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Internal Displacement: Recent History, Visions for the Action Ahead

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**Internal Displacement: Recent History, Visions
for the Action Ahead**

By: Mayela Calderon

Abstract

This research project is meant entirely to highlight the suffering of millions of people around the world outside of their homes and inspire the addressing of this. Internally displaced people face human rights violations on all levels starting from political representation all the way to their basic needs and when their national government who has the primary responsibility, is either unable or unwilling to do something about this, it is up to the international community and civil society to ensure these rights are being fulfilled. The mainstreaming of this topic is essential to pressure influential actors to mobilize and achieve justice.

Acknowledgement

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Preface

Initially, the idea was to explore the lives of children whose lives were devastated by war. Those forced to flee from their homes seemed to me the most affected not only for that experience alone, but for the exposure to dangers their life would have as a result from that. I wanted to further my knowledge on tracing units and to analyze the aftermath of children who had that experience. In other words, what the adulthood looked like for a person that was displaced as a child. However as I dove into the topic, the challenge of internally displaced people caught my eye. My focus would then be on internally displaced children. As I more deeply submerged myself in the topic, I realized there was no way to jump onto internally displaced children without addressing internally displaced persons and their status first. I came to this conclusion, "In some countries the sheer scale of displacement is so significant and accounts for such a large proportion of the national or sub-regional population that is simply unrealistic to plan for the peaceful future of the country without incorporating the needs of the displaced and ensuring their active participation." (Appeal 2010)

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Introduction

Challenges to international security are constantly evolving and today, are remarkably different than 30 years ago. Climate change is provoking the relevance of environmental

security, scarce resources are provoking the relevance of non-military international cooperation, and the war on drugs in some countries is provoking the deaths of thousands, instead of preventing them. Moreover, the threats today are becoming less between states, and more within states. These intra-state conflicts have created an incredible burden for their own populations not only because of safety, but because these conflicts often force people to flee their homes causing massive displacement. Not everyone being displaced is able to seek asylum in another country, and more often than not, remain displaced within their home borders. This is called internal displacement and presents today globally a huge humanitarian crisis that cannot easily be addressed. Millions of people have left their properties and communities behind, are often separated from their families, lack access to basic needs, face immense dangers on a day-to-day basis, but most unfortunately, do not have their basic human rights fulfilled and lack representation in the international community. The forced displacement present-day is not as a result of new conflicts, but rather as a result of conflicts that have been going on for decades and have not reached sustainable peace.

Demographics and Definitions

An interview with Dr. Vautravers, head of International Relations Department at Webster's University, crystallized the fact that the attention to Internally Displaced People can be considered fairly recent in comparison to refugees. The definition for refugees by the UNHCR did not include IDPs for the simple reason that they had not crossed a country border, yet they met every other requirement for a person in dire need of international protection. The UNHCR did not change its mandate to include IDPs until the 1990's. Earlier on, the African Unity 1960 Convention assessed refugees in Africa as people who were denied protection from their state, which in most cases includes IDPs just under different vocabulary. Now, Sinistres is a more

popular term used in Africa, coined in the Burundi Peace Agreement that designates all displaced, regrouped and dispersed persons and returnees. Nevertheless, the official definition used today is the one iterated in the UN Guiding Principles on Internal Displacement provided by the UN Office of Coordinating Humanitarian Affairs in 2001, define IDPs as:

Persons or groups of persons who have been forced or obliged to flee or to leave 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 generalized violence, violations of human rights or natural or human made disasters and who have not crossed an internationally recognized state border.

The amount of internally displaced is immense and certainly not unique just to one region. The figures for IDPs in the global overview provided by the Internal Displacement Monitoring Centre in 2009 looks at 52 countries that accounted for a total of 26 million IDPs worldwide as a result of war and conflict. Sudan, Colombia, and Iraq, alone, make-up 45 percent of the world's IDPs. Anytime people are forced to flee from their homes, move into the worst humanitarian conditions, and lack protection from the national government, the international community, and civil society it is a call for intervention. What is even more, IDPs would not be nearly as grave of an issue if the displacement was temporary. One of the challenges is the protracted displacement of these people, which IDMC defines as when "the search for durable solutions to their plight was stalled or they continued to be marginalized as a result of their displacement." This form of displacement is found in ongoing conflicts or when no movement was achieved to find a solution for these people of either integration into a new community or safe return home. Under these conditions, babies are born displaced, children reach into adulthood displaced, and elders die displaced. "33% of conflicts are over 30 years old, people are

not able to return home and have to stay in camps for long-term.” (Vautravers) Definitions are crucial because depending on the wording of a legislation is how much protection can be ensured from it.

