

Framework for the Resettlement of Internally Displaced Persons (IDPs) in Zimbabwe

January 2011¹

This framework provides a tool for assisting humanitarian actors to assess and promote options for *resettlement* as one of the three durable solutions for IDPs in Zimbabwe. It draws on relevant legal principles such as the Guiding Principles on Internal Displacement, the IASC Framework on Durable Solutions and the Kampala Convention in order to provide internationally accepted standards and a legal basis for undertaking interventions that support IDPs with durable solutions in Zimbabwe. **Section 1** provides an overview and background to internal displacement and durable solutions. **Section 2** aims to support decision makers in Zimbabwe to evaluate whether or not conditions, on a case by case basis, are appropriate to assist. **Section 3** discusses the ongoing coordinating role of the Protection Cluster, the IDP sub-cluster, Humanitarian Country Team and other coordination fora in supporting 'durable solutions'. This framework is non-binding and so far a working draft and intended to be the product of contributions from members of the Protection Cluster, the IDP sub-cluster and other coordination fora.

1. Background and Definitions

1.1. Who are Internally Displaced Persons?

According to the Guiding Principles on internal displacement, Internally Displaced Persons (IDPs) are: "*Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internally recognized State border.*"²

1.2. What is a 'Durable Solution'?

A 'Durable Solution' for IDPs is the achievement of a combination of conditions that ensure *IDPs no longer have needs specifically related to their displacement* and enjoy living in similar circumstances to nearby communities. There are three typical durable solutions for IDPs: 1) *return* to their place of origin, 2) *local integration* into the communities where they settled, and 3) *resettlement* to a third location. This document refers specifically to *resettlement*.

1.3. Internal Displacement in Zimbabwe

Throughout the last decade, Zimbabwe has experienced a high number of internal displacements and irregular migration, arising in the context of serious socio-economic failure, 'slum clearance' activities, secondary effects of land reform, flooding and civil unrest. Although the above events have been exacerbated in the context of the emergency situation across the country, most IDPs have now been living in displacement for a protracted period (most since 2005).

A majority of the internally displaced communities in Zimbabwe continue to inhabit land to which they have no legal rights or supporting documentation, with limited opportunities to return to their place of origin, few income earning/livelihoods opportunities, and generally poor access to basic social services such as water and sanitation, shelter, health and education. Displacement has often resulted out of civil unrest, and tensions persist between IDPs, the host communities in which they

¹ Endorsed by IDP Sub-Cluster 16 Dec 2010. Endorsed by Protection Cluster 2 Feb 2011

² UN Guiding Principles on internal displacement, p. 4

reside and those residing on the land from which they were displaced. Although their exact number is not known (estimates range from 80,000 to over 1,000,000 individuals), IDPs collectively constitute a significant enough proportion of Zimbabwe's most adversely affected population to have a key impact on the country's early recovery opportunities. IDPs can and should be part of the solution. Conversely, in the absence of a supportive, enabling environment and policy framework to address the long term needs of IDPs, they may languish in or be at risk of further displacement with limited livelihood opportunities and without a lasting solution. Seeking a 'durable solution,' therefore, is necessary to assist IDPs to transition from dependence on humanitarian aid towards self-sufficiency and community stabilization.

2. Resettlement Framework for Zimbabwe

2.1. Introduction

The purpose of this framework is twofold:

1. *To articulate guidelines and criteria, based upon internationally accepted standards, for determining whether or not a specific situation is conducive for resettlement as a durable solution (Section 2)*
2. *To establish a mechanism for coordination and decision making among humanitarian actors, based upon the guidelines and criteria concerning whether or not a specific situation is conducive for resettlement and what support might be appropriate (Section 3)*

Section 2.2 below, identifies the absolute pre-conditions before humanitarian actors should consider assistance for IDPs to be resettled. In support of this, Annex 2 provides benchmark indicators describing how far resettlement objectives have actually been achieved. This can serve as a check list, in the evaluation of an intervention aimed at providing resettlement to assess how far the *durable* solution has actually been achieved. Annex 3 presents, the internationally accepted and generalized criteria for durable solutions according the IASC Framework on Durable Solutions for Internally Displaced Persons. Finally, Section 3 outlines the ongoing coordinating role of the Protection Cluster, the IDP sub-cluster for Zimbabwe and other coordination fora in supporting 'durable solutions.'

