

Assessing the impact of the Principles: an unfinished task

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The Guiding Principles' objectives were clear but, ten years on, how can we assess their impact?

The late Sérgio Vieira de Mello identified four ways the Principles might benefit IDPs: raising awareness of their needs; mobilising support within the humanitarian community; helping field staff find solutions; and assisting governments to provide for IDPs' security and well-being.

Data from comparative surveys of IDPs before and after the launch of the Principles in 1998 or on public, humanitarian and state awareness of internal displacement issues do not exist. This article therefore measures impact by assessing how governments have adopted laws and policies to promote IDP rights, the rising profile of IDPs on the international humanitarian agenda and the way some IDPs and civil society groups are using the Principles as an advocacy tool.

From the beginning, the Representative of the Secretary-General on Internal Displacement (RSG) emphasised the importance of incorporating the Principles into national laws and policies. Presently, around 20 governments have passed laws or developed policies relating to IDPs, although they do not always follow the text of the Principles. In only three cases – Azerbaijan, Colombia and Georgia – do these pre-date the Principles. Additionally, there have been several attempts to develop regional instruments which incorporate the Principles.

It appears that the Principles, with advocacy and support by the RSGs, have had an impact on national legal standards to protect and assist IDPs. While there are often shortcomings in implementation, governments increasingly see them as a useful framework for addressing issues of internal displacement.

Changing international discourse

Issues around internal displacement have steadily been incorporated into the international policy agenda. A growing body of UN resolutions and documents reference the Principles. These range from reports on the protection of children affected by armed conflict¹ to reports of the Secretary-General on the implementation of the UN Millennium Declaration,² to the Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.³ The Principles have become the accepted international standards for IDPs.

As FMR's recent issue on humanitarian reform explained, the identified gap in response to IDPs was the driving force behind the reform of the humanitarian system which culminated in the launch of the cluster approach in December 2005.⁴ Discussions about IDPs have dominated much of the humanitarian reform agenda from the need for better preparation and selection of Humanitarian Coordinators to financing. Humanitarian agencies are increasingly organising seminars, providing training and incorporating the Principles into their own responses to humanitarian crises.

There is some evidence that the Principles are having an impact beyond that of humanitarian response. A review of 43 peace agreements signed between 1990 and 2008 found that while only ten of the 18 peace agreements signed before 1998 mentioned internal displacement, all but one of the post-1998 agreements have included a reference to IDPs.

Where there are active civil societies and somewhat receptive

governments, the Principles can have a significant impact. When people are aware of their specific rights, they are able to exercise them and successfully advocate on their behalf. As reported in a recent publication by the Brookings-Bern Project on Internal Displacement,⁵ IDPs in Colombia who belong to NGOs and IDP organisations are aware of the Principles and promote their wider dissemination. They have found them useful as a basis for requests made to the authorities and to secure constitutional guarantees of IDP rights. Colombia's highest court, the Constitutional Court, has based several decisions on the Principles. IDPs in Sri Lanka have used the Principles to advocate for greater food rations, more timely deliveries of food, clean water and more personal security. In Georgia a group of IDPs appealed to the Supreme Court to challenge discriminatory electoral laws. When the court ruled against them they worked with NGOs on joint advocacy, persuading the government to bring laws into line with relevant provisions in the Principles. US human rights groups have used the Principles to draw attention to the shortcomings of the government's response to the needs of those displaced by Hurricanes Katrina and Rita in 2005.

However, lack of awareness of the Principles is still an issue in many contexts, mitigating their effectiveness as an advocacy tool for IDPs themselves, national NGOs and international agencies. As Roberta Cohen says: "Knowledge and dissemination of the Principles, however, are not sufficiently widespread. Of the 528 IDPs interviewed in South Asia [for this project], the interviewers found that international principles, norms, and laws do not reach most IDPs; only one third had knowledge of the Principles.⁶ In Bangladesh, 97% of the IDPs interviewed had no knowledge of the Principles. In Nepal,

25% had heard of the Principles through newspaper reports, radio and TV. In Juba, southern Sudan, there was no knowledge of the Principles although when IDPs were asked what human rights meant to them, they spoke of access to food, water, health and protection”.⁷

While it is difficult to assess the direct impact of the Principles on IDPs, it is fairly certain that they have encouraged governments to adopt laws and policies on internal displacement, have been used by some IDPs as a tool to advocate for

their rights and have provided a legal framework for UN agencies and human rights organisations to promote the human rights of IDPs. What is much less certain is the extent to which the Principles have prevented arbitrary displacement of persons or have contributed to the ability of IDPs to find sustainable solutions to their displacement. The challenge for the coming decade is to ensure that IDPs are aware of their basic human rights and that they see the Principles as a useful tool in promoting the exercise of these rights.

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1. <http://www.un.org/children/conflict/english/reports.html>
2. <http://www.un.org/millenniumgoals/reports.shtml>
3. <http://www.hrw.org/campaigns/race>
4. <http://www.fmreview.org/humanitarianreform.htm>
5. Roberta Cohen, *Listening to the Voices of the Displaced: Lessons Learned*, Washington, DC: Brookings-Bern Project on Internal Displacement, 2008. http://www.brookings.edu/reports/2008/09_internal_displacement_cohen.aspx
6. ‘Voices of the Internally Displaced in South Asia’, Mahanirban Calcutta Research Group, 2006, p14, 24. <http://www.mcrg.ac.in/Voices.pdf>
7. Daniel L Deng, ‘Voices of the Displaced – Sudan Project’ (unpublished), p50.

Guiding Principle 22(b)

Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights... The right to seek freely opportunities for employment and to participate in economic activities.

“We do not want more humanitarian aid; we want income from jobs,” says an IDP interviewed in Colombia. Half-way across the world an IDP woman in Abyei, Sudan echoes the same sentiment: “What we will grow is better than the relief given to us.”

Indeed, whatever the country, IDPs yearn for jobs in cities or to be working the land so that they can have stable incomes. In Sri Lanka, access to livelihoods is a major concern for IDPs returning to their home areas. In Nepal, of the IDPs interviewed, 61% complained of economic/employment-related problems, and in Bangladesh, 58% marked economic concerns as their main problem for survival. In Assam in India, IDPs identified lack of work opportunities as a major problem.

Training and income-generating projects are few and far between for IDPs. In Juba, the capital of southern Sudan, IDPs

complain that “Education and training programs for IDPs are non-existent” and “there have been intentions but no follow-up.” In Colombia, only a small number of those interviewed have received help to improve their skills or vocational training. The government did have a programme for promoting micro-businesses to help IDPs earn a living and reintegrate effectively but for most IDPs developing a successful project proposal in the business sector prove too difficult. Moreover, as they point out, credit is difficult to repay. In Bosnia, problems also arise with credit programmes. Returning IDPs who need financial assistance find that the high interest rates of many micro-credit programmes deter self-employment initiatives in urban areas. Creating livelihood opportunities for the vast majority of IDPs remains a major challenge.

Interviews carried out by the Brookings-Bern Project on Internal Displacement. See Brookings-Bern Project report ‘Listening to the Voices of the Displaced: Lesson Learned’ at http://www.brookings.edu/reports/2008/09_internal_displacement_cohen.aspx