who are to exercise their right to vote at the given polling place

Pact on Security, Stability and Development in the Great Lakes Region, incl. Dar es salaam declaration on peace, security, democracy and development in the Great Lakes Region, incl. relevant Protocols (Integral parts):

Para. 56 and 57, 59 Declaration: Commitment to comply with human rights, to ratify, implement and operationalize all relevant human rights instruments; Comply with obligations and principles of refugee conventions; adherence to IHL

Para. 58 Declaration: Respect and use Guiding Principles, harmonise all relevant pieces of legislation and define a national and regional framework for the monitoring and follow-up of the standards contained therein and which relate to the access and protection of disaster victims, idps, women and children who are victims of conflicts

Art. 2 para. 1 IDP-Protocol: Objective of the this Protocol is establishment of a legal framework for ensuring adoption and implementation of the Guiding Principles; para. 3: Objective to provide a legal basis for the domestication of the Guiding Principles

Art. 4 para. 1a IDP-Protocol: Adherence to principles of IHL, HR applicable to the protection of idps in general and as reflected in the Guiding Principles in particular

Art. 4 para 1g IDP-Protocol: Ensure freedom of movement and choice of residence within designated areas of location, except when restrictions on such movement are necessary, justified, and proportionate to the requirements of maintaining public security, public order and public health

Art. 4 para 1h IDP-Protocol: Facilitate family reunification and provide, if necessary, special protection for families with mixed ethnic identity

Art. 4 para. 1k IDP-Protocol: This protocol shall neither abrogate the idp's right to seek asylum nor derogate from the principle of non-refoulement

Art. 6 para. 1 IDP-Protocol: Member states undertake to adopt and implement the Guiding Principles as a regional framework for providing protection and assistance to idps

Art. 6 paras. 3 and 4 IDP-Protocol: Enact national legislation to domesticate the guiding principles and provide a legal framework for their implementation. This legislation shall ensure to define idps, specify the organs relevant for protection and assistance, disaster preparedness and the implementation, provide channels of engagement and cooperation and to enable a holistic incorporation of the guiding principles.

General Agreement on the Establishment of Peace and National Accord in Tajikistan (incl. respective protocols):

Para. 2 Refugee Protocol: The Government assumes the obligation to reintegrate returning refugees and displaced persons into the social and economic life of the country, which includes the provision to them of humanitarian and financial aid, assistance in

finding employment and housing and restoration of all their rights as citizens (incl. the return to them of dwellings and property and guaranteed uninterrupted service), and not institute criminal proceedings against returning refugees and displaced persons for their participation in the political confrontation and the civil war

Comprehensive Peace Accord Nepal (incl. relevant Codes of conduct and agreements):

Comprehensive Peace Accord, Preamble: Commitment towards human rights

Para. 3.4 Comprehensive Peace Accord: Adopt a political system that fully abides by the universally accepted principles of fundamental human rights

Para. 3.9 Comprehensive Peace Accord: Adopt a policy of establishing the rights of all citizens to education, health, housing, employment and food security

Para. 7.1 Comprehensive Peace Accord: Comprehensive catalogue of human rights, in particular:

Para. 7.3.3. Comprehensive Peace Accord: Both sides shall respect and protect the citizens' right to free mobility and the freedom to choose within legal norms the location of one's residence and express the commitment to respect the right of the people displaced by the conflict and their families to return back to their homes or to settle in any other location of their choice.

Para. 7.4.2 Comprehensive Peace Accord: Both sides respect the right of every citizen to take part directly or through one's selected representative in issues of public concern, to vote, to be elected and to enjoy the right to equality of entering public service.

Para. 7.5.2 Comprehensive Peace Accord: Commitment to respecting and guaranteeing the rights of food security to all people. They guarantee that there would be no interference in the transportation, use and distribution of food, food products and food grains.

Para. 7.5.3 Comprehensive Peace Accord: Right to health; not obstruct the supply of medicine, assistance and health related campaigns, and express commitment to treatment and rehabilitation of people injured in course of conflict.

Para. 7.5.4 Comprehensive Peace Accord: Private property of any individual will not be seized or usurped, except when permitted by law.

Para. 7.6 Comprehensive Peace Accord: Special protection to the rights of women and children.

Cambodian Peace Agreement:

P. 14, Art. 15/ p. 52, para. 1 and 2: All persons in Cambodia and all Cambodian refugees and displaced persons shall enjoy the rights and freedoms embodied in the Universal Declaration of Human Rights and other relevant international human rights instruments.

p. 27, Section E: Mandate of UNTAC regarding human rights: Development and implementation of a programme of human rights education to promote respect for and understanding of human rights; General human rights oversight during the transitional period; investigation of human rights complaints and where appropriate corrective action

p. 43, Annex 4, para. 4: There must be full respect for the human rights and fundamental freedoms of all Cambodians, including those of the repatriated refugees and displaced persons, in recognition of their entitlement to live in peace and security, free from intimidation and coercion of any kind. These rights would include, inter alia, freedom of movement within Cambodia, the choice of domicile and employment, and the right to property.

Guatemalan Agreement on a Firm and Lasting Peace (incl. Agreement on Resettlement of the Populations Groups Uprooted by Armed Conflict and Comprehensive Agreement Human Rights):

Agreement on firm and lasting peace, para. 2: Reaffirming adherence to principles and norms aimed at guaranteeing and protecting full respect for human rights, and its political determination to enforce them.

Agreement on firm and lasting peace, para. 5: Recognition of the identity and rights of indigenous peoples

Agreement on firm and lasting peace, para. 10: Opportunity to renew the country's institutions so that, working in coordination, they can guarantee Guatemalans the rights to life, liberty, justice, security, peace and the full development of the individual.

Resettlement-agreement, principle 2: Full respect for the human rights of the uprooted shall be an essential condition for the resettlement of this population.

Resettlement-agreement, objectives: Objectives of the comprehensive resettlement

strategy are: ensure that uprooted populations fully enjoy their human rights; reintegration, fight against poverty, democratization, reconciliation.
Resettlement-agreement, Guarantees, para. 1: Full respect for human rights and fundamental freedoms is essential for the security and dignity of resettlement processes. The Parties reiterate their decision to comply fully with the Comprehensive Agreement on Human Rights, promoting respect for the human rights of uprooted populations, once of the vulnerable sectors which deserve particular attention, with special vigilance.
Resettlement-agreement, Guarantees, para. 2: Protection of female-headed families, widows and orphans
Resettlement-agreement, Guarantees, para. 3: Rights of indigenous communities

Comprehensive HR-agreement, para. I/1-2: General commitment
Comprehensive HR-agreement, para. II/1-3: Strengthening institutions for the protection of human rights (the judiciary, the Public Prosecutor's office, The Counsel for Human Rights)
Comprehensive HR-agreement, para. III/1-3: Commitment against impunity
Comprehensive HR-agreement, para. IV/1-2: commitment that there are no illegal security forces and clandestine machinery
Comprehensive HR-agreement, para. V/1: Recognition of guarantees regarding freedom of association and freedom of movement
Comprehensive HR-agreement, para.V/2-7: Issues relating to volunteer civil defence committees
Comprehensive HR-agreement, para.V/8: Request the Office of the Counsel for Human Rights to include in its work information regarding the content and scope of the present agreement
Comprehensive HR-agreement, para.VI/1-2: Military conscription
Comprehensive HR-agreement, para.VII/1-3: Safeguards and protection of individuals and entities working for the protection of human rights
Comprehensive HR-agreement, para.VIII/1: Compensation and assistance to victims of human rights violations.
Comprehensive HR-agreement, para.X: International verification by the UN → see implementation.

Dayton Peace Agreement:

Annex 7 Art. I (2): The Parties shall ensure that refugees and displaced persons are permitted to return in safety, without risk of harassment, intimidation, persecution, or discrimination, particularly on account of their ethnic origin, religious belief, or political opinion.

Annex 7 Art. I: The Parties shall secure to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, including the rights and freedoms provided in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols and the other international agreements listed in the Appendix to this Annex. These include :

(...)

(6) The right to private and family life, home, and correspondence.

(...)

(11) The right to property.

(12) The right to education.

(13) The right to liberty of movement and residence.

(14) The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in the Annex to this Constitution secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Annex 7 Art. II (2) The Parties shall not discriminate against returning refugees and displaced persons with respect to conscription into military service, and shall give positive consideration to requests for exemption from military or other obligatory service

	<p>based on individual circumstances, so as to enable returnees to rebuild their lives</p> <p>Annex 7 Art. II (2) The Parties shall not discriminate against returning refugees and displaced persons with respect to conscription into military service, and shall give positive consideration to requests for exemption from military or other obligatory service based on individual circumstances, so as to enable returnees to rebuild their lives.</p> <p>Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia:</p> <p>-</p> <p>Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (Erdut Agreement):</p> <p>6. The highest levels of internationally recognized human rights and fundamental freedoms shall be respected in the region.</p>
<p>Property</p>	<p>Darfur Peace Agreement:</p> <ul style="list-style-type: none"> - Restoration of land rights to IDPs, including traditional and historical rights in respect of land or access to water. Compensation (para. 159) - Land commission to address issues related to traditional and historical rights (163ff). Commission is bound by any decision of an authority constituted under agreement to make decisions concerning land of displaced persons (para. 167) - Right to restitution whether they choose to return or not; right to be compensated for loss (para. 194); compensation only where it is factually established that restitution is impossible (para. 196) <p>Establishment of simple, accessible, transparent and enforceable procedures for restitution. Procedures contains positive measure to ensure that women can participate fully and equally (para. 195)</p> <ul style="list-style-type: none"> - Property Claims Committees established by Darfur rehabilitation and resettlement commission to deal with all property disputes that arise from return process (para. 197) - In the light of the ceasefire, all attacks, harassment, abduction, intimidation and injury to civilians, including IDPs, humanitarian workers and other non-combatants, and any seizure or their equipment and property is prohibited (para. 226b) <p>Eastern Sudan Peace Agreement:</p> <ul style="list-style-type: none"> - Every citizen have the right to acquire or own property, no private property may be expropriated except by law for the public interest and prompt and fair compensation (Art. 19, para. 53) - Citizens affected by the development of land and/or natural resources are consulted, right to adequate compensation (Art. 21, para. 68) - All persons arbitrarily or unlawfully deprived of their rights to land shall have those rights restored to them (Art. 21, para. 69) <p>Liberia Peace Agreement (Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties):</p> <p>-</p> <p>Lomé Agreement:</p> <p>-</p> <p>General Peace Agreement for Mozambique:</p> <p>Protocol III, para. IV (e): Mozambican refugees and displaced persons shall be guaranteed restitution of property owned by them which is still in existence and the right to take legal action to secure the return of such property from individuals in possession of it.</p> <p>Pact on Security, Stability and Development in the Great Lakes Region, incl. Dar es salaam declaration on peace, security, democracy and development in the Great Lakes Region, incl. relevant Protocols (Integral parts):</p>

Art. 13 Pact: Provide legal protection for the property of idps and refugees in their countries of origins. In particular, to adopt legal principles to ensure the recovery of the property upon return with the assistance of the local traditional and administrative authorities. Creation of a legal framework for resolving disputes.

Para. 69 Declaration: Ensure that refugees and displaced persons, upon return to their areas of origin, recover their property with assistance of the local traditional and administrative authorities.

Art. 4 para 1c IDP-Protocol: Provide special protection for displaced populations, communities, pastoralists and other groups, with a special dependency on and attachment to their lands

Art. 1 para. 5 Property-Protocol: Definition of property as autonomous possessions of economic value such as, moveable and immovable property including land, corporeal and incorporeal possessions like intellectual property or copy right, money, pecuniary gains, debts, and contractual rights;

Art. 2 Property-Protocol lists the objectives: provide legal protection for idps' and refugees' property; establish legal principles to ensure that refugees and idps, upon their return to their areas of origin, recover their property with the assistance of the local traditional and administrative authorities; provide a legal basis for resolving disputes; special protection for the property of returning women, children, and communities with special attachment to land; legal remedies for loss or destruction of property

Art. 3 Property-protocol: General Principles of legal protection of property, incl. stating in para. A the right of everyone incl. idps to own property

Art. 4 Property-Protocol: Recovery and restoration of property

Art. 5 Property-Protocol: Protection of the Property of Returning Spouses

Art. 6 Property-Protocol: protection of Property of Returning Children and Orphans

Art. 7 Property-Protocol: Protection of the Property of Returning Communities with special attachment to their lands

Art. 8 Property-Protocol: Compensation

Art. 9 Property-Protocol: Monitoring

General Agreement on the Establishment of Peace and National Accord in Tajikistan (incl. respective protocols):

Para. 2 Refugee Protocol: The Government assumes the obligation to reintegrate returning refugees and displaced persons into the social and economic life of the country, which includes the provision to them of humanitarian and financial aid, assistance in finding employment and housing and restoration of all their rights as citizens (incl. the return to them of dwellings and property and guaranteed uninterrupted service), and not institute criminal proceedings against returning refugees and displaced persons for their participation in the political confrontation and the civil war

Comprehensive Peace Accord Nepal (incl. relevant Codes of conduct and agreements):

Para. 7.5.4 Comprehensive Peace Accord: Private property of any individual will not be seized or usurped, except when permitted by law.

Para. 19 25-point-program: Return properties of...civilians, which were seized, locked up or prohibited from being used during the period of conflict, to concerned persons or their families.

Cambodian Peace Agreement:

p. 43, Annex 4, para. 4: There must be full respect for the human rights and fundamental freedoms of all Cambodians, including those of the repatriated refugees and displaced persons, in recognition of their entitlement to live in peace and security, free from intimidation and coercion of any kind. These rights would include, inter alia, freedom of movement within Cambodia, the choice of domicile and employment, and the right to property.

