

# Introduction

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## Background

Most people uprooted by war and armed conflict have not crossed an international state border. Because they remain in their own country and either cannot or do not want to seek protection in another state, internally displaced persons (IDPs) are often forgotten in the broader international discourse on forced migration. Remarkably, the Global Compacts on Refugees and Migration that were adopted by the United Nations (UN) in 2018 do not “substantially address displacement within national borders” (Bilak and Shai 2018: 50). For some observers, this may not be surprising, given that internal displacement directly touches on sovereignty issues (51), yet, the neglect of IDPs in these two landmark agreements undeniably reflects a lack of engagement with IDPs at the international level.

This has not always been the case. While traditionally IDPs have received less attention than refugees, the introduction of an international normative framework on internal displacement in 1998, *The Guiding Principles on Internal Displacement* (Guiding Principles), evoked a heightened interest in this group of forced migrants. Although legally nonbinding, the Guiding Principles are firmly rooted in international human rights and humanitarian law and were soon hailed as the basic international protection standard on internal displacement.<sup>1</sup> They encompass thirty principles, which emphasize the obligation of state and non-state actors to prevent displacement and provide protection and assistance to IDPs.

As of mid-2017, authorities in forty countries affected by internal displacement had implemented sixty-nine domestic legislative instruments and policies on internal displacement (Orchard 2018: 10). Furthermore, international agencies and non-governmental organizations (NGOs), together with their national and local partners, “work tirelessly to find solutions” for IDPs (Bilak and Shai 2018: 49–50). This means, for example, that they

advocate for the rights of IDPs, set up emergency shelters, provide medical and food aid, engage in capacity development, and implement livelihood programs. Despite their best efforts, the global figures remain alarming. At the end of 2019, 45.7 million people were estimated to be living in internal displacement as a result of armed conflict and violence in fifty-five countries (IDMC 2020: 2). This is the highest number of IDPs that has ever been counted (IDMC 2019c). Another 24.9 million people were newly displaced by sudden-onset disasters (IDMC 2020: 4).<sup>2</sup> Regrettably, the true scale of internal displacement is unknown since “many IDPs remain unaccounted for” (IDMC 2019a: v). Unresolved governance challenges, political instability, conflict and violence, as well as extreme weather events and disasters, challenge the effective realization of durable solutions for IDPs (Bilak and Shai 2018: 49; IDMC 2019a: v).

## Defining Durable Solutions

Achieving a durable solution for IDPs is a complex process. While it is considered the ultimate goal for all IDPs, from a legal and policy perspective, it was not clear for a long time what a durable solution precisely entailed. Considering that the term is used so widely these days in reports, articles, and policy tools on internal displacement, it is surprising that it did not even appear in the normative framework, the Guiding Principles on Internal Displacement.

However, Principle 6 emphasizes that “displacement shall last no longer than required by the circumstances.” Furthermore, Principles 28, 29, and 30 form a separate section that is devoted to the “Return, Resettlement and Reintegration” of IDPs. First, Principle 28 makes clear that the primary obligation to establish the conditions for solutions lies with national authorities. Second, it emphasizes the importance of participation of IDPs in the planning and management of their return or resettlement and reintegration. Third, Principle 29 points out that IDPs shall not be discriminated against after their return or reintegration. Fourth, Principle 29 also stresses that competent authorities have to assist in the recovery of the property and possessions of IDPs, and when this is not possible, to provide IDPs with appropriate compensation. Finally, Principle 30 calls on national authorities to entitle international humanitarian organizations and other appropriate actors “rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration” (United Nations Economic and Social Council 1998).

