Internal Displacement and the 2030 Agenda for Sustainable Development: Issues and Challenges

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1. Introduction

According to the Internal Displacement Monitoring Center (IMDC), in the world today there exist more than fifty million people internally displaced as a result of violent conflicts, developmental projects and other human rights violations.¹ The issue of internal displacement has remained a glaring humanitarian and human right challenge before the international community.² The situation of the IDPs is something similar to people who have fallen into a vacuum as far as the responsibility of the state is concerned. On the one hand they have often been let down by the national authorities who are supposed to protect them from becoming IDPs in the first place, and on the other, unlike refugees, they do not have an international mechanism to help them with their plight.³ And the principle of sovereignty limits the ability of the international community to provide them adequate protection and assistance. This has led to some kind of an institutional gap in international law when it comes to the protection of IDPs.⁴ Unlike the refugees who benefit from the international convention (1951 Refugee Convention) and international institution (Office of the United Nations High Commissioner for Refugees), the IDPs neither have separate international convention nor international institution to address their problems.⁵ Apart from the 1998 UN Guiding Principles on Internal Displacement, there is no special attention from the international communities to address the problems of these people. At the regional level, the African and Asian regions are hosting large number of IDPs. But as compared to the African region, Asian region is lagging behind in providing effective assistance and protection to IDPs. In the African region, the African Union adopted the African Union

Convention for the Protection and Assistance to Internally Displaced Persons as a binding legislation, but unfortunately the Asian region which is also hosting large number of IDPs does not have legal instruments for addressing the problems of IDPs. In fact, the Asian region is also lacking in having any regional human rights mechanisms. Hence, this paper argues that the 2030 agenda which seeks to leave no one behind has to solve the complex problem of internal displacement as well. This paper suggests that the international community needs to include IDPs in the implementation of agenda of 2030 otherwise it would be a disservice to one of the most vulnerable group.

2. Displacement and Global Challenges

In recent years there has been growing awareness within the international community of the enormity of the crisis of internal displacement and the need to take adequate steps to address it. But today the international response system is still largely ad hoc. UN efforts to improve capacity and response to internal displacement really started in 1992 when, at the request of the United Nations’ Commission on Human Rights, the UN Secretary-General at the time, Boutros Boutros-Gali, appointed a representative, Francis Deng, to raise awareness of the problem and to investigate ways to improve protection and response. Deng observed that, unlike the case of refugees, there was no single organization within the UN system responsible for protecting and assisting the internally displaced.

There is still no agency or organization whose specific mandate it is to protect IDPs. What we have is a collaborative approach, centered on the UN Inter-Agency Standing Committee (IASC), created in 1991. The IASC is chaired by the Emergency Relief Coordinator and is composed of the heads of major humanitarian and development organizations, including UN agencies, the Red Cross Movement, The World Bank and the International Organization for Migration, plus three NGO umbrella groups. The IASC’s role is to strengthen coordination in emergency situations. In 2000, US Ambassador to the UN, Richard Holbrooke, lamented an inadequate and uneven protection afforded to internally displaced persons. For him, there was no difference between a refugee and an internally displaced person. They are equally victims, but treated differently.

In 2001, the IASC created a “Senior Inter-Agency Network on Internal Displacement”, mandated to assess the humanitarian response at the local level, and provide recommendations for improvement. However, the needs of displaced populations continued to be inadequately addressed. One reason given for this was the unwillingness or inability of governments to address the needs of the displaced. Lack of funding was just as much of a problem in the response to IDPs as lack of coordination, accountability and expertise. Also, it was serious

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doubt about the UN commitment to the process, where NGOs were more enthusiastic about improving the UN response to internal displacement than the UN itself.\footnote{Elizabeth Ferris, "Ten Years after Humanitarian Reform: How Have IDPs Fared?," Brookings-LSE: Project on Internal Displacement, (2014), https://www.brookings.edu/wp-content/uploads/2016/06/Introduction-to-final-report-IDP-Study-FINAL.pdf (accessed May 25, 2017).}

