

# The ICRC's response to internal displacement: strengths, challenges and constraints

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## **Abstract**

*The often highly complex and fluid nature of displacement on the ground makes coverage of IDPs' needs a difficult task, and a flexible response is required to fit different contexts. The ICRC's humanitarian response is guided by the vulnerability and the needs of all people affected by armed conflict and violence – including, of course, IDPs, whose vulnerability is often (but not automatically) exacerbated by their particular situation. The protection and assistance of IDPs therefore naturally lies at the heart of the ICRC's mandate and activities. In identifying and responding to needs, the ICRC looks at the whole context in which internal displacement occurs, as well as all the people affected. The aim is to promote self-reliance among vulnerable communities so as to avoid displacement, or to strengthen their capacity to host IDPs. Nevertheless, where needed, the ICRC also fills gaps by providing emergency aid in IDP camps, coordinating with other international organizations in order to optimize response.*



Internal displacement poses perhaps one of the most daunting humanitarian challenges of today. The impact on not only many millions of internally displaced persons (IDPs), but also on countless host families and resident communities is hard, if not impossible, to measure. Addressing their protection and assistance needs – often in the absence of national authorities assuming their responsibilities

in this regard – requires a huge, concerted effort by the international humanitarian community as a whole.

Faced with a humanitarian challenge of such magnitude, the ICRC is just one of many actors to play its own particular role. In recent years the ICRC has felt a growing need to define its approach to the problem of IDPs and to determine how that approach fits into the international normative and institutional framework for dealing with internal displacement. Above all, it has asked itself what this definition might mean where it matters most: in the field. What is the value of the ICRC's approach in practice, and what are its limits?

In an attempt to answer these questions, it is useful to look at a range of issues, including the potential complexity of patterns of displacement and return, the question of camps versus temporary shelter in host families, criteria for gauging vulnerability, targeting humanitarian action, and UN humanitarian reform and coordination issues.

## **The ICRC's approach**

There have long been certain differences of perception concerning the ICRC's operational position on IDPs. Sometimes these have been starkly expressed. In November 2008, when I addressed an audience of donor States at the UN in Geneva on the subject of internal displacement, one participant asked, in all sincerity, "Since when has the ICRC been talking about IDPs? I thought they didn't recognize IDPs as a separate category for humanitarian purposes?"

The reality is somewhat more nuanced. The ICRC's humanitarian response is guided by the degree of vulnerability and the essential needs of all people affected by armed conflict and violence – including, of course, IDPs. Aiming to protect and assist IDPs therefore naturally lies at the heart of the ICRC's mandate and activities.

There is no doubt that the vulnerability of civilians is often exacerbated if they are displaced. Indeed, displaced people are deprived, often brutally, of their ordinary living environment in terms of security, shelter, sources of food and water, livelihood, and community support systems. This deprivation seriously impedes their ability to meet their most basic needs. Furthermore, IDPs frequently have specific protection needs, as they are at an increased risk of being separated from their families, and are particularly exposed to abuse during displacement (while fleeing, or in camps or settlements).

Internally displaced people are hardly ever a homogeneous group. Displacement undoubtedly has a different impact on men, women, boys and girls, owing to their different social and economic roles, as well as the reasons for their displacement.

Women and children are usually the worst hit. Women may be particularly vulnerable due to factors such as the loss of their primary breadwinner, an increased risk of sexual violence or the need for reproductive health care. They are often exposed to abuse during flight – on the road – as well as in and around

camps and informal settlements. That said, women often exhibit remarkable strength and resilience as they support their families and lead their communities in both acute crises and situations of protracted displacement. Their potential to make significant social and economic contributions or to play a key role in return or settlement processes should not be underestimated.

Children, however, are particularly vulnerable – especially if they become separated from their families during displacement.

However, where the ICRC perhaps differs from some other humanitarian organizations is that while it recognizes that internal displacement can exacerbate the vulnerability of communities affected by armed conflict, it does not consider that displaced people are automatically more vulnerable than civilians who are not displaced. Many of those who have stayed behind (including, often, the elderly and the sick) might be in an even more vulnerable position than those who were able to flee. Overburdened host families who share often meagre resources with displaced people may also be extremely vulnerable and in need of humanitarian aid.

In identifying and responding to needs, the ICRC tends to look at the whole context in which internal displacement occurs, as well as all the people affected by that context: those who flee, those who cannot flee, those who decide to stay for other reasons, and those who return. The ICRC strives to meet needs where they are most acute, in a flexible and adaptable way, depending on the circumstances in a given situation. In certain cases, this may entail providing aid in IDP camps – usually only in the short term and when other humanitarian organizations are, for various reasons, unable to respond. Often, preventing displacement from happening in the first place plays a very prominent role in the ICRC's operational choices and strategies. This is why, in conflict zones from Darfur and the Democratic Republic of the Congo to Sri Lanka and the Philippines, and many more, the ICRC strives to prevent further displacement by providing a wide range of services to the population in areas at risk, and by urging all parties to respect their obligations under international humanitarian law (IHL), which also serves to protect vulnerable populations once displacement does occur.