Many of these aspects later found their way into the Inter-Agency Standing Committee (IASC) *Framework on Durable Solutions for Internally Displaced Persons*.<sup>3</sup> The Brookings Institution Project on Internal Displacement and the

Institute for the Study of International Migration at Georgetown University spearheaded the development of the Framework, which was intended to clarify the question of when an IDP should no longer be considered internally displaced (Mooney 2003: 4; Kälin 2007: 4). Endorsed by the IASC in December 2009 and published in 2010, the Framework states that: “A durable solution is achieved when IDPs no longer have specific assistance and protection needs that are linked to their displacement and such persons can enjoy their human rights without discrimination resulting from their displacement” (Brookings Institution 2010: 5). The Framework was innovative in a number of ways. First, the definition of a durable solution makes clear that the end of displacement must not be exclusively connected to the mere physical act of moving from one place to another; instead, it highlights that IDPs’ rights and needs must be respected at all times, even when IDPs have returned to their former homes. In other words, unless IDPs no longer have specific needs that are connected to their displacement, a durable solution has not been achieved. More specifically, the Framework outlines that: “Durable solutions must not be exclusively understood as a return to one’s former home and re-establishment of the status quo before displacement. An IDP can find a durable solution away from his or her former home if the person’s displacement-specific needs are met and the person can enjoy his or her rights without displacement-specific discrimination” (6). Second, the Framework stresses that finding a durable solution can be a lengthy and complex process: “A solution may become durable only years, or even decades, after the physical movement to the place of origin or place of settlement has taken place, or the decision to locally integrate has been made.” It is therefore vital that national and local authorities as well as humanitarian, development, human rights, and international political actors work together from the beginning of the process, which requires effective coordination, including the effective distribution of responsibilities, and a coherent and comprehensive strategy (8).

Third, the Framework lists nine key principles, which should guide the search for durable solutions (Brookings Institution 2010: 11–14):

1. The primary responsibility to provide durable solutions for IDPs and ensure their protection and assistance needs to be assumed by the national authorities.
2. National and local authorities should grant international humanitarian and development actors, in the exercise of their specific mandates, rapid and unimpeded access to assist IDPs in finding a durable solution.
3. The rights, needs, and legitimate interests of IDPs should be the primary considerations guiding all policies and decisions relating to internal displacement and durable solutions.

4. All relevant actors need to respect IDPs' rights to make an informed and voluntary decision on what durable solution to pursue, which includes the right to participate in the planning and the management of durable solutions strategies and programs.
5. A person opting for local integration or settlement elsewhere in the country in the absence of a prospect to return does not lose the right to return once return becomes feasible.
6. Under no circumstances should IDPs be encouraged or compelled to return or relocate to areas where their life, safety, liberty, or health would be at risk.
7. IDPs, who return, integrate locally, or settle elsewhere in the country must not be subject to discrimination, in particular for reasons related to their displacement.
8. Similarly, populations and communities that (re-)integrate IDPs and whose needs may be comparable, should not be neglected.
9. IDPs continue to be protected by national and international human rights and, where applicable, international humanitarian law, even after they have achieved a durable solution.

Fourth, the Framework gives advice on how to organize a rights-based process toward durable solutions, in which IDPs should be the primary actors in finding the durable solutions of their choice (Brookings Institution 2010: 15–26):

- IDPs are in the position to make a voluntary and informed choice on what durable solution they would like to pursue;
- IDPs participate in the planning and management of durable solutions, so that recovery and development strategies address their rights and needs;
- IDPs have access to humanitarian and development actors;
- IDPs have access to effective monitoring mechanisms; and
- In case of displacement caused by conflict or violence, peace processes and peacebuilding involve IDPs and reinforce durable solutions.

Fifth, and perhaps most importantly, the Framework presents eight criteria to determine to what extent a durable solution has been achieved. These criteria reflect and operationalize the Guiding Principles and thus the human rights of IDPs. Yet, the authors of the Framework acknowledge that these benchmarks often mark an ideal, which can be difficult to achieve in the short and medium term (Brookings Institution 2010: 27):

1. Long-term safety and security;
2. Enjoyment of an adequate standard of living;
3. Access to livelihoods and employment;

4. Restoration of housing, land, and property;
5. Access to personal documentation and other documentation without discrimination;
6. Family reunification;
7. Participation in public affairs;
8. Access to effective remedies and justice.