2.2. Preconditions for providing resettlement assistance in Zimbabwe

The following core concepts have been adapted from the internationally accepted durable solutions principles³ as being the **most relevant minimum pre-conditions** for undertaking resettlement in Zimbabwe:

1. The **Voluntariness** of the decision of IDPs to resettle.
Verification should be undertaken to ascertain the willingness of the IDPs and host community members to accept and participate in the solution that is being offered and ensure that they have full knowledge of both the place to which they are being resettled / integrated and the resources and documentation that will be available to them.
2. Support will be provided to resettle IDPs on land only where there is the **full acquiescence of all parties**, including the government and others actively claiming an interest in the land.

³ See Annex 5

3. Prior to resettlement, IDPs are provided with the **minimum land tenure and civil status documentation and resource requirements** reflecting that the situation or proposed solution is indeed durable.

This principle refers both to the need to provide IDPs with a legal basis for where they are to be resettled, such that they will not remain at risk of further displacement and secondly that they are provided with sufficient material resources to constitute an adequate standards of living, in safety and with dignity. This includes, and is particularly focused on, opportunities to engage in sustainable livelihood activities.

4. Host community receives appropriate benefits from the resettlement programme / Consideration of 'Do no harm' principles.

As per the UN Guiding Principles on internal displacement, the humanitarian assistance should focus on creating similar conditions between IDPs and host communities. 'Host' communities may well be in a poor condition too, and programmes should not only support host communities, they also should not disproportionately support IDP communities to reach a higher wealth and resource status than the surrounding communities.

3. Coordination within the Cluster Structure; Mechanisms and Procedural Considerations

A. Rationale

A comprehensive humanitarian response to IDP 'durable solutions' opportunities requires coordination both with the Protection Cluster, primarily through the IDP Sub-Cluster, and among all other clusters in Zimbabwe (e.g., Health, Education, WASH, LICI (Livelihoods, Institutional Capacity Building and Infrastructure), Agriculture). The primary forum for addressing issues of a humanitarian response to durable solutions opportunities rests with the IDP Sub-Cluster, led by IOM, both in the context of monitoring/reviewing during regular monthly IDP Sub-Cluster meetings and through *ad hoc* meetings as required.

UN Agencies, NGOs, Government counterparts and other interested stakeholders are often aware of resettlement opportunities and/or requests as a result of the other work they are doing with and for displaced populations. Requests to evaluate and/or support potential resettlement options should, therefore, be communicated to the IDP Sub-cluster Chair (+263 (4)335048).

B. Mechanisms and Procedures

Consistent with the principles set forth in Section 2, organizations should adhere to the following framework for reporting, responding to, and determining cases for resettlement:

1. Any information that becomes known to members of Humanitarian community, the IDP sub-cluster or Protection cluster about actual or potential resettlements should be relayed, without delay, to the IDP sub-cluster Chair and copied to the Protection Cluster Coordinator.
2. The IDP sub-cluster Chair, in coordination with the Protection Cluster coordinator is then required to *open a case for determination* to ascertain whether the case adheres to the principles contained in section 2 of this document as a pre-requisite for the provision of assistance.
3. Where access is possible, members of the IDP Sub-Cluster should conduct a site visit with all relevant stakeholders prior to making a final written assessment and/or recommendation. The site visit should include interviews with all relevant stakeholders and completion of the resettlement checklist (Annex 4).

