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Project on Internal Displacement



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**REPORT OF  
SEMINAR ON INTERNAL DISPLACEMENT IN INDONESIA:  
TOWARD AN INTEGRATED APPROACH**

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## INTRODUCTION

Since 1998, large numbers of persons in different parts of Indonesia have had to flee from one part of the country to another, primarily as a result of political conflict and ethnic violence. Some of the displaced have fled from one province or island to another province; others have escaped only a short distance to a neighboring town, village or camp situation. The number of officially recorded internally displaced persons (IDPs) in Indonesia today is more than one million. Many are in need of basic assistance, protection and reintegration and development support.

It was against this background that a seminar was held to raise visibility to the problem of internal displacement and identify ways of improving the national and international response. It was timed to coincide with the visit of Dr. Francis M. Deng, Representative of the United Nations Secretary-General on Internally Displaced Persons.<sup>1</sup> More than 130 persons participated. Some 30 participants came from 10 of the most affected provinces, *Aceh, North Sumatra, West Kalimantan, Central Kalimantan, East Java, Central Sulawesi, North Sulawesi, Maluku, North Maluku and Irian Jaya*. They were joined by more than 100 other participants from government offices, international organizations, local and international NGOs and research institutions. The Coordinating Minister for Political, Social and Security Affairs opened the seminar at a ceremony also attended by several government officials, diplomats and representatives of the media.

The specific purposes of the seminar were to:

- share information on the situation of internally displaced persons in Indonesia and further develop and strengthen an effective information system;
- promote the dissemination of the Guiding Principles on Internal Displacement;
- support the development of a concerted strategy to address internal displacement, in particular by strengthening cooperation and joint programming among governmental institutions, international organizations and civil society, and among NGOs;
- consider the special needs of internally displaced women and children as well as of host communities, and promote their respective participation in developing response programs; and
- consider the proposed tasks and responsibilities of the proposed National Commission for Internally Displaced Persons and Community Recovery (Komnas Pengungsi dan Pemulihan Komunitas).

The seminar concluded with a series of recommendations that called for more concerted efforts by the Government of Indonesia to address the needs of IDPs, in particular, the establishment of a National Commission for Internally Displaced Persons and Community Recovery (Komnas Pengungsi dan Pemulihan Komunitas), the creation of an effective information system on IDPs, steps to rebuild trust and solidarity among different ethnic and religious groups, the wide dissemination and application of the Guiding Principles on Internal Displacement, an expanded

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<sup>1</sup> Due to unforeseen circumstances, the Representative was unable to be present, but it was agreed that the seminar would go forward and Dr. Deng sent a personal representative to speak on his behalf.

role for international organizations and NGOs, and specific measures to address the following issues: the basic needs of IDPs, the special needs of women and children, education, safety and protection, economic empowerment, information systems, and coordination (see Summary of Overall Conclusions and Recommendations, below).

## **OPENING SESSION**

Mr. Rolf Carriere, United Nations Resident/Humanitarian Coordinator a.i. and Dr. Francis M. Deng, Representative of the Secretary-General<sup>2</sup> made welcoming remarks. Mr. Carriere pointed out that there are more than one million internally displaced persons in Indonesia, which means that approximately one in every 200 Indonesians is displaced. Eighty percent are women and children. Although ongoing assistance to internally displaced persons demonstrates the resilience and the generosity of Indonesian society, there is need for a more coordinated and coherent response on the part of national and UN agencies. In particular, efforts must be made to strengthen inter-group cooperation and tolerance, re-perceive ethnic and religious diversity as an asset, and replace the culture of impunity with accountability. In addition, a compelling vision and shared principles are needed, which the Guiding Principles on Internal Displacement can help provide.

Dr. Deng pointed out that the seminar was the fifth in a series of workshops convened around the world to draw attention to the problem of internal displacement. He expressed the hope that it would stimulate close and lasting partnerships among the government, civil society and the international community so that effective strategies can be carried forward to improve the lives of the more than one million internally displaced persons in Indonesia. Displacement is but a symptom of more fundamental problems in a society. The seminar presented the opportunity to examine forced migration in Indonesia - its causes and impact - and produce concrete recommendations to try to address the problem and reinforce support for the internally displaced.

The Coordinating Minister for Political, Social and Security Affairs, General Agum Gumelar, formally opened the meeting. He emphasized that Indonesia was in a period of transition after 32 years of authoritarian rule. A successful transition could lead to Indonesia's becoming a great and unified nation whereas an unsuccessful transition could result in the disintegration of the nation. Internal displacement was one of the symptoms of Indonesia's current problems and urgently needed to be addressed. To this end, he announced that the government would support the establishment of a National Commission for Internally Displaced Persons and Community Recovery to complement the work of the government agency, Bakornas PBP. Unlike Bakornas, which operates in a top down manner, the proposed National Commission would be non-governmental and function in a participatory "bottom up" way. It would bring together the government and the non-governmental community in an integrated approach and act as a partner to Bakornas PBP. The seminar, he said, could serve as an entry point in the search for solutions and encourage cooperation among civil society and the government in addressing the problem of internal displacement.

## **GLOBAL OVERVIEW OF INTERNAL DISPLACEMENT**

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<sup>2</sup> Dr. Deng's welcoming remarks were read out by Roberta Cohen, Co-Director of the Brookings-CUNY Project on Internal Displacement.

Dr. Deng, the Representative of the UN Secretary-General, presented a global overview of the problem of internal displacement,<sup>3</sup> pointing out that the problem is worldwide, affecting some 20 to 25 million persons in more than 40 countries. In Asia alone, some 5 million persons are estimated to be forcibly displaced by internal conflicts, inter-communal violence and related violations of human rights.

Most of the countries affected in Asia have suffered from acute problems associated with nation building: crises of national identity and unity, ineffective government authority and control, and above all, tensions between centralized political and economic forces and various local constituencies demanding autonomy and equitable participation. Often these tensions are exacerbated by the ethnic, religious or linguistic differences of the various groups that seek greater acknowledgment of their identity.

As elsewhere, there is considerable inconsistency in Asia in the extent to which the internally displaced receive protection and assistance. Quite apart from the problem of a lack of political will to protect and assist the displaced, the sheer lack of capacity is often a formidable constraint on the ability of governments to respond. Further compounding the situation in Asia is that national, sub-regional or regional mechanisms do not exist or are insufficient to deal with the problem.

Irrespective of the level of development in a country, internally displaced populations share a common need for humanitarian assistance, protection of their physical security and human rights, and durable solutions in accordance with universal standards of human dignity. Displacement generally deprives people of the basic necessities of life – shelter, food, medicine, education and employment opportunities. In addition, the displaced often face discrimination in the areas where they seek refuge and sometimes they are trapped within zones of conflict.

Although internally displaced persons are a particularly vulnerable group with distinctive needs, they also represent a microcosm of the wider community affected by the conflict. The goal, therefore, should be comprehensive protection and assistance of all those affected, while at the same time addressing the specific needs of vulnerable groups. This wider approach can ease the tensions that sometimes develop between IDPs and local residents. Indeed, the crisis of displacement should be seen as a wake-up call and an opportunity for addressing the deeper, structural ills of the country to forge a national common ground, and a collective vision for nation building.

Primary responsibility for the internally displaced lies with the states concerned, which should seek to strengthen laws, policies and institutions to enhance the national response. However, responsibility must also be apportioned to countries of the region affected by the overflow of internal crises and to the international community, which is needed to play a supporting role as the ultimate guarantor of universal human rights and humanitarian standards. Indeed, the role of the Representative of the Secretary-General - a position that was created in 1992 - has developed into that of a catalyst within the international system to raise the level of awareness about the plight of internally displaced persons, to advocate for their cause, and to dialogue with

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<sup>3</sup> Dr. Deng's statement was read out by Sivanka Dhanapala, the Representative's New York Representative.

governments and all pertinent partners on ways to promote more effective protection and assistance.

One of the first steps taken by the Representative was to develop a normative framework for the internally displaced in the form of Guiding Principles on Internal Displacement. Based on humanitarian law, human rights law and analogous refugee law, the Principles have become an authoritative and morally persuasive document providing guidance to all those who deal with the internally displaced.