The international response system is largely ad hoc. The humanitarian, human rights, and development organizations that become involved pick and choose the situations in which they wish to become engaged on the basis of their mandates and resources. Institutional boundaries and limitations contribute to the large number of people who do not receive assistance or protection. Insufficient and unpredictable support from the donor community has certainly also had a negative impact on the humanitarian response towards IDPs.\footnote{IASC Policy Package on Internal Displacement, “Implementing the Collaborative Response to situation of Internal Displacement, Guidance for United Nation Humanitarian and/or Resident Coordinator and/or Country Team,” (2004), http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-products-products&productcatid=10 (accessed June 9, 2017).} The latest outcome of the international debate on the UN’s responsibility towards IDPs is the establishment of a small internal displacement unit within the Office for the Coordination of Humanitarian Affairs (OCHA) in January 2002.\footnote{Ibid} Its primary aims are the promotion of an improved inter-agency response to the needs of the displaced, and support to the Emergency Relief Coordinator (ERC) in his role as the coordinator of the international humanitarian response to IDPs’ needs. Its impact on the world’s internally displaced remains to be seen. The IDP Unit’s role is to primarily be catalytic rather than operational, and creating accountability for the protection of IDPs in the field remains an important challenge.\footnote{Phuong, "Improving the United Nations Response to Crises of Internal Displacement," 500.}

3. Protection of IDPs: Norms and Institutions

3.1. Legal Framework

Lack of binding legal framework explicitly addressing the issue of IDP protection, similar to the 1951 Refugee Convention, has often been cited in the past as a reason for the inadequate response to situations of internal displacement. Existing international law provides coverage of the specific needs of the internally displaced. There are nonetheless a number of significant gaps and grey areas where protection is insufficient or unclear. Closest to a legal framework specifically developed for IDPs are the Guiding Principles on Internal Displacement. In 1998, at the request of the United Nations Commission on Human Rights and the General Assembly and in cooperation with legal experts, Deng’s office developed and issued the “Guiding Principles on Internal Displacement” as a means of drawing international attention to the needs of IDPs and to enhance protection for them.\footnote{Francis Deng, “Guiding Principles on Internally Displacement”, International Migration Review 33, no.2 (1999): 484-493} Developed by a team of international legal experts, in collaboration with international agencies and NGOs, 30 principles set forth the rights of IDPs and the obligation of governments, non-state actors and international organizations towards these populations.\footnote{Deng, “Guiding Principles on Internally Displacement”,489.} The Guiding Principles have not been signed or ratified by states and are therefore not considered binding international law. However, they restate and reflect other international conventions in the fields of Human Rights Law, Humanitarian Law and Refugee
Law. Practically almost all Principles can be traced to one of these three categories of binding international law. However, these laws prove to be insufficient in guaranteeing the protection of the internally displaced. By re-stating the existing norms, the Guiding Principles address grey areas and gaps regarding protection of IDPs.

At the regional level, in Africa, a continent already facing high socio-economic inequality and deprivation, the forcible movement of its population is an additional major setback. In fact, one thing is certain that Africa, and in particular the Great Lake Region, has not been hesitating in initiating concerted efforts to address the problems of internal displacement. Various regional and sub-regional groups have taken steps to address the issues of internal displacement and its causes and consequences.

In October 2009, at the special summit on Refugees, Returnees and IDPs, the African Union adopted the first ever binding legal framework providing for the protection of internally displaced persons in the African region. The convention has been described as a landmark legal contribution to the evolving protection framework for IDPs. The convention is a comprehensive legal document covering all phases of displacement from prevention, to protection, assistance and durable solution. It also include all causes of internal displacement including armed conflict, generalized violence, violations of human rights, natural or man-made disasters and development projects.

In addition, the protocol that is part of the Great Lake Pact lays out concrete framework for achieving goals set out in the four priority areas identified in the pact. These include economic development and regional integration, democracy and good governance, peace and security, as well as humanitarian and social issues. This last priority is of relevance to IDPs in the region and is addressed by protocols that mainly or generally deal with the human rights and experience of IDPs. The protocol includes the GLR Protocol on the Property Rights of Returning Populations, and the Protocol on the Protection and Assistance of Internally Displaced Persons.