The ICRC aims to promote self-reliance among vulnerable communities to help avoid displacement and, where necessary, to improve the community's capacity to host IDPs by strengthening existing coping mechanisms. For example, the ICRC has provided varying degrees of emergency aid in several IDP camps in Darfur since 2004,<sup>1</sup> particularly when other humanitarian organizations have been unable to do so. Yet the ICRC focuses more on helping residents of rural and remote areas to become self-sufficient to the greatest extent possible. It does this in various ways, for example by supplying cash-crop and staple-crop seeds and tools, putting existing water systems back into operation and helping provide veterinary services. This is just one example of the ICRC's activities that are guided by longer-term development principles within an emergency phase. Where displacement

1 Including the Gereida camp – see the subsection below on “Prevention and the role of camps”.

does occur, the ICRC seeks to address the needs of both the displaced population and of local and host communities, as well as of returning IDPs.

There we have the policy – but before considering in some detail what this actually means in practice, it may be worth reminding ourselves of the growing international framework for IDP response over the past few years, and why increasing attention has been focused on the phenomenon of internal displacement.

## The ICRC within a growing international framework

Regardless of one's position and policy with regard to IDPs, it is an incontrovertible fact that the overall problem is immense. While no one can be sure how many IDPs there are around the world (one estimate suggested 26 million at the end of 2008),<sup>2</sup> it is clear that they far outnumber refugees. Yet despite, or because of, the scale of the worldwide displacement crisis, international attention has traditionally focused more on refugees, who are usually much more visible than IDPs.

Unlike refugees, IDPs are not yet covered by a specific international convention. This sometimes gives rise to an assumption that there is a gap in the legal framework for the protection and assistance of IDPs. However, although the relevant law may not contain any specific reference to IDPs, there is always a legal framework that can be referred to for the protection of those displaced, those left behind, and other relevant communities.

Where people suffer forced displacement within a country, national legislation is the primary source of relevant law and should contain guarantees of assistance and protection for the affected populations. However, national legislation does not always account for the extraordinary circumstances of internal displacement.

Although the primary responsibility for protecting IDPs and meeting their basic needs lies with the State or the authorities that control the territory where the IDPs find themselves, more often than not those authorities are unwilling or unable to fulfil these obligations. As a result, large numbers of IDPs remain exposed to further violence, malnutrition and disease, and are often forced to flee several times.

International humanitarian law, which is legally binding on both State and non-State actors, should be adequate to address most problems of internal displacement associated with armed conflict. Indeed, displacement is often a consequence of violations of humanitarian law during armed conflict, or failure to comply with other norms intended to protect people in situations of violence, such as those of human rights law. Humanitarian law provisions of particular relevance

2 Internal Displacement Monitoring Centre (IDMC), *Internal Displacement: Global Overview of Trends and Developments in 2008*, April 2009, p. 9, available at [http://www.internal-displacement.org/idmc/website/resources.nsf/\(httpPublications\)/0605361027488A28C12575A90042305B?OpenDocument](http://www.internal-displacement.org/idmc/website/resources.nsf/(httpPublications)/0605361027488A28C12575A90042305B?OpenDocument) (visited 21 August 2009).

here include the prohibitions on attacking civilians or civilian property, conducting indiscriminate attacks, starving civilians as a method of warfare, destroying objects indispensable to their survival, and carrying out reprisals against civilians and civilian property. Violations of these rules often cause civilians to flee their homes.

When civilians flee a conflict zone, it is a good indication that the warring parties are indifferent to their rights under humanitarian law, or are deliberately ignoring their responsibilities. The law expressly prohibits any party to an armed conflict from compelling civilians to leave their homes,<sup>3</sup> and affords IDPs the same protection from the effects of hostilities and the same assistance as the rest of the civilian population.<sup>4</sup> States and any other parties to conflict are obliged to allow the unhindered passage of relief supplies and the provision of the aid necessary for the survival of all civilians, regardless of whether they have been displaced or not.<sup>5</sup>

IHL and international human rights law do not say a great deal about return and reintegration of displaced people or durable solutions to internal displacement. The UN Guiding Principles on Internal Displacement,<sup>6</sup> which were developed in 1998 by the then Special Representative of the Secretary-General on IDPs, Francis Deng, stress that the national authorities are responsible for establishing the conditions for safe, voluntary and dignified return, as well as providing the means to assist IDPs to voluntarily pursue durable solutions in safety and with dignity. The ICRC helped draft the Guiding Principles and supports their dissemination and use. One of the challenges facing the Guiding Principles is that – although they are based on existing international humanitarian law and human rights law – many States still see them as non-binding, and even as interference in a sovereign issue.

