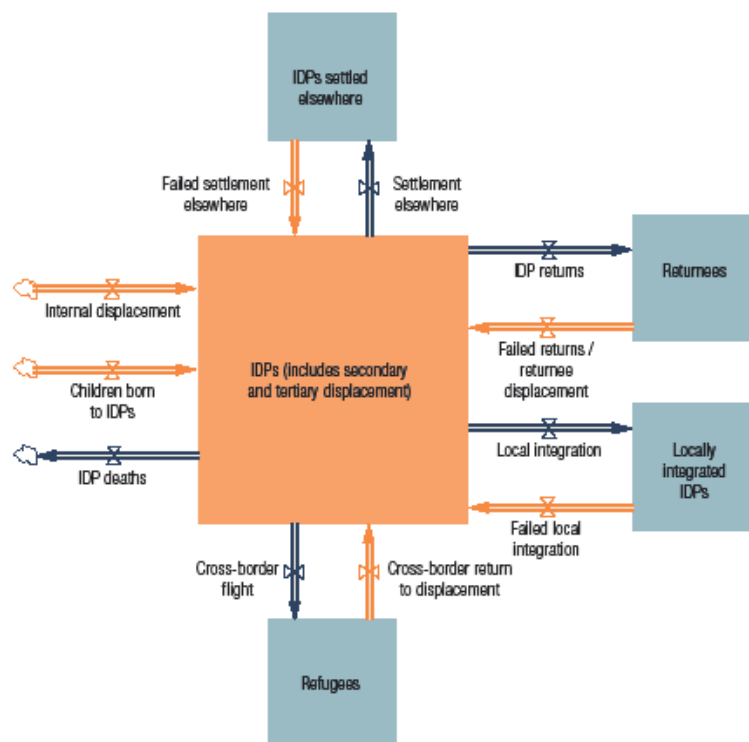


Durable solutions: building the context

“One of the main challenges in estimating the scale of displacement is the lack of an accepted definition of an IDP at the operational and data collection level. Distinguishing IDPs from other vulnerable groups and “populations of concern” and **determining when they achieve durable solutions tends to be a context-specific decision** taken by national or local authorities and humanitarians working in the field.

“To paint a comprehensive picture of internal displacement, data on key groups of people - stocks - and their movement from one category to another - flows - is needed (see figure below). Data on different population groups would indicate how many people there were in each category at a given moment in time, and data on different movements would indicate how - and how quickly - people were moving from one category to another.”

Methodological challenges in data collection, Global Overview 2015



❖ Durable solutions and settlement options

According to the Inter-Agency Standing Committee (IASC)’s framework, durable solutions can be achieved via three different settlement options:

- “Sustainable reintegration at the place of origin” (return)
- “Sustainable local integration in areas where internally displaced persons take refuge” (local integration)
- “Sustainable integration in another part of the country” (settlement elsewhere in the country)

→ **Return**, in which IDPs go back to their place of origin or habitual residence. Return is often the preferred settlement option, but it tends to be difficult to achieve.

→ **Local integration** : Local integration is premised on the assumption that IDPs will remain in a stable way in a certain location and should be enabled to enjoy their rights on an equal basis with the rest of the population. (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.

→ **Settlement elsewhere in the country**, in which IDPs begin a new life somewhere other than their place of origin or refuge, but still within the same country. Depending on the causes and circumstances of their displacement, this may be the only reasonable option for some.

It is important to note, however, that none of the settlement options **are a durable solution in themselves**. For that to be achieved, IDPs' integration or reintegration must be sustainable in social, economic, cultural and political terms, and they must be able to exercise their rights in the same way as the rest of the population. Establishing such conditions takes time, and the individual choice of settlement and the physical movement that may go with it will need to be accompanied by a set of additional conditions that need to be created over time.

❖ **Breaking the cycle of displacement**

In the past, the resolution of the cause(s) of displacement was seen as synonymous with an end to mobility and a return to normality, and with it the achievement of a durable solution. More recently, however, it has become apparent that even when causes have, or appear to have been resolved, many IDPs continue to live in their places of refuge without finding a durable solution to their predicament or to move on to other places in the country hoping that they may find more stable conditions.

