Foreword

Romola Adeola has masterfully covered the critical areas of concern for the plight of persons who have been forcefully displaced within the borders of their own countries. Although the causes of their displacement are almost identical to those related to refugees, because they have not crossed internal borders they are not protected by the 1951 Convention and its 1967 Protocol. The book covers such key areas as the definition of the internally displaced, the legal framework for protecting and assisting internally displaced persons (IDPs), including the development of the UN Guiding Principles on Internal Displacement, related institutional arrangements, and regional strategies for responding to the needs of the internally displaced.

When I was appointed in 1992 by Secretary-General Boutros Boutros-Ghali as Representative of the Secretary-General on Internally Displaced Persons, my colleagues who assisted me in the discharge of the mandate and I were faced with several challenges. We realized that the mandate had been controversial because it was considered very sensitive by governments precisely because it concerned an internal issue which fell under state sovereignty. International involvement was feared as a potential threat to state sovereignty. Fortunately, my colleagues and I in the African Studies Program at the Brookings Institution, which I had established and was directing to address post Cold-War approach to conflicts in Africa, had established a case for recasting ‘Sovereignty as Responsibility’, which proved to be an effective strategy for engaging governments. This was expounded in a book co-authored by several colleagues titled *Sovereignty as Responsibility: Conflict Management in Africa (1996)*.

The gist of this normative concept was to argue that internal displacement was by definition internal and therefore fell under state sovereignty. However, sovereignty should not be seen negatively as a barricade against outside involvement; rather it should be viewed positively as a concept of state responsibility to protect and assist a needy population. If necessary, the state should call on the international community to render needed support to enhance its capacity to discharge its responsibility. But, given international concern with human rights and humanitarian principles, if the state fails to discharge that responsibility, with the result that masses of people suffer and perhaps die, the world would not stand by and watch without some form of intervention. The best way to protect sovereignty was therefore to discharge the responsibility

associated with it. That approach proved quite successful in my dialogue with governments.

Developing a legal framework was also controversial. I was initially requested to assess the current state of international law relevant to addressing the needs of the internally displaced and to make recommendations for developing a legal framework for their protection and assistance. It soon became obvious that there was considerable opposition to developing such a legal framework. Some thought that it would undermine existing humanitarian law applicable to the needs of IDPs. Others thought that there was already sufficient coverage in existing law. Yet others were simply resistant to developing new norms in international law and favored focusing on encouraging the implementation of existing norms. Even the suggestion that we develop a 'normative' framework was opposed as implying 'legal'. In the end, we opted for developing an 'appropriate' framework which was more acceptable.

With the assistance of a very competent team of international legal experts from different regions of the world, we embarked on developing a non-binding set of Guiding Principles, building on existing norms of human rights law, humanitarian law, and analogous refugee law. And although based on hard law from these sources, we decided to call the framework 'Guiding Principles on Internal Displacement' to avoid the controversy over 'legal'. And in presenting them to the Commission of Human Rights, we requested that they be taken note of rather than be formally adopted, even though they had in fact already been endorsed by the Inter-Agency Standing Committee. The Committee had already requested UN agencies in the field to apply the Guiding Principles and the Office of the High Commissioner for Refugees was already applying them in their field operations.

For institutional arrangements, we proposed three options: Developing a special agency for IDPs on the model of UNHCR, designating an existing agency to assume full responsibility for IDPs, with UNHCR as an obvious candidate, or adopting a collaborative approach involving all relevant agencies. The first two options were rejected, and the collaborative approach was adopted, even though coordination was to prove quite challenging.

On regional cooperation, we soon discovered that the regional approach was an effective strategy not only for cooperation and sharing experiences, but also because it addressed the concerns of states that they were being individually targeted. Countries of any given region felt the solidarity of being 'in it together'. The regional approach therefore proved popular and effective.

Perhaps the most visibly enduring outcome of our work on the mandate has been the Guiding Principles on Internal Displacement which from being ini-

tially controversial proved a very solid framework that was quickly adopted by governments and even inspired the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons (The Kampala Convention), the first legally binding legal instrument on the issue.

Undoubtably, research in the area has also become important and has considerably expanded over the years. This book by Romola Adeola provides an important insight on the issue of internally displaced persons in international law. I am very impressed by the coverage it provides with respect to the legal landscape on internal displacement. That the book engages critical issues and provides a relevant text on internal displacement that should be of interest across a wide spectrum of actors: scholars, researchers, international agencies and policy makers at all levels, makes it profoundly relevant to the field of internal displacement.

The book breaks significant grounds in providing comprehensive and in-depth knowledge on internal displacement. Through the seven parts in which this book is divided, Romola Adeola presents a significant analysis on internal displacement that effectively contributes to the knowledge on the subject. I am particularly impressed with the inclusion of combined national and regional approaches that reflect both diversity and commonality in perspectives, and that also draw attention to the need to foster coherence and cooperation in the protection and assistance of internally displaced persons. Scholarship, such as this one, that focuses on the internally displaced person in international law is important in shedding light on critical perspectives and advancing knowledge in an area where the pertinence of research cannot be overemphasised.

I strongly endorse Romola Adeola's book as an exemplary work on the present and future of scholarship on internal displacement. I strongly recommend it for those concerned with the plight of the increasing numbers of internally displaced persons across the globe.

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(1992–2004)