# Studying IDPs: retrospect and prospect

by Susan Martin

**In 1989 Roberta Cohen challenged scholars, policymakers and practitioners who focused exclusively on refugees – people who had crossed an international border – to rethink their approach. She has continued to identify research questions intersecting the interests of the two communities.**

In *Refugees and Human Rights: A Research and Policy Agenda*[1] Cohen set out the underlying reasons to be concerned about refugees. She observed that refugee scholars often focused on those who crossed borders because of persecution and conflict, whereas the human rights community often focused on those remaining in oppressive states. The separate foci, she argued, did harm to people who were forced to flee – regardless of whether they fled internally or internationally. Human rights groups and scholars too seldom looked at or knew how to address the assistance and protection needs of the victims of human rights abuses. Humanitarian organisations and scholars too often failed to assess thoroughly or take action to address the reasons why people needed their assistance and protection.

The questions she raised have helped shape the research agenda on IDPs, refugees and human rights:

**Early warning of refugee emergencies:** What types of information on human rights violations would be useful for early warning of refugee crises? What constraints exist in sharing information between human rights and refugee organisations? How could early warning capacities be strengthened?

**Refugees as human rights monitors:** How accurate is information gleaned from refugees about the human rights situation in their home country? What are the most effective ways to collect, sift and analyse their information? Under what circumstances should refugee organisations reveal information about human rights violations in host countries?

**Rights of refugees:** What are the rights of refugees in international and national law and what would constitute violations of these rights? Which rights do refugees consider most important to their well-being? To what extent does adherence to international human rights and refugee agreements oblige states to bring their laws and practices in line with international standards? Are the rights of longer-term refugees in developing countries different from those of the newly arrived? Do refugees in official camps and settlements have more rights or fewer than those of refugees residing in spontaneous settlements?

**Detention and deterrence of asylum seekers:** What does the international human right to seek and enjoy asylum mean in practice? When does interdiction or discouragement of refugees constitute a violation of the right to seek and enjoy asylum? What kind of criteria should be used to determine who is detained while their asylum status is being decided? Are there standards for the treatment of such detainees?

**Rights of returnees:** Under what conditions is it appropriate for host countries and refugee organisations like UNHCR to encourage the return of refugees? When do returned refugees cease to be of concern to refugee organisations? How can human rights and refugee groups work together more effectively to prevent forcible repatriations and to protect and assist returnees?

The set of issues that most engaged Cohen's own thinking and future research was the protection of IDPs uprooted by situations that would have made them refugees had they crossed an international border. Arguing that the causes of the displacement were more important than the geographic location of the uprooted, Cohen put in place the intellectual underpinnings of what has become almost two decades of scholarship on IDPs.

Always an activist as well as a researcher, Cohen shared her

findings with colleagues in both the humanitarian and human rights fields. From her base at the Refugee Policy Group, and then the Brookings Institution, she formulated an action agenda that supported new research while taking steps to improve responses. A key element was appointment of the Representative of the Secretary General on Internally Displaced Persons and the establishment of the Project on Internal Displacement to provide support to the new RSG. Elsewhere in this volume, her accomplishments in shifting policies in international organisations, governments and NGOs are detailed. Equally important is her impact on scholarship and research on internal displacement.

Cohen recognised that the success of the RSG's mandate was contingent on developing a more systematic assessment of the situation of IDPs, barriers to effective national and international responses and policies and programmes that would afford greater protection and assistance. With the then-RSG, Francis Deng, she launched an ambitious research programme that was rooted in case studies of internal displacement (published in *Forsaken People*[2]). Working from the bottom up and the top down in analysing the situation of the internally displaced as well as the adequacy of national, regional and international responses, Cohen and Deng drew on theory as well as practice to build the argument that internal displacement should be of concern to the international community for much the same reasons that refugees were a source of concern.

In their resulting seminal work, *Masses in Flight*[3], they tackle the most difficult barrier to a robust international response – national sovereignty – while establishing that, as with refugees, the absence of national protection requires international action. Building on basic human rights concepts, Cohen and Deng formulated the concept of 'sovereignty as responsibility'. This provided the theoretical underpinnig for the Guiding Principles on Internal Displacement. They placed the onus clearly on states to exercise their sovereignty on behalf of the internally displaced. When governments are unwilling or unable to accept responsibility as their ultimate expression of sovereignty, intervention by the international community may well be justified. This concept later took the form of the 'responsibility to protect' potential or actual victims of genocide, ethnic cleansing and crimes against humanity. This was reflected in Kofi Annan's introduction to his 2005 report *In larger freedom: towards development, security and human rights for all* in which the Secretary General wrote, "The time has come for Governments to be held to account, both to their citizens and to each other, for respect of the dignity of the individual, to which they too often pay only lip service."[4] While implementation has greatly lagged behind rhetoric, Cohen and Deng's pioneering work on sovereignty as responsibility provided an important impetus to this new conceptualism of state and international obligations.


UNHCR/L Taylor

*Somali IDPs, Hargeisa Kandahar IDP camp*

*Masses in Flight* also examined practical impediments to effective protection, including gaps in international law and institutional weaknesses. Cohen and Deng had already launched a major research initiative, involving a panel of international law experts, to examine the applicability of international human rights and humanitarian law to the situation of IDPs. This resulting compilation confirmed that IDPs were entitled to substantial protection under existing laws and also identified areas not covered adequately in existing law or that needed to be more nuanced. Cohen noted that the team had "identified seventeen areas of insufficient protection, owing to inexplicit articulation of the law, and eight areas of clear gaps in the law."[5]

Cohen additionally inspired and often commissioned studies on internal displacement, building up the solid base of understanding needed to effect change in international and national responses. A review of the titles published by the Project on Internal Displacement demonstrates the far reach of the research she and her colleagues commissioned on such issues as IDP protection, development-induced displacement, displacement from natural disasters, return and reintegration of IDPs and institutional and legal frameworks for protection and assistance.

Cohen has influenced other researchers in their choice of topic and focus. My own decision to write a second edition of *Refugee Women* largely stemmed from Roberta's observation that the original, published in 1992 before the large body of IDP research became available, did not do justice to the situation of women forced to flee within their own countries.

Cohen's 1989 call for refugee scholars to concern themselves with internal displacement urged focus on the causes of displacements, human rights violations and the importance of protecting forced migrants regardless of where they seek safety or the artificial categorisations imposed by law or politics. As long as the rights of refugees and IDPs remain at risk, identifying ways to protect all forced migrants must be at the heart of our research agenda.

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1. Roberta Cohen and James Morsch, *Refugees and Human Rights: A Research and Policy Agenda,* Washington: DC: Refugee Policy Group, 1989
2. http://brookings.nap.edu/books/0815715137/html/index.html
3. http://brookings.nap.edu/books/0815715110/html/index.html
4. www.un.org/largerfreedom/contents.htm
5. Roberta Cohen 'The Guiding Principles on Internal Displacement: An Innovation in International Standard Setting', *Global Governance 10* (2004), 459–480 (464)