Given the magnitude of the problem of internal displacement, a comprehensive response is generally beyond the capacity of any single actor. In many places where large-scale humanitarian operations are needed, the number of humanitarian agencies involved has grown. As a result, all the organizations involved need to systematically coordinate their efforts as far as possible and find ways of making the best possible use of their resources, capacities and competencies in order to optimize their overall impact. The ICRC has always been committed to coordination with – not coordination by – UN and other actors in order to optimize humanitarian response and to better meet the needs of those affected by armed conflict and other situations of violence. This was already the case when, in the absence of a single organization mandated to protect and assist IDPs, the “collaborative response” system was developed by the UN’s Inter-Agency Standing Committee in 1999. When the collaborative response was effectively

3 Article 17, Additional Protocol II (AP II).

4 For example: Arts 13-14, AP II; Jean-Marie Henckaerts and Louise Doswald-Beck, *Customary International Humanitarian Law*, Volume 1: Rules, ICRC, Geneva, 2005, Rules 1, 2, 7, 11 and 15.

5 Article 18, AP II; Henckaerts and Doswald-Beck, above note 4, Rule 56.

6 *UN Guiding Principles on Internal Displacement*, UN Doc. E/CN.4/1998/53/Add.2, 17 April 1998, reprinted in *International Review of the Red Cross*, No. 324, September 1998, pp. 545–556.

overtaken by the various humanitarian reforms born of the 2005 Humanitarian Response Review,<sup>7</sup> the ICRC was equally supportive of efforts to further improve and strengthen the inter-agency response to the needs of IDPs.

The “cluster” approach established in 2006 – whereby the UNHCR agreed to take on sectoral responsibility for the protection cluster, camp coordination and camp management, and emergency shelter within the framework of UN humanitarian reform – was clearly aimed at improving the coherence, accountability and predictability of the overall humanitarian response to internal displacement. Although the ICRC considers it incompatible with its understanding of genuine independence to be formally part of this approach, at the field level it attends cluster meetings and participates as an observer.

While enhanced coordination and dialogue are clearly essential in order to avoid gaps and duplications in addressing needs, it is also clear that effective and meaningful coordination must be based more on genuine respect for certain basic principles than on ever more refined coordination mechanisms and procedures. In this respect, while some progress has been made, there is undoubtedly still a long way to go. Honesty and transparency on fundamental issues such as beneficiary numbers and operational capacities (including humanitarian access and reliance on implementing partners), as well as on standards, are crucial for humanitarian coordination to be effective. The ICRC is fully supportive of coordination provided that, firstly, the ICRC can maintain full autonomy over its decision-making processes; secondly, that the coordination does not blur the ICRC’s identity as an independent and neutral humanitarian actor; and thirdly, that the coordination adds real humanitarian value for those in need.

## **A reality check**

So what do these policies and positions actually mean in the field for the people affected by armed conflict or other disaster?

One of the basic realities that makes a well-coordinated humanitarian response to internal displacement more difficult to achieve in reality than on paper is the often highly complex and fluid nature of displacement itself. One example of the complexity of displacement, which will be considered in some detail, is the eastern part of the Democratic Republic of the Congo (DRC) – specifically North Kivu province, where the ICRC has a significant operation.

Hundreds of thousands of people are estimated to have fled their homes in North Kivu as a result of joint operations by the Congolese and Rwandan armies against Hutu militias in the region at the beginning of 2009. The majority of these were in the South Lubero, Walikale and Masisi districts of the province. This brought the total number of internally displaced people in North Kivu to around

7 See United Nations, *Humanitarian Response Review*, United Nations, New York/Geneva, August 2005.

707,000, according to the UN, while some 350,000 returned to “stabilized areas” in the Kivus. The overall number of IDPs in the DRC was subsequently estimated at 1.4 million, concentrated mainly in the Kivus and Orientale province.<sup>8</sup> Internal displacement peaked in 2003 – estimated at 3.4 million people, mainly in the same three provinces.

Few humanitarian organizations working in eastern part of the country would deny, however, that the reliability of these figures is tenuous at best. This is due largely to lack of access to displaced people because of insecurity and poor roads, lack of verification, and the continuous movement of populations (both those newly displaced and those returning to their homes). It is safe to say that no one knows how many IDPs there are in North Kivu or in the country as a whole. Furthermore, questions as to how many IDPs are “old caseload”, at what stage displacement effectively ends and assistance is no longer required, and what exactly makes IDPs more vulnerable than other groups (if indeed that is the case) are all debatable, with no consensus among agencies that would translate into a coherent, common approach on the ground.