4. The outcome of the case assessment will be one of the three possible determinations:
 - a. YES – case for resettlement adheres to the conditions set forth in the Framework for Durable Solutions in Zimbabwe and, as far as possible, should be supported
Stakeholders may deliver appropriate humanitarian assistance based upon recommendations from the IDP Sub-cluster, needs assessments and available resources.
 - b. NO – case for resettlement does not adhere to minimum pre-conditions set forth above should not be supported
Stakeholders should be advised to refrain from providing support, although offers of technical advice and support from the IDP sub-cluster and/or other relevant cluster members should be made with an eye towards the possibility of supporting creation of conditions suitable for voluntary resettlement if and as appropriate.
 - c. DEFERRED – insufficient information currently available for a determination to be passed on the appropriateness of support, according to Framework for Resettlement in Zimbabwe.
5. Following outcomes a. and b., the case will be closed, recognizing that all cases can be re-opened at any time. Cases determined as outcome c. will remain until such a point that the sufficient information has been obtained to make a clear determination.
6. It is the responsibility of the IDP sub-cluster Chair, in coordination with the Protection Cluster Coordinator, to maintain a database of all cases, which will be compiled, analyzed and shared widely and transparently, as circumstances permit, following the initial sharing of information during the IDP sub-cluster. In addition, the Protection Cluster Coordinator is responsible, through the Inter-Cluster Forum, for disseminating information related to all new cases, such that the durable solutions needs of IDPs can be addressed through other clusters (WASH, LICU, Health, Agriculture, Food and Education).
7. All principles contained within section 1 and 2 of the Durable Solutions guidance note for Zimbabwe can be forgone where the humanitarian imperative to provide emergency humanitarian assistance prevails.

The recommendations of this document are non-binding and therefore intended to provide a code of conduct, to ensure that all parties operate within standards that adhere to international humanitarian principles and laws.

Land Classifications in Zimbabwe

Communal Lands and Zimbabwean Law

The Communal Lands were borne from the Communal Land Act of 1981, formerly the Tribal Trust Lands and prior to that the Native Reserve Areas. Communal Lands are vested in the President of Zimbabwe who grants land use rights to the inhabitants of the Communal Lands in the form of a permit, consent or as prescribed by the Communal Lands Act. The President and the state hold Communal Lands in trust, and the Minister of Local Government or Rural and Urban development or the Minister assigned, are in charge of delegating the traditional leaders working in tandem with the local authorities Rural District Councils (RDCs) on administering and use of land in accordance with the terms stipulated in the act. The Communal Land Act, grants authority to both the traditional leadership such as the chiefs, headman or village heads and local authorities from the RDCs. The President or Minister can revoke or constrain the land rights of the users if there is a violation in relation to the terms specified by the permit or in accordance with the act. In the Communal Lands, the community allocates land amongst themselves for cultivation and grazing; and woodlands, rivers etc are commonly owned and the traditional leadership via the community takes decisions regarding management and control of shared areas and resources⁴.

The Communal Land Act of 1981 does not clearly outline in detail the roles of the traditional leadership and the local authorities. Disputes often arise between the traditional leadership and the local authorities because of a lack of clarification on the roles and responsibilities of both parties in administering the communal areas. In some instances, the RDCs may implement decisions based on strategic planning, whereas the traditional leadership claims ancestral rights as custodians of the land. In essence, the communities residing on Communal Land are governed by their permit or the Act and thus lack formal documentation and land tenure. Misuse of the permit or violations of terms stipulated in the act can lead to the land use rights being revoked and thus leaving the inhabitants without a residential or arable plot.

The Traditional Leaders Act, (Chapter 29:17) gives power to the President to appoint the traditional leaders through a discretionary process that attempts to observe the prevailing customary principles of succession within the relevant communities. This Act, in conjunction with the Communal Land Act, stipulates the roles and responsibilities of the traditional leadership with regards to land in their area⁵. The role of the Chiefs is to promote cultural values, uphold traditional family life, and oversee the collection of levies, taxes and rates owed to the RDCs. The Chiefs are also responsible for ensuring that Communal Land is distributed and used in an environmentally sustainable manner. The traditional leaders are required to keep a record of the inhabitants within their area and the land certificates or permits granted.

The RDCs derive their roles and responsibilities from the Rural District Councils Act (Chapter 29:13). RDCs and traditional leaders work together to administer the communal lands. It is worth noting that the local authorities can, and in most cases do, override the functions and authority of the traditional leaders.