Steps have also been taken to strengthen international institutional arrangements for dealing with internally displaced populations. In particular, efforts are being made to strengthen collaboration among the different agencies that become involved in providing assistance, protection and reintegration and development support to the displaced populations. In 2000, a Senior Inter-Agency Network on Internal Displacement was established to reinforce coordination, and this year, the Secretary-General approved the creation of a special unit on internal displacement within the UN Office for the Coordination of Humanitarian Affairs (OCHA). Hopefully, these steps will translate into needed progress on the ground. In particular, the delivery of assistance must be closely linked to protection. Responses to crises of internal displacement must combine humanitarian relief with attention to defending the physical safety and human rights of the affected populations.

The seminar is challenged to elaborate strategies for a comprehensive and integrated approach toward internal displacement that brings together the government, civil society, international agencies, research institutions and the non-governmental community to work toward effectively meeting the needs of the internally displaced.

## **THE GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT**

Roberta Cohen, Co-Director of the Brookings-CUNY Project on Internal Displacement, presented the Guiding Principles on Internal Displacement, the first international standards for IDPs. Dr. Djawahir Thontowi, Dean of the Law School of the Islamic University of Yogyakarta, presided, and translations of the Principles were circulated in Bahasa Indonesia.

The Guiding Principles were developed by a team of international legal experts under the direction of the Representative of the Secretary-General, and at the request of the United Nations Commission on Human Rights and the General Assembly, which had called for the development of a normative framework for the internally displaced. Presented to the UN in 1998, the Guiding Principles identify the rights of the internally displaced and the obligations of governments toward these populations, and provide guidance to all other actors engaged with the internally displaced. They are based on existing international humanitarian law, human rights law and refugee law by analogy. Basically, they bring together in one compact document existing law applicable to the internally displaced, tailoring the law to the needs of the displaced. This was necessary because no one document existed specifically applicable to internally displaced persons and because the Representative found, after studying international law, that gray areas and gaps existed in the law that needed to be addressed.

In the introduction to the Principles, a definition or description of internally displaced persons can be found. Its two crucial elements are coerced or involuntary movement and remaining within one's national borders. The definition also includes the major causes of displacement – armed conflict, generalized violence, violations of human rights and natural or human made disasters. Basically, the definition tries to strike a balance between too narrow a framework that risks excluding people and one so broad it can prove operationally unmanageable.

Section I of the Principles contains general principles, in particular that persons cannot be discriminated against because they are displaced and that the Principles are applicable to *all* displaced persons regardless of race, religion, national or ethnic origin, or political opinion. The section also acknowledges that among the internally displaced there are particularly vulnerable persons who may require special attention – children, especially unaccompanied minors; women, especially expectant mothers, mothers with young children and female heads of household; persons with disabilities; and elderly persons.

Section II of the Principles concerns protection from displacement and innovatively articulates a right *not* to be arbitrarily displaced. It also specifies when displacement is not permissible and the minimum guarantees to be complied with, should displacement occur.

Section III, the heart of the Principles, concerns protection during displacement. It sets forth the civil, political, economic, social and cultural rights that internally displaced persons enjoy. For example, it provides that internally displaced persons should have access to food, water, shelter, clothing, medical services and sanitation essential to their survival. And it stipulates that they should be protected against all manner of human rights abuse, including direct assault, sexual violence, attacks on their camps and settlements, being arbitrarily detained or held hostage in camps, or being forcibly returned to or resettled in places where their life, safety, liberty and/or health would be at risk.

Section IV on humanitarian assistance reaffirms the primary role of the national authorities in providing such assistance but affirms that when the authorities are unable or unwilling to do so, international organizations have the right to offer their services and consent shall not be arbitrarily withheld. Indeed, rapid and unimpeded access is to be provided. As concerns the organizations that provide humanitarian relief, they are expected to give due regard to the protection and human rights of the affected population and take steps in this regard. The protection of humanitarian workers is also included in this section. Such persons, it says, shall not be the object of attack or other acts of violence.

Section V of the Principles on return and resettlement emphasizes the right of the internally displaced to return voluntarily and in safety to their homes or to resettle voluntarily in another part of the country. This section further provides for the recovery of property and for compensation or reparation if recovery is not possible.

Although the Principles are not a legally binding instrument like a treaty, they have come to acquire in a relatively short period of time a good deal of international standing and authority. All the international humanitarian, human rights and development agencies and NGO umbrella groups in the UN's Inter-Agency Standing Committee have endorsed them. The UN General

Assembly and Commission on Human Rights have called for their wide dissemination and application. Indeed, this year's resolution of the Commission on Human Rights, adopted unanimously by 53 states, including Indonesia, encourages the dissemination and application of the Principles and "notes with appreciation that an increasing number of states, United Nations agencies, and regional and non-governmental organizations are making use of the Guiding Principles." In addition, the UN Secretary-General has called upon the Security Council to encourage states to observe the Principles, and the Security Council has begun to cite them in its resolutions and presidential statements. Regional intergovernmental organizations have also begun disseminating and applying the Principles, in particular the Inter-American Commission on Human Rights of the Organization of American States; the Organization for Security and Cooperation in Europe; and the Organization of African Unity. In the Asian region, the Asia Pacific Forum of National Human Rights Institutions decided in August 2000 to encourage its member institutions to integrate issues of internal displacement and the Guiding Principles into their work, and non-governmental organizations in Asia have raised visibility to the needs of internally displaced persons and developed outreach programs around the Guiding Principles. Governments too in different parts of the world have begun to base their policies and laws on the Guiding Principles.

In the discussion, several participants expressed concern about the non-binding nature of the Principles and wondered whether a legally binding convention should be undertaken so that the Principles could become part of national law. However, it was pointed out that the Principles, although non-binding, do reflect and are consistent with international humanitarian and human rights law, which is binding, and which provide a good deal of coverage for the internally displaced. Moreover, a convention would take years, even decades, to be drafted, ratified, and come into force. In Indonesia and many other countries, the problem was too pressing to wait. The Principles offer an immediate text that brings together in one document all the law applicable to the internally displaced and restates its provisions to make them relevant to the internally displaced. They have been found useful by a growing number of governments, regional intergovernmental organizations, international agencies and NGOs. Indeed, some governments have already made the Principles a part of their law; others are monitoring their laws in terms of the Principles; and still others have adopted policies based on the Principles. It was therefore not essential that the Principles be a binding instrument.

Several participants suggested that an institution be created to oversee the application of the Principles. Others called attention to the concerns of the most vulnerable groups of internally displaced persons, especially the disabled and the elderly. The Principles, it was reiterated, specifically highlight the concerns of these groups.

The question of whether the internally displaced fall under national or international responsibility was also raised. While primary responsibility for the displaced rests with their government, it was pointed out that international organizations and non-governmental organizations have important roles to play and that governments should ask for international cooperation in dealing with the problem of internal displacement. Indeed, worldwide there is a growing involvement of international organizations and NGOs in situations of internal displacement. One could even speak of an emerging international responsibility to assist and protect persons forcibly displaced and at risk in their own countries.



## THE NATIONAL RESPONSE TO INTERNAL DISPLACEMENT

Dr. Enny Soeprapto chaired the session in which Mr. Budi Atmadi, Assistant Deputy for Rehabilitation and Reconstruction at the National Coordinating Body for Disaster Management and IDPs (Bakornas PBP), gave an overview of his agency's role in assisting IDPs in Indonesia. In early 2001, Bakornas PBP through Presidential Decree No. 3 was given the primary responsibility within the government to respond to internal displacement in Indonesia. Bakornas PBP is chaired by the Vice President and has developed general guidelines for addressing the displacement problem. Its operations are conducted via secretariats and coordinating bodies at the national (bakornas), provincial (satkorlak PBP) and district (satlak PBP) levels, and are based on cooperative relationships. (For additional information on Bakornas PBP, see the coordination section below.)

Mr. Atmadi reported that government assistance to internally displaced persons is substantial, in the trillions of rupiah, although additional funds were needed for relief and the creation of new IDP settlements. He acknowledged that there are many difficulties in addressing the plight of IDPs. To begin with, strategies needed to be developed not only for the period of displacement but before displacement takes place and after it has occurred. The needs of IDPs, moreover, are quite varied so that responses have to be tailored to particular conditions. Tensions between the IDPs and the local population also had to be addressed. Further, newly implemented decentralization legislation was affecting intergovernmental coordination and causing conflicts. Greater accuracy in data collection was needed to enhance policy and programs for IDPs and criteria should be identified to help guide distribution of assistance to IDPs.

Bakornas PBP was open to establishing partnerships with non-governmental organizations to improve the planning and implementation of programs. It was also prepared to cooperate with the proposed National Commission for IDPs and Community Recovery.