Protection for IDPs under International Law

The recent acknowledgement of internal displacement being a threat to international security consequently makes protection for internal displacement under international law fairly recent as well. Internally displaced persons have protection under international human rights law just like anyone. When affected by armed conflict, internally displaced are protected by international humanitarian law. What is problematic, however, is that since they have not crossed a border, they lack specific international protection comparable to that of the international refugee law. While reform occurs to change this reality in the past decades, technically, internally displaced people are still under the responsibility of their own country, but more often than not, their country has no capacity to take for of them or has no willingness to do so. Out of 52 countries covered in the IDMC Global Overview, only 14 have legislation or policies specifically addressing internal displacement. Moreover, the position of the International Community on Internally Displaced Persons has been unclear until the past 20 years or so.

UNHCR and IDPs, in in of itself, has a history. Dr. Vautravers expanded on UNHCR when he explained that in the 1980’s, the UNHCR still did not consider IDPs part of its mandate regardless of the overwhelming amount of them. However, in the 1990’s, the UNHCR changed and expanded its mandate. One of the possible reasons for this random change, is that in the 1980’s, there were more inter-state conflicts that provoked refugees. In stark contrast, in the 1990’s, conflicts became more intrastate and climate change became more evident creating displacement, but not necessarily externally. In the 1990’s as a result, there were less refugees,

so less on the UNHCR's agenda, and more IDPs. The UNHCR then had to justify its large budget for a decreasing amount of refugees, in addition to facing competition by the International Organization of Migration and other organizations wanting to address people in displacement and monitoring movement. The IOM became more relevant because it provided a multilateral platform for negotiation. With this influence competition and questioning of abnormally large budget, the UNHCR was pushed to expand its mandate to include internally displaced but even now it does not cover all internally displaced people, Alice Farmer from the Internally Displaced Monitoring Centre confirmed. Today, some experts believe the "UNHCR is clearly only looking out for refugees." (Archer, interview)

Nevertheless, the relevance of internally displaced made it to the UN General Assembly, the Office of the High Commissioner of Human Rights, and OCHA eventually. The Internal Displacement Monitoring Centre was created by the Norwegian Refugee Council as a result of the need for profiling IDPs and keeping track of the situation in 1995 and it has worked side-by-side with UNHCR. The first Guiding Principles on Internal Displacement that set the legal framework for IDPs in future legislation and specified the needs of IDPs were set forth by the United Nations in 1998. Moreover, the first Representative of the Secretary General on the Human Rights of Internally Displaced Persons was assigned in 2002, and it was Mr. Francis Deng from Sudan. He served until 2004, when Walter Kalin from Switzerland was assigned to the task. In an interview with Walter Kalin, he laid out the main tasks before him and how the UN approaches the protection of the rights of IDPs. His mandate is created by the Human Rights Council based in Geneva and among his goals are: to enter dialogue with governments, NGOs, IGOs, and non-state actors with the subject of the protection of IDPs, to mainstream IDP rights in UN agencies- OCHA, UNICEF, UNHCR, and General Assembly, to carry out missions and in

those missions identify the situation and the key challenges. The mainstreaming of IDPs in his opinion have been successful in the sense that more and more states have adopted domestic policies pertaining to IDPs, principally in Africa. While this does not necessarily mean legislation has become reality, recognition in the International Community and more importantly, in the national governments is already a huge achievement.

Furthermore, in 2007, the Brookings Institution and the US Institute of Peace with the great involvement of Walter Kalin, created the Brookings Bern Project on Internal Displacement meant to provide peacemaker's in Integrating Internal Displacement into Peace Processes and Agreements. The introduction clarifies, "In addition to displacing people internally, armed conflict often displaces persons to areas outside their country of residence, where they become refugees. The primary factual distinction between IDPs and refugees is that the latter have crossed an internationally recognized boundary and therefore are in need of international protection." This project is particularly important because it gives off recommendations to the international community, civil society, and the national governments on how IDPs should be addressed through upholding their human rights and granting them a voice in their own country.