There are four main types of internal displacement apparent in the DRC, which ultimately make it even harder to get an accurate picture of the numbers, and needs, of IDPs. Displacement can be reactive, in response to an actual attack or specific event; preventive, in anticipation or fear of an attack or abuses; of a “pendulum” nature, with people returning to their areas of origin either during the day or intermittently for planting or school seasons (sometimes hiding in nearby forests for one or more nights);<sup>9</sup> or of an itinerant nature, whereby IDPs move from one place to another, often in search of humanitarian aid.

Overall, IDPs in the DRC have traditionally stayed with host families, returning intermittently to their homes. Around 70 per cent of the IDPs in the country are still estimated to be living with host families or in host communities, with a significant increase in the percentage of IDPs living in formal camps and “spontaneous” settlements during the past year or so. As of April 2009, there were 11 IDP camps in North Kivu managed by international NGOs under the coordination of the UNHCR, and an estimated 80 “spontaneous” sites, for example in public buildings such as churches and schools which may receive sporadic, small amounts of aid. The main reasons for this phenomenon are thought to be the increasing “saturation” of overburdened communities hosting IDPs (which often results in further economic hardship and sometimes tensions between IDPs and their hosts), the longer periods for which people are displaced, and the “pull factor” of greater resources being available in camps (generally supplied by

8 UN Security Council, *27th report of the Secretary-General on the United Nations Organization Mission in the DRC*, UN Doc. S/2009/160, 27 March 2009.

9 Katherine Haver, *Out of Site: Building Better Responses to Displacement in the DRC by Helping Host Families*, Oxfam International Research Report, September 2008, p. 10, available at <http://www.oxfam.org/sites/www.oxfam.org/files/out-of-site-drc-0908.pdf> (visited 25 August 2009).

humanitarian agencies). At household level, aid is generally not provided to IDPs in host families or to host families themselves. Clearly, aid is more easily targeted, distributed and monitored in controlled settings such as a camp. Often, it is also more visible. The incessant population movements in North Kivu, combined with access problems, makes identifying and assisting IDPs in host families problematic.

The implications of such a complex and fluid situation of internal displacement on the actual humanitarian response are crucial, and highlight the need for a flexible approach adapted to the particular context. It may seem obvious to state that there can be no “one-size-fits-all” approach for the diverse situations to be found in contexts such as the DRC (characterized by both chronic and acute displacement crises), Colombia (defined by chronic, mostly urban displacement), Liberia and Uganda (where IDPs are returning and resettling) and north-western Pakistan (where large-scale displacement began in May 2009 in largely inaccessible areas). Yet the humanitarian community as a whole still faces huge challenges in providing a tailor-made, consistent response to the wide-ranging needs that emerge when internal displacement occurs.

## **Whose needs come first?**

IDPs, who have in some cases been displaced several times, undoubtedly have some specific protection needs – particularly women and children. IDPs are exposed to abuses while fleeing, as well as in and around camps and spontaneous settlements. IDP camps have at times been directly targeted and/or looted by armed groups, and IDPs in camps have been killed and threatened, particularly by demobilized fighters. They have also been the victims of abduction and sexual violence. IDPs are also at increased risk of being separated from their families. This includes a rise in the number of children being separated from their parents, in many cases remaining unaccompanied.

On the whole, however, in a context of generalized violence, protection concerns apply to all groups within the civilian population, not only IDPs. In an armed conflict where internal displacement occurs, and where different phases of the crisis are often overlapping, it can be very difficult – and frankly undesirable – to give higher priority to the protection and assistance needs of IDPs than to those of other highly vulnerable groups. In the case of the eastern DRC, for instance, the protection of all civilians continues to raise serious concern, not least because of the prevailing climate of impunity. All parties to the ongoing armed conflict centred in North Kivu have been guilty of a range of serious abuses against civilians.

The dire situation in the DRC – one of the worst in the world – indeed affects a whole cross-section of the civilian population, including people living in non-conflict areas. This is due to a combination of acute crises linked to localized armed conflicts, a general lack of security, natural disasters and epidemics, and to underlying chronic crises related to structural problems stemming from the



collapse of State services.<sup>10</sup> The distinction between the consequences of these different problems is not always clear, with some peaceful areas of the country suffering higher mortality and malnutrition rates than areas experiencing armed conflict.<sup>11</sup>

According to the most recent mortality survey carried out in the country by the International Rescue Committee, an estimated 5.4 million people died between 1998 and 2007 as a result of armed conflict and its lingering effects. Most deaths were due to easily preventable and curable conditions such as malaria, diarrhoea, pneumonia, malnutrition and neonatal problems – by-products of a largely collapsed health-care system and a moribund economy. Only 0.4% of all deaths across the country were the direct result of violence. These conditions took the highest toll on children, who accounted for nearly 50 per cent of the recorded deaths, despite constituting only 19 per cent of the total population. Mortality rates are high across the country, with the national rate almost 60% higher than the average for sub-Saharan Africa.<sup>12</sup>