The Vice Governor of Maluku province, Paula Reyaan,<sup>4</sup> commented on the situation in Maluku where riots and internal conflicts continued to lead to loss of life, displacement and destruction of property. The authorities were trying to distribute basic necessities but faced many challenges. In particular, the displacement of many government officials made it difficult for the government to perform services. There was a lack of temporary shelter, and there were difficulties in transportation to and from remote islands and regions. There also is a need to address the disparity between assistance efforts in Maluku and North Maluku. Reference was made to the considerable amount of economic activity undertaken by the IDPs themselves. However, if IDPs remain too long in one place, tensions occurred with the local community. Yet returns to their homes were not always possible because of lack of safety. Relocations have therefore been proposed but they raise rights issues, in particular freedom of movement.

In the discussion, participants urged greater transparency and accountability on the part of government agencies with regard to relief efforts for IDPs. Some pointed out that aid was not reaching the IDPs for whom it was intended, which needed to be addressed. Others questioned the amount of funds the government reported it was spending on IDP needs. Still others pointed

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<sup>4</sup> Her statement was read out by Piet Pustamu, Head of Public Works in Maluku, on behalf of the Vice Governor, who was unable to attend.

out that decentralization was leading to confusion with regard to the funding of programs for IDPs. Many called for expanded cooperation between the local authorities and NGOs in the provision of assistance and underscored the importance of engaging civil society in carrying out programs. Indeed, NGOs, it was pointed out, often had the most effective programs. Better coordination was also needed at Bakornas PBP at the national, regional and local levels. Participants also urged the government to develop more effective strategies for dealing with the problems facing internally displaced women and children. In particular, they called attention to the need for psycho-social programs to deal with the impact of violence and displacement, more effective protection of women from sexual violence, better data collection on the needs of women and children, and overcoming the obstacles preventing internally displaced children from attending school.

### A National Commission for IDPs

At an evening session, Professor Holil Soelaiman of the University of Indonesia, and Dr. Imam Prasodjo, Director of the Center for Research on Inter-group Relations and Conflict Resolution (CERIC), underscored the importance of setting up a National Commission for Internally Displaced Persons and Community Recovery (Komnas Pengungsi dan Pemulihan Komunitas). They pointed out that internal conflict and inter-communal violence in many parts of Indonesia, combined with the escalating number of internally displaced persons, had produced serious economic, political and social disruption in the country. Indeed, much of Indonesia was experiencing an emergency situation. This required the establishment of a national body that would address the problem comprehensively.

The goals of the Commission would be to: 1) establish a network of information centers in areas with significant populations of displaced persons to assess the needs of the displaced and the communities hosting them, and research the roots of the conflicts that produced displacement; 2) set up a recovery program that would bring together in working groups local, provincial and national authorities, members of international organizations, local NGOs, the local community, civil society and the displaced themselves. The working groups would address both the needs of the displaced and the host communities and ensure that the affected populations play active roles in their own assistance and development; and 3) undertake pilot projects in areas of urgent need.

The Commission would act as a facilitator and overall promote a “bottom up” approach that brings together organizations and individuals from different disciplines on behalf of the displaced. In the short term, the Commission would focus on the formalization of its statute and bylaws; the creation of a mechanism for data collection; resource mobilization; and strengthened coordination and integration among the parties concerned. In the medium and long term, it would place emphasis on the social and economic empowerment of IDPs and the local community, the recovery and development of both, and the provision of services to IDPs to enable the enjoyment of their civil, political, economic and social rights.

In the discussion, it was pointed out that the relationship of the National Commission to Bakornas PBP would have to be carefully worked out so that they complemented and reinforced one another.

## Rebuilding Social Trust and Solidarity in Situations of Mass Displacement

In a session chaired by Dr. Adhi Santika from the Ministry of Justice and Human Rights, Dr. Imam Prasodjo of CERIC emphasized the importance of rebuilding trust in situations of massive displacement that threatened to divide and destabilize the nation. When a nation's social capital has been destroyed through conflict, disaster and displacement, the element of trust that binds individuals and communities together becomes lost. The best route to recovery therefore is through an approach that seeks to restore social capital and rebuilds bonds of trust, solidarity and interdependency between groups and individuals.

Dr. Prasodjo suggested five elements for the establishment of a climate of trust:

- 1) Delivery of emergency aid in a timely, organized and non-discriminatory manner (free of ethnic, religious, racial or cultural favoritism) through the formation of rapid response units so that the displaced feel cared for and inter-group cooperation is restored.
- 2) Dialogue between the host community and those displaced so that both are involved in the planning and implementation of solutions for the displaced. An example of participatory community development planning that promotes trust and rebuilds broken ties was the effort made in Tual, where Muslims and Christians worked side by side to rebuild homes that were destroyed in the conflict between the two groups.
- 3) Creation of an atmosphere of safety and security through a united effort involving members of the local community and members of the police and military. A safety and protection program would provide space for interaction among the different parties and facilitate humanitarian action.
- 4) The emergence of a "peace zone" to provide protection and refuge from violence and also foster a community active and skilled in the prevention of violence and able to plan for its own future.
- 5) The creation of a network of information centers to assess short-term and long-term needs of the displaced and the host community, enhance coordination of response, and promote dialogue.

The intended result of all these efforts would be to help make peace more sustainable by rebuilding trust between the IDP population and the overall affected community.

## The Needs of Women and Children

Livia Iskandar of the National Commission on Violence Against Women (*Komnas Perempuan*) emphasized the special needs that women and children have in situations of displacement. Not only do they face problems of physical security but also psychological trauma as they lack security during displacement as well as in places of expected refuge, such as IDP camps. Among the dangers that women and children face in camps are: rape, domestic violence, sexual harassment, the trafficking of women and children to other regions, and prostitution managed by militias and the military. Moreover, humanitarian aid is often delivered to the head of the family, resulting in women not receiving their fair share.

Ms. Iskandar called for increased gender sensitivity in programming as well as special facilities to address women's reproductive and mental health needs, especially post-traumatic stress syndrome. At the same time, women often acted as agents of change in situations of conflict and displacement and played an active role in the organization and management of camp affairs. As survivors of conflict, they often pressed for the provision of counseling services and for economic empowerment efforts in the form of microcredit schemes. Greater attention needed to be paid to gathering accurate and relevant statistical data on internally displaced women and children. The working group on this subject (see below) would have the opportunity to discuss in greater depth the challenges that women and children face and come up with specific recommendations.

## **THE RESPONSE OF NATIONAL AND INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS: THE RED CROSS MOVEMENT**

The Secretary-General of the Indonesian Red Cross (PMI), Mr. Iyand Iskandar, and representatives from the International Committee of the Red Cross (ICRC), Marguerite Contat and Peter Isley, described the activities of the Red Cross Movement in assisting internally displaced persons in Indonesia and internationally. The Movement operates on the basis of seven principles: humanity, impartiality, neutrality, independence, voluntary service, unity and universality. Presidential Decree 26 (1993) had requested PMI to handle victims of natural and man-made disasters in Indonesia, who are primarily IDPs. PMI coordinates with the various mechanisms of Bakornas PBP to deliver humanitarian assistance to the internally displaced. It is one of the few organizations that has access to and operates on both sides of the conflict in Aceh. It engages in humanitarian assistance, evacuation of persons to safe places, and reunification of separated family members.

As a neutral and independent intermediary, the ICRC seeks to maintain the confidence of all sides, which is not always easy to achieve in internal conflict situations. The ICRC is present in Aceh and lends support to PMI through capacity building and in the training of the armed forces and police in humanitarian law. The Indonesian Government is party to the four Geneva Conventions and therefore is bound to apply the provisions of the Conventions to all civilians affected by armed conflict, including the internally displaced. International humanitarian law is legally binding on both states and non-state actors and addresses most of the problems associated with internal displacement in situations of armed conflict. There is, however, no specific mention of the term, internally displaced person, in humanitarian law. The ICRC contributed to the development of the Guiding Principles on Internal Displacement, which give specific guidance to all those involved with internal displacement. It should be borne in mind, however, that IDPs are not the only persons affected by conflict. In situations of armed conflict and internal disturbances and tension, the ICRC seeks to give priority to those in most urgent need, whether or not they are displaced.

In the discussion it was pointed out that although the needs of *all* persons affected by armed conflict must be addressed, IDPs have special needs by virtue of their displacement, which required special attention. IDPs should be seen as an entry point to dealing with other affected civilians.

