

Time to strengthen protection of IDPs

by Walter Kälin

Lack of resources and infrastructure, the volatile security situation and the absence of state structures pose serious threats to the human rights of returnees and IDPs.

In October 2005 I undertook a mission to study the situation of IDPs and returnees to the South. I realised that the Sudanese authorities, the international community and donors need to do much more to ensure the protection of the rights of the four million people displaced by conflict.

As stated in the Guiding Principles on Internal Displacement, the right of IDPs to choose freely whether to return, locally integrate or resettle elsewhere must be respected. However, it became clear from talking to IDPs in camps in and around Khartoum that many were badly or not at all informed about conditions in their places of origin. Most have unrealistic expectations of intact infrastructure, functioning basic services and opportunities to maintain a livelihood. Many lack information about how to obtain relevant documents.

The authorities in Khartoum State are implementing an urban planning programme which aims to give residents of irregular settlements a plot of land in the desert outskirts of the city. In principle, IDPs - like other Sudanese citizens - are eligible to benefit from a land allocation programme which has potential to provide a durable solution to their plight. However, I learned that there are great difficulties with its implementation. Many IDPs are not eligible and methods by which settlements are relocated give rise to human rights concerns. IDPs and NGOs reported that persons are forcibly removed from their previous settlements with inadequate or no prior consultation. During the removal, housing, personal belongings and infrastructure such as schools are destroyed. Fearing for their survival many IDPs relocated to inhospitable urban margins see return to the South as their only option, despite the fact they often lack the means to travel.

In order to provide returnees en route with limited and short-term assistance and protection, the humanitarian community has been planning to erect way stations. Unfortunately, these plans have not yet materialised, and most returnees lack any material support during their journeys. Some reported having been attacked, illegally taxed and looted on the road. As returns are already under way and expected to increase during the coming dry season, there is an urgent need for the international community to implement existing plans.

Despite the peace agreement, returnees fear for their safety due to militia activities, land mines and the widespread presence of armed civilians within communities. Upon arrival, many remain without shelter, sufficient food, clean drinking water and access to medical services. Parents whose children attended schools during their displacement in the North are fearful they will not be enrolled in already over-subscribed schools. The elderly and women, especially female-headed households, remain particularly vulnerable.

Information is scanty due to lack of monitoring outside the main towns and settlements. Protection activities of international agencies and NGOs are hampered by lack of funds and restriction of access. Rushed returns may create serious humanitarian problems and should not be promoted. The current capacities in the South to receive and quickly integrate large numbers of returnees are limited. In areas of mass arrivals, the humanitarian problems of IDP camps and irregular settlements in the North may simply be transferred to the South. As a result, tensions may arise within overstretched local communities due to competition over scarce resources and services. There is a danger that the international community may be forced to

spend funds on emergency humanitarian assistance which should be invested in recovery and development projects.

Although return movements are still limited there is already evidence of cases where returnees see their expectations frustrated upon arrival and opt to return to Khartoum.

Creating an environment in which returns can be sustainable requires:

- removing militias from areas of return, disarming civilians and demining of access roads and agricultural land
- action to address the major obstacles to return reported by IDPs - absence of clean drinking water, primary education, health service and household building material
- UN agencies and NGOs to be resourced to undertake fast recovery programmes and provide such non-food items as seeds, tools, fishing nets and basic building materials
- establishment of mechanisms for speedy resolution of land disputes
- ensuring that returnees receive, with little or no charge, documents to enable them to access basic services.

Instead of aiming at perfection and getting lost in long-term planning, flexible and creative community-based solutions for providing basic infrastructure and health and education services should be found in order to bridge the period until full services can be set up.

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