Even if the accuracy of these findings is debatable, it is nevertheless clear that in such an environment, and where the majority of IDPs live with host families or in host communities, vulnerability may be linked to a broad range of factors, not simply the status of being displaced. IDPs and returnees do have some specific subsistence needs, especially if they have no shelter and where they are unable to access their fields; however, the large number of IDPs living with friends or family members puts an enormous strain on already limited resources, including food supplies, arable land, water, sanitation and services such as health centres and schools. The prolonged presence of IDPs in a host community means that resources inevitably diminish and tensions rise, which negatively affects the economic and food security of the community as a whole. Although IDPs usually prefer living with host families (not least because they generally feel more secure there than in camps),<sup>13</sup> increasing numbers have had little choice but to move to spontaneous sites or planned camps as the situation of the host family deteriorates. But while many humanitarian organizations acknowledge the erosion of the host communities' ability to support displaced people, there has not yet been a comprehensive strategy aimed specifically at helping IDPs in host communities, or indeed the host communities themselves.

10 It is estimated, for example, that a mere 20% of that vast country is accessible by road – see HIV in Humanitarian Situations, *Democratic Republic of Congo: HIV Humanitarian Overview*, available at [http://www.aidsandemergencies.org/cms/index.php?option=com\\_content&task=view&id=63&Itemid=132](http://www.aidsandemergencies.org/cms/index.php?option=com_content&task=view&id=63&Itemid=132) (visited 28 August 2009).

11 UN Office for the Co-ordination of Humanitarian Affairs (OCHA), *Humanitarian Action Plan: Democratic Republic of Congo*, 2009, p. 30 (map showing zones of acute malnutrition), available at [http://www.rdc-humanitaire.net/IMG/pdf/2009\\_DRC\\_HAP\\_EN\\_FINAL\\_-2.pdf](http://www.rdc-humanitaire.net/IMG/pdf/2009_DRC_HAP_EN_FINAL_-2.pdf) (visited 31 August 2009).

12 International Rescue Committee/Burnet Institute, *Mortality in the DRC: an ongoing crisis*, January 2008, available at [http://www.theirc.org/resources/2007/2006-7\\_congomortalitysurvey.pdf](http://www.theirc.org/resources/2007/2006-7_congomortalitysurvey.pdf) (visited 24 August 2009), pp. ii – iii.

13 Haver, above note 9, p. 24.

## A flexible response

### Prevention and the role of camps

It is the ICRC's policy to prioritise the strengthening of existing coping mechanisms of resident communities, both to prevent internal displacement from happening in the first place as far as possible, and to support communities hosting IDPs in order to reduce the "pull factor" of the services and comparative safety that camps may provide. The ICRC has given – and continues to give – emergency assistance to IDPs in camps in exceptional circumstances. However, experience has shown that in many cases, new problems are created that are complex to tackle, and which may in fact compound the vulnerabilities and risks to which IDPs are exposed.

The ICRC ran the Gereida camp in Darfur – one of the biggest IDP camps in the world with a population of 125,000 – at a time when security constraints prevented other humanitarian organizations from operating in the area. Although it has now handed over responsibility for food distribution to CARE and the World Food Programme, the ICRC will continue to play a major role in the camp until other humanitarian organizations can assume the responsibility. The ICRC also initiated the establishment of the Abu Shok and Kassab camps in Darfur in 2004, when there seemed no choice but to do so.

In the case of Abu Shok in El Fasher, some 30,000 IDPs had been living in deplorable conditions in an open space in the town. Political wrangling and the limited abilities of the few humanitarian agencies present at the time had prevented them from providing adequate aid. The ICRC negotiated with the authorities to establish a camp on the outskirts of town that effectively maintained traditional leadership and clan structures. The government was responsible for ensuring the external and internal security of the camp, and the ICRC, together with the Sudanese Red Crescent, designed the camp, registered its residents, distributed shelter and non-food kits, installed water systems and eventually coordinated the activities of other humanitarian organizations. The aim was to avoid dependence and facilitate return as soon as conditions permitted, by providing aid that was adequate but did not create living conditions of a higher standard than those in the IDPs' areas of origin. This also avoided the risk of indirectly supporting politically-motivated resettlement plans.

This plan was ultimately undermined as the influx of humanitarian organizations into the Abu Shok and some other Darfur camps by the summer of 2004 resulted in an artificially high level of aid that did not reflect the reality of rural life. Furthermore, the security situation in the IDPs' areas of origin was not conducive to return. These camps became semi-permanent extensions of the towns near to which they were built. At the same time, the ICRC conducted surveys in rural areas that showed an urgent need for food aid in the villages as a result of failed or partial harvests. This prompted the ICRC to shift its focus to rural areas, with the aim of helping residents to stay in their home areas and to avoid an exodus to the camps.