Perhaps one of the greatest achievements for the rights of Internally Displaced Persons was the recent Convention of the Protection and Assistance of Internally Displaced Persons in Africa by the African Union that took place in October 23, 2009, as a result of a special Summit in Kampala. Africa is particularly important in addressing this as it hosts more than 12 million IDPs in its continent according to Kalin, and these IDPs hold a significant percentage of the population of the host state. It is the "First regional instrument in the world to impose legal obligations on states in relation to the protection and assistance of IDPs, and its adoption has been widely recognized as a historic achievement." (Appeal 2010, IDMC) It includes reasons for

displacement, the different phases of displacement and obliges states to protect people from arbitrary displacement, to provide protection and assistance to IDPs during displacement, and to seek durable solutions for IDPs. In terms of conflict with non-state actors, it pushes non-state actors to be responsible to protecting and assisting IDPs. It also addresses international organizations, civil society, and the international community and more importantly, obliges states to allow access to IDPs in need of protection and assistance. It can be easily expressed that Africa took the initiative with something that few thought was possible. An article in *Refugees International* praising the achievement of the Convention expressed, “For more than a decade, UN insiders and politicians from member states have been saying that turning the Guiding Principles into a binding convention was impossible in the prevailing international diplomatic climate. But the African Union was able to get it done.” Essentially, it has set the framework for the Durable Solutions IDP advocates have been looking for. Furthermore on a side note, the Protocol on the Protection and Assistance of Internally Displaced Persons of the Great Lakes Pact refers to the definition of an IDP set out in the Guiding Principles, but also emphasizes the situation of people forced from their homes in large-scale development projects marking the extension of protection to more internally displacement situations not only armed conflict. So far, no states have rejected the Great Lakes Pact or the African Convention on IDPs and more states have adopted domestic policies as a result. (Kalin)

Problem with Addressing IDPs in Peace Process

Protection to IDPs and attempting to meet their basic human rights is incredibly important but not nearly as essential as solving the initial core reason for their status. Dr. Vautravers believes that one of the key issues with the way IDPs have been addressed in the past is that they have been addressed as a temporary condition. IOM, in his opinion, see it as a

temporary issue, while UNHCR focuses on simply protecting them in the present. This is important, but there needs to be a solution to the reason why a large percentage of a national population go through these massive displacements. The clearest yet most complex answer is peace, and not just temporary peace, but durable peace in these countries.

The conference at the Human Dialogue Centre on March 25th brought together Walter Kalin, Representative of the UN Secretary General on the Human Rights of IDPs, who spoke about the importance of connecting IDPs into peace negotiations. Elizabeth Ferris, who was part of the Brookings Bern Project on Internal Displacement and presented the publication. Dennis McNamara, peace mediator for the Human Dialogue Centre, who spoke on his current mediation efforts in Sudan. And last but not least, Julian Hottinger, Senior Mediator for the Federal Department of Foreign Affairs of Switzerland, who reflected on the issue in the Burundi Peace Process and in the South Sudan Peace Negotiations. The topic was Integrating Internal Displacement in Peace Processes and Agreements from different perspectives. All together the conference highlighted the main problems with achieving this integration, but provided recommendations coming from people that have experienced first hand these difficulties.

Furthermore, the conference focused on the idea of peace being a “pre-condition for IDPs to rebuild their lives.” (Kalin, conference) The problem is including the rights of IDPs in the attempts to achieve peace. Moreover, the exclusion of IDPs in the political peace process is simply “unwise” (Kalin, conference) as it proves to be more of a negative impact for the national government and can have unwanted consequences. When a large percentage of the population are not able to build livelihoods attention should be especially brought to the table as these people will turn to whatever means of survival they find and that is often crime, and in the cases of armed conflict, can join the same forces that prevent peace from being attained. They are

essentially criminalized from being lawless or without political agenda. (McNamara) In addition, to not give IDPs a voice and alienate them from all negotiations can be easily summed up as unfair on the grounds that these people did not choose to be displaced and they are essentially victims of something they had no control over. To try to consolidate peace is impossible with the dispossessed and displacement. Peace can't be enforced politically without population stabilization.

In the experience of Dennis McNamara who was Humanitarian Advisor to the Darfur Peace Process, he sees the only “real recovery and progress is reconciliation with other side.” His opinion is that there are certain things that should be at the top of the negotiating table for IDPs starting with IDP leadership that will promote their basic rights, interests, entitlements, right to return, right not to return, compensation, and property recovery all inclusive under general protection from their own government and own compatriots. The rights to return and not return are especially important because IDPs “have to feel they are coming back to something that is worth coming back to.” (McNamara) In the case of South Sudan, there is simply “nothing to come back to” and those people should essentially have the right not to return. (McNamara) McNamara stressed that in his experience, neither UN agencies nor peacekeepers pushed this agenda forward. People in camps “die from failure to be protected,” he exclaimed. Lack of formal IDP leadership is not only problematic in integrating IDPs into the peace process, but also allowed different parties or rebel groups claim to represent certain groups of IDPs. “So called” rebel movements “who often represented nothing“, which consisted of a small group of guys, to make their way into the negotiating table claiming flawed representation of the IDP, when entire populations were excluded from negotiations. McNamara confirmed the unequal balance as he disapprovingly asked “How many guns do you need to make it to the table?” To add more, IDPs

are very politically diverse. Some do not want to be politically involved and others want the conflict to continue. To find a homogenous representation is difficult based on that diversity.

