

## ***The IDP protection scorecard: an assessment of indicators on rights and freedoms enjoyed by internally displaced persons in Eastern Africa***

### ***Background:***

Populations are displaced within their countries by armed conflicts, violence, natural disasters and other forms of violation of human rights, and the majority end up in camps or host families. Such displacements have happened in many areas in countries of Eastern Africa in the past few years and have resulted into untold suffering, violation of human rights and related abuses to the local populations. National governments and their development partners have put in tremendous efforts to address the many humanitarian needs of the displaced populations, especially protection from further violations and assistance to meet the minimum basic needs of life.

During 2005, a humanitarian reform process code-named ‘cluster approach’ led by the United Nations was initiated to improve the effectiveness of humanitarian response through strengthening the predictability and accountability of humanitarian actions. This approach was adopted by the partnership of United Nations agencies, the Red Cross movement and a number of international organisations to address the identified gaps and enhance coordination in the response in order to improve the quality of humanitarian actions. Through the cluster approach, the Office of the United Nations High Commissioner for Refugees (UNHCR) is mandated to lead in the protection of internally displaced persons (IDPs). This is done through a range of activities aimed at obtaining full respect for the rights of the individual guided by the relevant bodies of international human rights and humanitarian laws.

Due to the scale of the displacements and the different forms in which they happen, coupled with the rate at which humanitarian response is required, it becomes usually very challenging to measure performance in fulfilling the IDP protection mandate. This therefore calls for a standardised system of tools and methods to capture the levels of enjoyment of the rights and freedoms among the displaced populations.

### ***Methods:***

The main data sources used by UNHCR staff to complete the annual IDP reports were a combination of information from Human Rights Organisations, Media, NGOs, local communities, field reports, participatory assessments and Government sources. A set of protection indicators focussing on access to human rights were developed by the Office and have since 2006 been assessed by technical staff in countries with IDP caseloads on an annual basis to determine changes. Data were received from countries on standard indicator tools and reviewed to ascertain consistency, completeness and accuracy. Through a rigorous feedback mechanism, corrections were made by the countries and accordingly updated into a standard MS-Access database.

Indicators were weighted (*as shown in Table 1*) on an estimated scale of ten with regard to their contribution to the themes (rights or freedoms) and the resultant performance level was generated based on the percentage weighted average. Scores for these indicators were constructed and an analysis was undertaken to compare 2006 to 2008 performance levels with

the desired standards. Where a country had more than one IDP location, an average score for each of the indicators was taken to represent the country as a whole. When all standards for the indicators that contribute to the themes were met, the performance level would reach the desirable level (100%).

**Table 1: Indicators and weights**

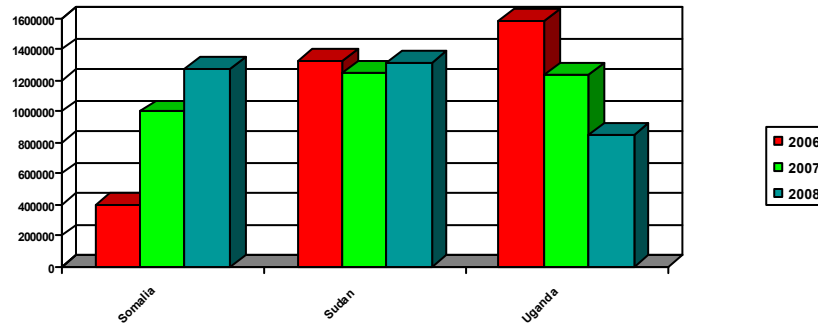
Theme	Indicators	Estimated weight (out of 10)
Right to physical safety and security	• Are IDPs affected by armed conflict or presence of armed groups at their present location?	5.5
	• Does the presence of landmines and UXOs represent a threat to life and person for IDPs at their present location?	4.5
Freedom of movement	• Do IDPs enjoy liberty of movement and freedom to choose their place of residence?	3.0
	• Can IDPs move freely in and out of camps/settlements?	3.0
	• Are IDPs forcibly returned to or forced to settle in places where their life, safety and/or health would be at risk?	4.0
Right to political participation	• Are IDPs allowed to exercise their right to political participation on an equal basis with other citizens of the country?	6.0
	• Are IDP women allowed to exercise their right to political participation on an equal basis with men?	4.0
Right to documentation	• Are there any obstacles to IDPs having access to national identity documents on an equal basis with other citizens of the Country?	5.5
	• Are newborn IDP children issued a birth certificate by competent authorities?	4.5
Right to enjoy one's property	• Are IDPs able to exercise on an equal basis with other citizens of the country their right to own, use and enjoy their property and possessions?	5.5
	• Are IDP women able to exercise their right to own, use and enjoy their property and possessions on an equal basis with men?	4.5
Special protection needs	• Has the operation entered into agreement with partners and/or government to provide services to IDPs with disabilities?	5.0
	• Has the operation entered into agreement with partners to provide services to IDPs with disabilities?	2.0
	• Has the operation entered into agreement with the government to provide services to IDPs with disabilities?	3.0