Guatemalan Agreement on a Firm and Lasting Peace (incl. Agreement on Resettlement of the Populations Groups Uprooted by Armed Conflict and Comprehensive Agreement Human Rights):

Resettlement-agreement, Guarantees, para.8: legal security of holding land

Resettlement-agreement, Guarantees, para. 9: Abandonment of land as a result of armed conflict is not considered to be voluntary abandonment. Promotion of return of land to the original holders and/or shall seek adequate compensatory solutions.

Dayton Peace Agreement:

Annex 7 Art. I (1): They shall have the right to have restored to them property of which they were; deprived in the course of hostilities since 1991 and to be compensated for any property that cannot be restored to them.

Commission for Displaced Persons and Refugees

Annex 7 Art. VII. Establishment of a Commission for Displaced Persons and Refugees

Mandate:

Annex 7 Art. VII. The Commission shall receive and decide any claims for real property in Bosnia and Herzegovina, where the property has not voluntarily been sold or otherwise transferred since April 1, 1992, and where the claimant does not now enjoy possession of that property. Claims may be for return of the property or for just compensation in lieu of return.

Composition, Cooperation, Facilities, Staff and Expenses

(...)

Proceedings before the commission

Annex 7 Art. XII.

1. Upon receipt of a claim, the Commission shall determine the lawful owner of the property with respect to which the claim is made and the value of that property. The Commission, through its staff or a duly designated international or nongovernmental organization, shall be entitled to have access to any and all property records in Bosnia and Herzegovina, and to any and all real property located in Bosnia and Herzegovina for purposes of inspection, evaluation and assessment related to consideration of a claim.
2. Any person requesting the return of property who is found by the Commission to be the lawful owner of that property shall be awarded its return. Any person requesting compensation in lieu of return who is found by the Commission to be the lawful owner of that property shall be awarded just compensation as determined by the Commission. The Commission shall make decisions by a majority of its members.
3. In determining the lawful owner of any property, the Commission shall not recognize as valid any illegal property transaction, including any transfer that was made under duress, in exchange for exit permission or documents, or that was otherwise in connection with ethnic cleansing. Any person who is awarded return of property may accept a satisfactory lease arrangement rather than retake possession.
4. The Commission shall establish fixed rates that may be applied to determine the value of all real property in Bosnia and Herzegovina that is the subject of a claim before the Commission. The rates shall be based on an assessment or survey of properties in the territory of Bosnia and Herzegovina undertaken prior to April 1, 1992, if available, or may be based on other reasonable criteria as determined by the Commission.
5. The Commission shall have the power to effect any transactions necessary to transfer or assign title, mortgage, lease, or otherwise dispose of property with respect to which a claim is made, or which is determined to be abandoned. In particular, the Commission may lawfully sell, mortgage, or lease real property to any resident or citizen of Bosnia and Herzegovina, or to either Party, where the lawful owner has sought and received compensation in lieu of return, or where the property is determined to be abandoned in accordance with local law. The Commission may also lease property pending consideration and final determination of ownership.
6. In cases in which the claimant is awarded compensation in lieu of return of the property, the Commission may award a monetary grant or a compensation bond for the future purchase of real property. The Parties welcome the willingness of the international community assisting in the construction and financing of housing in Bosnia and Herzegovina to accept compensation bonds awarded by the Commission as payment, and to award persons holding such compensation bonds priority in obtaining that housing.
7. Commission decisions shall be final, and any title, deed, mortgage, or other legal instrument created or awarded by the Commission shall be recognized as lawful

	<p>throughout Bosnia and Herzegovina.</p> <p>8. Failure of any Party or individual to cooperate with the Commission shall not prevent the Commission from making its decision.</p> <p>Use of vacant property</p> <p>Annex 7 Art. XIII The Parties, after notification to the Commission and in coordination with UNHCR and other international and nongovernmental organizations contributing to relief and reconstruction, may temporarily house refugees and displaced persons in vacant property, subject to final determination of ownership by the Commission and to such temporary lease provisions as it may require.</p> <p>Refugees and Displaced Persons Property Fund</p> <p>Annex 7 Art. XIV(1):. A Refugees and Displaced Persons Property Fund (the "Fund") shall be established in the Central Bank of Bosnia and Herzegovina to be administered by the Commission. The Fund shall be replenished through the purchase, sale, lease and mortgage of real property which is the subject of claims before the Commission. It may also be replenished by direct payments from the Parties, or from contributions by States or international or nongovernmental organizations.</p> <p>Annex 7 Art. XIV (2). Compensation bonds issued pursuant to Article XII(6) shall create future liabilities on the Fund under terms and conditions to be defined by the Commission.</p> <p>Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia:</p> <p>Art. 7: The Contracting Parties shall ensure conditions for a free and safe return of refugees and displaced persons to their places of residence or other places which they freely choose. The Contracting Parties shall ensure to these persons return into possession of their property or a just compensation.</p> <p>Within six months from the date of the entry into force of this Agreement, the Contracting Parties shall conclude an agreement on compensation for all destroyed, damaged or lost property. Such agreement shall define the procedures for the realization of the rights to fair compensation which shall not include court proceedings.</p> <p>Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (Erdut Agreement):</p> <p>8. All persons shall have the right to have restored to them any property that was taken from them by unlawful acts or that they were forced to abandon and to just compensation for property that cannot be restored to them.</p> <p>9. The right to recover property, to receive compensation for property that cannot be returned and to receive assistance in reconstruction of damaged property shall be equally available to all persons without regard to ethnicity.</p> <p>Abkhazia: Quadripartite agreement on voluntary return of refugees and displaced persons signed on 4 April 1994:</p> <p>...</p> <p>(g) Returnees shall, upon return, get back movable and immovable properties they left behind and should be helped to do so, or to receive whenever possible an appropriate compensation for their lost properties if return of property appears not feasible.</p> <p>The Commission mentioned in paragraph 5 below will establish a mechanism for such claims. Such compensation should be worked out in the framework of the reconstruction/rehabilitation programmes to be established with a financial assistance through the United Nations Voluntary Fund;</p>
Documentation	<p>Darfur Peace Agreement:</p> <p>- Facilitate registration of all displaced persons and issuance of all documents necessary</p>

for exercising legal rights. Issuance of new documents or replacement of documents lost during displacement without imposition of unreasonable conditions, costs or delays. (para. 191)

- Equal rights of men and women in obtaining necessary docs. Women and girls need shall have - docs in their own names (para. 191)

Eastern Sudan Peace Agreement:

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Liberia Peace Agreement (Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties):

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Lomé Agreement:

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General Peace Agreement for Mozambique:

Protocol III, para. IV (d): Mozambican refugees and displaced persons shall be registered and included in the electoral rolls together with other citizens in their places of residence

Protocol III, para. V (2): The right to vote; in particular lit. c: Exercise of the right to vote shall be conditional on registration in the electoral rolls

Protocoll III, para. V (4): Voting assemblies: At each polling place there shall be a Voting Assembly composed of: All citizens who are to exercise their right to vote at the given polling place

Pact on Security, Stability and Development in the Great Lakes Region, incl. Dar es salaam declaration on peace, security, democracy and development in the Great Lakes Region, incl. relevant Protocols (Integral parts):

Para. 68 Declaration: Provide refugees and displaced persons with id-docs enabling them to have access to basic services and exercise their rights

Art. 3 IDP-Protocol: Responsibility for protecting idps: para. 1: prevention of arbitrary displacement and elimination of root causes; para. 2: mitigation of consequences of disaster-induced displacement: para. 3: Member states accept their primary responsibility for the protection of the physical and material safety during flight, in places of displacement and upon return, or resettlement; para. 4: Responsibility for needs-assessment and assist idps with registration, maintenance of a national data base for the registration; para. 5: establish and designate governmental organs responsible for disaster emergency preparedness, coordinating protection and assistance as well as acting as focal structures for cooperation with international agencies and civil society; para. 6: Ensure rapid and unimpeded humanitarian access and assistance; para. 7: ensure safety and security of humanitarian personnel; para. 8: obligation of humanitarian personnel to observe and respect laws of the country; para. 9: safeguard and maintain civilian and humanitarian character of the protection and location of idps in accordance with guidelines on the separation of armed forces; para. 10: lack of capacity → accept and respect obligation of international community to protect and assist

General Agreement on the Establishment of Peace and National Accord in Tajikistan (incl. respective protocols):

Para. 5 Refugee Protocol: REFUGEES ONLY The Parties appeal to the Governments of the CIS States (GUS) to consider issuing temporary id-docs to refugees and to assist UNHCR in carrying out measures to ensure the safety of refugees.

Comprehensive Peace Accord Nepal (incl. relevant Codes of conduct and agreements):

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Cambodian Peace Agreement:

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Guatemalan Agreement on a Firm and Lasting Peace (incl. Agreement on Resettlement of the Populations Groups Uprooted by Armed Conflict and Comprehensive Agreement Human Rights):

Resettlement-agreement, Guarantees, para. 7: Urgent solutions to address the lack of personal documentation. 7.1: intensify efforts to streamline necessary mechanisms, taking

	<p>into account, where appropriate, the registers kept by the uprooted communities themselves; 7.2: Revision of act concerning replacement and registration of birth certificates in civil registers, establish a system adapted to the needs of all affected population groups, with streamlined, free-of-charge registration procedures. For such purposes, the views of the affected sectors shall be taken into account. Personal docs and id shall be completed as soon as possible; 7.3 children born outside Guatemala 7.4: cooperation of UN and international community to implement this programme</p> <p>Dayton Peace Agreement:</p> <p>-</p> <p>Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia:</p> <p>-</p> <p>Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (Erdut Agreement):</p> <p>-</p> <p>Abkhazia: Quadripartite agreement on voluntary return of refugees and displaced persons signed on 4 April 1994:</p> <p>3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:</p> <p style="padding-left: 40px;">(e) The Parties shall ensure that refugees and displaced persons, upon return, will get their expired documents (propiska, passport) extended and validated for their previous place of residence or the elected place of return;</p>
<p>Participation</p>	<p>Darfur Peace Agreement:</p> <ul style="list-style-type: none"> - Local Government shall ensure the effective participation of the citizens (para. 62) - Participation of Darfurians in general, Art. 8ff. - Women (para. 109) - Consultation with IDPs and returnees through Darfur rehabilitation and resettlement commission (para. 183) - Provision of food, shelter and water while displaced persons are en route to areas of return; full participation of women in the planning and distribution of these facilities (para. 187) - Tasks of joint humanitarian facilitation and monitoring unit: providing support to existing national and international humanitarian coordination mechanisms for assistance in IDP camps and the UN (including in consultation with IDP-reps) (para. 260) - Demilitarised zone around IDPs camps (para. 263) The ceasefire commission have responsibility to determine boundaries of this zone and consult where necessary the existing humanitarian coordination mechanisms for assistance in IDPcamps (including in consultation with IDP reps) (para. 267) - Security in IDP camps: Monitoring by AMIS Civilian Police (para. 270); security arrangement in coordination with mechanisms for assistance in IDP camps and the UN (incl. in consultation with IDP.reps) (para. 217); plan for establishing, training and building capacity of community police. This police shall be selected by the IDP community itself (para. 272); Training of the community police in IDP camps to enable them to perform policing functions in the camps as the basis for a community police force for those IDPs on their return (para. 273) - Protection of women and children: child soldiers (para. 275; the parties in coordination with AMIS civilian police and humanitarian coordination mechanisms for assistance in IDP camps and the UN (including in consultation with IDP reps) shall ensure protection of women and children in camps from all forms of violence (para. 276); investigation, prosecution (para. 277); separate police counters (para. 278); AMIS civilian forces shall have specialist gender units (para. 279) - Darfur-Darfur Dialogue and Consultation (DDDC) (paras. 458ff). Mechanism for mobilizing support for peace agreement, ownership (paras. 461f); DDDC shall serve as consultative mechanism (para. 465); Issues addressed by the DDDC include among others the safe return of refugees and IDPs (para. 484); all tribes in Darfur shall be represented and include therefore reps chosen by all localities incl. refugees and idps (para. 494)

Eastern Sudan Peace Agreement:

→ GENERAL, NOT IDP-SPECIFIC

- Federal system of the government is essential to ensure a fair and equitable participation (Art. 1 para. 5)
- Reflection of equitable representation of all citizens in the national civil services, armed forces, police, intelligence services (Art. 1 para. 6)
- Participation of women in all government institutions (Art. 1 para. 7)
- Guidelines for effective participation of the people from Eastern Sudan in all governmental institutions (Art. 7, paras. 14-19): Commitment; In determining the representation the criteria of relevant precedents, population size, level of marginalization and principles of affirmative action shall be used; participation in elections; participation of women
- Citizens affected by the development of land and/or natural resources are consulted, right to adequate compensation (Art. 21, para. 68)
- Appendix C; Principles for the Resolution on the Conflict in Eastern Sudan: effective participation and representation in all government institutions (3), Convene Eastern Sudan Consultative Conference to ensure support for and active participation in the implementation of a comprehensive agreement (7)

Liberia Peace Agreement (Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties):

- The National Transitional Legislative Assembly shall reflect a broad spectrum of the Liberian Society. Members shall come from (...) Interest Groups including (...) Refugees. (IDPs are not enumerated) (Art. XXIV, para. 3 lit.b). 7 seats are reserved for civil society and special interest groups (Art. XXIV, para. 4)

Lomé Agreement:

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General Peace Agreement for Mozambique:

Protocol III, para. IV (d): Mozambican refugees and displaced persons shall be registered and included in the electoral rolls together with other citizens in their places of residence

Protocol III, para. V (2): The right to vote; in particular lit. c: Exercise of the right to vote shall be conditional on registration in the electoral rolls

Protocoll III, para. V (4): Voting assemblies: At each polling place there shall be a Voting Assembly composed of: All citizens who are to exercise their right to vote at the given polling place

Pact on Security, Stability and Development in the Great Lakes Region, incl. Dar es salaam declaration on peace, security, democracy and development in the Great Lakes Region, incl. relevant Protocols (Integral parts):

Para. 27 Declaration: Commitment to protect ...idps and refugees, involving them in the peace efforts

Art. 6 para. 5 IDP-Protocol: Ensure effective participation of idps in the preparation and design of the national legislation to domesticate the Guiding Principles.