Past the issues making it to the peace process, one of the main challenge is getting the Parties involved in the conflict and the national government to address IDPs. Needless to say, this is often the challenge that slows down the process of creating durable solutions for IDPs the most. Julian Hottinger in sharing his experience in Burundi, he said IDPs could not be talked about with 19 different parties since each party is only interested in the groups that are the closest to them. In addition, the subject is often avoided to avoid the responsibility of implementation which takes funding and capacity. Even when there is political will, governments lack the capacity to fulfill the rights of internally displaced simply because they have so many other imminent issues. Sierra Leone and Liberia are examples of countries wanting to take care of their displaced populations but unable to. Important to remember, however, is that several projects and provisions including the Brookings-Bern Project are meant to facilitate these dialogues and to turn this protection for IDPs into reality, which will ideally overcome these issues in the future.

Problem with Providing Assistance and Protection to IDPs

Integrating IDPs into the peace process would most likely fall under the category of long-term solutions since its success would inherently bring about the prevention of displacement in the future. However, the millions of people in a displaced state today scream out to the international community just for basic survival and livelihood. Providing assistance and protection for IDPs then would fall under the category of short-term solutions, but also face immense challenges. In context, IDPs are still in their home countries and the fulfillment of their needs and human rights should ideally be met by their own government. To assist these people

from an international perspective is not clear-cut because the issue of sovereignty, invitation-only policy, and simple tracking difficulties can easily impede this much needed assistance. Humanitarian access is the number one greatest challenge for the international community in general when dealing with IDPs, according to Walter Kalin. The reason for this is because often the government does not allow any assistance to come in. Central Somalia is one of the most urgent cases of IDPs where the invitation-only policy prevented UNHCR to intervene, Kalin explained, there was “just absolutely no access.” Moreover, he brought up the most recent issue him and the UN agencies he answers to have not been able to overcome and that is that the UN and humanitarian organizations are now a target from insurgents.

This could be due to a number of things, but when it comes to the protection of internally displaced people, it is the question of who deserves humanitarian assistance when the local populations are not better off. This makes the field dangerous and inapproachable by humanitarian assistance and often worsens the dangers for the IDPs as they face violence and attacks due to these IDP specific operations. When considering if challenges and priorities have evolved during his tenure, Kalin was quick to point out that humanitarian access, being the greatest challenge, has actually worsened during his time and each day becoming more difficult to reach IDPs, especially considering the new development of UN as a target.

Aiding IDPs is particularly overwhelming and problematic because once access is overcome, you are not dealing with a temporary problem with simple solutions. Protracted displacement is more common than not, and displacement conditions worsen as time goes on. Kalin explained, people are not dying from hunger anymore but they are also not progressing because there are no durable solutions set forth for them. In many cases it can be seen that “Five to ten years after the war is over, people are worst off.” Access to water and sanitation, food, and

clothes, are necessary, but the agencies have to have the capacity to either meet these needs for a significant amount of time or to find durable solutions for them. Kalin confirmed, “Around two-thirds of the people displaced by conflict remain so for ten, 15, 20 years, because there is no development strategy to follow on from the initial emergency relief efforts.”

Another technical issue that is specific to IDPs, is the challenge of tracing them. The IDMC Global Overview informs that, “Four million internally displaced people in eight countries, are not recognized by their own national authorities.” When they are not recognized by their national government, there is no documentation or tracing services for their whereabouts either. In addition, Internally displaced that move into host communities or urban areas are hard to trace because can be often mistaken with the local population. The IDMC Global Overview highlights the problem of tracing for Internally Displaced populations since their place of gathering is usually not under organized coordination. There are no registrations machines and no labeling as to who is an IDP, who is not an IDP, or who has “ceased to be so.” (Global Overview IDMC) “In more than half the of the displacement situations monitored in 2008, IDPs were dispersed, having in many cases found refuge with host communities either in rural or urban areas.” (Global Overview IDMC) Nevertheless, IDMC and other organizations are working to improve the tracing and profiling of IDPs.