Many others are forced into secondary displacement by new factors. IDPs who take refuge from conflict in areas prone to disasters may find that the onset of natural hazard compels them to flee again. Others may manage to return to their places of origin, only to find that the causes of their initial flight have not been fully resolved, which leads to new displacement. Some IDPs may begin to settle permanently in their place of refuge or a new location, but continue to return periodically to their place of origin, or they may become economic migrants.

Governments and international responders tend to favour return as a settlement option, and it is often assumed that IDPs do so as well. Many do indeed seem willing to return when conditions allow, but it is not always their ultimate preference. In other situations, return is simply not possible.

Whichever settlement option IDPs choose, the achievement of a durable solution involves a far broader process that goes well beyond that choice and does not necessarily entail the re-establishment of the status quo before displacement. IASC's framework helps to define when a durable solution is achieved and on what basis.

❖ **When is a durable solution achieved?**

➔ According to IASC's framework, a durable solution is achieved when IDPs and other people affected by displacement, such as members of host communities, no longer have specific assistance or protection needs or vulnerabilities directly linked to the phenomenon. A disaster or conflict may end, but people's homes and livelihoods may have been destroyed. People may return home, but be unable to access services, whether because they have lost the documents required or the services are simply not in place. In such circumstances, a durable solution cannot be said to have been achieved.

➔ From the definition contained in the IASC's framework it is possible to argue that a durable solution for IDPs is **not**:

- **A settlement option** A settlement option does not constitute, per se, a durable solution since, whichever the option chosen, IDPs are likely to be faced with a number of residual needs or human rights concerns linked to their displacement

Bosnia and Herzegovina

The state adopted a revised strategy for the implementation of annex VII of the Dayton peace agreement in June 2010. The strategy, and the one that preceded it, acknowledge that "housing alone ... is not enough for a durable solution; a multi-sector comprehensive and integrated approach is required" (p.13). The strategy makes access to healthcare, education, work and social security benefits key elements for sustainable return.

- **The resolution of the immediate cause of displacement** - when a peace agreement is reached or floodwaters recede, it may create opportunities for durable solutions to be achieved. It is rarely, however, enough in and of itself.
- **Deregistration** - many IDPs are registered for a variety of reasons, including the provision of assistance. They may, however, be deregistered while still in need of help, and even if they no longer require it this does not necessarily mean they have achieved a durable solution. From the perspective of international law, internal displacement is a factual state and no legal status is enshrined, unlike under refugee law.
- **Re-establishment of the status quo ante** - an IDP can achieve a durable solution other than in their former home if their needs specific to their displacement have been met and they can exercise their rights without discrimination as a result of it. In some situations the re-establishment of the circumstances pre-existing displacement may simply be impossible, e.g. in case of disasters that have substantially changed the morphology of the place of origin.

➔ IDPs who achieve a durable solution may still face needs or human rights concerns that are not specific to their displacement. As such, it is important to determine whether such needs and concerns are:

- **A consequence of the events that caused their displacement or result from it** - IDPs may have lost their documents during their flight and need to replace them.

Returnees may not be able to re-establish their livelihoods because their land has been occupied. Displaced women and girls living with host families may be at risk of gender-based violence (GBV).

- **A result of IDPs' absence from their home** - returnees may need food aid until the next harvest season because they were unable to cultivate their land as a result of their displacement. IDPs who integrate locally or settle elsewhere in the country may not be registered to vote, because they were not present when the last census took place.
- **Related to conditions that prevent IDPs from choosing a settlement option** - IDPs who fled a disaster may be unable to return safely to areas prone to natural hazards until disaster risk reduction (DRR) measures are put in place. It may be necessary to disarm and demobilise combatants and punish perpetrators before a displaced minority is able to return safely. IDPs may be offered relocation to remote areas without adequate public services or livelihood opportunities.
- **A consequence of problems that affect IDPs disproportionately, particularly if it is on the basis of discrimination** - IDPs trying to integrate locally may be unable to find jobs, despite high employment levels among the resident population. Others may become targets of hate crimes.