General Agreement on the Establishment of Peace and National Accord in Tajikistan (incl. respective protocols):

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Comprehensive Peace Accord Nepal (incl. relevant Codes of conduct and agreements):

Para. 7.4.2 Comprehensive Peace Accord: Both sides respect the right of every citizen to take part directly or through one's selected representative in issues of public concern, to vote, to be elected and to enjoy the right to equality of entering public service.

Cambodian Peace Agreement:

p.13, Art. 12: The Cambodian People shall have the right to determine their own political future through the free and fair election of a constituent assembly...

p.25, Section D: Mandate of UNTOC regarding Elections. Para. 3a: Adoption of an electoral law and of a code of conduct regulating participation in the election in a manner

consistent with respect for human rights; Para. 3d: Design and implementation of a system of voter registration, as a first phase of the electoral process, to ensure that eligible voters have the opportunity to register and the subsequent preparation of verified voter registration lists; Para 3g: Adoption and implementation of measures to monitor and facilitate the participation of Cambodians in the elections; Para. 3h: Design and implementation of a system of balloting and polling, to ensure that registered voters have the opportunity to vote;

p. 40, para. 3: All Cambodians, including those who at the time signature of this Agreement are Cambodian refugees and displaced persons, will have the same rights, freedoms and opportunities to take part in the electoral process.

p. 40, para. 9: Regarding elections: The freedoms of speech, assembly and movement will be fully respected. ...

p. 43, Annex. 4, para. 6: With a view to ensuring that refugees and displaced persons participate in the elections, mass repatriation should commence and be completed as soon as possible, taking into account all the political, humanitarian, logistical, technical and socio-economic factors involved, and with the cooperation of the SNC [Supreme National Council].

Guatemalan Agreement on a Firm and Lasting Peace (incl. Agreement on Resettlement of the Populations Groups Uprooted by Armed Conflict and Comprehensive Agreement Human Rights):

Agreement on firm and lasting peace, para. 7: Genuine participation of citizens, both men and women, from all sectors of society is essential for achieving social justice and economic growth. The State must broaden these opportunities for participation (...).

Agreement on firm and lasting peace, para. 13: Elections are essential for Guatemala's current transition to a functional, participatory democracy.

Resettlement-agreement, principle 4: Participation in decision-making concerning the design, implementation and supervision of the comprehensive resettlement strategy and its specific projects.

Resettlement-agreement, Guarantees, para. 10: In accordance with the observance of political rights, the organizational practices of the uprooted populations shall be respected, pursuant to the constitutional framework, for the purpose of strengthening the community organization system and to allow these populations to become agents of development and manage their own services and infrastructure. It is important to integrate new groups of resettled populations into the municipal system.

Integration and development, p. 7-10: a comprehensive resettlement strategy presupposes the productive integration of the uprooted population into the framework of a sustained, sustainable and equitable development policy in the resettlement areas and regions that will benefit all the population groups living there. → rural development. Para. 1:

resettlement areas mostly are rural. Sustainable agricultural development projects are required. Para. 2: Identification of land that could be used for resettling uprooted persons who do not own land but wish to acquire. Para. 3: criteria for selecting land for

settlements; Para. 4: In addition to agricultural activities, development shall include creation of jobs and income from agro-industry, industry and services. Development of basic infrastructure for communications, electrification and production. Para. 5: To improve the quality of life, the objectives or rural development should include local food security and basic services infrastructure (housing, sanitation, water, rural storage, health, education), increase in production and productivity, generation of jobs and income, sustained and sustainable use of available natural resources; Para. 6: Productive integration projects and activities related to the comprehensive resettlement strategy;

Para. 7: The Government undertakes to put into effect and promote the agreed planning systems for developing the resettlement areas and to ensure that the populations groups have access to them as neighbours and residents. Para. 8: Elimination of de facto and de jure discrimination against women regarding access to land, housing, credits and participation in development projects. Incorporation of a gender-based approach. Para. 9: Solving each of the problems in resettlement and development shall take as a point of departure the study and design of resettlement conditions and the advice, views and organized participation of the uprooted groups and resident communities. Paras. 10 and 11: Decentralization aspects

Dayton Peace Agreement:

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	<p>Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia:</p> <p>-</p> <p>Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (Erdut Agreement):</p> <p>-</p> <p>Interim Agreement for Peace and Self-Government in Kosovo:</p> <p>Chapter 3: Conduct and Supervision of Elections Article I: Conditions for Elections</p> <p>1. The Parties shall ensure that conditions exist for the organization of free and fair elections, which include but are not limited to:</p> <p>a) freedom of movement for all citizens;</p> <p>(...)</p> <p>c) an environment conducive to the return of displaced persons;</p> <p>(...)</p> <p>Article III: Central Election Commission</p> <p>1. The Commission shall adopt electoral Rules and Regulations on all matters necessary for the conduct of free and fair elections in Kosovo, including rules relating to: the eligibility and registration of candidates, parties, and voters, including displaced persons and refugees; ensuring a free and fair elections campaign; administrative and technical preparation for elections including the establishment, publication, and certification of election results; and the role of international and domestic election observers.</p> <p>Abkhazia: Quadripartite agreement on voluntary return of refugees and displaced persons signed on 4 April 1994:</p> <p>7. Any member of the Commission may, when attending any meeting of the Commission, be accompanied by such advisers as the Party designating that member may deem necessary. Where a member of the Commission is unable to attend any meeting of the Commission, the Party concerned may designate a substitute.</p> <p>10. The Parties agree that representatives of refugees and displaced persons shall be provided with facilities to visit the areas of return and to see for themselves arrangements made for their return.</p>
<p>Rehabilitation, reconstruction</p>	<p>Darfur Peace Agreement:</p> <ul style="list-style-type: none"> - Darfur has urgent needs regarding rehabilitation, reconstruction and development of social and physical infrastructure, especially with regard to IDPs, refugee and war-affected persons (para. 102) - First priority of implementing Agreement is to address needs of war-affected areas, with special attention to displaced and war-affected persons, to provide basic services and security needed to enable them to return to their livelihoods in safety and dignity. This chapter (chapter II) sets out principles for the restitution of property and assistance for full reintegration, incl. land rights, compensation (para. 108) - Particular needs of women (para. 109) - Specific with regard to the return of IDPs (para. 179) <p>Eastern Sudan Peace Agreement:</p> <ul style="list-style-type: none"> - Special fund for reconstruction and development shall be established (Art. 19, para. 55) immediately after signing the Agreement (Art. 23, para. 77) and set up and start operating no later than 90 days after signing the agreement (Art. 23, para. 83); principle organ in planning, monitoring and follow up of the reconstruction and development program (art. 23, para. 79); financing of the fund (art. 23, para. 80); structure of the fund (Art. 23, para. 82) - Among fundamental objectives of development are rehabilitation of war-affected areas, of social services including health, education and water, infrastructure, agriculture (Art. 22, para. 75)

Appendix C; Principles for the Resolution on the Conflict in Eastern Sudan: Rehabilitation of war-affected areas will be given priority and assistance provided to refugees and IDPs to return to their homes (6)

- Appendix D, agreement to create a conducive atmosphere for peace: cease all attacks on developmental, economic and social services infra-structure and institutions (3)

Liberia Peace Agreement (Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties):

- Call for urgent establishment of UNMIL (Art. XXIX, para. 1)

- Special attention to the issue of rehabilitation of vulnerable groups or war victims (Art. XXXI, para. 1a); Special program for rehabilitation of war victims (Art. XXXI, para. 1b)

- The National Transitional Government, in formulating and implementing programs for national rehabilitation, reconstruction and development, for the reconstruction, shall ensure that the needs and potentials of war victims are taken into account (Art. XXXI, para. 3)

Lomé Agreement:

Article XXVIII : Provision of appropriate financial and technical resources for post-war rehabilitation, reconstruction and development; Special attention shall be accorded to women's needs and potentials in formulating and implementing national rehabilitation, reconstruction and development programmes, to enable them to play a central role in the moral, social and physical reconstruction of Sierra Leone.

General Peace Agreement for Mozambique:

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Pact on Security, Stability and Development in the Great Lakes Region, incl. Dar es salaam declaration on peace, security, democracy and development in the Great Lakes Region, incl. relevant Protocols (Integral parts):

(Art. 10 Pact : Great lakes region as specific reconstruction and development zone; See also respective Protocol)

General Agreement on the Establishment of Peace and National Accord in Tajikistan (incl. respective protocols):

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Comprehensive Peace Accord Nepal (incl. relevant Codes of conduct and agreements):

Para. 5.2.4 Comprehensive Peace Accord: Both sides agree to form a National Peace and Rehabilitation Commission to establish peace in the society by normalizing adverse situation generated by armed conflict and to carry out relief for and rehabilitate people victimized and displaced by war, and to carry forward the tasks related to this through the Commission.

Para. 5.2.8 Comprehensive Peace Accord: Both sides express the commitment to allow without any political prejudice the people displaced due to the armed conflict to return back voluntarily to their respective ancestral or former residence, reconstruct the infrastructure destroyed as a result of the conflict and rehabilitate and reintegrate the displaced people into the society.

Cambodian Peace Agreement:

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Guatemalan Agreement on a Firm and Lasting Peace (incl. Agreement on Resettlement of the Populations Groups Uprooted by Armed Conflict and Comprehensive Agreement Human Rights):

→ rural development

Dayton Peace Agreement:

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Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia:

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Basic Agreement on the Region of Eastern Slavonia, Baranja and

	<p>Western Sirmium (Erdut Agreement):</p> <p>4. (...) The Transitional Administration shall also take the steps necessary to re-establish the normal functioning of all public services in the region without delay</p> <p>Interim Agreement for Peace and Self-Government in Kosovo:</p> <p>Chapter 4b, 4. The international community will provide the means for the rapid improvement of living conditions for the population of Kosovo through the reconstruction and rehabilitation of housing and local infrastructure (including water, energy, health and local education infrastructure) based on damage assessment surveys.</p> <p>Framework Agreement (Macedonia):</p> <p>3. Refugee Return, Rehabilitation and Reconstruction</p> <p>3.1. All parties will work to ensure the return of refugees who are citizens or legal residents of Macedonia and displaced persons to their homes within the shortest possible timeframe, and invite the international community and in particular UNHCR to assist in these efforts.</p> <p>3.2. The Government with the participation of the parties will complete an action plan within 30 days after the signature of the Framework Agreement for rehabilitation of and reconstruction in areas affected by the hostilities. The parties invite the international community to assist in the formulation and implementation of this plan.</p> <p>3.3. The parties invite the European Commission and the World Bank to rapidly convene a meeting of international donors after adoption in the Assembly of the Constitutional amendments in Annex A and the revised Law on Local Self-Government to support the financing of measures to be undertaken for the purpose of implementing the Framework Agreement and its Annexes, including measures to strengthen local self-government and reform the police services, to address macro-financial assistance to the Republic of Macedonia, and to support the rehabilitation and reconstruction measures identified in the action plan identified in paragraph 3.2.</p>
<p>Durable solutions</p>	<p>Darfur Peace Agreement:</p> <ul style="list-style-type: none"> - Right to return (para. 176) - Voluntary nature of return: information, assistance and protection; choice of return and reintegration, voluntary resettlement (para. 178) Right to restitution of property whether or not they choose to return or not (para. 194); compensation only where it is factually established that restitution is impossible (para. 196) - Provision of security (para. 179) - Restart, reintegration: necessity of water, food, shelter materials, agricultural inputs, essential equipment, micro credit schemes (para. 179) - Recovery: adequate educational and health facilities (para. 179) - Resource to meet urgent needs for return or resettlement of IDPs and refugees (para. 180) <p>Ensure that basic rights and needs of returnees are met → Darfur rehabilitation and resettlement commission has responsibility (para. 181)</p> <ul style="list-style-type: none"> - Consultation (para. 183) - Protection of returnees from all forms of harassment, coercion, informal taxation or confiscation of property. In particular women, incl. gbv. (para. 186) - Provision of food, shelter and water while displaced persons are en route to areas of return; full participation of women in the planning and distribution of these facilities (para. 187) - Parties guarantee through comprehensive ceasefire the free movement of people (para. 214) <p>Through comprehensive ceasefire, the parties guarantee security in the camps hosting IDPs and the creation of conducive atmosphere for their voluntary return and refugees to their areas of origin (para. 214)</p> <ul style="list-style-type: none"> - Purpose of ceasefire is to help create the environment that would enable IDPs and refugees to return voluntarily and safely to their places of origin (para. 217e) Scope of ceasefire covers protection of IDPs and humanitarian supply routes (para 218e) - Restriction to the free movement of people and goods is prohibited in the light of the

ceasefire (para. 226f)