There are other examples of the ICRC taking action in camps at the outset of a new emergency where there is a large-scale influx of IDPs and other humanitarian organizations are not in a position to provide adequate, rapid aid. This was the case in the Kibati camps near the North Kivu city of Goma, in October 2008, where the ICRC provided short-term food rations, non-food items and water supply, as well as in northwestern Pakistan, in the wake of heavy fighting which caused massive displacement in largely inaccessible areas. In this latter case, starting from May 2009, the ICRC and the Pakistan Red Crescent Society managed a large IDP camp in Swabi. The ICRC also supported several other camps run by the Red Crescent. At the same time, it provided food and non-food items to IDPs in host families, as well as to the host families themselves, particularly in conflict areas where no other humanitarian organizations were present.

In general, however, official camps that have no particular security constraints are usually well-serviced by the UN system and its NGO implementing partners. The ICRC aims to complement these efforts with activities that add a particular value or fill gaps where needs remain unaddressed. To take North Kivu as an example, the activation of the cluster approach in 2006 resulted not only in the UNHCR co-chairing the protection cluster (with MONUC, the UN mission in the Democratic Republic of the Congo) and the return and reintegration cluster (together with the UNDP) – it also resulted in UNHCR taking on greater responsibilities for protecting and assisting IDPs. In 2007 it assumed leadership of the Camp Coordination, Camp Management (CCCM) working group. In mid-2009, there were 11 official CCCM camps in North Kivu, as compared with just one camp when the CCCM had been established two years earlier. With their expertise and approach derived from traditional refugee settings, the UNHCR and its implementing partners (such as the Norwegian Refugee Council) naturally focus on camps. Nevertheless, the UNHCR's official position is that camps should be a last resort where there is no other choice, that aid should be provided in ways that take into account the living standards of surrounding communities, and that responses to host families should be improved. The UNHCR has also made clear its ambition to distribute aid more according to the criterion of vulnerability than simply the status of being displaced *per se*. However, in the eastern DRC at least, the organization cites various constraints in achieving this, not least of which is insufficient funding.

UNICEF also emphasizes the need to strengthen traditional coping mechanisms and the ultimate undesirability of setting up camps. Like the UNHCR, UNICEF in the eastern DRC has devised a new aid strategy aimed at distribution more on the basis of specific vulnerabilities than on the status of being an IDP or a returnee, and faces similar constraints in putting this into practice. In the meantime, the biggest emergency response mechanism in North Kivu for both IDPs and disaster-affected populations is undoubtedly the Rapid Response Mechanism, managed by UNICEF and the UN Office for the Co-ordination of Humanitarian Affairs (OCHA) and implemented through international NGOs. This mechanism provides broad coverage of emergency needs, with one-time distributions of non-food items, water and sanitation assistance, and school infrastructure for up to

three months. While the mechanism is widely viewed as a successful initiative, UNICEF is the first to admit that it does not necessarily address needs according to the criteria of vulnerability, but rather on the basis of status (e.g. as an IDP).

## During displacement

The ICRC strives continuously to match its activities squarely with the specific needs of the affected populations, but cannot – and does not claim to – meet all such needs. Humanitarian coordination is thus a tool through which the ICRC systematically pools efforts with other humanitarian organizations, aiming to work in a complementary and collaborative way alongside their activities, and naturally to avoid duplication.

Often, the ICRC focuses its operations on “priority zones” which are defined against criteria determined by the delegation. These criteria vary from place to place, but generally include protection concerns for the civilian population, assistance needs, the presence of armed actors, and actual or potential armed conflict. It can almost be taken for granted that in such an environment, internal displacement will be a significant factor contributing to the vulnerability and needs of the population as a whole.

The ICRC's mandate gives it a clear role in protection. Dialogue and other action vis-à-vis armed actors, including reminders of their responsibilities under IHL (i.e. to prevent displacement, as well as obligations toward civilians already displaced or returning to their home areas), detention-related work, tracing and restoring family links are among the ICRC's core traditional protection activities.

Work to trace missing people and restore family links – almost invariably carried out with the country's National Society – benefits many IDPs, since being separated from one's loved ones is obviously a common consequence of reactive or forced displacement. This activity facilitates the registration of stranded children, including demobilized child soldiers, and of families searching for their children or other family members. In some cases, local radio broadcasts and poster or photo displays are used to help trace relatives and reunite families. For children whose families cannot be found, care arrangements may be made with other relevant humanitarian organizations.