These legal framework is strict and in accordance with the existing international human rights and humanitarian laws and also the Guiding Principles on internal displacement. These two protocols were adopted as a result of the countries in the Great Lake region recognizing that the issues of displacement was crucial and required immediate response since it was directly linked to the issues of peace, security and development. One of the main aims of the Great Lake process was to create a lasting condition for security, stability, sustainable development and reconstruction in the region as a whole. The greatest achievement of the Great Lake process

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20 Ibid, Preamble of Kampala Convention
was that it helped in setting up a legal, institutional and structural system for addressing the needs of IDPs as well as provided them assistance and protection; it also helped in setting up the foundation for stability and development in the region.

To fill the vacuum, the Asian sub-regional groups such as SAARC and ASEAN are developing a human rights mechanism in their region.\textsuperscript{23} This is an unprecedented step and aims at constituting a regional human rights mechanism in the future. In fact, before Africa adopted a regional convention on IDPs, the Great Lake Region adopted a protocol on IDPs and it played a major role in influencing the African region to adopt convention on IDPs.\textsuperscript{24} Hence, the African initiative can be a strong influence on the Asian region to adopt a similar model.

3.2. Institutional Framework

Internal displacement usually occurs during some complex crisis and is followed by the total breakdown of the state authority as well as the willful displacement of people by the state authority itself. And in such a situation, the state will either be unwilling or unable to provide protection to the affected people. In such an emergency situation, the IDPs require multi-dimensional response and humanitarian approach from organizations that work for human rights, as well as cooperation of various actors nationally and internationally. Unfortunately, there is no one particular institution that is responsible for addressing the needs of IDPs.\textsuperscript{25} Such situations demand humanitarian assistance to IDPs from multiple organizations, which would mean looking beyond the United Nation system, and looking up to human rights, humanitarian and development agencies, as well as national and local players. Hence a collaborative system was initially set up to address the problems of internal displacement, but it was not well coordinated because there were no clearly defined responsibilities.\textsuperscript{26} In order to fill this gap and maintain coordination, the UN inter agency standing committee (IASC) comprehensively reformed the system and additionally adopted the 'cluster approach'.\textsuperscript{27}

The 'cluster approach' ensures greater leadership and accountability in key sectors where gaps in humanitarian response have been identified. The main aim of the 'cluster approach' is to ensure better partnership among humanitarian, human rights and development agencies. Under the 'cluster approach', the system operates at the global and country level and functions even during natural disasters and complex emergencies.\textsuperscript{28} In addition, under this system, agencies will be held accountable for specific aspects of the global and country-specific humanitarian

\textsuperscript{26}UN General Assembly Resolution on the “Protection of and assistance to internally displaced persons”, also see “implementing the Collaborative Response to Situations of Internal Displacement, Guidance to UN Humanitarian Coordinators and/or Resident Coordinators and Country Teams, Inter-Agency Standing Committee” September 2004, https://interagencystandingcommittee.org/focal-points/documents-public/implementing-collaborative-response-situations-internal-displacement (accessed May 26, 2017)
\textsuperscript{28} Morris, “UNHCR, IDPs and Clusters”, 55.
response.29 Hence response by the agencies under the 'cluster approach' is no longer a choice, but an obligation. In this way the IASC has tried to fill the gap of accountability and responsibility left by international humanitarian organizations.

4. Climate Induced Displacement and Role of SDGs

It has long been recognized that the effects of climate change will displace people and that most of this displacement will be within national borders. The Intergovernmental Panel on Climate Change' very first report from 1990 stated that the greatest single impact of climate change may be on human migration.30 The report estimated that by 2050, 150 million people could be displaced by desertification, water scarcity, floods, storms and other climate change-related disasters. Scholars, practitioners and researchers have generally accepted the fact that climate change will result in large-scale movements of people and that developing states will bear the greatest costs. Indeed, the socio-economic impacts of climate change may further limit access to human rights as well as the implementation of the Millennium Development goals and human security.31 The effects of climate change also have the potential to trigger or exacerbate tension, conflict and violence thus leading to displacement.