- Tasks of joint humanitarian facilitation and monitoring unit: monitor humanitarian assistance and welfare conditions; observing safety and respect for human rights in relation to IDPs other civilians and humanitarian supplies; make recommendation among others to the humanitarian coordinators of IDP camps, humanitarian orgs and the parties; providing support to existing national and international humanitarian coordination mechanisms for assistance in IDP camps and the UN (including in consultation with IDP-reps); supporting UN and humanitarian agencies; support UNHCR in facilitating return of refugees; facilitate relevant humanitarian orgs as requested by them in facilitating the voluntary and safe return of IDPs; defusing tensions among communities and building confidence (para. 260)

- General commitments regarding protection of IDPs and humanitarian supply routes: Respect the rights of IDPs, refrain from activities undermining the safety, security and welfare of IDPs; refrain from activities that undermine or jeopardise humanitarian operations; create a conducive and non-intimidating environment for voluntary return of IDPs and refugees; special protection for women, children, disabled (para. 262)

- Security in IDP camps: Monitoring by AMIS Civilian Police (para. 270); security arrangement in coordination with mechanisms for assistance in IDP camps and the UN (incl. in consultation with IDP.reps) (para. 217); plan for establishing, training and building capacity of community police. This police shall be selected by the IDP community itself (para. 272); Training of the community police in IDP camps to enable them to perform policing functions in the camps as the basis for a community police force for those IDPs on their return (para. 273)

Eastern Sudan Peace Agreement:

- Among the fundamental objectives of development is also ensuring the return and rehabilitation of refugees and internally displaced persons (Art. 22, para. 75 (j))

- Commitment by Parties to create a conducive atmosphere that would enable IDPs and refugees to return voluntarily to their areas of origin (Art. 25, para. 93)

Appendix C; Principles for the Resolution on the Conflict in Eastern Sudan:

Rehabilitation of war-affected areas will be given priority and assistance provided to refugees and IDPs to return to their homes (6)

- Appendix D, agreement to create a conducive atmosphere for peace: Refrain from all acts of violence against civilians, as well as threats directed at them and their forceful displacement (2), Endeavor to create conducive atmosphere that encourages return of IDPs and refugees to their home (7)

Liberia Peace Agreement (Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties):

- Guarantee of security and movement of humanitarian personnel as well as of their projects and beneficiaries (Art. XIV, para. 1b)

- Establishment of effective administrative and security infrastructure to monitor and support the implementation of the guarantees in chapter XIV on humanitarian relief (Art. XIC, para. 2)

- Request international community to assist in provision of humanitarian assistance for those in need, in particular idps, refugees, returnees (Art. XIV, para. 3)

- Ensure presence of security guarantees for the safe return and resettlement of refugees and IDPs and the free movement of persons and goods (Art. XIV, para. 4)

- The National Transitional Government with the assistance of the international community shall design and implement a plan for the voluntary return and reintegration of Liberian refugees and internally displaced persons, including non-combatants, in accordance with international conventions, norms and practices. (Art. Xxx, para. 1a) Assistance for return (Art. XXX, para. 1b)

Commitment to peaceful co-existence of returnees and non-returnees (Art. XXX, para. 1c)

Dar es salaam agreement of principles towards lasting peace, security and stability on Burundi:

Art. III, bzw. Annexe A, Chapter 3, Art 5 :

-Create environment favourable to the repatriation of refugees and the return to their homes of the people who were regrouped and who were displaced

- Protection from persecution for repatriated persons (refugees only???)
- Call on host countries to ensure that repatriation takes place in accordance with relevant international law to avoid forced repatriation (refugees only)

Lomé Agreement:

Article XXII: The parties through the National Commission for Resettlement, Rehabilitation and Reconstruction agree to seek funding from and the involvement of the UN and other agencies, including friendly countries, in order to design and implement a plan for voluntary repatriation and reintegration of Sierra Leonean refugees and idps, including non-combatants, in conformity with international conventions, norms and practices.

General Peace Agreement for Mozambique:

Protocol III, para. IV (a): the parties undertake to cooperate in the repatriation and reintegration of Mozambican refugees and displaced persons in the national territory and the social integration of war-disabled.

Protocol III, para. IV (b): Draw up a draft agreement to organize the necessary assistance to refugees and displaced persons, preferable in their original places of residence. The parties seek involvement of UN agencies in drawing up and implementation of this plan. ICRC shall be invited to participate in the implementation.

Protocol V /III: Guarantees for the period between ceasefire and elections: See para. 6: The Government of the Republic of Mozambique shall draw up in agreement with RENAMO and the relevant United Nations agencies, in accordance with Protocol III, the plan for assistance to refugees and displaced persons, which shall be submitted to the donors' conference the holding of which is agreed in upon Protocol VII.

Protocol VI / I para. I (5b): As of E-day, the parties may not: carry out acts of violence against the civilian population or restrict or prevent without justification the free movement of persons and property.

Pact on Security, Stability and Development in the Great Lakes Region, incl. Dar es salaam declaration on peace, security, democracy and development in the Great Lakes Region, incl. relevant Protocols (Integral parts):

Art. 20 Pact : Undertake to find lasting solutions to guarantee protection and assistance to populations affected by political conflicts and catastrophes. Implementing programme of action which aims at promoting policies aimed at disaster prevention, protection, assistance, and search for durable solutions for refugees and idps as well as policies to guarantee access to basic social services

Para. 61 Declaration: Address root causes of and find lasting solutions to, the protracted problems of displaced and refugee populations, notably with regard to their peaceful co-existence with resident populations, their voluntary repatriation and return or local integration, with the full involvement of the local authorities and host populations, and within the framework of tripartite agreements where applicable

Art. 3 IDP-Protocol: Responsibility for protecting idps: para. 1: prevention of arbitrary displacement and elimination of root causes; para. 2: mitigation of consequences of disaster-induced displacement: para. 3: Member states accept their primary responsibility for the protection of the physical and material safety during flight, in places of displacement and upon return, or resettlement; para. 4: Responsibility for needs-assessment and assist idps with registration, maintenance of a national data base for the registration; para. 5: establish and designate governmental organs responsible for disaster emergency preparedness, coordinating protection and assistance as well as acting as focal structures for cooperation with international agencies and civil society; para. 6: Ensure rapid and unimpeded humanitarian access and assistance; para. 7: ensure safety and security of humanitarian personnel; para. 8: obligation of humanitarian personnel to observe and respect laws of the country; para. 9: safeguard and maintain civilian and humanitarian character of the protection and location of idps in accordance with guidelines on the separation of armed forces; para. 10: lack of capacity → accept and respect obligation of international community to protect and assist

Art. 4 para 1g IDP-Protocol: Ensure freedom of movement and choice of residence within designated areas of location, except when restrictions on such movement are necessary, justified, and proportionate to the requirements of maintaining public security, public order and public health

General Agreement on the Establishment of Peace and National

Accord in Tajikistan (incl. respective protocols):

Para. 1 Refugee Protocol: Step up mutual efforts to ensure the voluntary return, in safety and dignity, of all refugees and displaced persons to their homes, and to complete this process within 12 to 18 months from the date of signature of this Protocol. With a view to ensuring their safety, honour and dignity, the Parties also call upon the UN, the OSCE and the UNHCR to provide assistance in order to ensure the safety of returning refugees and displaced persons and to establish and expand their presence at places where such persons are living.

Para. 2 Refugee Protocol: The Government assumes the obligation to reintegrate returning refugees and displaced persons into the social and economic life of the country, which includes the provision to them of humanitarian and financial aid, assistance in finding employment and housing and restoration of all their rights as citizens (incl. the return to them of dwellings and property and guaranteed uninterrupted service), and not institute criminal proceedings against returning refugees and displaced persons for their participation in the political confrontation and the civil war

Para. 4 Refugee Protocol: Joint commission, with participation of reps of local executive committees and United Tajik Opposition, to visit on a regular basis, refugee camps where there are concentrations of refugees and districts in the Republic of Tajikistan to which refugees and displaced persons intent to return. Similar visits to places where displaced persons live in large numbers.

Comprehensive Peace Accord Nepal (incl. relevant Codes of conduct and agreements):

Para. 5.2.8 Comprehensive Peace Accord: Both sides express the commitment to allow without any political prejudice the people displaced due to the armed conflict to return back voluntarily to their respective ancestral or former residence, reconstruct the infrastructure destroyed as a result of the conflict and rehabilitate and reintegrate the displaced people into the society.

Para. 7.3.3. Comprehensive Peace Accord: Both sides shall respect and protect the citizens' right to free mobility and the freedom to choose within legal norms the location of one's residence and express the commitment to respect the right of the people displaced by the conflict and their families to return back to their homes or to settle in any other location of their choice.

Para. 18 25-Point-Program: To help in the rehabilitation of and extend cooperation to displaced people to return to their respective houses in a peaceful, comfortable and respectable manner.

Cambodian Peace Agreement:

p. 16, Art. 19: Upon entry into force of this Agreement, every effort will be made to create in Cambodia political, economic and social conditions conducive to the voluntary return and harmonious integration of Cambodian refugees and displaced persons.

p.16, Art. 20: (1) Cambodian refugees and displaced persons, located outside Cambodia, shall have the right to return to Cambodia and to live in safety, security and dignity, free from intimidation or coercion of any kind. (2) Request the UNSG to facilitate the repatriation [APPLICABILITY???

p. 39, Art. XII: The military component of UNTAC will provide assistance as necessary in the repatriation of Cambodian Refugees and displaced persons carried out in accordance with articles 19 and 20 of this agreement, in particular in the clearing of mines from repatriation routes, reception centres and resettlement areas, as well as in the protection of the reception centres. [APPLICABILITY?]

p. 42, Annex 4 Repatriation of Cambodian refugees and displaced persons [APPLICABILITY doubtful]:

p.42, Annex 4, para. 1: As part of the comprehensive political settlement, every assistance will need to be given to Cambodian refugees and displaced persons as well to countries of temporary refuge and the country of origin in order to facilitate the voluntary return of all Cambodian refugees and displaced persons in a peaceful and orderly manner. It must also be ensured that there would be no residual problems for the countries of temporary refuge. The country of origin with responsibility towards its own people will accept their return as conditions become conducive.

p. 42, Annex. 4, para. 2: The task of rebuilding the Cambodian nation will require the harnessing of all its human and natural resources. To this end, the return to the place of their choice of Cambodians from their temporary refuge and elsewhere outside their country of origin will make a major contribution.

[p. 42, Annex 4, para. 3: Every effort should be made to ensure that the conditions which have led to a large number of Cambodian refugees and displaced persons seeking refuge in other countries should not recur. Nevertheless, some Cambodian refugees and displaced persons will wish and be able to return spontaneously to their homeland.]

p. 43, Annex 4, para. 4: There must be full respect for the human rights and fundamental freedoms of all Cambodians, including those of the repatriated refugees and displaced persons, in recognition of their entitlement to live in peace and security, free from intimidation and coercion of any kind. These rights would include, inter alia, freedom of movement within Cambodia, the choice of domicile and employment, and the right to property.

p. 43, Annex 4, para. 5: In accordance with the comprehensive political settlement, every effort should be made to create concurrently in Cambodia political, economic and social conditions conducive to the return and harmonious integration of the Cambodian refugees and displaced persons.

p. 43, Annex. 4, para. 6: With a view to ensuring that refugees and displaced persons participate in the elections, mass repatriation should commence and be completed as soon as possible, taking into account all the political, humanitarian, logistical, technical and socio-economic factors involved, and with the cooperation of the SNC [Supreme National Council].

p. 43, Annex 4, para. 7: Repatriation of Cambodian refugees and displaced persons should be voluntary and their decision should be taken in full possession of the facts. Choice of destination within Cambodia should be that of the individual. The unity of the family must be preserved.

p. 43-45, Annex 4, paras. 8-13: Operational factors regarding repatriation, in particular role of UNHCR and international community → see Implementation.

Guatemalan Agreement on a Firm and Lasting Peace (incl. Agreement on Resettlement of the Populations Groups Uprooted by Armed Conflict and Comprehensive Agreement Human Rights):

Agreement on firm and lasting peace, para. 3: Population groups uprooted by the armed conflict have the right to reside and live freely in Guatemalan territory. The Government of the Republic undertakes to ensure their return and resettlement in conditions of dignity and security.

Resettlement-agreement, para. 2: Definition of resettlement: Resettlement shall mean the legal process of return of uprooted population groups and individuals to their place of origin or another place of their choice in Guatemalan territory, and their relocation and integration therein

Resettlement-agreement, principle 1: Right to reside and live freely in Guatemalan territory. Government undertakes to ensure that conditions exist which permit and guarantee the voluntary return of uprooted persons to their places of origin or to the place of their choice, in conditions of dignity and security.

Resettlement-agreement, principle 2: Full respect for the human rights of the uprooted shall be an essential condition for the resettlement of this population.

Resettlement-agreement, principle 3: Uprooted groups deserve special attention, in view of the consequences they have suffered from being uprooted, through the implementation of a comprehensive, exceptional strategy which ensures, in the shortest possible time, their relocation in conditions of security and dignity and their free and full integration into the social, economic and political life of the country.

Resettlement-agreement, principle 4: Participation in decision-making concerning the design, implementation and supervision of the comprehensive resettlement strategy and its specific projects.

Resettlement-agreement, principle 5: A comprehensive strategy will be possible only within the perspective of a sustained, sustainable and equitable development of the resettlement areas for the benefit of all the population groups and individuals residing in them

Resettlement-agreement, principle 6: Implementation of this strategy shall not be discriminatory; reconciling interests of the resettled and those already living in these areas

Resettlement-agreement, objectives: Objectives of the comprehensive resettlement strategy are: ensure that uprooted populations fully enjoy their human rights; reintegration, fight against poverty, democratization, reconciliation.