The local population brings about another problem. If IDPs do not move into camps and rather migrate to a host community, the negative impacts are shared between the IDPs and the host community and there is no just way to allocate the aid only to one group of people when the host community most likely is not in the most formidable conditions either. The overall impact on the host community falls back to logistics or an “equation of numbers.” (Kalin) The host community is forced to share already scarce resources such as food and water, share educational

facilities causing overcrowding, and share environment which is left with a negative straining. In addition, with the diversity of tribes and ethnicities, it is not uncommon that displacement brings diversity together that is not necessarily welcomed. In the case of Eastern Chad, the IDP settlement has different tribes and religions that has created a number of ethnic tensions. Kalin, started to stress that recovery activities should not only focus on IDPs anymore, but also on displacement affected communities.

Children and Displacement

Lack of Documentation

Anyone lacking a roof over their head and food and water, is already significantly vulnerable, but there are certain groups whose age, gender, or physical disabilities exponentially increase their vulnerability. Children and teenagers are among the most vulnerable in war-torn areas and specifically during displacement. Children account for half of the population of Africa. (Dodge and Raundalen) A lot witness someone being killed, sometimes a family member, have no access to education, lose identity documentation essential for asylum seeking or to enroll in schools, and grow up “with no perspective.” (Kalin, interview) Children often do not have traceable roots due to the loss of identity papers lost in emergency. “Identity papers in these situations are a commodity,” (McBride) but are needed in order to leave the country. This is becomes an even more pertinent issue when you have children separated from their families or orphans and there is no documentation to bring families back together such as the case in Democratic Republic of Congo where there were many separated families but no way to identify the missing members.

Separation of Family Unit

The separation of the family unit exemplifies the worst outcome of displacement. The unimaginable pain of losing a loved one, not to death, but to displacement can easily be said to be one of the worst hardships internally displaced people have to face. When a person is lost in displacement, their whereabouts are completely unknown making the experience more dreadful than death. While death is a tragedy, at least it is a confirmed one rather than not knowing of the other. Displacement unfortunately depicts the perfect setting for the separation of communities and families when fleeing from danger. The circumstances contributing to the division of the family unit entirely depends on the specific situation and the nature of displacement. Culture, interestingly enough, also plays a part in the separation. In an interview with Alice Farmer, the Child's Rights Advisor for IDMC, she shared her knowledge from a report she is writing on Pakistani displaced children. In the Northwest Province there were 500,000 people displaced in the matter of weeks due to a militant uprising with Afghanistan borders. All displaced children certainly have similarities in their experiences, such as all facing some sort of trauma from home instability or exposure to armed conflict. Nevertheless, one of the main differences that struck out was that there were barely any cases of unaccompanied minors or exploitation of children in any way. This was traceable to the extremely strong family ties that was evident in the displacement. Moreover, in Pakistan, the way the evacuation plays out is that whole communities are given a fair warning from the armed forces of at least 3 hours, which is sufficient for Pakistani communities to leave together and families to ensure no one is separated. Whereas in Africa, the forced displacement seems to occur with no warning of unexpected village attacks where relatives are killed and contacts are lost.

Bruce Abramson, Human Rights lawyer that is often the voice for children in UNHCR, analyzed the family unit difference and went even further to observe that in Africa, family

separation occurred before the times of displacement. Even though family is equally important, often parents in Africa are not ready, willing, or able to take care of their children increasing their chances of separating. Moreover, the absence of a male figure is more common in the past 50 years since they often leave the home for either economic reasons or to fight in armed combat. Furthermore, African families often rely on the extended family to help livelihood and survival and when these communities are broken up as a social system, it inherently harms family units. Archer concluded that the cultural dimension makes a significant difference in how these groups' family unity and the separation is only "exacerbated in dislocation."

In Nepal, it was parents themselves that sent away their children in hopes that they would survive the violence, but these children never really found a solution.(Kalin, Interview) In the IDMC Global Interview, it refers to Nepal having an inexplicable amount of unaccompanied displaced children living on the streets exposed to all the vulnerabilities possible.

Vulnerabilities

A conference with the International Labour Organization, and specifically with IPEC, the branch focusing on the abolition of child labour, listed off what is considered to be child labour. In general, anything that deprives the child the opportunity to have a childhood, forced to do something beyond their physical capacity, and are exploited for the benefit of someone else other than the child herself/himself is considered child labour. This ties into the vulnerabilities children in displacement are exposed to because this includes the prostitution of young girls, the recruitment of child soldiers, actual manual child labour, and human trafficking.

