

Durable solutions to internal displacement: Key concepts

Definitions

Return

In the context of internal displacement, return is used to describe the process of going back to one's place of 'habitual residence'. In many cases return may be the preferred durable solution, but it is often difficult to achieve.

Resettlement

In the context of internal displacement, resettlement is used to describe the process of starting a new life in any place other than the place of original residence, but still within the same country. Depending on the circumstances of displacement and root causes of conflict, resettlement may be the only reasonable option for some internally displaced.

(Re-)integration

The process that makes either return or resettlement sustainable or durable is the process of reintegration or integration. In the context of internal displacement, (re-)integration is used to describe the (re-)entry of formerly internally displaced people into the social, economic, cultural and political fabric of their original community or the new community where IDPs have resettled. In both reintegration and integration, long-term assistance and/or protection may be needed by returning or resettling internally displaced.

Other central themes

Voluntariness and conditions of safety and dignity, describing some of the fundamental conditions necessary for return or resettlement (→ guiding principle 28-1)

- The concept of voluntary decisions by the internally displaced is critical to sound programming during return or resettlement. In the context of internal displacement, a voluntary decision is a decision that contains two elements: (1) freedom of choice and (2) an informed decision.
- The need for internally displaced persons to return or resettle in conditions of safety is axiomatic. However, it is important to view safety as a concept that includes much more than the element of physical safety. In fact, safety in a return context also includes legal safety and material safety (see box 1.1 below, which has been developed by UNHCR for the repatriation of refugees but is also applicable to the return home of IDPs.).
- The concept of dignity is less self-evident than safety. According to UNHCR, in practice dignity means that: returning displaced families are “not manhandled, that they can return unconditionally and if they are doing so spontaneously they can do so at their own pace, that they are not arbitrarily separated from family members; and that they are treated with respect by the authorities and full acceptance by the national authorities, including the full restoration of their rights.”

Box 1.1: Core components of voluntary repatriation
<p>Physical safety</p> <ul style="list-style-type: none"> ● Ebb of violence and intimidation; ● Steps taken towards re-establishment of police, judiciary and human rights agencies; ● Absence of mines and unexploded ordnances; and ● Improved overall security.
<p>Legal safety</p> <ul style="list-style-type: none"> ● Removal of legal and administrative barriers to return; ● Legislation related to enabling legal framework to ensure, <i>inter alia</i>, citizenship, amnesty, property, registration, documentation and return; and ● Existence of mechanisms to redress human rights abuses, including independent judiciary.
<p>Material safety</p> <ul style="list-style-type: none"> ● Access to means of survival and basic services in early stages of return (shelter, water, health and education) and access to employment opportunities; ● Non-discriminatory access to services (health services, education, etc.); ● Development of absorption capacity in areas of return; and ● Promotion of economic self-reliance and income-generating activities.
<p>Reconciliation</p> <ul style="list-style-type: none"> ● Promotion of equity between displaced persons and local residents; and ● Structures and mechanisms to promote confidence building and co-existence.

(From UNHCR Handbook for Repatriation and Reintegration Activities, May 2004)

The principle of non-discrimination, referring to the treatment of the displaced fairly and in the same manner as those around them (→ Guiding Principle 29-1)

- Essential to the fulfilment of the needs of returning or resettling internally displaced is the need to be free from discrimination. The concepts of equality before the law, equal protection of the law and non-discrimination form a cornerstone of international human rights law.

Participation and communication, which looks at the management of decisions and programmes by the internally displaced themselves (→ Guiding Principle 28-2).

Property issues, which are frequently a major source of conflict (→ Guiding Principle 29-2)

- The recovery of lost property or restitution should be supported by the national authorities, as restated in the Guiding Principles. It is also the duty of the authorities to protect not only properties left behind upon displacement but also property acquired during displacement. Guiding Principle 29(2) also refers explicitly to both immovable property and movable possessions.
- Often property issues are closely linked to sustainable return by directly affecting returnees' ability to create a self-sustainable livelihood.
- In the case of rural communities, access to farmland is crucial in allowing returnees to become self-sufficient and avoid aid dependency. In urban communities access to commercial premises is equally important.
- Access to one's prior property has profound psychological significance to returnees in the healing and reintegration process.

Access by humanitarian organisations, when these organisations are assisting return or resettlement (→ Guiding Principle 30).