	<p>Resettlement-agreement, Guarantees, para. 1: Full respect for human rights and fundamental freedoms is essential for the security and dignity of resettlement processes. The Parties reiterate their decision to comply fully with the Comprehensive Agreement on Human Rights, promoting respect for the human rights of uprooted populations, once of the vulnerable sectors which deserve particular attention, with special vigilance.</p> <p>Resettlement-agreement, Guarantees, para. 2: Protection of female-headed families, widows and orphans</p> <p>Resettlement-agreement, Guarantees, para. 3: Rights of indigenous communities</p> <p>Resettlement-agreement, Guarantees, para. 4: Urgent need to remove all types of mines or explosive devices buried or abandoned in these areas</p> <p>Resettlement-agreement, Guarantees, para. 5: Efforts of the uprooted people to improve the level of education; Recognition of formal and informal educational levels through evaluation and/or certification procedures. Para. 6: Request UNESCO to elaborate a specific plan to support and provide continuity to efforts to educate the population groups in the resettlement areas, including providing continuity to the efforts being made by the uprooted communities.</p> <p>Resettlement-agreement, Guarantees, para. 7: Urgent solutions to address the lack of personal documentation. 7.1: intensify efforts to streamline necessary mechanisms, taking into account, where appropriate, the registers kept by the uprooted communities themselves; 7.2: Revision of act concerning replacement and registration of birth certificates in civil registers, establish a system adapted to the needs of all affected population groups, with streamlined, free-of-charge registration procedures. For such purposes, the views of the affected sectors shall be taken into account. Personal docs and id shall be completed as soon as possible; 7.3 children born outside Guatemala 7.4: cooperation of UN and international community to implement this programme</p> <p>Resettlement-agreement, Guarantees, para.8: legal security of holding land</p> <p>Resettlement-agreement, Guarantees, para. 9: Abandonment of land as a result of armed conflict is not considered to be voluntary abandonment. Promotion of return of land to the original holders and/or shall seek adequate compensatory solutions.</p> <p>Resettlement-agreement, Guarantees, para. 10: In accordance with the observance of political rights, the organizational practices of the uprooted populations shall be respected, pursuant to the constitutional framework, for the purpose of strengthening the community organization system and to allow these populations to become agents of development and manage their own services and infrastructure. It is important to integrate new groups of resettled populations into the municipal system.</p> <p>Resettlement-agreement, Guarantees, para. 11: Recognition of the humanitarian work of ngos and churches which are supporting the resettlement process. The Government shall safeguard their security.</p> <p>Integration and development, p. 7-10: a comprehensive resettlement strategy presupposes the productive integration of the uprooted population into the framework of a sustained, sustainable and equitable development policy in the resettlement areas and regions that will benefit all the population groups living there. → rural development. Para. 1: resettlement areas mostly are rural. Sustainable agricultural development projects are required. Para. 2: Identification of land that could be used for resettling uprooted persons who do not own land but wish to acquire. Para. 3: criteria for selecting land for settlements; Para. 4: In addition to agricultural activities, development shall include creation of jobs and income from agro-industry, industry and services. Development of basic infrastructure for communications, electrification and production. Para. 5: To improve the quality of life, the objectives or rural development should include local food security and basic services infrastructure (housing, sanitation, water, rural storage, health, education), increase in production and productivity, generation of jobs and income, sustained and sustainable use of available natural resources; Para. 6: Productive integration projects and activities related to the comprehensive resettlement strategy; Para. 7: The Government undertakes to put into effect and promote the agreed planning systems for developing the resettlement areas and to ensure that the populations groups have access to them as neighbours and residents. Para. 8: Elimination of de facto and de jure discrimination against women regarding access to land, housing, credits and participation in development projects. Incorporation of a gender-based approach. Para. 9: Solving each of the problems in resettlement and development shall take as a point of departure the study and design of resettlement conditions and the advice, views and organized participation of the uprooted groups and resident communities. Paras. 10 and</p>
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11: Decentralization aspects

Dayton Peace Agreement:

Right to Return

Annex 7 Art. I (1): All refugees and displaced persons have the right freely to return to their homes of origin. (...) The early return of refugees and displaced persons is an important objective of the settlement of the conflict in Bosnia and Herzegovina. The Parties confirm that they will accept the return of such persons who have left their territory [including those who have been accorded temporary protection by third countries].

Annex 7 Art. I (2): The Parties shall ensure that refugees and displaced persons are permitted to return in safety, without risk of harassment, intimidation, persecution, or discrimination, particularly on account of their ethnic origin, religious belief, or political opinion.

Annex 7 Art. I (3) The Parties shall take all necessary steps to prevent activities within their territories which would hinder or impede the safe and voluntary return of refugees and displaced persons.

No forced return/remaining and facilitating informed judgement

Annex 7 Art. I (4) (...) The Parties shall not interfere with the returnees' choice of destination, nor shall they compel them to remain in or move to situations of serious danger or insecurity, or to areas lacking in the basic infrastructure necessary to resume a normal life. The Parties shall facilitate the flow of information necessary for refugees and displaced persons to make informed judgments about local conditions for return.

Annex 7 Art. I (4) Choice of destination shall be up to the individual or family, and the principle of the unity of the family shall be preserved. (...)

Suitable Conditions for return: UNHCR repatriation plan

Annex 7 Art. II (1): The Parties undertake to create in their territories the political, economic, and social conditions conducive to the voluntary return and harmonious reintegration of refugees and displaced persons, without preference for any particular group. The Parties shall provide all possible assistance to refugees and displaced persons and work to facilitate their voluntary return in a peaceful, orderly and phased manner, in accordance with the UNHCR repatriation plan.

Repatriation Assistance

Annex 7 Art. IV The Parties shall facilitate the provision of adequately monitored, short-term repatriation assistance on a non-discriminatory basis to all returning refugees and displaced persons who are in need, in accordance with a plan developed by UNHCR and other relevant organizations, to enable the families and individuals returning to re-establish their lives and livelihoods in local communities.

Amnesty

Annex 7 Art. IV Any returning refugee or displaced person charged with a crime, other than a serious violation of international humanitarian law as defined in the Statute of the International Tribunal for the Former Yugoslavia since January 1, 1991 or a common crime unrelated to the conflict, shall upon return enjoy an amnesty. In no case shall charges for crimes be imposed for political or other inappropriate reasons or to circumvent the application of the amnesty.

Annex 7 Art. I (2): The Parties shall ensure that refugees and displaced persons are permitted to return in safety, without risk of harassment, intimidation, persecution, or discrimination, particularly on account of their ethnic origin, religious belief, or political opinion.

Annex 7 Art. I (3) The Parties shall take all necessary steps to prevent activities within their territories which would hinder or impede the safe and voluntary return of refugees and displaced persons.

Confidence building measures: (Annex / Art. I (4))

to demonstrate their commitment for the human rights and fundamental freedoms of all persons and to create suitable conditions for return:

(a) the repeal of domestic legislation and administrative practices with discriminatory intent or effect;

(b) the prevention and prompt suppression of any written or verbal incitement, through media or otherwise, of ethnic or religious hostility or hatred;

(c) the dissemination, through the media, of warnings against, and the prompt suppression of, acts of retribution by military, paramilitary, and police services, and by other public officials or private individuals;

(d) the protection of ethnic and/or minority populations wherever they are found and the provision of immediate access to these populations by international humanitarian organizations and monitors;

(e) the prosecution, dismissal or transfer, as appropriate, of persons in military, paramilitary, and police forces, and other public servants, responsible for serious violations of the basic rights of persons belonging to ethnic or minority groups.

Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia:

Art. 7: The Contracting Parties shall ensure conditions for a free and safe return of refugees and displaced persons to their places of residence or other places which they freely choose. The Contracting Parties shall ensure to these persons return into possession of their property or a just compensation.

Art. 7: The Contracting Parties shall ensure full security to the refugees and displaced persons who return. The Contracting Parties shall assist these persons to ensure necessary conditions for normal and safe life.

Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (Erdut Agreement):

4. The Transitional Administration shall ensure the possibility for the return of refugees and displaced persons to their homes of origin. All persons who have left the region or who have come to the region with previous permanent residence in Croatia shall enjoy the same rights as all other residents of the region.

7. All persons have the right to return freely to their place of residence in the region and to live there in conditions of security. All persons who have left the region or who have come to the region with previous permanent residence in Croatia have the right to live in the region.

SC Res 1244 (1999) Kosovo:

The Security Council, (...)

Determined to resolve the grave humanitarian situation in Kosovo (...) and to provide for the safe and free return of all refugees and displaced persons to their homes,

(...)

Reaffirming the right of all refugees and displaced persons to return to their homes in safety,

(...)

11. Decides that the main responsibilities of the international civil presence will include:

(...)

(k) Assuring the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo;

Framework Agreement (Macedonia):

3. Refugee Return, Rehabilitation and Reconstruction

3.1. All parties will work to ensure the return of refugees who are citizens or legal residents of Macedonia and displaced persons to their homes within the shortest possible timeframe, and invite the international community and in particular UNHCR to assist in these efforts.

3.2. The Government with the participation of the parties will complete an action plan within 30 days after the signature of the Framework Agreement for rehabilitation of and reconstruction in areas affected by the hostilities. The parties invite the international community to assist in the formulation and implementation of this plan.

3.3. The parties invite the European Commission and the World Bank to rapidly convene a meeting of international donors after adoption in the Assembly of the Constitutional amendments in Annex A and the revised Law on Local Self-Government to support the financing of measures to be undertaken for the purpose of implementing the Framework Agreement and its Annexes, including measures to strengthen local self-government and reform the police services, to address macro-financial assistance to the Republic of Macedonia, and to support the rehabilitation and reconstruction measures identified in the action plan identified in paragraph 3.2.

Abkhazia: Quadripartite agreement on voluntary return of refugees and displaced persons signed on 4 April 1994:

1. The Parties agree to cooperate and to interact in planning and conducting the activities aimed to safeguard and guarantee the safe, secure and dignified return of people who have fled from areas of the conflict zone to the areas of their previous permanent residence.

3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:

(a) Displaced persons/refugees have the right to return voluntarily to their places of origin or residence irrespective of their ethnic, social or political affiliation under conditions of complete safety, freedom and dignity;

(b) The voluntary character of the repatriation shall be ascertained and respected through appropriate arrangements;

(...)

(d) The Parties shall ensure that returnees, upon return, will enjoy freedom of movement and establishment including the right to return to the areas where they lived prior to leaving the conflict zone or to the area of their choice;

(...)

(h) Displaced persons/refugees who choose not to return to Abkhazia shall continue to be assisted and protected until acceptable alternative solutions are found for such cases;

3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:

(...)(i) In accordance with the fundamental principle of preserving family unity, where it is not possible for families to repatriate as units, a mechanism shall be established for their reunification in Abkhazia. Measures shall also be taken for the identification and extra care/assistance for unaccompanied minors and other vulnerable persons during the repatriation process;

(j) The Parties agree that refugees and displaced persons will be guaranteed unimpeded access to all available information on the situation in the areas where repatriation will take place. (...)

7. Any member of the Commission may, when attending any meeting of the Commission, be accompanied by such advisers as the Party designating that member may deem necessary. Where a member of the Commission is unable to attend any meeting of the Commission, the Party concerned may designate a substitute.

10. The Parties agree that representatives of refugees and displaced persons shall be provided with facilities to visit the areas of return and to see for themselves arrangements

	made for their return.
Protection	<p>Darfur Peace Agreement:</p> <ul style="list-style-type: none"> - Darfur rehabilitation and resettlement commission is to be established (para. 182) DRRC has to consult with IDPs (para. 183) - Pledge of all parties to agreement to provide protection and physical security to displaced persons in Darfur; necessary efforts are to be made to respond to violations of human rights, redress and ensure justice (para. 185) - Protection of returnees from all forms of harassment, coercion, informal taxation or confiscation of property. In particular women, incl. gbv. (para. 186) - Provision of food, shelter and water while displaced persons are en route to areas of return; full participation of women in the planning and distribution of these facilities (para. 187) - Strategies developed by DRRC shall include reconciliation and peace-building activities such as local reconciliation meetings to settle local conflicts (para. 188) - DRRC shall assist in rehabilitation and reintegration of orphans and other people with special needs (para. 189) - Mobile courts to ensure prompt access to justice (para. 190) - Through comprehensive ceasefire, the parties guarantee security in the camps hosting IDPs and the creation of conducive atmosphere for their voluntary return and refugees to their areas of origin (para. 214) - Scope of ceasefire covers protection of IDPs and humanitarian supply routes (para. 218e) - In the light of the ceasefire, all attacks, harassment, abduction, intimidation and injury to civilians, including IDPs, humanitarian workers and other non-combatants, and any seizure or their equipment and property is prohibited (para. 226b); actions that impede or delay the provision of humanitarian assistance or protection to civilians are prohibited (para. 226c); all acts of gbv are prohibited (para. 226e); recruitment or use of boys and girls aged under 18 years is prohibited (226m) - In order to strengthen and monitor the ceasefire, AMIS Civilian Police shall be deployed in IDP camps and areas of civilian habitation controlled by the Movements and shall develop a deployment plan (para. 234). It shall not tolerate gbv and abuse of women and children (para. 236) - Tasks of joint humanitarian facilitation and monitoring unit: monitor humanitarian assistance and welfare conditions; observing safety and respect for human rights in relation to IDPs other civilians and humanitarian supplies; make recommendation among others to the humanitarian coordinators of IDP camps, humanitarian orgs and the parties; providing support to existing national and international humanitarian coordination mechanisms for assistance in IDP camps and the UN (including in consultation with IDP-reps); supporting UN and humanitarian agencies; support UNHCR in facilitating return of refugees; facilitate relevant humanitarian orgs as requested by them in facilitating the voluntary and safe return of IDPs; defusing tensions among communities and building confidence (para. 260) - General commitments regarding protection of IDPs and humanitarian supply routes: Respect the rights of IDPs, refrain from activities undermining the safety, security and welfare of IDPs; refrain from activities that undermine or jeopardise humanitarian operations; create a conducive and non-intimidating environment for voluntary return of IDPs and refugees; special protection for women, children, disabled (para. 262) - Demilitarised zone around IDPs camps (para. 263) The ceasefire commission have responsibility to determine boundaries of this zone and consult where necessary the existing humanitarian coordination mechanism for assistance in IDP camps (including in consultation with IDP reps) (para. 267) AMIS has responsibility to develop a plan for patrolling and monitoring this zone and shall oversee the implementation of the plan (para. 268) - Security in IDP camps: Monitoring by AMIS Civilian Police (para. 270); security arrangement in coordination with mechanisms for assistance in IDP camps and the UN (incl. in consultation with IDP.reps) (para. 217); plan for establishing, training and building capacity of community police. This police shall be selected by the IDP community itself (para. 272); Training of the community police in IDP camps to enable them to perform policing functions in the camps as the basis for a community police force

for those IDPs on their return (para. 273)