The relationship between the Geneva Conventions and the Guiding Principles was also commented upon. Humanitarian law, it was pointed out, while addressing “most” problems facing internally displaced persons in armed conflict, does not address all problems. There were gaps and gray areas in the law with regard to questions such as property restitution, documentation, a prohibition against return to areas of danger, and other issues. Indeed, these gaps and gray areas were a major reason why the Guiding Principles were drafted. Further, international humanitarian law does not apply to all situations in which IDPs can be found. It applies only to situations of armed conflict, whereas IDPs can be found in situations that fall short of armed conflict, such as riots and inter-communal violence. IDPs can also be found in situations of natural disaster to which humanitarian law does not apply. The Guiding Principles fill these gaps. At the same time, the relationship between the Guiding Principles and the Geneva Conventions is a complementary one. The Guiding Principles are based upon and reinforce humanitarian law by restating its provisions and tailoring them to the specific needs of the internally displaced.

Some participants underscored that it is often not the law, or lack of law, but rather the lack of political will that hinders the protection and assistance of IDPs.

Several expressed confusion with regard to which international agency is responsible for assisting IDPs. Some pointed out that the needs of IDPs were so broad that they exceeded the capacities and expertise of any single organization. Others questioned why UNHCR did not become involved with IDPs in Indonesia, pointing out that there was no distinction in the Indonesian language between external and internal displacement. UNHCR, however, it was explained, has a mandate that applies only to refugees. When it becomes involved with IDPs, certain criteria have to be met: a request by the UN Secretary-General or another UN organ; consent of the state concerned; and the necessary resources. The new IDP unit being created in the Office for the Coordination of Humanitarian Affairs (OCHA) should help the UN in making assessments and recommendations as to which agencies would be responsible for IDPs in particular situations. Some observed that if international organizations were willing to put aside their competitiveness and focus on better implementing their respective mandates, a more integrated and efficient system for addressing the needs of IDPs would result.

With regard to the issue of neutrality, participants raised concerns that PMI in Ambon as well as NGOs and humanitarian organizations in other areas were not always perceived as neutral. In Aceh, those working on behalf of IDPs were often suspected of taking sides in the conflict, since IDPs themselves are seen as partisan. However the presence of the Red Cross Movement in Aceh, it was underscored, overall contributed to an atmosphere of lessened hostility. Some suggested that PMI extend its presence to new areas, such as Sampit, and share its equipment (such as boats) with other organizations when there is a demonstrated need. It was also suggested that the ICRC maximize its role in assisting IDPs, including in natural disaster

situations, since UNHCR does not regularly help them and there is no one agency designated to address their needs. It was also suggested that the ICRC and PMI engage in advocacy for IDPs and in particular encourage the Government of Indonesia to develop specific legislation on IDPs.

## **WORKING GROUP DISCUSSIONS AND RECOMMENDATIONS**

Participants met in seven different working groups, composed of some 15-20 participants each, to discuss in greater depth the following subjects: the basic needs of IDPs; internally displaced women and children; education; safety and protection; economic empowerment; information systems; and coordination. The following sections summarize the discussions, findings and recommendations of each group, which later were presented to the entire seminar.

### **1. Basic Needs of Internally Displaced Persons**

Working group members agreed that the basic needs of IDPs encompass both material needs and physical safety as well as mental and spiritual needs. During the emergency phase, basic needs include clean and potable water, temporary shelter, food, clothing, cooking utensils, medical services, immunization, safety, protection against attacks, evacuation, and information on the whereabouts of family members. In addition, the psychological aspects of IDP situations and the need to heal traumatic experiences, especially of women and children, need to be addressed.

The group heard presentations by Dr. Maman Daljusman and colleagues from the Jakarta chapter of the Indonesian Doctors Association (Ikatan Dokter Indonesia) and Dr. Jose Rizal Jornalis of the Medical Emergency Rescue Committee (Mer-C) who described what was needed for a rapid and effective assessment of the basic needs of IDPs and the host community. In short, they discussed how to get the right category of provisions in the right amount to the right people and at the right time and in the right location. They underscored that the assistance provided to IDPs should carefully correspond with their actual needs, which was not always the case.

Working group members observed that both the nature of the conflict which led to internal displacement and the location of the IDPs have bearing on their needs. Individuals and families experiencing social disruptions and physical attacks would have different needs than others. Moreover, IDPs in Aceh, Maluku and Kalimantan all have distinct backgrounds and situations with implications for their needs.

To provide an accurate and efficient response to the IDP situation, needs would have to be identified in both the emergency and post-emergency phase. Pre-assessment and other rapid instruments for needs identification would have to be improved and deployed more effectively. Standards also would be useful to help measure gaps.

Coordination should have an information component. In particular, a clearinghouse of information should be established to communicate who is doing what, where, and when in response to basic needs. Capacity building of national and local emergency response units would also be required. In addition, an independent audit instrument should be made a part of the delivery system to help assure its effectiveness.

Assistance, working group members underscored, should be provided in a manner that does not create dependency, and it should be sensitive to the local diet. It was also emphasized that assistance to host families and the community should be explored when helping IDPs.

## 2. Internally Displaced Women and Children

The working group called for greater attention to both the physical security and psychological needs of internally displaced women and children. Because issues pertaining to women and children cut across all sectors, the group's recommendations covered a broad range of categories: basic needs, economic empowerment, education, safety and protection, information, coordination, and law.

With regard to basic needs, the working group called for accurate and detailed data on internally displaced women in order to assure their effective access to food, shelter, sanitation, and reproductive health care. Reliable information was also needed on both the physical and mental health of internally displaced women. In addition, greater gender sensitivity was needed in the implementation of projects focused on basic needs. As concerns children, attention should be paid to their need for shelter; regular and routine educational and recreational programs; group and individual counseling; and the fostering of support groups from the community, family and peers.

To promote the economic empowerment of women, it was recommended that women have access to credit; be given land in safe places in exchange for land to which they were unable to return; be permitted to commonly hold land and forested areas; and receive unemployment benefits.

Greater attention also should be paid to the education of both women and children. In the case of internally displaced women, the social and human capital available in camps should be identified and education and training conducted to benefit women. With regard to education for children, it was recommended that a specific policy be developed to provide for broader and freer access of internally displaced children to school. Additional state and local funds to cover education for internally displaced children were also recommended.

Discussions on safety and security issues led to recommendations for the creation of peace zones; the formation of women's groups within camps; women's participation in security forces; free public access to facilities for locating lost family members; and the creation of programs to monitor and prevent violence against children. In conflict areas, such as Aceh, halting the flow of weapons and sales among armed groups was considered critical.

In the case of information, more detailed and accurate data collection on both women and children was called for and the enlisting of government bodies such as the State Ministry for Women's Empowerment to help with policy formation.

With regard to the coordination process, in which women were generally marginalized and children not often part of the agenda, the involvement of women in every aspect of the decision making process was called for and at least 50 percent involvement of the local, national and

international NGOs that place importance on women's issues. Coordination should also assure sensitivity to the rights of internally displaced children.

In matters of law, it was recommended that legislation be adopted to protect women from violence, to guard women's rights to property and assets, to acknowledge the role of women as providers, to provide for gender sensitivity in the application of customary law, to ensure the participation of women in negotiation processes, and to acknowledge the right of women to determine their own future.

### 3. Education

The most significant problems identified by the working group on education were the lack of access that many internally displaced children have to formal education, and the sub-standard quality of the education when it is available. Moreover, internally displaced children who have experienced trauma and separation from families need special educational programs.

The working group emphasized that education for IDP children is not generally considered a priority and that attitudes toward it are usually less than positive. Often the government is incapable of fulfilling educational needs, especially in the case of IDP children. Nonetheless, every child has the right to education, as stipulated in the constitution and various laws and regulations. Moreover, the primary responsibility for the education of children lies with the government, the family and society. IDP children and host community children should have equal access to non-segregated education.

It was recommended that the government become more responsive to the handling of education of children in IDP camps and in places where conflict is occurring. To this end, cooperation needed to be strengthened between the government (at the national and regional levels), NGOs (international, national and local), and IDPs in addressing educational needs.

It was also recommended that the education of internally displaced children should combine both the national standard curriculum and the specifics of the community in question so as to ensure respect for local culture and include multicultural and inter-religious approaches. The training of teachers in IDP settings was also considered essential to ensuring that minimal standards of education are met.

Overall, it was urged that every effort be made to ensure that internally displaced children receive education in formal schools or, in emergency situations, in camps, and that resources be made available for this purpose.