According to the IDMC Global Overview, at the end of 2008, there were at least 13 countries that recruited children into armed forces or groups, at least 18 countries in which internally displaced women and children were exposed to rape, sexual exploitation, and gender

based violence, and at least 20 countries where there were cases of forced labour or economic exploitation of displaced children. Julian Hottinger at the conference clarified, the children gotten from IDP camps are not only abused but also used to take place in future combats such as the case of Northern Uganda. This vulnerability can only be expected to multiply when the minor is unaccompanied. In addition children finding themselves in protracted displacement, allows them to have zero exposure to normal life and therefore, grow up with “no perspective.” Having no perspective, they are easily lured. In the case of displaced children in host communities, the host communities are often the ones economically exploiting the children into labour, prostitution, and trafficking. Last but not least, Heikki Matila explained that even when children attempt to seek asylum in a neighboring country, often they are sent by the family unaccompanied as a pilot in order to get a better accommodation. This exposes these unaccompanied minors to child traffickers that take advantage of the situation since “these places are not so tightly guarded.” (Matila, interview)

Lack of Education

Access to education is perhaps one of the biggest issues with displaced children. Schools could essentially provide an escape from exposure to vulnerabilities and to keep children occupied from voluntarily getting involved in anything else. However, more often than not, internal displacement camps do not have access to schools and the education at host communities is not reliable on the basis that overcrowded schools limit efficiency and sometimes lack of transportation or documentation or imminent insecurity keeps displaced children from attending. The problem with organizations that focus on children in emergency and conflict situations is that they often only address primary education leaving adolescents without continuing education, which lacks in funding and attention. Kalin explained how one of his

saddest memories was watching a little girl crying to her parents because she wanted to go to school in Eastern DRC and they could not afford to send her.

Psycho-Social Trauma

The idea is to “trace what life looks like for a child like that”, Farmer explained. The military comes in, tells the child and their family they have to leave their home in 3 hours or worse pays them a surprise visit, and the gunshots or the fire from the house being burned down is what forces them to flee. They are vulnerable to getting separated from their family, witness violence, walk miles to a safe spot, do not have decent sanitation or nutrition. It is not necessary to make an in depth analysis that trauma can result from this when it is almost implicit with the experience. In Palestine and Cyprus, kids grow up in camps. In terms of psycho-social care, “IDPs, in general, have fewer resources than refugees.” (Farmer, interview) Sadly, a lot of children go on without having recovered from their traumas, thus carrying them onto their adulthoods and affecting future generations, as their parenting is incredibly impacted. Countries devastated by war almost always lack the capacity to treat children with the therapy needed, leaving it up to the international community. “These are the war displaced, the individuals who live under continuous stress and insecurity; the stress of fleeing; anxiety about their homes; separation from family, kin and neighbours; broken families; unemployment; thrown into camp life without schools... resulting in grave uncertainty about the present let alone the future. Yes, these children are the silent majority in the conflict situations of Africa.” (Dodge and Raundalen)

CRC and Protection for Displaced Children

A conference with UNICEF led by Marc Vergara, spokesperson of Cambodia, and Tania McBride, the communication officer for Darfur, Sudan broke down the major chronology of children’s rights. Since 1959, the Declaration of the Rights of the Child was set out by the UN,

however, Tania explained, it “only existed on paper, but had no weight.” However, in the 1980’s, approximately 50 million children were dying each year for preventable reasons making it impossible for the international community to turn a blind eye to the situation. Consequently, the Convention of the Rights of the Child came into play 1989, with 54 articles making it the most ratified convention in UN history. Only two countries have not signed this and they are the United States and Somalia. The UNICEF representatives explained during the conference that this convention should be at the top of each government’s agenda since it touches the right to survive, and the right to physical and mental wellbeing. The reality they expressed, however, is that there is no enforcement other than public attention. Nevertheless, research shows that this Convention has had a significant positive impact because it is able to monitor the progress on child soldiers, and child representatives have its framework to negotiate the reform of legislation and mechanisms to make sure the rights of the child are met. For example, many peace agreements include specific sections addressing the rights of the child following the example of the CRC such as the Burundi Agreement. Protocol IV, Chapter I, Article 10 of the Burundi Agreement reads, “The government shall ensure, through special assistance, the protection, rehabilitation and advancement of vulnerable groups, namely child heads of families, orphans, street children, unaccompanied minors, traumatized children, widows, women heads of families, juvenile delinquents, the physically and mentally disabled.” Moreover, the Guiding Principles on IDPs dedicate several of their articles specifically to children and their needs.