⁴ Communal Land Act Chapter 20:04

⁵ Traditional Leaders Act Chapter 29:17

Old Resettlement Areas

These areas were established in 1980 to promote the equitable distribution of land in the post-independence era (refer to Table 1). The old resettlement areas were allotted on the basis of permits that were issued for specific activities such as to: cultivate an arable plot, de-pasture a certain number of livestock on communal land, and reside on a residential plot.⁶ Permits were granted informally for a period of ten years by the Ministry of Local Government and were administered by resettlement officers from the relevant RDCs. Beneficiaries were thus entitled to make use of the land in accordance with the terms stipulated by each permit. Beneficiaries in these models were the poor inhabitants of Tribal Trust Lands (later called Communal Lands) and displaced war victims. The old resettlement areas initially proved to be effective because they were well planned and regularly evaluated by the resettlement officers administered by the RDCs. Beneficiaries that failed to adhere to the terms and conditions of their permit were relocated to Communal Lands. The main incentive of the old resettlement areas for beneficiaries was the provision of social services and the agricultural inputs to assist beneficiaries in their productivity and ensuring food security. The decline of the old resettlement areas can be mainly attributed to lack of government capacity and later the implementation of Economic Structural Adjustment Program (ESAP). These areas are located adjacent to old large-scale commercial farms⁷.

New Resettlement Areas

New Resettlement Areas (A1 & A2) were borne from the new resettlement models that were introduced in 1998 as a result of the Land Donor Conference and implemented in 2000 during the Fast Track Land Reform Process (FTRLRP) that displaced the white commercial farmers and farm workers and impacted on food security, security of land tenure, and property rights. The controversial manner in which these new resettlement areas were established conceived the widely used term *contested land*, i.e., land that has been appropriated during the FTRLRP period (2000-onwards) from white commercial farmers without compensation and is being disputed in local and regional courts. There are three different land administration bodies that include central government; political authority and traditional leadership, that have been administering the new resettlements. The new resettlement areas, in contrast to the old resettlement areas, have tended to have a lower level of basic services and infrastructure.

Resettlement Model A1

This resettlement model was created in 1980 and later revised in 1998 and later in 2000. To be selected for this model, beneficiaries must be poor, landless, resident of the arid Communal Lands, displaced war victims, or returning refugees. The aim of this model was to decongest the overcrowded and impoverished communal lands by providing adequate land for settlement and farming. Beneficiaries of this model were granted permits that could only be disposed of with written consent from households, the headman, and the RDC. Title and ownership of land under this model belongs to the state; however inhabitants retain use rights over the land in compliance with the terms specified in the permit. The permits distributed in this scheme are not sanctioned or enacted by law and thus do not ensure security of tenure. To date, there are approximately 140,698 beneficiaries of this model residing on 2740 farms⁸. About 20% of the land under this model was allocated to the

⁷ Delivering Land and Securing Livelihoods: Post-Independence Land Reform and Resettlement on Zimbabwe Edited by Michael Roth and Francis Gonese, Centre for the Applied Social Sciences, University of Zimbabwe, Land Tenure Center, University of Wisconsin-Madison, June 2000

⁸ Policy Option For Optimisation Of The Use Of Land For Agricultural Productivity And Production In Zimbabwe, September, 2009, Submitted to the Agrarian Sector Technical Review Group (ASTRG) & World Bank

war veterans⁹. This model aimed to encompass a broader range of beneficiaries from women to farm workers to urban poor. The main aim of this model was to provide the rural and urban poor with land to improve their standard of living. The sizes of the plots allotted to beneficiaries for this model depended on the natural region (see Annex 1).

Table 4: A1 Farm size (ha)

Natural region	Arable	Grazing	Total
1	5	7	12
2a	5	10	15
2b	5	15	20
3	10	20	30
4	10	30	40
5	10	60	70

Resettlement Model A2

This resettlement model was created in 1998 and aims to create commercial farming on a small, medium, or large scale commercial farming to maximize land ownership. Farms under this model range from 20 to 2000 hectares depending on the natural region (See **Table 5**), and are distributed on a 25-year lease for wildlife conservancies and 99 year leases for farming. To date approximately 300 leases have been issue in Zimbabwe¹⁰. Beneficiaries of this model are required to produce a project proposal demonstrate a regular flow of income, ability to access credit for farming and a qualification in agriculture. Applicants for this scheme are required to submit a five-year farming project/plan and should have the financial and agricultural capacity to farm, and be willing to relocate to the allotted plot or to hire a competent farm manager. The majority of the beneficiaries of this scheme have been issued with a preliminary “offer letter” that will culminate into a final lease agreement. A lease can only be obtained after the beneficiary had demonstrated effective use of the land. Beneficiaries of this scheme are bound by the lease and obliged to terms and conditions that entail development of property and to commence production within three months of occupation. The beneficiaries of this scheme are required to invest their own money and demonstrate effective productivity, which will eventually culminate in a 99 year lease.