### 4. Safety and Protection

The term "safety and protection of IDPs" was interpreted to encompass both their physical security and the fulfillment of their basic human rights and fundamental freedoms, prior to, during and after displacement. The working group considered respect for the rule of law to be the most essential element of the concept of safety and protection.



The group made the following recommendations to enhance safety and protection for IDPs:

- A comparative study should be undertaken of the content of the Guiding Principles on Internal Displacement and relevant national legislation, in particular law 39/1999 on human rights, in order to enhance the implementation of both.
- The Guiding Principles should be disseminated to all key actors dealing with internally displaced persons. They should also be translated into local languages and transformed into different mediums for multimedia purposes.
- Police and military personnel should be trained in effective practical steps to assist internally displaced persons with protection needs.
- Minimum security measures should be instituted to protect the state apparatus as well as non-state parties in carrying out their respective duties in dealing with the internally displaced.
- Easy access to humanitarian workers should be facilitated so as to ensure that they are able to effectively carry out their mission, including dealing with casualties and transporting injured persons. An appropriate mechanism should be established for this purpose.
- An information center should be set up so that all parties have access to accurate information on IDPs.
- Information should be provided to IDPs about the local culture, customs, etc. of populations in areas where they seek refuge and resettlement.
- Safety and protection should be provided IDPs following their return to their places of origin or their relocation in other areas. In this connection, special attention should be paid to the most vulnerable groups among the IDPs, in particular women and children.
- Appropriate measures should be taken to empower populations in the areas hosting IDPs so that they are receptive to IDPs and do not feel disadvantaged by their presence.
- To build confidence among the people affected by the conflict, civic missions should be conducted by the military.
- Efforts should be made to identify and address the root causes of displacement so as to prevent the recurrence of displacement.
- The capacity of the police apparatus to take anticipatory preemptive and preventive measures should be enhanced with a view to preventing further displacement.

The working group considered that these recommendations could be implemented in an integrated manner in accordance with Presidential Decree No. 3/2001. As a matter of priority, it called for the immediate dissemination of humanitarian principles and law to all those concerned, including the police and military personnel, regional governments, non-governmental organizations, local communities hosting IDPs as well as the IDPs themselves.

## 5. Economic Empowerment

All efforts to promote the economic empowerment of internally displaced persons would have to take into account problems of safety and peace. Bearing this in mind, the following recommendations were made by this working group to promote the economic empowerment of IDPs:

- The identification and development of areas with the potential of becoming pluralistic economic zones;
- The development of economic networks;
- The establishment of small scale economic self-subsistence projects;
- An inventory of the economic potential of IDPs;
- The according of priority to women's empowerment in economic activities;
- The involvement of strategic groups to ensure a climate of safety and peace for economic activities.

The following recommendations were made to national and local governments and to international, national and local NGOs:

- More intensive dissemination of the Guiding Principles on Internal Displacement;
- Insistence that humanitarian assistance programs be connected to a process of peace and reconciliation;
- Intensification of economic empowerment efforts for inhabitants in areas which have succeeded in creating a climate of peace;
- The formation of economic forums of discussion to engage various groups, especially those involved in the conflict, in the planning of economic activities.

The options available in each region, it was noted, would vary, depending on the needs of the particular area, and would have to be carried out in accordance with the local context, local materials and local skills.

## 6. Information Systems

Far greater attention should be paid to the development of information systems for IDPs. To this end, the working group recommended that guidelines be developed to strengthen and improve the collection, compilation, and verification of data on IDP communities and others in need. It also recommended that consideration be given to the designation of information focal points at the provincial, district and sub-district levels (satkorlak, satlak and kecamatan) and at the national level (bakornas). At the provincial and district levels, the focal point would collect key government administrative and technical data as well as data from the NGO community. At the national level the focal point would prepare an overall picture of the IDP situation in the country. All sources of information would be identified and analyzed by relevant professionals for completeness and accuracy. In addition, data would be collected from NGOs (national and international), universities and other sources. This information would be assessed for accuracy and completeness as well and would be published. The creation of such an information system would lead to improved data at Bakornas PBP: it would provide a picture of IDPs in specific crisis areas as well as a critically needed overview of the overall IDP situation.

The working group recommended a more "bottom-up" approach for data collection, compilation and dissemination of information, going from sectoral information sources (eg. health, education sectors) and NGOs to the district, provincial and national levels and to Bakornas PBP.

It also recommended that the information system include information on all affected populations, not only IDPs, and advocate targeting the most needy populations. The information system would also be expected to provide information to IDPs and NGOs about IDP rights and the programs that assist IDPs. By making public the available data on programs for IDPs, accountability would be strengthened.

## 7. Coordination

By means of background, the Government of Indonesia recently assigned the added task of coordinating assistance for IDPs to the National Coordinating Body for Disaster Management (Bakornas PB becoming Bakornas PBP), based on Presidential Decree No. 3/2001. This body is chaired by the Vice President and has 11 Ministers as its members. At the national level, the secretariat of Bakornas PBP has four deputies, one of whom would be in charge of IDPs. At the provincial level Satkorlak PBP is chaired by the Governor, and at the district level Satlak PBP is chaired by the Bupati or Mayor. Bakornas PBP is supposed to coordinate mainly the activities of government ministries and institutions.

The working group recognized that ultimate responsibility for rescuing, securing and protecting IDPs rests with the government. Although the government welcomes the participation of other parties, Bakornas PBP is a completely top-down structure and has not been fully staffed. As a result, it has not been able to effectively function. Indeed, the situation of Indonesia's 1.2 million IDPs has not been appropriately dealt with, and their living conditions are getting worse while they wait for a response to their basic needs as well as to their security, protection and economic recovery concerns. The response has been fragmented with many gaps and overlaps.

What is needed is more effective operational coordination between the government and NGOs, and among the NGOs (local, national, and international) that are taking part, or intend to take part, in activities to help IDPs. Such coordination requires communication, transparency, good will, good governance, mutual trust, equality, and a spirit of partnership among the parties concerned. However, effective coordination has been impeded by: poor communication and lack of mutual trust, good will, and a spirit of partnership among the parties concerned; a paternalistic and feudalistic attitude and behavior on the part of some individual officials involved; sectoral egoism resulting from a strict sectoral approach to national development; and a strictly sectoral budget allocation system.

In February 2001, a National Seminar on IDPs in Jakarta recommended that an independent, non-governmental and "bottom-up" National Commission on IDPs be established to synergize and integrate the activities of those who have been actively involved with IDPs. Given the support for this proposal, preparatory steps were taken following the seminar toward the establishment of a commission. As a result, a National Commission on IDPs and Community Recovery is ready to come into being, the working group noted.

To promote effective coordination among the government, civil society, and international agencies and NGOs, the working group considered it important that a forum for coordination be set up at the national, provincial and local levels, where all parties or representatives of concerned parties (including Bakornas PBP, the National Commission on IDPs and Community Recovery, national and local NGOs, international agencies and NGOs) can sit together for the

benefit of IDPs. At the same time, since helping IDPs means working *with* them and not *for* them, IDPs should be well represented in the coordinating forum at the local level.

The following recommendations were made:

- The organization, status and role of the proposed National Commission on IDPs and Community Recovery should be re-examined and limited to producing policy and strategy recommendations.
- While the role of Bakornas PBP is to coordinate operational activities, the National Commission on IDPs and Community Recovery should play an effective role in formulating and recommending legislation and policy; acting as a focal point between the government and civil society; and advocating for and protecting IDPs, including their property and belongings.
- The National Commission should develop strategies that incorporate the Guiding Principles on Internal Displacement, and should disseminate the Guiding Principles to the public, including internally displaced populations.

## **SUMMARY OF OVERALL CONCLUSIONS AND RECOMMENDATIONS**

*General conclusions and recommendations.* Both in the plenary sessions and the working groups, participants called for more concerted efforts at the national, provincial and district levels to address the needs of IDPs so that “a generation of IDPs” would not be created. In particular, they called for the setting up of a formal consultative mechanism to bring together national, provincial and local government authorities with NGOs, civil society, and international organizations so that partnerships could be forged and more effective strategies developed for assisting and protecting IDPs. To achieve this purpose, strong support was expressed for the establishment of a National Commission for Internally Displaced Persons and Community Recovery (Komnas Pengungsi dan Pemulihan Komunitas). Conceived as an independent body based upon a “bottom up” approach, it would complement and reinforce the activities of the governmental body, Bakornas PBP. It would help bring together the different partners working for the displaced, advocate for IDPs and host communities, support their recovery and empowerment, and recommend policy and law in support of their needs.

