



The Brookings-SAIS Project on Internal Displacement



Promoting national responsibility for internal displacement in the Americas

by Erin Mooney

Because addressing internal displacement is primarily a duty of governments, promoting national responsibility and accountability is essential. This is no less true in Latin America, where there are some 3.3 million IDPs. Most are found in Colombia in conditions of tremendous insecurity. Numbers are much fewer in Mexico but their situation remains precarious and has only recently begun to receive attention. In Guatemala and Peru, many IDPs continue to lack a durable solution even though the conflicts ended several years ago. Throughout the region, a disproportionate number of the displaced are indigenous persons or belong to ethnic minorities. Governments in Latin America have taken certain steps to address the problem, in particular through the drafting and development of laws and policies. However, in the absence of effective implementation and the political will this requires, such initiatives too often have little practical meaning for IDPs.

How to encourage the effective fulfilment of national responsibility emerged as the central question at the first regional seminar on internal displacement in the Americas, held in Mexico City from 18-20 February 2004.¹ Participants, representing governments, NGOs, the UN, regional organisations and IDP communities therefore agreed that it would be valuable to spell out the key elements – 16 were identified – of what national responsibility for IDPs should entail.

A critical first step is to acknowledge the problem of internal displacement and the national responsibility to address it. Moreover, raising national awareness must mean promoting solidarity with the displaced and thereby helping to remove ethnic, racial and ideological stigmas they suffer in the

Americas and which increase their vulnerability. Mass sensitisation campaigns that reach all relevant authorities, especially the military and police, are critically needed.

National responsibility encompasses all phases of displacement, from prevention to finding durable solutions. It must include undertaking protective responses to early warnings of arbitrary displacement and attack, bringing to justice perpetrators of abuses against IDPs, and ensuring that any return is voluntary and safe. In addition, whether IDPs choose to return, resettle or integrate locally, they require reintegration assistance as well as reparation for losses suffered. Most IDPs in Latin America have had to return without such assistance.

IDPs have the right to request and receive assistance and protection, without risk of punishment or harm.² However, many displaced in the Americas lack even the documentation necessary to access their rights and receive assistance. Moreover, IDP leaders and others advocating on IDPs' behalf do so at grave risk. The lack of security has also had a chilling effect on research and analysis, as epitomised in Guatemala by the killing of anthropologist Myrna Mack.³ Far greater efforts must be made by governments to protect IDPs and those seeking to help them.

National human rights institutions in the Americas play an important role in promoting and protecting IDPs' rights and monitoring the effectiveness of government responses. These mechanisms need to be strengthened and their activities expanded, in particular in responding to alerts of impending displacement and by increasing their presence in areas where IDPs are in danger.

Regional and international players also can help to reinforce national responsibility and accountability. The Inter-American Commission on Human Rights has been active in monitoring respect of IDPs' rights and even in directly protecting the displaced. The outgoing Special Rapporteur on IDPs needs to be replaced and greater use made of the Inter-American Court on Human Rights to protect IDP rights. The international community also has an important role to play and one that could be broadened, in particular by sustained advocacy on protection, by increasing presence in areas where IDPs are at risk and by doing more to support the reintegration of IDPs when they return or resettle.

These are just some of the key components in the framework for action developed at the seminar.⁴ Intended as both a guide for governments in responding to internal displacement and a basis for monitoring how effectively they are fulfilling their responsibilities towards IDPs, this framework provides benchmarks for evaluating and ultimately enhancing national responses in the Americas, as well as in situations of internal displacement elsewhere in the world.

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1. The seminar was co-sponsored by the Government of Mexico's Ministry of Foreign Affairs, the Office of the Representative of the UN Secretary-General on IDPs and the Brookings Institution-Johns Hopkins SAIS Project on Internal Displacement.

2. Principle 3, Guiding Principles on Internal Displacement.

3. For information about her murder and the subsequent campaign to bring her military killers to justice, see: www.humanrightsfirst.org/defenders/hrd_guatemala/hrd_mack/hrd_mack.htm or www.myrnack.org.gt

4. The full report of the seminar including the framework for action will be published in Spring 2004 and posted at: www.brook.edu/fp/projects/idp/idp.htm