Furthermore, the mainstreaming of the rights of women and children made sufficient progress to make it to the UN Security Council Resolutions 1325 in 2000, 1612 in 2005, and 1882 in 2009. These resolutions call for the end of human rights violations against children in armed conflict and the inclusion of displaced men as equal partners in ending violence against

women and children. They highlight the relevance of child's rights in any peace agreements or political reforms and calls out the responsibility of the national government to fulfill these rights. These are "children who witness their world systematically eradicated by war." (Tolfree, STC Report) The issue is turning words into action.

When it comes to children in conflict, a cluster approach by a number of intergovernmental organizations, like UNICEF, and non-governmental organizations, like Save the Children or Norwegian Refugee Council, is taken. ICRC also plays a huge role in child protection, specifically, in tracing unaccompanied minors, documenting them, and reuniting them with their families. Rehabilitation to child soldiers, monitoring, and the reintegration is a long process but nevertheless pertains to the cluster approach. The DDR, or Disarmament, Demobilization, and Reintegration approach is the most common method used today for former children combatants. In internal displacement camps, the goal by various organizations is to provide child friendly spaces where children have access to psycho social treatment and other necessities. In the case of Alice Farmer, her task was to figure out ways to counter vulnerabilities of displaced children in general. Moreover, these organizations are able to come into countries and situations where the UN is not able to because of their political independence and neutrality. The main challenges in giving assistance to displaced children and adolescents, however, is the same with all IDPs: Access. Children, especially those separated from families or those already being exploited by someone else are hard to trace and difficult to assist. In addition, sometimes the systems created to help one group end up marginalizing another.

Bruce Abramson brought up an imperative point to note that has also shaped his advocating as a lawyer. He excitedly commented on the Convention on the Rights of the Child as an overall success because since then, there are visible changes in government, but still need for

more transparency in budgets and better allocation of resources. He also notes that the Convention itself has not made the difference, but really the fact that people have used it, and they've used it very successfully. The one criticism he has is for the rhetoric of the convention making adolescents invisible. Primary school for children is addressed, but there is nothing in the ability for adolescents to make money. He considers the term child a "legal fiction" where teenagers are routinely excluded. Because adolescents will soon become adults they are getting the low end of the deal. Abramson continued to highlight that this inclusion of teenagers is crucial because all children hit puberty at some point and need to be able to receive the benefits from intervention. Also, their needs differ from children, therefore, teenagers need a name in the humanitarian assistance. The Guiding Principles on IDPs only mention primary school as do a lot of other documents addressing children. Access to education for teenagers is equally as important or even more because they have a capacity to do more harm if taken astray. Also, the fact that "in at least ten countries, many displaced children had sole responsibility for caring for their family, either because they were the heads of the household or because family members were too sick or too old to work" (Global Overview IDMC) making the relevance of attention of teenagers even more imperative. Finally, the cut off line for protection as a child is 18 years of age but it often not the best option to cut off assistance cold turkey from a teenager that still needs it. Abramson insists that there needs to be a follow-up transition afterwards and that activists when planning "have to go beyond labels." Needless to say, it is important to remember the specific needs of teenagers when addressing children's rights, especially in displacement.

Case Studies : Democratic Republic of Congo and Somalia

DRC:

The armed conflict in Eastern Democratic Republic of Congo between the Lord's

Resistance Army and the DRC armed forces, that was once referred to as another World War for having involved 7 countries and resulted in the deaths of over 4 million people since 1996, In 2004, people would die at a rate 3 times higher than the avg person in sub-Saharan Africa, and all parties used child soldiers making up a total of 40 percent of the members of the armed groups with at least 30,000 taking part in active combat. 12,500 were estimated to be girls, and of those, 32 percent of girls in armed conflict were raped, 38 treated for STDs, and 66 single mothers. (Girls in Armed Conflict, STC UK) Today, improvement is yet to be seen.

In addition to the number of deaths, the internal displacement is among the largest in Africa accounting for over 1.4 million people, which is actually a decrease from other displacement waves in the DRC from the last decade. In North Kivu province where most camps are, host families are believed to be assisting three quarters of the displaced populations. Profiles are rarely known and failure of host communities to provide the same assistance as camps put an immense burden on their communities and forced numerous IDPs to seek the consolation of camps, who have become extremely volatile areas. (Global Overview IDMC) Rape and sexual violence against women and girls, and the forced recruitment of children into armed forces and groups were reported .Kalin referred to the DRC as a “black spot” and the worst situation of internally displaced persons because their conditions have not improved. There is extremely high levels of violence and a high level of gender-based violence he explained. The two main points are security and logistics. There are no streets, most of the year it is raining, and the recruitment of child soldiers is immense. The UN’s Emergency Relief Coordinator described and concluded the situation best in North Kivu Province in November 2008 when he stated, “Congolese Civilians found themselves in the worst of all worlds: Subjects to attacks, displacements, sexual violence and forced recruitment perpetrated by advancing rebel forces; and to acts of violence,

rape and looting carried out by members of the official Congolese armed forces and Mai Mai and other militias.”