Participants also considered essential the creation of an effective information system on internally displaced populations to enable different actors to gain a better understanding of IDP needs and inform their programming. Participants in particular called for better emergency needs assessments as well as information about who is doing what, where and when; more detailed data on the needs of women, children and other especially vulnerable groups among the displaced, in particular the elderly and the disabled; and information of needs in the post-emergency phase, in particular on the economic potential and skills of IDPs (see the information system design below). The importance of including non-governmental sources of information in the system was underscored as well as the need for the government to be more transparent in providing information.

To raise visibility to the rights of IDPs, participants called for the wide dissemination of the Guiding Principles on Internal Displacement, the first international standards for IDPs presented

to the UN by the Representative of the Secretary-General on Internally Displaced Persons. Although not a binding instrument like a treaty, participants recognized the utility and value of the Principles in serving as a guide for those working with the displaced. Participants called on all key actors to disseminate the Principles, in particular Bakornas PBP and the proposed National Commission for Internally Displaced Persons. In addition, they recommended the translation of the Principles into local languages and the translation into Bahasa Indonesia of the *Handbook for Applying the Guiding Principles*.

Participants considered that responsibility for IDPs should be shared. While recognizing that the government has primary responsibility for addressing the needs of internally displaced persons, participants also recognized that international humanitarian, human rights and development organizations and NGOs have important roles to play in support of the government's efforts. They urged government authorities to facilitate access and provide security for humanitarian staff so that they could reach internally displaced populations, especially in remote areas. And they called for more proactive roles by the organizations, including expanded presence in affected areas and greater advocacy.

In addressing the needs of IDPs, participants called for greater attention to be paid to host communities so as to minimize the potential for resentment and conflict. In particular, efforts should be made to extend material assistance both to IDPs and to host communities and steps should be taken to rebuild trust, solidarity and interdependence between different ethnic and religious groups. For instance, aid should be delivered in a timely, organized and non-discriminatory manner; dialogue should be introduced between the displaced and host communities; participatory community development projects should be undertaken; safety and security should be provided involving the local community, police and military; and efforts should be made to create "peace zones" in different regions.

*Basic Needs of IDPs.* Although basic needs are often defined in terms of material assistance, internally displaced persons also need protection of their physical safety and human rights and require attention to their psychological needs since many have undergone trauma. In addition, longer-term reintegration and development needs have to be addressed. To improve the provision of basic services to IDPs, minimum standards should be developed; an information clearing house set up; coordination improved; national and local emergency response units strengthened; and an independent audit instrument integrated into delivery systems.

*Women and Children.* The State Ministry for Women's Empowerment should become more involved in the development of policy toward internally displaced women and children. In particular, there should be increased gender sensitivity in programming; special facilities to address women's reproductive health and mental health needs; more accurate and detailed information about women and children, especially in the area of training and education; group and individual counseling for children; greater access of women to credit and land; and the adoption of legislation to protect women from violence, guard their rights to property and assets, and ensure their participation in negotiation and decision making processes.

*Education.* The Government should be far more responsive to ensuring that children in IDP camps and places of conflict have access to education and that resources are made available for

this purpose. Overall, the education of internally displaced children should be integrated with the education of local school children, and both be provided added support.

*Safety and Protection.* Humanitarian law and the Guiding Principles on Internal Displacement should be disseminated to police and military, regional governments, NGOs, local communities hosting IDPs and to the IDPs themselves. A comparative study should be undertaken of the Guiding Principles and Indonesian law with a view to enhancing the implementation of both.

Training should be provided the police and military in the practical measures to protect IDPs in all phases of displacement, including return and relocation, and protection should be assured as well to humanitarian workers and those of the state who assist IDPs. To prevent recurrence of displacement, the capacity of the police apparatus to take anticipatory preemptive and preventive measures should be enhanced, and specific measures should be taken, such as civic missions conducted by the military, to build confidence among people affected by the conflict.

*Economic Empowerment.* In order to economically empower IDPs, pluralistic economic zones should be created in which economic networks are developed, small scale self-subsistence projects introduced, the skills of IDPs identified, and women's involvement assured. In addition, incentives should be provided to communities that work toward and succeed in creating a climate of safety and peace for economic activities.

*Information Systems.* Guidelines should be developed to improve the collection, compilation and verification of data. The information should provide a picture of IDPs in specific crisis areas as well as an overview of the entire IDP situation, and also provide information about the rights of IDPs and the programs that exist to assist them. To this end, focal points should be designated at the provincial, district, sub-district and national levels to collect information from the government as well as from NGOs and other independent sources so as to enrich the information available from Bakornas PBP.

*Coordination.* Steps should be taken to establish a National Commission on Internally Displaced Persons and Community Recovery (Komnas Pengungsi) as a non-governmental partner to Bakornas PBP. As noted above, it would work together with the district, provincial and national arms of Bakornas PBP and also bring together all other relevant actors (international organizations, NGOs, civil society) so as to effectively improve coordination of assistance to IDPs and encourage more effective law and policy. IDPs themselves would actively participate at the local level. Further, the Commission would develop strategies that incorporate the Guiding Principles on Internal Displacement and disseminate them to the public and to IDPs.

## **CLOSING OF SEMINAR**

The seminar was closed by the Vice Governor of Central Kalimantan province, Mr. Nahson Tawai, representing the participants from the 10 provinces. He expressed the hope that a National Commission for IDPs would be created and that future seminars would be held, especially outside of Jakarta. The seminar also heard closing remarks by Staffan Bodemar, the Seminar Coordinator; Raymond Hall, Regional Representative for UNHCR who also chaired the session; Roberta Cohen, Co-Director of the Brookings Institution-CUNY Project on Internal

Displacement; Imam B. Prasodjo, Director of CERIC; and Michael Elmquist, Deputy Humanitarian Coordinator and Chief of OCHA Indonesia. They all agreed that it was very important that all the participants had the opportunity to share views on the problem of internal displacement and expressed the hope that the government's declared support for the establishment of a National Commission for IDPs would lead to a more comprehensive approach for dealing with internally displaced persons in Indonesia. They expressed the view that the Guiding Principles should become the framework for the proposed commission. They also expressed the hope that a network would develop as a result of the seminar and that the findings and recommendations of the seminar would be promoted by the participants and help to enrich policy and programs on behalf of the internally displaced.

## Annex I

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NUS, Singapore

Mariam Ali  
Singapore

## Annex II

### AGENDA

Tuesday- 26 June 2001

**8:00-9:00**                      **Registration** (Java Ballroom - Third Floor)

**9:00-9:15**                      **Welcoming Remarks**

*Rolf Carriere*, United Nations Resident/Humanitarian Coordinator a. i.

*Dr. Francis M. Deng*, Representative of the Secretary-General on Internally Displaced Persons, Co-Director, Brookings Institution-CUNY Project on Internal Displacement (Roberta Cohen of the Brookings-CUNY Project will present on Francis Deng's behalf)

**9:15-9:45**                      **A Global Overview of Internal Displacement**

In 1992, at the request of the UN Commission on Human Rights, the Secretary-General appointed a representative on internally displaced persons. This session provides an overview of the problem worldwide and examines the response of the international community, including institutional arrangements, country visits and the development of a legal framework.

Moderator: *Michael Elmquist*, Deputy Humanitarian Coordinator and Chief of OCHA  
Indonesia

Presentation: *Dr. Francis M. Deng*, Representative of the Secretary-General on Internally Displaced Persons (RSG on IDPs), Co-Director, Brookings Institution-CUNY Project on Internal Displacement (Read on behalf of Dr. Deng by Sivanka Dhanapala, NY Representative of the RSG on IDPs)

**9:45-10:00**                      **Opening of Seminar**

*General Agum Gumelar*, Coordinating Minister for Political, Social and Security Affairs

**10:00-10:30**                      **Coffee Break** (Outside of Java Ballroom)

**11:30-11:40**

**Closing of Public Session/Start of Seminar**

**11:40-12:45**

**Internal Displacement in Indonesia**

Moderator: *Dr. Enny Soeprapto*, Expert on International Refugee Law

Presentations: *Budi Atmadi*, Assistant Deputy for Rehabilitation and Reconstruction,  
Bakornas PBP

*Paula Reyaan*, Vice Governor of Maluku Province (Presented by Ir. Piet  
Pustamu on behalf of Paula Reyaan)

*Discussion*

Announcements

**10:30-11:30**

**Introduction to the Guiding Principles on Internal  
Displacement**

In 1998, the first international standards for internally displaced persons were presented to the U.N. Commission on Human Rights, entitled the Guiding Principles on Internal Displacement. The Commission and General Assembly have acknowledged them and encouraged their dissemination and application. They are being widely disseminated by the U.N. Regional organizations in Africa, Europe and the Americas have also acknowledged them, as have many NGOs. This session reviews their origin and content, and discusses the roles and responsibilities of states, regional organizations, U.N. agencies and NGOs in the application of the principles.