- Protection of women and children: child soldiers (para. 275; the parties in coordination with AMIS civilian police and humanitarian coordination mechanisms for assistance in IDP camps and the UN (including in consultation with IDP reps) shall ensure protection of women and children in camps from all forms of violence (para. 276); investigation, prosecution (para. 277); separate police counters (para. 278); AMIS civilian forces shall have specialist gender units (para. 279)

Joint humanitarian facilitation and monitoring unit shall evaluate effectiveness of the security measures in IDP camps and therefore assess conditions and consult with the relevant humanitarian agencies (para. 280f)

Eastern Sudan Peace Agreement:

- Ceasefire and security arrangement – general principles (Art. 24, paras. 84-89); In particular Ceasefire and security arrangement – general principles: Affirmation that respect for constitution, rule of law, good governance, fundamental human rights and the provision of a decent standard of living for citizens are essential for security (Art. 24, para. 86)

- Agreement on a comprehensive and permanent ceasefire (Art. 25, para. 90); Among others, parties shall scrupulously refrain from exposing civilians to any form of violence, harassment, intimidation, and forced displacement (Art. 25, para. 91 (b)).

- Cease fire: Commitment by Parties to create a conducive atmosphere that would enable IDPs and refugees to return voluntarily to their areas of origin (Art. 25, para. 93)

- Implementation and lifting emergency: Regular Sudanese police forces and civil administration shall be deployed in all areas previously controlled by the Front, to provide security and services for citizens and ensure a smooth transition (Art. 30, para. 133.)

- Appendix D, agreement to create a conducive atmosphere for peace: Refrain from all acts of violence against civilians, as well as threats directed at them and their forceful displacement (2)

Liberia Peace Agreement (Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties):

- Mandate of International Stabilization Force comprises: Assist in coordination and delivery of humanitarian assistance to displaced persons, refugees, returnees and other war-affected persons; facilitate the provision and maintenance of humanitarian assistance and protect displaced persons, refugees, returnees and other affected persons; protection of civilians (Art. IV, para. 3)

- Guarantee of security and movement of humanitarian personnel as well as of their projects and beneficiaries (Art. XIV, para. 1b)

- Establishment of effective administrative and security infrastructure to monitor and support the implementation of the guarantees in chapter XIV on humanitarian relief (Art. XIC, para. 2)

- Request international community to assist in provision of humanitarian assistance for those in need, in particular idps, refugees, returnees (Art. XIV, para. 3)

- Ensure presence of security guarantees for the safe return and resettlement of refugees and IDPs and the free movement of persons and goods (Art. XIV, para. 4)

Lomé Agreement:

Article XXIII : As a reaffirmation of their commitment to the observation of the conventions and principles of human rights and the status of refugees, the Parties shall take effective and appropriate measures to ensure that the right of Sierra Leoneans to asylum is fully respected and that no camps or dwellings of refugees or displaced persons are violated.

General Peace Agreement for Mozambique:

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Pact on Security, Stability and Development in the Great Lakes Region, incl. Dar es salaam declaration on peace, security, democracy and development in the Great Lakes Region, incl. relevant Protocols (Integral parts):

Art. 12 Pact : Protection and assistance to idps and to adopt and implement the Guiding Principles on Internal Displacement

Art. 20 Pact : Undertake to find lasting solutions to guarantee protection and assistance to populations affected by political conflicts and catastrophes. Implementing programme of action which aims at promoting policies aimed at disaster prevention, protection, assistance, and search for durable solutions for refugees and idps as well as policies to guarantee access to basic social services

Para. 27 Declaration: Commitment to protect ...idps and refugees, involving them in the peace efforts

Para. 63 Declaration: Establish regional and national mechanisms and systems enabling the identification, disarmament and separation of combatants from civilian refugees and displaced persons and their confinement in distinct facilities to prevent them from manipulating refugees and displaced persons for political or military purposes

Para. 64 Declaration: Landmines – ensure clearing of mines, including in areas inhabited by refugees, returnees and displaced persons and locate camps at a reasonable distance from the borders

Art. 2 paras. 2 and 4 IDP-Protocol: Objectives of this protocol are to ensure legal protection of the physical safety and material needs of idps as well as to prevent and eliminate the root causes of displacement

Art. 3 IDP-Protocol: Responsibility for protecting idps: para. 1: prevention of arbitrary displacement and elimination of root causes; para. 2: mitigation of consequences of disaster-induced displacement; para. 3: Member states accept their primary responsibility for the protection of the physical and material safety during flight, in places of displacement and upon return, or resettlement; para. 4: Responsibility for needs-assessment and assist idps with registration, maintenance of a national data base for the registration; para. 5: establish and designate governmental organs responsible for disaster emergency preparedness, coordinating protection and assistance as well as acting as focal structures for cooperation with international agencies and civil society; para. 6: Ensure rapid and unimpeded humanitarian access and assistance; para. 7: ensure safety and security of humanitarian personnel; para. 8: obligation of humanitarian personnel to observe and respect laws of the country; para. 9: safeguard and maintain civilian and humanitarian character of the protection and location of idps in accordance with guidelines on the separation of armed forces; para. 10: lack of capacity → accept and respect obligation of international community to protect and assist

Art. 4 para. 1a IDP-Protocol: Adherence to principles of IHL, HR applicable to the protection of idps in general and as reflected in the Guiding Principles in particular

Art. 4 para 1b IDP-Protocol: Respect and uphold SC Res. 1296 applicable to the protection of the civilian population and SC Res. 1325 on protection of women and their role during armed conflict, including their participation in decision making and administration programmes

Art. 4 para 1c IDP-Protocol: Provide special protection for displaced populations, communities, pastoralists and other groups, with a special dependency on and attachment to their lands

Art. 4 para. 1d IDP-Protocol: Special protection for women, children, the vulnerable, and displaced persons with disabilities

Art. 4 para 1e IDP-Protocol: Extend protection and assistance, according to need, to communities residing in areas hosting idps

Art. 4 para 1h IDP-Protocol: Facilitate family reunification and provide, if necessary, special protection for families with mixed ethnic identity

Art. 6 para. 1 IDP-Protocol: Member states undertake to adopt and implement the Guiding Principles as a regional framework for providing protection and assistance to idps

General Agreement on the Establishment of Peace and National Accord in Tajikistan (incl. respective protocols):

Para. 1 Refugee Protocol: Step up mutual efforts to ensure the voluntary return, in safety and dignity, of all refugees and displaced persons to their homes, and to complete this process within 12 to 18 months from the date of signature of this Protocol. With a view to ensuring their safety, honour and dignity, the Parties also call upon the UN, the OSCE and the UNHCR to provide assistance in order to ensure the safety of returning refugees and displaced persons and to establish and expand their presence at places where such persons are living.

Para. 2 Refugee Protocol: The Government assumes the obligation to reintegrate returning refugees and displaced persons into the social and economic life of the country,

which includes the provision to them of humanitarian and financial aid, assistance in finding employment and housing and restoration of all their rights as citizens (incl. the return to them of dwellings and property and guaranteed uninterrupted service), and not institute criminal proceedings against returning refugees and displaced persons for their participation in the political confrontation and the civil war

Comprehensive Peace Accord Nepal (incl. relevant Codes of conduct and agreements):

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Cambodian Peace Agreement:

p. 39, Art. XII: The military component of UNTAC will provide assistance as necessary in the repatriation of Cambodian Refugees and displaced persons carried out in accordance with articles 19 and 20 of this agreement, in particular in the clearing of mines from repatriation routes, reception centres and resettlement areas, as well as in the protection of the reception centres. [APPLICABILITY?]

Guatemalan Agreement on a Firm and Lasting Peace (incl. Agreement on Resettlement of the Populations Groups Uprooted by Armed Conflict and Comprehensive Agreement Human Rights):

Resettlement-agreement, principle 1: Right to reside and live freely in Guatemalan territory. Government undertakes to ensure that conditions exist which permit and guarantee the voluntary return of uprooted persons to their places of origin or to the place of their choice, in conditions of dignity and security.

Resettlement-agreement, Guarantees, para. 4: Urgent need to remove all types of mines or explosive devices buried or abandoned in these areas

Dayton Peace Agreement:

Annex 7 Art. I (2): The Parties shall ensure that refugees and displaced persons are permitted to return in safety, without risk of harassment, intimidation, persecution, or discrimination, particularly on account of their ethnic origin, religious belief, or political opinion.

Annex 7 Art. I (3) The Parties shall take all necessary steps to prevent activities within their territories which would hinder or impede the safe and voluntary return of refugees and displaced persons.

Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia:

Art. 7: The Contracting Parties shall ensure full security to the refugees and displaced persons who return. The Contracting Parties shall assist these persons to ensure necessary conditions for normal and safe life.

Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (Erdut Agreement):

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SC Res 1244 (1999) Kosovo:

9. Decides that the responsibilities of the international security presence to be deployed and acting in Kosovo will include:

(...)

(c) Establishing a secure environment in which refugees and displaced persons can return home in safety, the international civil presence can operate, a transitional administration can be established, and humanitarian aid can be delivered;

Interim Agreement for Peace and Self-Government in Kosovo:

Operations and authority of the KFOR:

2. The Parties understand and agree that the KFOR shall have the right:

(...)

d. to observe and prevent interference with the movement of civilian populations, refugees, and displaced persons, and to respond appropriately to deliberate threat to life

	<p>and person.</p> <p>Abkhazia: Quadripartite agreement on voluntary return of refugees and displaced persons signed on 4 April 1994:</p> <p>3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:</p> <p>(...)</p> <p>(c) Displaced persons/refugees shall have the right to return peacefully without risk of arrest, detention, imprisonment or legal criminal proceedings.</p> <p>Such immunity shall not apply to persons where there are serious evidences that they have committed war crimes and crimes against humanity as defined in international instruments and international practice as well as serious non-political crimes committed in the context of the conflict. Such immunity shall also not apply to persons who have previously taken part in the hostilities and are currently serving in armed formations, preparing to fight in Abkhazia.</p> <p>Persons falling into these categories should be informed through appropriate channels of the possible consequences they may face upon return;</p> <p>2. For the purpose of the present agreement, the parties will guarantee the safety of refugees and displaced persons in the course of the voluntary repatriation and rehabilitation operations to be organized.</p> <p>3. In implementing this voluntary repatriation programme, the Parties undertake to respect the following principles:</p> <p>(...)</p> <p>(f) The Parties shall ensure that repatriants, upon return, will be protected from harassment, including unauthorized charges or fees and threat to life or property;</p> <p>(...)</p> <p>(i) (...) Measures shall also be taken for the identification and extra care/assistance for unaccompanied minors and other vulnerable persons during the repatriation process;</p>
<p>Implementation</p>	<p>Darfur Peace Agreement:</p> <ul style="list-style-type: none"> - TDRA has primary responsibility for coordinating the implementation and follow-up. This includes facilitating return of refugees and idps etc. (para. 53) - Role of Senior Assistant to the President: coordination and implementation of plans, policies, programmes concerning Darfur, including rehabilitation, reconstruction and development and facilitation of return of refugees and idps. (para. 66) - Funding: Darfur reconstruction and development fund for resettlement, rehabilitation and reintegration of internally and externally displaced persons and to address past development imbalances especially infrastructure (para. 154) - Darfur Rehabilitation and Resettlement Commission with support of the relevant authorities, AU and international community, shall see that basic rights and needs of returnees are met (para. 181). This Commission is established to implement strategies and conduct surveys and assessments, monitor and report on the situation of the displaced and war-affected to the government. These results are to be shared with the international community (para. 182) <p>Importance of Amis, Ceasefire Commission and joint commission and the Joint Humanitarian facilitation and monitoring unit for maintaining the ceasefire, building confidence and resolving disputes (para. 229a → roles of the particular institutions are set forth in art. 25. Regarding IDPs the joint humanitarian facilitation and monitoring unit is of importance)</p> <ul style="list-style-type: none"> - Tasks of join humanitarian facilitation and monitoring unit: monitor humanitarian assistance and welfare conditions; observing safety and respect for human rights in relation to IDPs other civilians and humanitarian supplies; make recommendation among others to the humanitarian coordinators of IDP camps, humanitarian orgs and the parties; providing support to existing national and international humanitarian coordination

mechanisms for assistance in IDP camps and the UN (including in consultation with IDP-reps); supporting UN and humanitarian agencies; support UNHCR in facilitating return of refugees; facilitate relevant humanitarian orgs as requested by them in facilitating the voluntary and safe return of IDPs; defusing tensions among communities and building confidence (para. 260)