Somalia:

On the other hand, the start of the current displacement situation in Somalia began in 2007 as a result of the armed conflict between Somalia’s Transitional Federal Government accompanied by Ethiopian Forces against the Islamic Courts Union who dominated most of Central Somalia including the capital. The country is so dangerous that intervention is too much of a risk for humanitarian access with 1.5 million internally displaced people, much of which are predominantly women and children. The United Nations has retrieved its peace keeping forces for the same reason and there is no access to the IDPs in this region. In an interview for Swissinfo, Kalin sincerely expressed, “Under these conditions, we don’t know what to do.” UNICEF reported in 2008 that some 70 percent of people in Somalia had no access to safe water. Moreover, gender-based violence and forced recruitment of children into armed forces and groups is also a prevalent issue in this country. There is no easy solution right now.

Recommendations

Various existing recommendations are available to those who have a will to help and protect IDPs. Nevertheless, the ones that stood out as particularly important were the recommendations for durable peace set out in the peacemakers toolkit by the Brookings-Bern Project on Intergrating IDPs into the Peace Process and Agreements. More importantly, I believe the international community should play a larger role in making the government accountable for its people and its IDPs as outlined in the African Convention on IDPs. Other countries should ratify the convention and make provisions on their own legislation to address the rights and needs of IDPs.

Recommendations for children, Cole P. Dodge and Magne Raundalen wrote a book in 1991 titled Reaching Children in War: Sudan, Uganda, and Mozambique. The book is old but the information is relevant today and the solutions it recommends still stand. The basic solutions include but are not limited to : underestimate suffering, avoid separation, treat traumas early on to prevent the continuance into adulthood , training local teachers in child psychology and development, talking about it, teaching about constructive futures, prevention of war, political education, exercises allowing children to have a say and think of constructive solutions for war, and finally, the reallocation of money from military to humanitarian. The inclusion of teenagers should be considered always.

Last but not least, Save the Children UK made a report in 2005 that addressed the forgotten soldiers: girls. It addressed that while the DDR process was working for boy child soldiers who are mainly given attention to, it actually discriminated against girls. Girls, according to the report, make up 40 percent of the child soldiers in the world. The reason they are often unidentified is because they are not always on the front line. In addition to military duties, they are often claimed individually by a particular soldier and become sex slaves, domestic servants, medical assistants, messengers, etc. Girls are the most coerced or abducted, and are often claimed as wives. Soldiers claim ownership on them and that is why boys are more easily released. As the report read, "Girls are caught in a cycle of recrimination: too scared to stay and too scared to leave." Regardless of the large number of them, they are almost never included in the DDR approach. If they are, the process includes a labeling as a child soldier, which for girls is a ticket for stigmatizing from the community, and rapprochement from the family. DDR does not offer any long-term reintegration for these girls that sometimes return pregnant or with children. They need mediation work with communities, assistance in

livelihoods, access to school and skills training, emotional support networks, medical assistance and tests. International community should support and fund release of children from armed groups outside formal DDR programmes, and should specify the needs for girls. To ratify, enforce, monitor, and report UN CRC and optional protocol on the Involvement of Children in Armed Conflict girls would be a possible solution. In 2005, the amount required for DDR was 200 million USD, but the actual amount delivered, was 23.5 mill, which accounts for a 88% shortfall. It is these programs that require more funding and more careful planning to address the delicacy of displaced children in armed conflict.

Conclusion

With internal displacement occurring more and more everyday in accordance with intra-state conflicts and climate change, its relevance in international relations today is an inarguable point. IDPs have a long way to be formally recognized in peace agreements, and their rights are far from being respected by the national governments and the parties involved in the conflicts. Nevertheless, the mainstreaming of their conditions and the need to protect their rights has already tackled a few achievements and more can be expected in the future with international frameworks being laid out by various international actors. With organizations like the IDMC, strictly dedicated to tracing and monitoring IDPs, the IDP situations are becoming harder to turn a blind eye to by the international community and civil society. There is hope that one day there will be sufficient respect and protection from the national governments through the empowering from the rest of the influential world to prevent further forced fleeing of persons and to accommodate those that have already experienced it. Through this, the vulnerabilities exposed to children will naturally diminish.

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