Moderator: *Dr. Djawahir Thontowi*, Dean of Law School, Islamic University  
(Yogyakarta)

Presentation: *Roberta Cohen*, Co-Director, Brookings Institution-CUNY Project on  
Internal Displacement

*Discussion*

**12:45-14:00**

**Lunch**

(Pre Function Room Located Outside of the Working Group Rooms)

**14:00-15:30**

**Introduction of the Themes to be Addressed**  
**During the Working Groups and Presentation on the**  
**Seminar's Objectives**

Moderator: *Dr. Adhi Santika*, Ministry of Justice and Human Rights

Presentations: *Dr. Imam B. Prasodjo*, Director, CERIC  
*Livia Iskandar Dharmawan*, Expert Staff KOMNAS PEREMPUAN

**Discussion**

**15:30-17:30**

**Working Groups** (Please See Below for Rooms)

**Working Group 1: Internally Displaced Women and Children** (Nusa Tenggara Room)

Theme to be addressed: The special needs of these vulnerable groups such as protection, counseling and assistance and the participation of internally displaced women in determining their needs and finding solutions.

Facilitator: *Dr. Chusnul Mari'yah*, Assistant Director, CERIC

Presentation: *Livia Iskandar Dharmawan*, Expert Staff; KOMNAS PEREMPUAN

**Working Group 2: Information Systems on Internal Displacement** (Nias Room)

Theme to be addressed: Existing information systems and suggestions for further action.

Facilitator: *Yaya Heryadi*, Researcher, Computer School, University of Indonesia

Presentations: *Dr. Puguh Irawan*, Expert Staff BPS  
*Charles MacFadden*, Expert Staff OCHA

**Working Group 3: Coordination** (Sulawesi Room)

Theme to be addressed: Cooperation between the authorities, civil society and international agencies-at the national, provincial and district levels.

Facilitators: *Dr. Djawahir Thontowi*, Dean of Law School, Islamic University (Yogyakarta)  
*Pujiono*, UNHCR

Presentations: *Budi Atmadi*, Assistant Deputy for Rehabilitation and Reconstruction,  
Bakornas PBP  
*Holil Soelaiman*, Chairman, Association of Indonesian Social Workers  
(AISW)

**Working Group 4: Basic Needs of Internally Displaced Persons** (Lombok Room)

Theme to be addressed: The material needs (food, health, shelter and sanitation) of IDPs and how these needs can be addressed in the context of the local population.

Facilitator: *Dr. Bambang Shergi*, Expert Staff, CERIC

Presentations: *Dr. Maman Daljusman*, IDI  
*Dr. Jose Rizal Jurnal*, Medical Emergency Rescue Committee (MER-C)

**17:30-19:00**

**Break**

**19:00-20:30**

**Dinner and Informal Presentation on the Proposed National Commission on Internally Displaced Persons and Community Recovery**

**(Pre Function Room Located Outside of the Working Group Rooms)**

Presentations: *Bambang W. Soeharto*, Designated Chairman of Proposed National  
Commissioner for Internally Displaced Persons and Community Recovery  
*Holil Soelaiman*, Chairman, Association of Indonesian Social Workers  
(AISW)  
*Dr. Imam B. Prasodjo*, Director, CERIC

**20:30-21:15**

**Meeting of Working Groups** (Same rooms as earlier)

All participants welcome. Mandatory attendance for facilitators, presenters and rapporteurs.  
Initial drafting of report.

**Wednesday-27 June 2001**

**9:00-10:00**                      **The Role of International and National Non governmental Organizations**

Moderator: *Jenny McAvoy*, Expert Staff, OXFAM

Presentations: *Marguerite Contat*, ICRC (Geneva)  
*Peter Isely*, ICRC (Jakarta)  
*Iyand Iskandar*, PMI

**10:00-12:45**                      **Meeting of the Working Groups** (Same Rooms as June 26) – including break

**12:45-14:00**                      **Lunch** (Pre Function Room Located Outside of the Working Group Rooms)

**14:00-15:30**                      **Meeting of the Working Groups and Finalizing of Report**

**15:30-16:00**                      **Coffee Break** (Pre Function Room Located Outside of the Working Group Rooms)

**16:00-18:00**                      **Working Group Presentations**

Working Group 1 Presentation: Facilitator or Designated Person from the Group

Working Group 2 Presentation: Facilitator or Designated Person from the Group

Working Group 3 Presentation: Facilitator or Designated Person from the Group

Working Group 4 Presentation: Facilitator or Designated Person from the Group

Working Group 5 Presentation: Facilitator or Designated Person from the Group

Working Group 6 Presentation: Facilitator or Designated Person from the Group

Working Group 7 Presentation: Facilitator or Designated Person from the Group

Discussion

**18:00-19:00**

**Concluding Remarks**

Presentation of Certificates: *Staffan Bodemar*, Seminar Coordinator

Moderator: *Raymond Hall*, Regional Representative, UNHCR

*Dr. Imam B. Prasodjo*, Director, CERIC

*Roberta Cohen*, Co-Director, Brookings Institution-CUNY Project on Internal Displacement

*Michael Elmquist*, Deputy Humanitarian Coordinator and Chief of OCHA Indonesia

**19:00**

**Closing of Seminar**

*Nahson Tawai*, Vice Governor of Central Kalimantan Province

## Annex III

### BACKGROUND INFORMATION NOTE

#### Background

##### *International*

During the 1980s and especially in the 1990s, the number of *internally displaced persons (IDPs)* has grown dramatically in many parts of the world. The reasons and root causes for these massive displacements include civil wars and other social conflicts. The number of people affected is not fully known, but the figure of 20-25 million is an estimate illustrating the magnitude of the problem. This number does not include the millions affected by large natural disasters, such as floods and hurricanes. While many IDPs remain displaced for many years, even over decades, a minority may be able to return to their homes or find a new permanent home within a reasonable short period. Since the 1990s, the number of IDPs, worldwide, exceeds the number of refugees.

##### *Indonesia*

Primarily as a result of civil conflicts since 1998, large numbers of persons have had to flee from one part of the country to another. Some have fled from one province or island to another province or island in Indonesia. Others have escaped only a short distance, to a neighbouring town, village or camp situation. The present number of IDPs in Indonesia, as officially recorded by Bakornas PBP, the concerned national authority, stands at over one million persons. The vast majority is displaced as a result of civil conflict, such as in Maluku, North Maluku, Sulawesi or Kalimantan, but a few thousand have been displaced following landslides and other natural disasters.

#### Global Response to the Problems of IDPs

While responsibility for the protection of, and assistance to, IDPs rests first and foremost with national governments and local authorities, the international community has increasingly been called upon to provide support and humanitarian assistance, often on a massive scale and in the context of assistance to other victims of conflict including refugees. Within the United Nations system, the *Emergency Relief Coordinator* is the focal point for this international response.<sup>5</sup> The *International Committee of the Red Cross (ICRC)* has a specific mandate to provide protection and assistance to victims of armed conflicts, internal disturbances and tensions, including IDPs. In general, ICRC's mandate is discharged in close co-operation with National Societies of the Red Cross/ Red Crescent, which are often the first and only organizations present at the inception of a disaster.

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<sup>5</sup> The Emergency Relief Coordinator is the Under-Secretary-General for Humanitarian Affairs who also heads the Office for the Coordination of Humanitarian Affairs (OCHA). In 2001, a special unit on internal displacement will be established in OCHA led by a Special Coordinator. UN agencies providing assistance to IDPs include the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA), the United Nations High Commissioner for Refugees (UNHCR), UNICEF and the World Food Programme (WFP).



Since his appointment in 1992, the principal responsibilities of the *Representative of the Secretary-General on Internally Displaced Persons (RSG on IDPs)* include serving as an advocate on behalf of IDPs and making recommendations on protection, assistance and reintegration and development support. He has been instrumental in developing the Guiding Principles on Internal Displacement, which were welcomed by the Commission on Human Rights and by the UN General Assembly. The Principles provide guidelines on Protection from Displacement, Protection during Displacement, on Humanitarian Assistance and on Return, Resettlement and Reintegration. The Representative also undertakes missions to countries with situations of internal displacement and dialogues with governments and concerned agencies in an effort to raise visibility to the problem and promote a more effective national and international response.