## **Results:**

### *Study population:*

The analysis focussed on three countries in Eastern Africa with big IDP caseloads over the years. During 2007 and 2008, UNHCR assisted three and a half million IDPs in Somalia, Sudan and Uganda (51% female). Apart from Uganda where the numbers consistently reduced between 2006 and 2008 due to relative return to peace in the Northern Region, the IDP caseload remained big in Somalia and Sudan (*Figure 1*). During 2008, Somalia recorded more than double the number of IDPs supported in 2006.

**Figure 1: IDP population protected/assisted by UNHCR in Eastern Africa (2006-2008)**

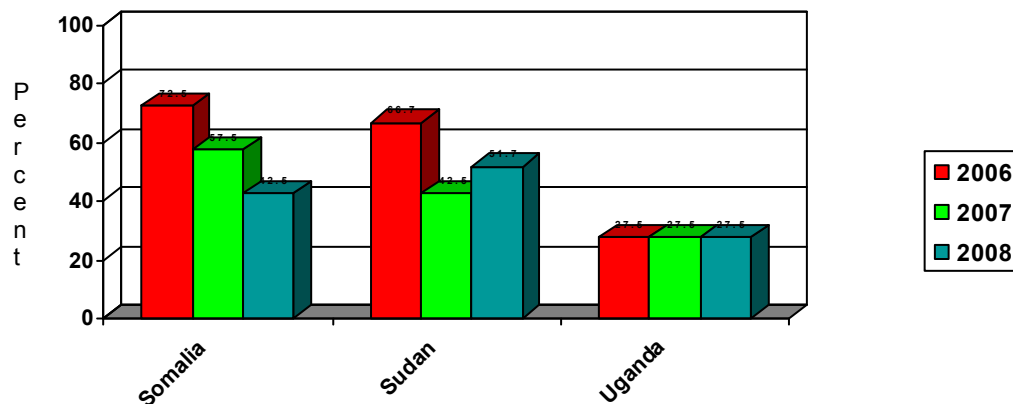


*Right to physical safety and security:*

Safety and security of person and property is considered one of the fundamental human rights that lays a cornerstone to the development of the human race. In the case of IDPs, physical safety and security was measured through the extent to which the right to life, liberty and security of persons who find themselves in situations of armed conflict is threatened. The underlying principle in measuring this right rests on the premise that attacks or acts of violence against persons who do not participate in hostilities are prohibited and also that IDPs should be protected, in particular against, the use of anti-personnel land mines.

Data shows that the right to physical safety and security was accessed by about half of the IDPs on average, with deteriorating situations recorded in Somalia (73% to 43%) and Uganda maintaining a very low level of 28% throughout the three years (Figure 2). This is a direct result of the on-going instability in parts of the countries, mostly involving armed conflicts. Most regions of Somalia and the Darfur region in Sudan have remained very insecure during the period under study. Additionally, although the security situation in Northern Uganda has relatively improved over the past years, IDPs have been reluctant to return to their original places of residence since the rebellion has not been completely quashed by the Ugandan Government and this has contributed to their limited enjoyment to the right to physical safety and security. Data further shows that this was the least enjoyed human right by IDPs in the region as all countries continued to register security problems and therefore low levels of performance.