The UN General Assembly’s resolution 64/162 of December 2009 recognized natural disasters as a cause of internal displacement and raised concerns that climate change could exacerbate the impact of both sudden- and slow-onset disasters, such as flooding, mudslides, droughts, or violent storms.32 In 2010, the Conference of the Parties to the United Nations Framework Convention on Climate Change recognized that mobility – migration, displacement and planned relocations is an important form of adaptation to climate change.33 In its “Cancun Adaptation Framework,” it invites all parties to go further in understanding, coordinating and cooperating on climate change-induced displacement, migration and planned relocation, where appropriate, at national, regional and international levels.34

6.1. Impact of Climate Change on Displaced

These changes to the environment and climate can increase displacement as people move to locations, generally within the borders of their own countries, in search of better human security and improved livelihood opportunities. People may also be displaced again when they move to urban centers already under pressure, or when planned relocations are unsuccessful. Sometimes displacement is cyclical as people move back and forth from their original communities in search of security and livelihoods.35 The way that climate change impacts displacement is affected by mega-trends like population growth, rapid urbanization, increased

29 Morris, “UNHCR, IDPs and Clusters”, 56.
31 Emily Wilkinson et al., Climate Change, Migration and the 2030 Agenda for Sustainable Development (London: Overseas Development Institute, 2016).
32 United Nations General Assembly, “A/RES/64/162- Protection of and assistance to internally displaced persons”.
35 Brookings Institution, “Climate Change and Internal Displacement”.

human mobility and food, water and energy insecurity. Local and regional factors, such as pre-existing socio-economic and governance situations, can also affect the scale and nature of displacement. In this larger context, climate change can be seen as an impact multiplier and accelerator. In other words, in addition to its own negative impacts, climate change may exacerbate the risk of conflict which can, in turn, cause further displacement. Subsequently, the effects of climate change may lead to increased competition over scarce resources and the loss of livelihoods which may increase the risk of conflict and violence, causing additional displacement.

Climate change also intensifies both sudden-onset and slow-onset disasters, both of which cause displacement. Sudden-onset disasters such as cyclones and floods are expected to become both more intense and more unpredictable as a result of climate change. Slow-onset disasters tend to prompt people to move in search of livelihoods, food security and safety—a trend that is already happening throughout much of the world. In Africa and Asia in particular, climate change-related displacement is affecting populations that are already vulnerable. For example, in 2011 an estimated 12 million people in the Horn of Africa were in need of immediate humanitarian assistance due to drought and food insecurity affecting Somalia, Kenya, Ethiopia, Uganda and Djibouti. Somalia also faced drought-induced crop failures, spiraling food prices and lack of food assistance— which came on top of conflict, insecurity and limited humanitarian access. This resulted in the worst famine in decades, putting 3.7 million people in need of urgent assistance and causing large-scale displacement. Climate change-related displacement takes place in complex contexts and it is difficult to draw direct causal relationships. For example, flooding may increase as a result of the effects of climate change, (such as increased glacier melting), but also because of human action such as deforestation. As it is difficult to disentangle the particular factors causing displacement, it is important to adopt a holistic approach to understanding the impact of climate change on the movement of people.