In addition, numerous non-governmental organizations provide essential assistance and life-saving services to IDPs over many continents. Other institutions have undertaken research and been advocates for IDPs as they find themselves in often desperately vulnerable situations. In this context, *the Brookings Institution*, has established a special research and promotional Project on Internal Displacement, which also aims to support the mandate and activities of the RSG for IDPs.

### National Response in Indonesia

The national institution for the coordination of disaster preparedness and response, Bakornas PBP (Badan Koordinasi Nasional Penanggulangan Bencana dan Pengungsi), in early 2001 through a presidential decree was given the added task of IDP Affairs. Bakornas PBP is the governmental focal point for international agencies providing humanitarian assistance, including to IDPs and to ensure a coordinated response of ministries and other national institutions.

A number of non-governmental agencies and academic institutions have called for more concerted efforts to assist IDPs and notably to seek solutions to IDP problems, both nationwide as well as for specific conflict situations. A number of initiatives have been taken in this regard, some of which have been supported by international agencies or bilaterally. Assistance is provided, seminars are held, working groups are created.

One such effort has led to a proposal for a National Commission for Internally Displaced Persons and Community Recovery. This was supported at a two day workshop held in February 2001 and a follow-up seminar on "IDPs: Mapping of Problems and Solutions". A further recommendation of the seminar was for the government to stipulate a set of legally binding rules for handling IDPs including addressing the political, social and economic rights of IDPs. The participants, who came from national and regional governmental institutions, the national parliament (DPR) and civil society, furthermore urged the government to ratify relevant international covenants and to adopt national acts and regulations on IDPs.

### International Supported Seminar on IDPs in Indonesia, 26-27 June 2001

Following an invitation from the Government of Indonesia, the Representative of the Secretary-General on IDPs, Dr. Francis M. Deng, plans to visit Indonesia. In conjunction with his visit, scheduled for the end of June 2001, the Brookings Institution/CUNY Project on Internal Displacement, supported by concerned UN agencies and two local agencies, is organizing a seminar with the following proposed overall objectives:

1. to update information on the IDP situation in Indonesia;
2. to further develop and strengthen an effective information system on IDPs;
3. to promote the dissemination of the Guiding Principles on Internal Displacement for addressing the needs and concerns of IDPs, and the application of basic principles through the legislative process;
4. to support the development of a concerted strategy to address IDP problems, inter alia by strengthening the cooperation and joint programming between governmental institutions, international organisations and civil society, and among NGOs, in meeting the needs of IDPs;
5. to consider the special needs of IDP women and children as well as of host communities, and promote their respective participation in developing response programmes;
6. to consider the proposed tasks and responsibilities for the proposed National Commission for IDPs and Community Recovery

Under these objectives, the seminar would deal with the following seven specific theme areas:

- IDP Women and Children, special needs of protection, counseling and assistance - and women participation in determining needs and solutions;
- Coordination and Information Systems: presentation of existing systems and suggestions for further action – and the role of media;
- Cooperation among the authorities, civil society and international agencies at the national (Bakornas PBP), provincial (Satkorlak) and district (Satlak) levels;
- Basic Material Needs of IDPs: food, shelter and health and sanitation; also seen in context of the needs of the local population;
- Education: access of IDP children to schooling – access to regular schools and/or alternative education;
- Economic Empowerment as part of solutions – peace promotion, returns, reintegration and resettlement;
- Safety and Protection of IDPs.

It is hoped that the seminar would result in conclusions and recommendations for supportive and follow-up action, such as:

- Supportive recommendations towards an integrated approach to the situation of internal displacement in Indonesia.

- A network of national, provincial and local authorities, international organizations and civil society organizations involved in work for IDPs;
- The development of specific frameworks based on the Guiding Principles on Internal Displacement to support the national authorities, notably Bakornas PBP, such as through the proposed Komnas Pengungsi;
- Establishment of continued core team cooperation in specific sectors;
- Pilot projects for immediate implementation;
- Publication and dissemination of seminar documentation and results in book form;

Staffan Bodemar  
Seminar Coordinator  
24 June 2001

## **Annex IV**

### **LIST OF STATEMENTS, PAPERS AND ARTICLES DISTRIBUTED**

“Agum Dukung Pembentukan Komnas untuk Pengungsi,” KOMPAS, Halman 10, Juni 27, 2001.

*Basic Needs and Protection*, by Jenny McAvoy, OXFAM-GB, June 26-27, 2001.

*Coordination: Authority, Civil Society and International Institution*, by Holil Soelaiman, Association of Indonesian Social Workers (IASW), June 2001.

*Deepening the Response: Alleviating the Plight of Indonesia’s Internal Refugees*, by Rolf C. Carriere, UNICEF, June 26, 2001.

*Economic Empowerment of IDPs*, by Jenny MacAvoy, OXFAM-GB, June 26-27, 2001.

“Exodus within Borders,” by Roberta Cohen and Francis M. Deng, *Foreign Affairs*, Vol. 77, No. 4, July/August 1998.

*Global Overview of Internal Displacement*, by Francis M. Deng, Representative of the UN Secretary-General on Internally Displaced Persons, June 26-27, 2001.

*Guiding Principles on Internal Displacement- Introduction*, by Roberta Cohen, June 26-27, 2001.

“The Guiding Principles on Internal Displacement: A New Instrument for International Organisations and NGOs,” by Roberta Cohen, *Forced Migration Review*, (2) August 1998.

*Information Note on ICRC Activities Relating to Internal Displacement*, ICRC, July 2000.

*Internal Displacement in Indonesia: Information Systems Working Group*, by Charles MacFadden, OCHA, June 2001.

*Internally Displaced Persons: The Mandate and Role of the International Committee of the Red Cross (ICRC)*, ICRC, February 2000.

*Kebutuhan Dalam Bidang Kesehatan Bagi Pengungsi Internal di Indonesia*, by Dr. Maman Daljusman Malik et al., Ikatan Dokter Indonesia (IDI) Jakarta, Juni 2001.

*Pengalaman Bersama Kegiatan Ibu Maju Anak Bermutu*, by Dr. Soemiarti Patmonodewo, Crisis Center-University Indonesia, Juni 2001.

*Penanganan Pengungsi (Tinjauan dari Aspek Koordinasi)*, by Budi Atmadi Adiputro, Sekretariat Badan Koordinasi Nasional Penanggulangan Bencana Dan Penanganan Pengungsi, (Bakornas PBP), 2001.

*Perempuan dan Anak Pengungsi*, by Livia Iskandar Dharmawan, KOMNAS PEREMPUAN, Juni 2001.

*Post Conflict Recovery Programme for North Maluku & Maluku: UNDP Contribution to Reinforce Efforts that Promote Reconciliation and Recovery*, UNDP, May 2001.

*The Proposed Nation-wide Study on the Livelihood of Internally Displaced Persons (IDPs) in Indonesia*, by Puguh B. Irawan, BPS and Lenard Milich, VAM-WFP, June 2001.

*Rebuilding Trust and Hope in IDPs*, by Imam B. Prasodjo and Anne Shoemake, Center for Research on Inter-Group Relations and Conflict Resolution (CERIC), June 2001.

*Refugee and Internally Displaced Women: A Development Perspective*, by Roberta Cohen, Brookings Institution-Refugee Policy Group Project on Internal Displacement, November 1995.

*Safety and Protection of Internally Displaced Persons*, by Enny Soeprapto, UNHCR Consultant, June 2001.

*Safety and Protection for IDPs*, by Kombespol Gories Mere, Wakapolda NTT, June 2001.

*Shadow Plays: The Crisis of Refugees and Internally Displaced Persons in Indonesia*, by the U.S. Committee for Refugees (USCR), January 2001.

*Sistem Informasi Penanggulangan Bencana Indonesia*, by Badan Koordinasi Nasional Penanggulangan Pengungsi, 2001.

TEMPO magazine articles by AKSARA on internally displaced persons, 11-17 Juni 2001.

*Welcoming Statement*, by Francis M. Deng, Representative of the Secretary-General on Internally Displaced Persons, June 26, 2001.

*Working Towards Effective Models for the Education of IDPs And Refugee Children in Indonesia*, by Donna L. Holden, Save the Children-UK, June 2001.