In addition, host communities may also live in a situation in which these benchmarks have not been realized. The IASC Framework therefore stresses that “IDP-specific strategies should also take into account the needs of resident populations who share the burdens of displacement” (Brookings Institution 2010: 22).

The IASC Framework broke new ground as the first policy document to conceptualize the term *durable solutions*. It provided a clear understanding of what constitutes a durable solution and a list of eight benchmarks for an objective assessment of every displacement situation (Beyani, Krynsky Baal, and Catarina 2016: 41). However, ten years after their launch there are still no studies that systematically explore the implementation of durable solutions for IDPs in national and local settings. Thus, we know little about the politics driving norm implementation and the challenges that national and local authorities and humanitarian and development actors encounter during this process. A thorough study, such as this one, which engages with both the international and national development of norms and the implementation of durable solutions in Georgia, can shed light on the challenges for different actors and explore how they can be addressed to protect the human rights of IDPs. Importantly, it can also offer important insights into the implementation of a complex norm cluster that consists of more than one normative element. The guarantees provided to IDPs by international human rights and humanitarian law and reflected in the Guiding Principles can be divided into four categories (Kälin 2005: 32). When IDPs enjoy protection in all four human rights fields, a durable solution has been achieved.

**Table 0.1.** IDPs’ human rights and durable solutions. © IDMC, used with permission (IDMC 2013).

<p><b>1. Rights related to physical security</b> Protection from death, torture, abduction, forced recruitment, and sexual violence</p>	<p><b>2. Rights related to basic necessities of life</b> Clothing, food, water, shelter, and essential medical care</p>
<p><b>3. Civil and political rights</b> Identity and other documents and electoral participation</p>	<p><b>4. Economic, social, and cultural rights</b> Property, land, work, and education</p>

Hence, the study of durable solutions can also advance our theoretical knowledge in International Relations (IR) norm research, which has so far predominantly treated international norms and normative instruments as single units and overlooked their multifaceted nature. Moreover, IR has too often neglected the national and local levels and their exact relationships with the international policy level. If we want to understand international politics, we need to enhance our knowledge on the interactions and activities that occur at least at all three levels.<sup>4</sup>

## **Georgia: A Blind Spot in Academic Research on Forced Migration**

The focus of this study and its relevance can be put in perspective by a brief discussion of existing research on internal displacement in Georgia. Compared to other wars and mass atrocities that occurred in several countries immediately after the Cold War, and which have killed and displaced hundreds of thousands of people, for instance, in Rwanda and the former Yugoslavia, the ethnopolitical conflicts in the South Caucasus have received only scant scientific, public, and political attention.<sup>5</sup> Consequently, non-specialists know very little about the events that took place in the region in the early 1990s and know perhaps even less about the impact they have had and continue to have on the local societies and the international community. Even experts of the so-called post-Soviet space, mostly historians and political scientists, have long focused their research on domestic developments in the Russian Federation, the successor state of the Soviet Union, rather than its neighboring states. This is not surprising given the size and the military strength of this country, which still dominates the region in economic, political, and cultural terms. Another factor that may explain the strong focus on Russia may also stem from the fact that foreign experts rarely speak a local language of the South Caucasus or that of any other former Soviet Republic. Most of them usually master Russian, the lingua franca of the region, but, particularly in Georgia, it is now gradually being replaced by English as a second language among the young generation.

Scientific and public interest in the independent states began to figure more strongly after the Rose, Orange, and Tulip revolutions in Georgia, Ukraine, and Kyrgyzstan respectively. In 2003, 2004, and 2005, these societies tried to liberate themselves from the clientelistic state structures inherited from the Soviet Union that were marked by endemic corruption, poor governance, and inefficient institutions. However, scholarly attention was mostly given to the democratization process, which can perhaps best be explained with the enthusiasm for this topic at that time.<sup>6</sup> Consequently, the renewed outbreak of violence in South Ossetia in August 2008 and the

immediate Russian intervention took many observers and politicians in Europe by surprise. In the months and years following this short war, numerous articles and books were therefore published that sought to explain how and why this “frozen conflict” could become violent again and how the European Union (EU) and the United States should now deal with the new geopolitical realities.<sup>7</sup>