In eastern DRC, one of the ICRC's less traditional protection activities that benefits people who are often displaced is the psycho-social support programme, which offers assistance to victims of sexual violence and other forms of abuse. Through 18 *maisons d'écoute* (literally: “listening houses”) in North Kivu (four of them in camps) and 19 in South Kivu, the ICRC carries out protection work and community awareness-raising regarding sexual violence. It also offers capacity-building activities and training to sexual violence counsellors, who are usually members of local women's networks and work in the *maisons d'écoute*. In addition, where appropriate, the ICRC provides some direct aid, such as baby kits, food, lodging and transport costs. When necessary, beneficiaries are directed to health centres for medical treatment. As the programme began just four years ago, this is a relatively new domain for the ICRC and the approach is still innovative.

The ICRC takes an integrated approach to addressing both the protection and assistance needs of IDPs, returnees and residents in areas where it has access and where there is sufficient stability. Its work covers economic security, water and habitat, and health. In North Kivu, for example, the ICRC's economic security activities have been focusing on areas of IDP return. The ICRC provides IDPs with both a three-month food ration and non-food items, and furnishes returnees who have access to their fields with seeds and tools as well as a food ration for seed protection. For those without access to their fields, only food is given. Depending on the circumstances, seeds and food rations might also be given to host families. This occurred in December 2008 and January 2009, when host families in the Kibati area were found to have severely depleted resources (as they had no access to their fields), and where there were evident tensions between IDPs and their hosts. This is similar to the situation in Central Mindanao in the southern Philippines, where large-scale displacement resulting from fighting in October 2008 put an additional burden on already vulnerable residents. Some families were found to be hosting as many as 20 displaced people, despite being very poor themselves. The ICRC directed its response accordingly, providing both IDPs and residents with food and essential household items.

The ICRC's water and habitat activities in North Kivu are another example of an approach which strives to ease tensions between the displaced and their hosts. Although some short-term emergency aid is provided in IDP camps where necessary (such as water delivery and construction of latrines), the emphasis is on durable "early recovery" projects such as the rehabilitation of water-supply systems, often in areas where large numbers of IDPs and returnees have placed a strain on already damaged or dilapidated supply networks. In Kitchanga, for example, the rehabilitation of the water-supply system (which involved securing the water source and constructing a network including reservoirs) benefited around 35,000 people – including one IDP camp, IDPs in host families, and local residents. A similar project has begun in the Sake area, where IDP return is anticipated and where the water supply has been inadequate for at least the past three years. The ICRC is also undertaking a viability study for a major project to overhaul the water-supply system in the city of Goma, the population of which has been swollen by IDPs to an estimated 750,000 people – more than three times the number estimated in 2004.

The approach of focusing on durable projects which benefit host communities and displaced persons alike can be seen in numerous other situations. Colombia is one example, where decades of armed conflict have resulted in chronic displacement within the country, much of it in urban areas. The ICRC provides emergency aid to displaced persons as well as other victims of the conflict, including public health programmes, and small-scale repair and upgrading of infrastructure in conflict-affected areas.

The value of meeting the needs of IDPs living in host communities seems clear. However, limits on our ability to respond, combined with other constraints, means that aid must be assigned according to strict priorities reflecting vulnerability and actual need.

## During return, local integration or relocation

Providing coherent and systematic humanitarian aid to IDPs who return to their places of origin, settle locally in the community that hosted them, or relocate to yet another place is as important as it is challenging. Problems can arise if the authorities encourage IDP return as a sign of political stability, when in fact the security conditions are not really conducive to return. Civilians may be given insufficient or even misleading information on both security conditions and available support in return areas, and humanitarian agencies may be pressured or misled into giving return assistance when this is clearly not durable. And when IDPs do return or resettle, tensions can arise over land, property and other resources.

Knowing at what point a conflict is really over, and at what point the emergency phase leads into the development phase, remains a point of much academic debate. While there is no shortage of definitions and graphs on what constitutes “transition”, the reality on the ground is often vague and inconsistent, and the gap between relief and recovery remains problematic.

In countries where large-scale IDP and refugee return has taken place and the post-conflict phase has been consolidated by a sufficient period of (relative) stability – such as in Liberia or Uganda – the humanitarian response obviously becomes more predictable and consistent.

Yet in many contexts, neither return of IDPs nor a peace agreement nor the deployment of peacekeeping troops can be taken as a definite indicator of a “post-conflict” phase. The eastern DRC is just one example, where despite numerous peace agreements and deployment of the world's largest UN peacekeeping mission (MONUC), new displacements and IDP returns have continued unabated. The UN's 2009 Humanitarian Action Plan for the DRC acknowledges that humanitarian aid in the country is effective as an emergency response but ill-adapted to chronic crises. Thus there is a need to support and strengthen traditional coping mechanisms, including those of communities hosting IDPs, and to find durable solutions. The Plan also stresses the need to tackle the root causes of crises – conflict, epidemics, malnutrition, food insecurity, to name but a few – rather than just the symptoms. To this end, the 2009 Plan introduced two new objectives based on early recovery principles: strengthening food security, and micro-economic development.<sup>14</sup> However, putting these strategies into practice in a consistent, systematic manner remains highly challenging, mainly because the conditions for durable solutions simply do not exist. Sustainable return of IDPs, rehabilitation and reconstruction will only be realized when security conditions improve and when State authority is restored and strengthened in conflict-affected areas.