⁹ Delivering Land and Securing Livelihoods: Post-Independence Land Reform and Resettlement on Zimbabwe Edited by Michael Roth and Francis Gonese, Centre for the Applied Social Sciences, University of Zimbabwe, Land Tenure Center, University of Wisconsin-Madison, June 2000

¹⁰ Policy Option For Optimisation Of The Use Of Land For Agricultural Productivity And Production In Zimbabwe, September, 2009, Submitted to the Agrarian Sector Technical Review Group (ASTRG) & World Bank

Table 5: A2 Farm Size (ha)

Natural region	Small Scale	Medium Scale	Large Scale
1	20	100	250
2a	30	200	330
2b	40	250	400
3	60	300	500
4	120	700	1500
5	240	1000	2000

ANNEX 2

How do you know when a ‘durable solution’ has been achieved?

Conditions for ‘Durable Solutions’

Specific conditions, based on the Guiding Principles, need to be fulfilled so that solutions can be considered as ‘durable’. The conditions have been adapted to the Zimbabwean context and are presented in order of priority. Each condition is accompanied by at least one indicator which will provide a means of measuring how far the condition has been achieved and therefore if IDPs in Zimbabwe have achieved a ‘durable solution’.

Conditions absolutely necessary for considering a ‘Durable Solution’ to have been achieved in Zimbabwe

1.) Safety and Security

IDPs in Zimbabwe do not suffer attacks, harassment, intimidation, persecution or any other form of punitive action.

Indicator: Number of reported acts of violence or intimidation targeting IDPs on the basis of their IDP-status in the area where IDPs integrate locally or resettle/relocate

2.) Adequate standard of living

IDPs in Zimbabwe have adequate access on a sustainable basis to essential food and potable water, basic shelter and housing, essential medical services (including ARV), sanitation and at least primary school education. IDPs are no longer dependent on food assistance.

Indicator: IDPs (and the host community) have 3 meals a day, daily access to potable water (adequate walking distance to boreholes of max. 500 metres), one toilet per household, one shelter per household with at least two rooms, access to health care and access to at least primary education for children

3.) Access to livelihoods and employment

IDPs in Zimbabwe have access to employment and livelihoods that at least allows them to fulfill their core socio-economic needs

Indicator 3a: IDPs have access to employment and/or livelihoods that fulfill their core socio-economic needs and enables them to have an adequate standard of living (see Condition 2 ‘Adequate standard of living’)

Indicator 3b: Types and conditions of employment of the IDP population are the same compared to the resident population, including rates of informal-market employment and access to labor law standards, such as the minimum wage

4.) Access to civil status and land tenure documentation

IDPs in Zimbabwe have access to personal documentation (passports, ID-cards, birth certificates), which are usually required to access public services, to vote and for administrative purposes, as well as documentation providing a legal and acknowledged right to access land

Indicator: Mechanisms to replace personal documents for IDPs (and host communities) are accessible and affordable bearing in mind the local context

ANNEX 3: Conditions for durable solutions according IASC Framework on DS

Thematic DS-area	Description	
	General	Internationally accepted Indicators measuring achievement of a durable solution
8 conditions for durable solutions		

1. Safety and Security	IDPs do not suffer attacks, harassment, intimidation, persecution or any other form of punitive action	<ul style="list-style-type: none"> • Number of police stations and courts as well as trained police and judicial personnel deployed in IDP resettlement areas compared to the local situation before displacement • Degree of access by IDPs to police and judiciary compared to the resident population • Frequency of police patrolling in IDP areas • Number of reported acts of violence or intimidation targeting IDPs on the basis of their IDP-status • Safety and security perceptions of IDPs seeking durable solutions
2. Adequate standard of living	IDPs have adequate access on a sustainable basis to essential food and potable water, basic shelter and housing, essential medical services (including ARV), sanitation and at least primary school education	<ul style="list-style-type: none"> • Number of IDPs who are malnourished • Percentage of IDPs who do not have access to essential food, potable water, basic shelter or essential health care compared to the resident population • Percentage of IDP children with access to at least primary education compared to the resident population • Rates of IDP children whose education was interrupted by displacement and who resume schooling • Percentage of IDPs living in overcrowded housing/shelter, compared to the resident population • IDPs do not face specific obstacles to access public services, assistance or remittances from abroad compared to local residents with comparable needs
3. Access to livelihoods and employment	IDPs have access to employment and livelihoods that at least allows them to fulfill their core socio-economic needs. The IDPs must not face obstacles that prevent them from accessing employment and livelihoods on the same basis as residents	<ul style="list-style-type: none"> • There are no legal or administrative obstacles to IDP employment or economic activity that the resident population does not face • Unemployment among IDPs compared to the resident population • Types and conditions of employment of the IDP population compared to the resident population, including rates of informal-market employment and access to labor law standards, such as the minimum wage <p>Poverty levels among IDPs compared to the resident population</p>