**Figure 2: Status on right to physical safety and security**

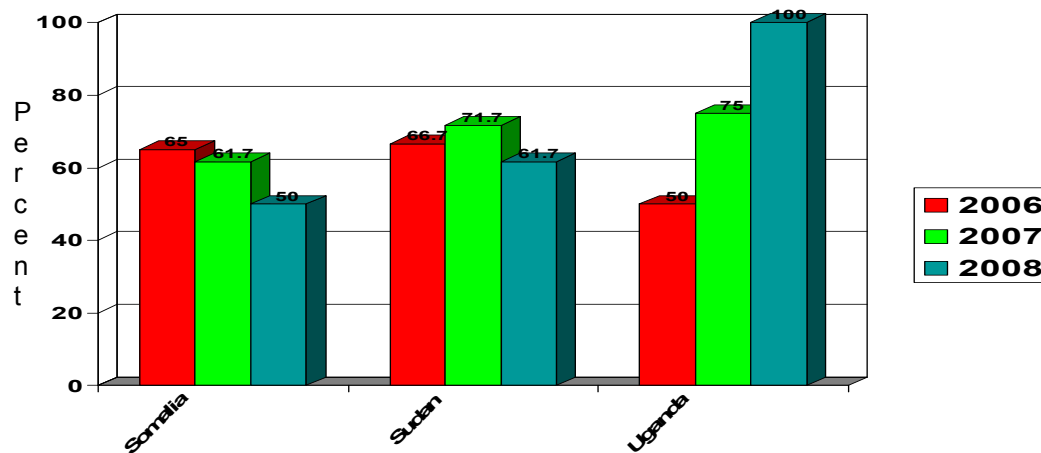


*Freedom of movement:*

This freedom was measured on the premise that every IDP has the right to liberty of movement and freedom to choose his or her residence and if relocated in camps or other settlements, IDPs should have the right to move freely in and out of these locations. Additionally, protection against forcible return to situations of danger as enshrined in international humanitarian law should be ensured and measured in situations of internal displacement.

The reports from Eastern Africa indicate that freedom of movement for IDPs is not absolute in this region; gaps ranging from 25% to 50% were recorded in 2007 in most of the IDP operations (Figure 3). In Somalia, freedom of movement continued to deteriorate from 65% to 50% during the period 2006 to 2008 as the insecurity escalated and IDPs could not easily move across certain districts or villages. There was however reported improvement in Uganda during 2008 where the desirable level of 100% was reached as a result of the subsiding of the armed conflict and negotiation of peace between the Ugandan Government and rebel groups.

**Figure 3: Status on freedom of movement**



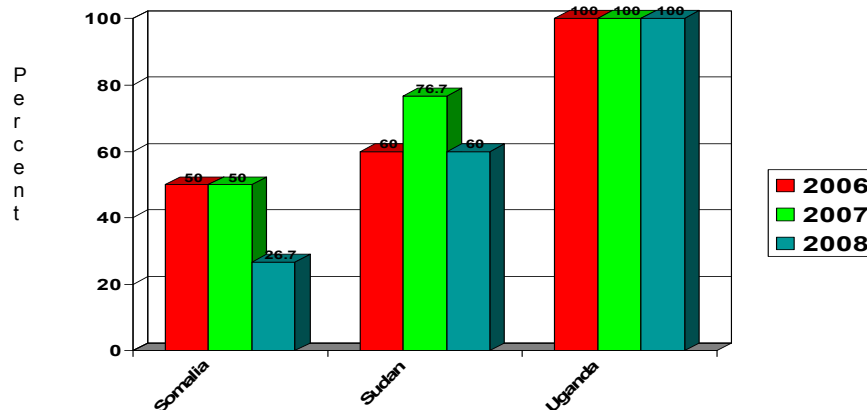
*Right to political participation:*

Measurement of the extent to which IDPs are able to enjoy their right to vote and participate in governmental and public affairs as compared to other citizens of the country was undertaken. Additional focus was put on the participation of displaced women. The underlying premise was that if IDPs were excluded from political participation because of their displacement or sex, this would be incompatible with the non-discrimination clauses of human rights law.

In this region, the right to political participation for IDPs was absolute only in Uganda during 2006-2008, with Somalia recording a deterioration at 27% in 2008 (Figure 4). The lack of functional politics in Somalia was the main contributing factor, but this could also be applicable to the general population in that country. It can also be emphasised that the level of organisation of IDP camps in Uganda facilitated the interaction of political actors, especially during electioneering and other political activities, which was not the case in most other countries. The improvement in IDP participation in politics from 60% to 77% in Sudan during 2006-2007 was

quite promising, but this again reduced to the 60% level during 2008 as the political environment deteriorated.