The ICRC advocates measures to ensure conditions for the safe, voluntary and dignified return of IDPs to their places of origin, or for them to resettle or relocate. This includes recognition by the authorities of the right to property,

<sup>14</sup> OCHA, above note 11, p. 7.

public services, and sometimes compensation. It may also include encouraging the relevant authorities to clear land contaminated with mines and explosive remnants of war, forego further use of such weapons, and conduct mine-risk education programmes to make people aware of the dangers. As mentioned earlier in the North Kivu example, aid may include offering livelihood-support programmes aimed at boosting the economic security of both returnees and residents, ensuring access to an adequate and safe water supply, and ensuring access to health care.

Yet the ICRC's activities reach only limited numbers of people and represent just one part of the overall humanitarian response. Depending on local conditions in the place of return, permanent local integration or relocation, a variety of programmes may be developed by other components of the Red Cross and Red Crescent Movement as well – targeting the most vulnerable groups first – in order to help the displaced resume normal lives. The challenge of filling the gaps in aid for IDP return and reintegration – in contexts as diverse as those in the DRC, Sri Lanka, Chad and Pakistan – is one that the humanitarian community as a whole faces daily.

## Conclusion

The ICRC's humanitarian response is guided by regular assessments of the vulnerability and essential needs of all victims of armed conflict and other situations of violence, which has always included IDPs. While IDPs undoubtedly have certain specific protection and assistance needs, and internal displacement is clearly an indicator of potential vulnerability, the ICRC does not consider that displacement status automatically implies a greater level of need than that suffered by civilians who are not displaced – including often overburdened host families. In identifying and responding to needs, the ICRC tends to look at the broad spectrum of internal displacement and the people affected by it.

The ICRC believes that international humanitarian law is adequate to address most problems arising from internal displacement associated with armed conflict. With proper compliance, the law is sufficient to prevent displacement in the first place and protect vulnerable populations if displacement does occur. That said, the political will to implement and comply with international humanitarian law at both national and international levels is, in many cases, still far from sufficient. It is also the ICRC's conviction that the Guiding Principles are relevant and deserve our full support, as in several instances they provide more specific guidance than IHL does. For example, there are no specific provisions in IHL requiring that displaced persons be allowed to return safely and with dignity. Also, the Guiding Principles deal with issues associated with forced displacement regardless of the way in which a particular situation is classified under law. Thus, they are as pertinent during and after an armed conflict as they are in a situation of internal strife, a complex emergency, or a natural disaster.

The ICRC has welcomed the various UN initiatives towards humanitarian reform, including the cluster approach, which aims to improve the overall

humanitarian response for IDPs. However, for coordination to be really effective and meaningful, it must be based more on genuine respect for certain basic principles than on ever more refined mechanisms and procedures. It is essential for the ICRC that coordination not result in a blurring of the neutral and independent nature of its humanitarian action.

One of the fundamental factors hampering a well-coordinated humanitarian response to internal displacement is the often highly complex and fluid nature of displacement itself, especially where the majority of IDPs live with host families. When the complex nature of displacement itself is combined with restricted access (in many cases) for humanitarian organizations – whether due to poor security conditions or poor infrastructure – it becomes virtually impossible to get an accurate picture of either the numbers or needs of IDPs. The situation is often further complicated by a lack of clarity or transparency regarding the resources of – and access by – different humanitarian actors.

The ICRC strives to assign priority to strengthening people's existing coping mechanisms, both in order to prevent displacement in the first place as far as possible, and to minimise the creation of camps by supporting communities hosting IDPs. It also focuses on reducing the vulnerability of residents and host communities. While in certain circumstances the ICRC may provide humanitarian aid in camps (usually only in the short term), official IDP camps are in a great many cases well-covered by the UN system and its implementing partners. The ICRC aims to complement these efforts and fill gaps where the needs of IDPs, returnees and residents remain unmet. Such assistance is typically given in the areas of economic security, water/habitation and health, in addition to the ICRC's protection activities. However, given that the limits of its resources demand a prioritization of needs, the ICRC is not in a position to fill all major gaps in aid for IDPs. This is particularly true with regard to return, reintegration and the longer-term transition between relief and recovery – situations which in so many cases today remain under-addressed.