<p>4. Access to documentation</p>	<p>IDPs have access to personal documentation, which is usually required to access public services, to vote and for administrative purposes</p>	<ul style="list-style-type: none"> • IDPs face no legal or administrative obstacles to obtain or replace birth certificates, national ID cards, voter identification cards or other personal documents • Mechanisms to replace documents for IDPs are accessible and affordable bearing in mind the local context • Percentage of IDPs without birth certificates, national ID cards or other personal documents relevant compared to the resident population
<p>5. Restoration of housing, land, property</p>	<p>IDPs have access to mechanisms for property restitution or compensation, regardless of whether they return or settle in the area where they found refuge or a new location</p>	<ul style="list-style-type: none"> • Existence of effective and accessible mechanisms to resolve housing, land and property disputes relevant to displacement and steps taken to overcome the most common challenges to implementing housing, land and property rights • Percentage of IDP land and property claims resolved and enforced • Percentage of IDPs remaining without adequate housing, reduction in this percentage over time and comparison with the percentage for the resident population • IDPs have access to support programs (including access to credits) to improve housing, land or property on the same basis as the resident population
<p>6. Access to effective remedies and justice</p>	<p>IDPs have full access to national and sub-national protection mechanisms, including police and courts</p>	<ul style="list-style-type: none"> • Existence of accessible mechanisms that have the legal mandate and actual capacity to provide IDPs with effective remedies for violations suffered, including violations committed by non-state actors • Percentage of IDPs who consider that the violations suffered have been effectively remedied and a sense of justice restored • Number or percentage of identified cases of displacement-related serious human rights violations or grave breaches of humanitarian law that result in effective and adequate reparation
<p>7. Family Reunification</p>	<p>IDPs have been able to reunite with family members if they choose to do so</p>	<ul style="list-style-type: none"> • Mechanisms have been put in place to reunite separated family members. No movement restrictions prevent family reunification • The number of internally displaced children or other dependent persons who have not yet been reunited with their families • The number of persons without access to property/pensions due to a missing family member or other provider • The number of unaccompanied and separated

		internally displaced children for whom a best interest determination is needed but has not been conducted
8. Participation in public affairs	IDPs are able to exercise the right to participate fully and equally in public affairs	<ul style="list-style-type: none"> • IDPs face no legal or administrative obstacles not faced by the resident population that prevent them from voting, being elected or working in public service • The percentage of adult IDPs eligible and registered to vote in comparison to the resident population • The percentage of adult IDPs participating in elections held in comparison to the resident population • The percentage of IDPs among public servants and elected officials in comparison to the percentage of IDPs in the overall population

ANNEX 4: Checklist for verification missions to ascertain whether a ‘Durable Solution’ case should be given a positive determination for assistance

Pre-Condition for ‘durable solution’-support	Comments	Achieved YES/NO
Voluntariness of IDPs to resettle		
<p>Are the IDPs resettling on an absolutely voluntary basis?</p> <p>Do the IDPs have full information about the place where they are going to resettle?</p> <p>Do IDPs have full information about the resources/assistance that will be available to them in the area where they, resettle?</p>		
The area of resettlement/relocation is a safe and secure environment		
<p>There are no signs that IDPs are going to be discriminated for reasons related to their (former) IDP-status in the area of resettlement</p> <p>Good relations between the IDPs and the host community are possible and are strengthened (by GoZ, humanitarian agencies)</p>		
Is the durable solution indeed durable?		
<p>There is minimum documentation related to civil status and land tenure that is legally acknowledged</p>		