**Figure 4: Status on right to political participation**

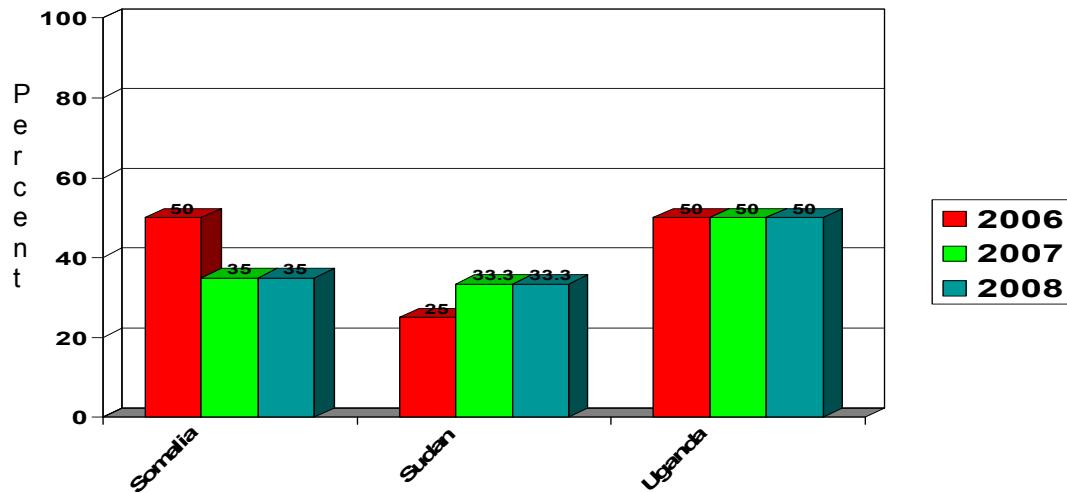


*Right to enjoy one's property:*

Article 17 of the Universal Declaration on Human Rights states that: “everyone has the right to own property alone as well as in association with others; and no one shall be arbitrarily deprived of his or her property.” Indicators were therefore developed to measure the extent to which IDPs were able to exercise the right to peaceful enjoyment of property and without discrimination among them on the basis of sex.

Additional data analysis indicated that it was very difficult for most IDPs to enjoy their property, as shown by the drop from 50% to 35% in Somalia and a slight improvement from 25% to 33% in Sudan during 2006-2007 (Figure 5). These low levels were further maintained in 2008 in Somalia and Uganda, an indication that IDPs in the region enjoyed their property to a very limited degree. Property in this case included clothing and other household items, animals and financial assets. Due to the unstable nature of their new environments, it was problematic to enjoy their belongings to the full potential. Data shows that this was one of the least accessed human rights by IDPs in the region as all countries continued to register low levels.

**Figure 5: Status on right to enjoy one's property**

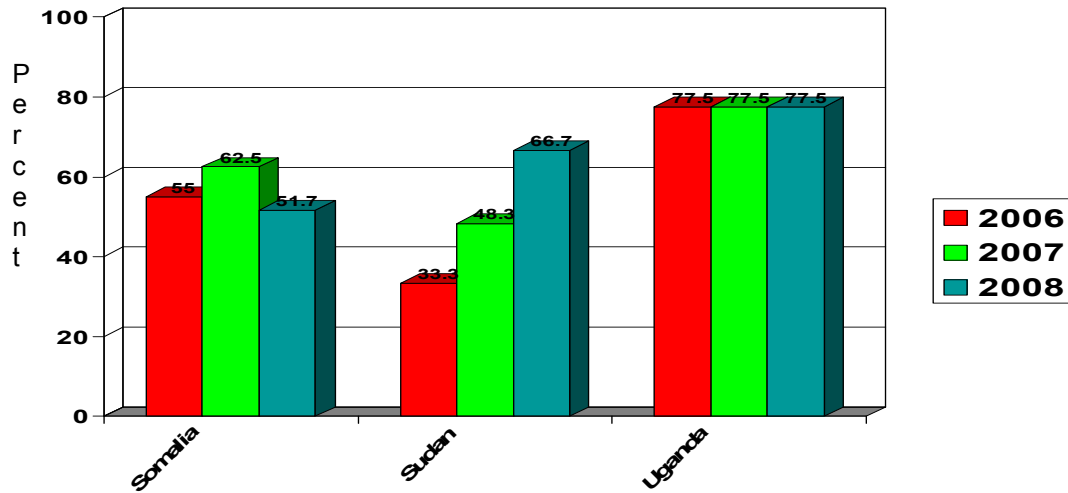


*Right to documentation:*

The right to documentation was assessed based on the access to national identity cards, travel documents, birth and marriage certificates by IDPs. In all organised societies, it is expected that the authorities concerned issue to the population, including IDPs, all documents necessary for the enjoyment and exercise of their legal rights and also facilitate the renewal or replacement of documents lost in the course of displacement, without imposing unreasonable conditions, such as requiring the return to one's area of habitual residence in order to obtain these or other required documents.