6.2. Preventing Displacement and Minimizing its Effects

When considering protection from displacement, most attention has focused on protecting people from “arbitrary” displacement (Guiding Principle 6) which results from violations of human rights (as when displacement is used as punishment or when ethnic cleansing occurs) or when large-scale development projects are not implemented according to international guidelines. This prohibition of displacement tends to impose negative obligations, preventing actors from taking specific actions that would cause displacement. In contrast, climate change-induced displacement puts more emphasis on the positive obligations of states to anticipate and take measures to prevent or mitigate conditions that may bring about displacement. Accountability mechanisms can be set up to ensure that follow-up prevention and protection measures are taken when there are signs that people may be displaced by the effects of climate change. Effective systems of local and regional consultation can enable those who are most affected by the impact of climate change to decide on future solutions. In the case of slow-onset disasters both environmental adaptation measures (e.g. preventing soil erosion) and

36 Wilkinson et al., Climate Change, Migration and the 2030 Agenda for Sustainable Development, 209.
39 Brookings Institution, “Climate Change and Internal Displacement”.
social issues are likely to be needed. These may include, for example, developing different forms of livelihoods, addressing issues of management of natural resources or establishing safety nets for the most vulnerable people.

The Cancun Adaptation Framework, in particular, recognizes the need to strengthen international cooperation and national capacities in order to reduce loss and damage associated with climate change. The Framework also highlights activities related to risk reduction, resilience building, micro-insurance, risk sharing and economic diversification, as well as the need to address rehabilitation measures associated with slow-onset events.

5. Internal displacement and 2030 Agenda for SDGs

The fate of displaced people and the achievement of the SDGs are closely interlinked. In fact, forced migrants whether induced by climate change, disaster or violence, carry huge implications for the delivery of the SDGs. Unfortunately the SDGs by not involving the plight of displaced in its agenda making injustice to the millions of people who are in the vulnerable situations. The UN Secretary General made this clear in his synthesis report on the post 2015 agenda which stated that the new framework ‘must not exclude displaced persons or persons affected by conflict. If states are serious in their commitment to “leave no one behind” and to rights based approach to development, then special attention must be given immediately to the millions of displaced and other similar vulnerable peoples.

In fact the SDGs include migrants and refugee in the framing paragraph, but only two of the 169 targets refers to migrants and not to displaced or refugees which shows the SDGs neglect on displaced people. In contrast, the Paris climate agreement makes welcome reference to displacement. Now the need of the hour is to situate the problems of internal displacement in the development as well as humanitarian planning.

In fact, each of the goals with their focus on equality and universality, need IDPs to be integrated in the implementation of SDGs projects, policies, funding and indicators. SDGs 1, with its ambition to end poverty in all forms everywhere and Goal 2 on hunger must take into account the relationship between climate and disaster and the socio economic consequences for the poor. Goal 5 deals with the gender equality, Goal 8 on decent work and economic growth, Goal 10 on reduced inequalities and Goal 13 on climate action will require the inclusion of displaced in the design and delivery of development programs to be achieved. In Goal 16 on peace, justice and strong institution, the role of refugees and displaced people is even clearer: they will need to play a key part in the reconstruction and peace building processes of conflict affected communities.

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40 UNFCC, “Cancun Adaptation Framework,”.
41 Ibid
43 Tackling internal displacement through the SDGs, http://www.sustainablegoals.org.uk/tackling-internal-displacement-sdgs/ (accessed on May 18, 2017)
44 Derek Osborn et al., Universal Sustainable Development Goals-Stakeholder Forum, commissioned by the UN Development Program (Geneva, Switzerland: UNDP, 2015).
Achieving the SDGs by 2030 will require government to take account of all people’s vulnerabilities in order to address their humanitarian and sustainable development needs. Consequently, development and humanitarian actors must work together to respond to the unique needs of displaced persons. In summary, the paper argues that failure to include the displaced populations in the implementation of agenda 2030 would be a disservice to one of the most vulnerable social groups.

6. Conclusion

Everyone must share accesses to essential services, in this regards there has been a lack of information on how the SDGs can realized, which present a challenge. The agenda 2030 served to unite countries in a shared vision for future of safety and dignity, and this vision must be extended to all. Everyone must share access to essential services, education and legal documentation, and a legal status that will allow them to reclaim their future. We need strong advocacy to fight for their inclusion in national and regional SDGs delivery plans. We must reinforce the importance of building national capacity and taking practical steps to deal with the particular needs of the displaced. Only then will we keep the promises we made last September when we agreed the SDGs and resolved to do what is truly needed to leave no one behind.
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