- Demilitarised zone around IDPs camps (para. 263) The ceasefire commission have responsibility to determine boundaries of this zone and consult for assistance in IDPcamps (including in consultation with IDP reps) (para. 267) AMIS has responsibility to develop a plan for patrolling and monitoring this zone and shall oversee the implementation of the plan (para. 268)

Joint humanitarian facilitation and monitoring unit shall evaluate effectiveness of the security measures in IDP camps and therefore assess conditions and consult with the relevant humanitarian agencies (para. 280f)

- Independent Darfur Assessment and Evaluation Commission in order to promote the full and timely implementation of this agreement (paras. 511ff); Darfur rehabilitation and resettlement Commission (DDRRC, p. 97); Property Claims commission (p. 98); Compensation Commission (p. 98);

Eastern Sudan Peace Agreement:

- Fund for reconstruction and development is principle organ in planning, monitoring and follow up of the reconstruction and development program (Art. 23. para. 79); Financing and structure of the fund (Art. 23, para. 80 and 82)

- Monitoring and strengthening of cease fire (Art. 26, Appendix A)

- Joint Implementation Committee for whole agreement (Art. 34)

Liberia Peace Agreement (Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties):

- Establishment of effective administrative and security infrastructure to monitor and support the implementation of the guarantees in chapter XIV on humanitarian relief (Art. XIV, para. 2)

Request international community to assist in provision of humanitarian assistance for those in need, in particular idps, refugees, returnees (Art. XIV, para. 3)

- Implementation of Peace agreement is duty of national transitional government (Art. XXII)

UNMIL; Monitoring Mechanism set up by ECOWAS for implementation of Peace Agreement (Art. XXIX, para. 1 and 2)

- Periodic donor conferences for resource mobilisation for post-conflict rehabilitation and reconstruction in Liberia (Art. XXIX, para. 4)

- Implementation of agreement and role of international community hereby (Arts. XXXII and XXXIII)

Implementation Time Table: a) Spontaneous return of IDPs and refugees: Starting from Installation of Interim Government b) Organized return of IDPs and refugees: Starting from installation of Transition Government + 30 days. Apart from the UN and international community, are IDPs and refugees as well listed as responsible parties

Lomé Agreement:

Article VI : Commission for the Consolidation of Peace ; overall goal and responsibility for supervising and monitoring the implementation and compliance; Ensure that structures are operational and given the necessary resources for realizing their mandate

Article XXII: The parties through the National Commission for Resettlement, Rehabilitation and Reconstruction agree to seek funding from and the involvement of the UN and other agencies, including friendly countries, in order to design and implement a plan for voluntary repatriation and reintegration of Sierra Leonean refugees and idps, including non-combatants, in conformity with international conventions, norms and practices.

Article XXV: Establishment of a autonomous quasi-judicial national human rights commission to strengthen the existing machinery for addressing grievances; promotion of human rights education; technical and material assistance may be sought from OHCHR, African Commission on HPR and other relevant IOs; Consortium of local human rights and civil society groups shall be encouraged to help monitor human rights observance.

Art. XXVI: Establishment of Truth and Reconciliation Commission to provide among others a forum for both victims and perpetrators of human rights violations to tell their stories in order to facilitate healing and reconciliation; recommend measures to be taken for the rehabilitation of victims of human rights violations

Article XXXII: Joint Implementation Committee responsible for reviewing and assessing the state of implementation of agreement and shall make recommendations necessary to ensure effective implementation.

Article XXXIV: Moral guarantors that the Agreement is implemented with integrity

Article XXXV: International support: call on international community to assist in implementing the agreement

General Peace Agreement for Mozambique:

Protocol V / II: Commission to supervise the cease-fire and monitor respect for and implementation of the agreements

Protocol V /III: Guarantees for the period between ceasefire and elections: See para. 6: The Government of the Republic of Mozambique shall draw up in agreement with RENAMO and the relevant United Nations agencies, in accordance with Protocol III, the plan for assistance to refugees and displaced persons, which shall be submitted to the donors' conference the holding of which is agreed in upon Protocol VII.

Protocol VII: The parties decide to request the Italian Government to convene a conference of donor countries and organizations to finance the electoral process, emergency programmes and programmes for the reintegration of displaced persons, refugees and demobilized soldiers.

Pact on Security, Stability and Development in the Great Lakes Region, incl. Dar es salaam declaration on peace, security, democracy and development in the Great Lakes Region, incl. relevant Protocols (Integral parts):

Art. 10 Pact : Special Reconstruction and Development Fund for the purpose of supporting the implementation of the Protocols and Programmes of Action in the priority areas of ...humanitarian, social and environmental issues. Legal framework of the fund, see art. 21.

Art. 4 para 1j IDP-Protocol: Establish a regional mechanism in the Great Lakes Region for monitoring the protection of idps under this protocol

Art. 9 Property-Protocol: A sub-committee of experts established under the Coordinating Committee of the Programme of Action on Humanitarian, Social Issues and which has specific responsibility for land and property issues shall ensure that this Protocol is implemented.

General Agreement on the Establishment of Peace and National Accord in Tajikistan (incl. respective protocols):

Para. 3 Refugee Protocol: Resume the work of the Joint Commission on problems relating to refugees and with the assistance of UNHCR draw up a statute of the Commission.

Para. 6 Refugee Protocol: Urgent appeal to UN, UNHCR, OSCE, donor countries and the Aga Khan Foundation, to the IMF, WB, EDB, IB to provide additional and substantial financial and material support to refugees and displaced persons and to the Joint Commissions

Para. 1 Implementation Protocol: Good will and commitment as most important guarantees of strict implementation of the General Agreement, among others to ensure the voluntary return, in safety and dignity, of all refugees and displaced persons to their homes.

Para. 2 Implementation Protocol: Request the UN to provide guarantees of implementation through adoption of a new mandate of the UN-Mission

Para. 3 Implementation Protocol: Moral Guarantors

Para. 4 Implementation Protocol: Monitoring implementation and providing expertise, consultation and other good offices, a Contact Group shall be established

Para. 5 Implementation Protocol: OSCE shall facilitate the implementation in the areas related to the observance of human rights and the establishment of democratic political and legal institutions and processes.

Para. 1 and 2 Statute Commission on National Reconciliation/Protocol on the main functions and powers of the Commission on National Reconciliation: Establishment of the Commission and its objectives

Para 5 Statute Commission on National Reconciliation/Protocol on the main functions and powers of the Commission on National Reconciliation: Establishment of Subcommission on refugee issues. Joint commissions established in the course of the inter-Tajik talks shall become working bodies of the Commission.

Para. 7 statute Commission on National Reconciliation/Protocol on the main functions and powers of the Commission on National Reconciliation: Devising a monitoring mechanism and monitoring compliance jointly with other organs established for that purpose; Implementing measures for the safe and appropriate return of refugees and their active involvement in the social, political and economic life of the country, and provision of assistance in reconstruction of the housing and industrial and agricultural facilities destroyed by war. (REFUGEES ONLY???)

Comprehensive Peace Accord Nepal (incl. relevant Codes of conduct and agreements):

Para. 5.2.4 Comprehensive Peace Accord: Both sides agree to form a National Peace and Rehabilitation Commission to establish peace in the society by normalizing adverse situation generated by armed conflict and to carry out relief for and rehabilitate people victimized and displaced by war, and to carry forward the tasks related to this through the Commission.

Para 8.2 Comprehensive Peace Accord: National Peace and Rehabilitation Commission can create mechanisms as necessary to make the peace campaign successful.

Para. 9.1. Comprehensive Peace Accord: Role of OHCHR in monitoring human rights related issues.

Para. 9.4 Comprehensive Peace Accord: National human rights Commission will also carry out works related to the monitoring of human rights.

Cambodian Peace Agreement:

p. 15. Art.16: UNTAC shall be responsible during the transitional period for fostering an environment in which respect for human rights shall be ensured.

p. 15, Art. 17: After the end of the transitional period, the United Nations Commission on Human Rights should continue to monitor closely the human rights situation in Cambodia, including, if necessary, by appointment of a Special Rapporteur who would report his findings annually to the Commission and to the General Assembly. (Identical: p. 52, para. 3)

p.43-45, Annex 4, paras. 8-13: Operational factors regarding repatriation: para. 8: Access of UNHCR, ICRC and other international agencies with a view to undertaking the census, tracing, medical assistance, food distribution and other activities vital to the discharge of their mandate and operational responsibilities; Such access should also be provided in Cambodia; para. 9: UNHCRs role of leadership and coordination; para. 10: Monitoring and facilitation of the repatriation; para. 11: short-term repatriation assistance, longer term reconstruction programme; para. 12: Those responsible for organizing and supervising the repatriation operation will need to ensure that conditions of security are created for the movement of the refugees and displaced persons. In this respect, it is imperative that appropriate border crossing points and routes be designated and cleared of mines and other hazards; para. 13: international community should contribute generously to the financial requirements of the repatriation operation.

p. 53, para. 4: In the event of serious violations of human rights in Cambodia, they will call upon the competent organs of the United Nations to take such other steps as are appropriate for the prevention and suppression of such violations in accordance with relevant international instruments.

Guatemalan Agreement on a Firm and Lasting Peace (incl. Agreement on Resettlement of the Populations Groups Uprooted by Armed Conflict and Comprehensive Agreement Human Rights):

Resettlement-agreement, principle 3: Uprooted groups deserve special attention, in view of the consequences they have suffered from being uprooted, through the implementation of a comprehensive, exceptional strategy which ensures, in the shortest possible time, their relocation in conditions of security and dignity and their free and full integration into the social, economic and political life of the country.

Resettlement-agreement, principle 4: Participation in decision-making concerning the

design, implementation and supervision of the comprehensive resettlement strategy and its specific projects.

Resettlement-agreement, principle 5: A comprehensive strategy will be possible only within the perspective of a sustained, sustainable and equitable development of the resettlement areas for the benefit of all the population groups and individuals residing in them

Resettlement-agreement, principle 6: Implementation of this strategy shall not be discriminatory; reconciling interests of the resettled and those already living in these areas

Resources and Cooperation, para. 1: Responsibility falls on entire society, not on Government alone. Para. 2: Government undertakes to allocate and mobilize national resources; Para. 3: support of international community

Institutional arrangements paras. 1-3: Agreements contained in the comprehensive resettlement strategy shall be implemented through execution of specific projects. For that purpose a Technical Committee for the implementation of the resettlement agreement shall be established, which is composed of two Government-reps; two reps designated by uprooted population and two donor-reps or international agencies. Para. 4-5: This committee shall conduct necessary evaluation and studies to identify and analyse the needs and demands of the uprooted populations and to formulate projects corresponding to the various undertakings contained in the strategy determined in this Agreement. The Committee shall be responsible for prioritizing and approving projects and supervising their execution, allocating funds. Implementation of the strategy shall meet the criteria of priority to the struggle against poverty, efficient management, participation of the recipient populations and transparency concerning expenditures. Para. 6: To ensure the implementation of resettlement strategy, a fund shall be established essentially with contributions from the international community.

Comprehensive HR-agreement, para. X: International verification by the UN. Request the UNSG to organize a mission for the verification of human rights and of compliance with the commitments of the agreement. Paras. 5-15: Function of this verification-mission: Receive complaints, establish that the competent national institutions are carrying out the necessary investigations autonomously, effectively, determine whether or not a violation has occurred, whether the human rights agreement is being fully implemented by the parties, make recommendation, held bilateral talks, report regularly to the SG. Para. 12: In verifying the observance of human rights, the mission shall pay particular attention to the rights to life, integrity and security of person, to individual liberty, to due process, freedom of expression, movement and association and to political rights. Para. 13: In the performance of its functions the mission shall take into account the situation of the most vulnerable groups of society and to the population directly affected by the armed confrontation (incl. displaced persons, refugees and returnees. Para. 16: cooperation and support for national institutions for the protection of human rights.

Dayton Peace Agreement:

Annex 7 Art. III (1). The Parties note with satisfaction the leading humanitarian role of UNHCR, which has been entrusted by the Secretary-General of the United Nations with the role» of coordinating among all agencies assisting with the repatriation and relief of refugees and displaced persons.

Annex 7 Art. III (2). The Parties shall give full and unrestricted access by UNHCR, the International Committee of the Red Cross ["ICRC"), the United Nations Development Programme ("UNDP"), and other relevant international, domestic and nongovernmental organizations to all refugees and displaced persons, with a view to facilitating the work of those organizations in tracing persons, the provision of medical assistance, food distribution, reintegration assistance, the provision of temporary and permanent housing, and other activities vital to the discharge of their mandates and operational responsibilities without administrative impediments. These activities shall include traditional protection functions and the monitoring of basic human rights and humanitarian conditions, as well as the implementation of the provisions of this Chapter.

Annex 7 Art. III (3). The Parties shall provide for the security of all personnel of such organizations.

Agreement on Normalization of Relations between the Federal

Republic of Yugoslavia and the Republic of Croatia:

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Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (Erdut Agreement):

10. Interested countries and organizations are requested to take appropriate steps to promote the accomplishment of the commitments in this agreement. After the expiration of the transition period and consistent with established practice, the international community shall monitor and report on respect for human rights in the region on a long-term basis.