In this region, Uganda scored the highest level of 78% through out the period under consideration with regard to availability of proper documentation for IDPs. IDPs in the other countries had low access to documentation (*Figure 6*). The organised nature of the IDP camps in Northern Uganda meant that all residents had to be registered according to the village of their origin in order not to be mistaken with rebel belligerents. The fluid political situation in Somalia where no proper functioning government has existed in the past years facilitated the deteriorating levels of access to documents for IDPs since there have been no proper authorities to offer this service. On the other hand, the situation in the political environment in Sudan that has called for the census and other forms of documentation in preparation for the referendum on possible secession of the south has contributed to a significant improvement in the level of access to documents by IDPs from one third in 2006 to at least two thirds in 2008.

**Figure 6: Status on right to documentation**

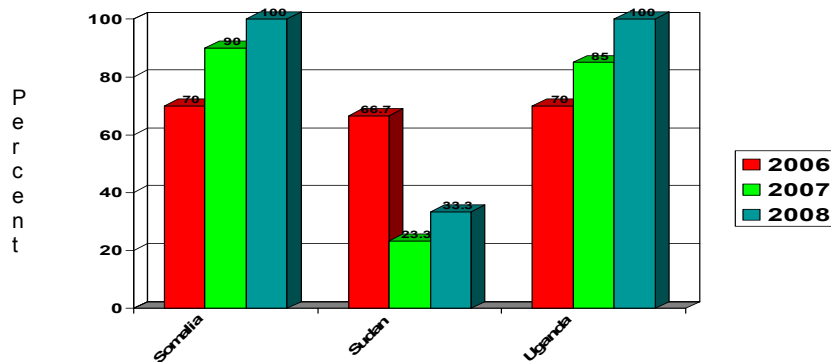


*Special protection needs:*

Disabilities among the IDP population were considered special needs and it was taken a human right for persons physically challenged to be offered special protection and assistance. This was assessed through the mechanisms and partnerships in place in the different countries, especially through implementing partners, government departments, and local associations dealing with disabilities, UN agencies, IDP communities and individuals.

Apart from Sudan, the other countries in the region with IDP caseloads recorded improved performance in addressing special protection needs during 2006-2008 (Figure 7). This could be attributed to the high level of awareness on disability issues and the focused programmes implemented by many development partners to assist persons with disabilities.

**Figure 7: Access to special protection needs**



## ***Conclusion:***

Generally, access to rights and freedoms by IDPs remains a big a challenge in the region. The recorded improvements have been due to increased efforts in advocacy and assistance by UNHCR and cluster partners. However, more focussed efforts are needed, especially in areas of improving security and peaceful resolution of conflicts. Most of the problems that hinder IDPs to enjoy most of their inalienable human rights result from internal conflicts, especially armed conflicts that pity helpless civilian populations. The peace initiatives advanced by the United Nations, religious institutions and bilateral agencies are efforts in the right direction and should be supported.

The analysis presented in this paper could facilitate additional advocacy for improvements in the lives of IDPs, especially through influencing policy makers in Governments and their development partners to position additional humanitarian assistance. Although there are differences in the different countries with regard to the internal conflicts and plans to resolve them, some minimum criteria could be worked out by cluster partners to facilitate IDPs in accessing and enjoying the basic human rights, and this analysis lays a foundation in that direction.

## ***References:***

Handbook for Emergencies, 3<sup>rd</sup> Edition February 2007. UNHCR Geneva

Practical Guide to the Systematic Use of Standards and Indicators in UNHCR Operations, 2<sup>nd</sup> Edition 2006. UNHCR, Geneva

Statistical Year Book: Trends in Displacement, Protection and Solutions – UNHCR Geneva 2005, 2006, 2007

UNHCR Global Report 2006: Achievements and Impact, Geneva 2007