<p>The resource requirements are (or will through assistance be) covered to fulfill an adequate standard of living and enable access to livelihoods and employment</p>		
<p>Acquiescence</p>		
<p>The land where IDPs are going to be resettled has the full acquiescence of all parties, including the government and others actively claiming and interest in the land</p>		
<p>Was the ownership of the land recently changed?</p>		
<p>Support of national / local authorities</p>		
<p>National/ local authorities actively support and promote the resettlement exercise by providing material / human resources</p>		
<p>National/ local authorities actively support and promote the resettlement exercise by providing quick access to humanitarian/development actors</p>		

Key principles for durable solutions¹¹

The 8 principles below provide a foundation for all stakeholders in undertaking activities aimed at providing ‘durable solutions’ for IDPs.

1. Primary **responsibility** for Durable Solution rests with **national authorities**.
2. Authorities grant quick **access to humanitarian/development actors** to assist IDPs
National, Provincial, and local authorities, who in any event have the primary responsibility to support the process of ‘durable solutions’ for IDPs, have been actively engaged and have ensured full access to humanitarian actors since the start of the programme, where possible contributing human and material resources to the process.
3. Policies/decisions relating to Durable Solution are guided by the **rights, needs and legitimate interests of IDPs**.
Durable solutions are often linked to important issues of territorial integrity, sovereignty and security. Nevertheless, considerations based on the needs and vulnerabilities of IDPs and informed by international human rights standards should guide laws and policies on internal displacement at all times.
4. **Voluntariness** of IDPs on what Durable Solution to pursue.
IDPs also have the right to participate in the planning and management of durable solutions strategies and programs. IDPs determine, in light of the specific circumstances of their situation, whether to pursue return, local integration or settlement elsewhere in the country. [...] National and local authorities and humanitarian and development actors should base their durable solution programming on the actual preferences of IDPs and work towards providing them with a meaningful and realistic choice of durable solutions.
5. **Right of future return:** Local integration or resettlement does not exclude return if it becomes feasible in the future.
Exercising the right to choose a durable solution requires that different options (return, local integration, settlement elsewhere) are available. IDPs, who have no prospect of return in the foreseeable future (e.g. due to unresolved territorial disputes or because a disaster has rendered land uninhabitable) will often choose to integrate locally for the time being while retaining the prospect of an eventual return. Supporting IDPs in normalizing their living situation at the site of displacement (helping them to find employment, their own home etc.) does not exclude the right to return. Rather, such support contributes to avoiding protracted displacement, enhances self-sufficiency and places IDPs in a stronger position to voluntarily return to their former homes at a later point.
6. Guarantee of **physical/legal security:** IDPs must not be obliged or compelled to return or relocate to areas where their life, safety, liberty or health would be at risk.
This right emanates from the right to freedom of movement and residence guaranteed by article 13(1) of the Universal Declaration of Human Rights and is also implicit in Guiding Principle 28.¹²

¹¹ IASC Framework on Durable Solutions for Internally Displaced Persons, Brookings Institution-University of Bern. Project on Internal Displacement, April 2010, p. 11-14

¹² See the sub-section Voluntary and Informed Choice of a Location for a Durable Solution. Also see Guiding Principle 28 and the sub-section Participation of Internally Displaced Persons in the Planning and Management of Durable Solutions

7. **Non-Discrimination** of IDPs achieving Durable Solution for reasons related to their displacement.

Non-discrimination is a cross-cutting principle that should guide the process of supporting a 'durable solution' and the assessment to what extent a 'durable solution' has been achieved. IDPs should neither be discriminated against on the basis of their displacement nor on grounds of their race, religion, gender, language, religion, political or other opinion, national or social origin, disability, age, marital and family status, nationality, or other status.

8. Promotion of good relations between IDPs and host communities (**integration approach, community based planning, Do No Harm**).

The arrival and integration of IDPs will likely place a considerable burden on existing community services and resources. Ensuring a community-based approach that addresses the needs of IDPs and those receiving them may mitigate risks of tensions between the two populations, and support a more effective integration or re-integration of IDPs.