11. In addition, interested countries and organizations are requested to establish a commission, which will be authorized to monitor the implementation of this agreement, particularly its human rights and civil rights provisions, to investigate all allegations of violations of this agreement, and to make appropriate recommendations.

Abkhazia: Quadripartite agreement on voluntary return of refugees and displaced persons signed on 4 April 1994:

4. For the purpose of the implementation of voluntary return of displaced persons and refugees to Abkhazia, a quadripartite Commission is hereby established.

5. The principal tasks of the Commission shall be to formulate, discuss and approve plans to implement programmes for the safe, orderly and voluntary repatriation of the refugees and displaced persons to Abkhazia from Georgia, the Russian Federation and within Abkhazia and for their successful reintegration. Such plans should include registration, transport, basic material assistance for a period of up to six months and rehabilitation assistance.

In order to create the conditions for the return of refugees and displaced persons, the Commission will establish a working group of experts to undertake an assessment of the level of damage to the economic and social infrastructure in Abkhazia, the availability of housing and the extent of damage to houses in the areas of return as well as the projected needs in rehabilitation/ reconstruction, with financial implications. This survey should be undertaken region by region according to the plan of return to be worked out and accepted by the Parties, bearing in mind that the Parties have agreed to start the repatriation operation with the Gali region.

6. The Commission shall be composed of four members, one being designated by each of the Parties and two representing the Russian Federation and the United Nations High Commissioner for Refugees.

In addition, the Conference on Security and Cooperation in Europe (CSCE) will designate a representative to attend the Commission's meetings in an observer capacity. If circumstances do not allow the designated CSCE representative to attend such meetings, the Commission will keep the CSCE mission in Georgia informed on a regular basis on the progress of the Commission's work.

7. Any member of the Commission may, when attending any meeting of the Commission, be accompanied by such advisers as the Party designating that member may deem necessary. Where a member of the Commission is unable to attend any meeting of the Commission, the Party concerned may designate a substitute.

8. The Commission shall meet as often as required, but no less frequently than once every month. Meetings of the Commission may be convened at the request of any of the members and shall be held on the territory of the Russian Federation, except as the members of the Commission may otherwise agree. The Parties agree to guarantee the personal security of the members of the Commission and personnel involved in the activities agreed.

The first meeting of the Commission shall be scheduled as soon as possible and no later than one week after the adoption by the Security Council of a resolution on a mechanism ensuring the security conditions in the areas of return.

9. During its first meeting, the Commission will set out the modalities of the assessment mentioned in paragraph 5 above and will establish a plan concerning:

	<p>(a) The areas where repatriation will be primarily conducted according to the level of guaranteed security and preparedness;</p> <p>(b) The implementation of an information campaign among the displaced person/refugee population to encourage voluntary return;</p> <p>(c) The registration process of persons expressing their willingness to return;</p> <p>(d) The activities needed to safeguard the safety of returnees based on the principles set out in paragraph 3 (a) to (j) above;</p> <p>(e) The needs for financial, transport and basic material assistance to displaced persons/refugees as well as projected needs for rehabilitation/reconstruction of the areas of return as mentioned in paragraph 5 above.</p> <p>11. In the event of disagreement within the Commission regarding the application and interpretation of this Agreement, where such disagreement cannot amicably be settled among the members of the Commission, the Commission shall refer such disagreements to the Parties and to the Russian Federation and the United Nations High Commissioner for Refugees.</p>
<p>Humanitarian access and assistance</p>	<p>Darfur Peace Agreement:</p> <ul style="list-style-type: none"> - Darfur rehabilitation and resettlement commission shall grant access to displaced persons, whether urban, rural or camp settings; If there are disputes they are referred to the relevant national authorities (para. 184) - Purpose of ceasefire is to ensure that humanitarian assistance is provided safely to internally displaced persons and other civilians in need (para. 217d) - Scope of ceasefire covers protection of IDPs and humanitarian supply routes (para. 218e) <p>In the light of the ceasefire, all attacks, harassment, abduction, intimidation and injury to civilians, including IDPs, humanitarian workers and other non-combatants, and any seizure or their equipment and property is prohibited (para. 226b); actions that impede or delay the provision of humanitarian assistance or protection to civilians are prohibited (226c); restrictions on the safe, free and unimpeded movement of humanitarian agencies are prohibited (226d)</p> <ul style="list-style-type: none"> - Tasks of joint humanitarian facilitation and monitoring unit: monitor humanitarian assistance and welfare conditions; observing safety and respect for human rights in relation to IDPs other civilians and humanitarian supplies; make recommendation among others to the humanitarian coordinators of IDP camps, humanitarian orgs and the parties; providing support to existing national and international humanitarian coordination mechanisms for assistance in IDP camps and the UN (including in consultation with IDP-reps); supporting UN and humanitarian agencies; support UNHCR in facilitating return of refugees; facilitate relevant humanitarian orgs as requested by them in facilitating the voluntary and safe return of IDPs; defusing tensions among communities and building confidence (para. 260) - General commitments regarding protection of IDPs and humanitarian supply routes: Respect the rights of IDPs, refrain from activities undermining the safety, security and welfare of IDPs; refrain from activities that undermine or jeopardise humanitarian operations; create a conducive and non-intimidating environment for voluntary return of IDPs and refugees; special protection for women, children, disabled (para. 262) - Security in IDP camps: Monitoring by AMIS Civilian Police (para. 270); security arrangement in coordination with mechanisms for assistance in IDP camps and the UN (incl. in consultation with IDP.reps) (para. 217); plan for establishing, training and building capacity of community police. This police shall be selected by the IDP community itself (para. 272); Training of the community police in IDP camps to enable them to perform policing functions in the camps as the basis for a community police force for those IDPs on their return (para. 273) - Protection of women and children: child soldiers (para. 275; the parties in coordination with AMIS civilian police and humanitarian coordination mechanisms for assistance in IDP camps and the UN (including in consultation with IDP reps) shall ensure protection of women and children in camps from all forms of violence (para. 276); investigation, prosecution (para. 277); separate police counters (para. 278); AMIS civilian forces shall have specialist gender units (para. 279)

Joint humanitarian facilitation and monitoring unit shall evaluate effectiveness of the security measures in IDP camps and therefore assess conditions and consult with the relevant humanitarian agencies (para. 280f)

- Demilitarisation of selected humanitarian supply routes (pars. 282ff)

Eastern Sudan Peace Agreement:

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Liberia Peace Agreement (Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties):

- ECOWAS multinational force will secure cease fire and create buffer zone and thus provide a safe corridor for delivery of humanitarian assistance and free movement of persons (Art. III, para. 1); Mandate of International Stabilization Force comprises: Assist in coordination and delivery of humanitarian assistance to displaced persons, refugees, returnees and other war-affected persons; facilitate the provision and maintenance of humanitarian assistance and protect displaced persons, refugees, returnees and other affected persons; protection of civilians (Art. IV, para. 3)

- Provision of security guarantees for safe and unhindered access by all humanitarian agencies in order to facilitate the delivery of humanitarian assistance (Art. XIV, para. 1a)

- Guarantee of security and movement of humanitarian personnel as well as of their projects and beneficiaries (Art. XIV, para. 1b)

- Establishment of effective administrative and security infrastructure to monitor and support the implementation of the guarantees in chapter XIV on humanitarian relief (Art. XIC, para. 2)

- Request international community to assist in provision of humanitarian assistance for those in need, in particular idps, refugees, returnees (Art. XIV, para. 3)

- International Assistance (Art. XXIX)

Lomé Agreement:

Article XXVII: Reaffirmation of statement on the Delivery of Humanitarian Assistance (see annexe 4); request appropriate international humanitarian assistance; Guarantee of safe and unhindered access in order to facilitate delivery; security of property and goods transported as well as security of projects and beneficiaries; set up appropriate and effective administrative and security bodies which will monitor and facilitate implementation of these guarantees of safety

General Peace Agreement for Mozambique:

Declaration by the Government of the Republic of Mozambique and RENAMO on the guiding principles for humanitarian assistance: Assistance without discrimination; freedom of movement and respect for persons in humanitarian actions; freedom and neutrality of humanitarian assistance; access to entire affected population; *in particular para I(g): Persons shall be allowed freedom of movement to enable them to have full access to humanitarian assistance*

Pact on Security, Stability and Development in the Great Lakes Region, incl. Dar es salaam declaration on peace, security, democracy and development in the Great Lakes Region, incl. relevant Protocols (Integral parts):

Para. 60 Declaration: safety of humanitarian personnel

Para. 62 Declaration: Encourage international community in assisting host communities and refugee affected areas

Art. 3 IDP-Protocol: Responsibility for protecting idps: para. 1: prevention of arbitrary displacement and elimination of root causes; para. 2: mitigation of consequences of disaster-induced displacement; para. 3: Member states accept their primary responsibility for the protection of the physical and material safety during flight, in places of displacement and upon return, or resettlement; para. 4: Responsibility for needs-assessment and assist idps with registration, maintenance of a national data base for the registration; para. 5: establish and designate governmental organs responsible for disaster emergency preparedness, coordinating protection and assistance as well as acting as focal structures for cooperation with international agencies and civil society; para. 6: Ensure rapid and unimpeded humanitarian access and assistance; para. 7: ensure safety and security of humanitarian personnel; para. 8: obligation of humanitarian personnel to observe and respect laws of the country; para. 9: safeguard and maintain civilian and

humanitarian character of the protection and location of idps in accordance with guidelines on the separation of armed forces; para. 10: lack of capacity → accept and respect obligation of international community to protect and assist

Art. 4 para 1i IDP-Protocol: Observe humanitarian principles and ethical standards relating to the provision of assistance to displaced persons in need of such assistance

General Agreement on the Establishment of Peace and National Accord in Tajikistan (incl. respective protocols):

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Comprehensive Peace Accord Nepal (incl. relevant Codes of conduct and agreements):

Para. 7.5.2 Comprehensive Peace Accord: Commitment to respecting and guaranteeing the rights of food security to all people. They guarantee that there would be no interference in the transportation, use and distribution of food, food products and food grains.

Para. 7.5.3: Right to health; not obstruct the supply of medicine, assistance and health related campaigns, and express commitment to treatment and rehabilitation of people injured in course of conflict.

Cambodian Peace Agreement:

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Guatemalan Agreement on a Firm and Lasting Peace (incl. Agreement on Resettlement of the Populations Groups Uprooted by Armed Conflict and Comprehensive Agreement Human Rights):

Resettlement-agreement, Guarantees, para. 11: Recognition of the humanitarian work of ngos and churches which are supporting the resettlement process. The Government shall safeguard their security.

Dayton Peace Agreement:

Annex 7 Art. III (2). The Parties shall give full and unrestricted access by UNHCR, the International Committee of the Red Cross ["ICRC"], the United Nations Development Programme ("UNDP"), and other relevant international, domestic and nongovernmental organizations to all refugees and displaced persons, with a view to facilitating the work of those organizations in tracing persons, the provision of medical assistance, food distribution, reintegration assistance, the provision of temporary and permanent housing, and other activities vital to the discharge of their mandates and operational responsibilities without administrative impediments. These activities shall include traditional protection functions and the monitoring of basic human rights and humanitarian conditions, as well as the implementation of the provisions of this Chapter.

Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia:

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Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (Erdut Agreement):

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Interim Agreement for Peace and Self-Government in Kosovo:

Chapter 4b

3. The international community will provide immediate and unconditional humanitarian assistance, focusing primarily on refugees and internally displaced persons returning to their former homes. The Parties welcome and endorse the UNHCR's lead role in coordination of this effort, and endorse its intention, in close co-operation with the Implementation Mission, to plan an early, peaceful, orderly and phased return of refugees and displaced persons in conditions of safety and dignity.

4. The international community will provide the means for the rapid improvement of living conditions for the population of Kosovo through the reconstruction and rehabilitation of housing and local infrastructure (including water, energy, health and local education infrastructure) based on damage assessment surveys.

Abkhazia: Quadripartite agreement on voluntary return of refugees

and displaces persons signed on 4 April 1994:

THE PARTIES, THE RUSSIAN FEDERATION AND THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES FURTHER AGREE AS FOLLOWS:

- (a) UNHCR shall have direct and unhindered access to all displaced persons/refugees from Abkhazia in order to undertake activities essential to the discharge of its mandate and operational and monitoring responsibilities;
- (b) Travel shall be facilitated between and within all areas where refugees and displaced persons are located and areas of return for the personnel of the United Nations and other relevant international and non-governmental agencies cooperating with the United Nations in repatriation, reintegration and rehabilitation programmes. It shall include the free use of airspace and authorized airstrips and airports for relief flights and the exemption from taxes and duties of all goods imported for use in the voluntary repatriation programme of displaced persons/refugees from Abkhazia and for the provision of relief integration and rehabilitation assistance to the Abkhazian region by the United Nations and cooperating agencies, as well as the expeditious clearance and handling of such goods;
- (c) The Russian Federation will guarantee unimpeded transit of humanitarian supplies through its territory for the purposes of the present Agreement;
- (d) UNHCR shall establish local offices, as deemed appropriate, at locations to be approved by the Parties concerned, to facilitate voluntary repatriation, reintegration and rehabilitation;
- (e) The security of the staff and property of the United Nations and the cooperating agencies shall be guaranteed;
- (f) The allocation and continued use by the Parties, the United Nations and the cooperating agencies of particularly designated radio frequencies for radio communications between their offices, vehicles, and staff, in areas where refugees and displaced persons are located and in areas of return, shall be provided.