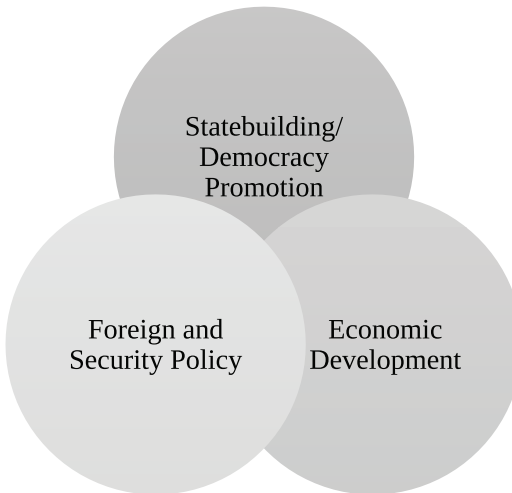
The 2008 war and the subsequent recognition of Abkhazia and South Ossetia as independent states by Russia and only a handful of other states ultimately triggered a change in the foreign policy of the EU toward the six Eastern European countries of Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine, which, after the accession of Bulgaria and Romania to the EU in 2007, were now located in its immediate neighborhood. In 2009, the EU launched its Eastern Partnership Initiative with the aim of advancing their political association and economic integration with the EU. The EU furthermore sought to advance human rights and good-governance norms in these states (Park 2014). The initiative has never been welcomed by the Russian government, which perceived and continues to perceive this instrument as a means of the EU to acquire influence in its direct sphere of interest. The annexation of Crimea by the Russian Federation and the outbreak of armed conflict in the Donbas and Luhansk regions in Ukraine in 2014 can be linked to these geopolitical struggles between the EU and Russia.

Publications on states of the former Soviet Union by scholars of humanitarian crises are rare and the renewed outbreak of violence in South Ossetia in 2008 did not change this much.<sup>8</sup> Even the initial public interest in the still ongoing armed conflict in the eastern part of Ukraine or between Azerbaijan and Armenia and their repercussions on the local population has now largely been replaced by growing public attention toward supposedly more urgent humanitarian crises in the Middle East and Africa. This is not surprising in light of ever-increasing refugee flows, whereas persons who have escaped from armed conflicts in the former Soviet Union have predominantly stayed in their country of origin. In other words, lack of public and academic interest largely stems from the fact that forced migrants from the former Soviet Union do not pose an alleged threat to EU member states since they do not seek or intend to seek refuge in the EU in large numbers. Furthermore, the conflicts in the post-Soviet space, apart from eastern Ukraine, have settled into a comparatively stable status quo, in which the immediate survival of the affected population is not under threat. As a consequence, external funding from Western donor states and international organizations, as well as public interest, either turns toward forced migrants in other regions or focuses on issues in post-Soviet societies that are seemingly unrelated to forced displacement, such as good governance, the rule of law, and economic development.

Indeed, researchers in and of the region, even those with a keen interest in the ethnopolitical conflicts, have rarely put forced displacement at the center of their analyses. Instead, they have focused on the root causes of the conflicts and the role of various state and non-state actors in conflict resolution, thereby also neglecting the fact that IDPs themselves play a key role in the peace processes. Thus, instead of investigating humanitarian aspects and consequences of the ethnopolitical conflicts, contemporary research on the region tends to fall in one of three broad clusters: security, state-building and democracy promotion, and economic development, which are also interrelated to some degree.

This study does not belong to any of these predefined categories. It is neither a study that fits the classical IR security debates in which security is often solely associated with that of the state; nor is it a study about state-building or democracy promotion, or on Georgia's economic development. This study instead engages with questions that are rarely discussed in academic research and political debates in and about this region. Of course, this does not imply that (1) this study can be entirely uncoupled from these three strands of research; nor does this suggest that (2) internal displacement in Georgia has never been subject to investigation.

Regarding the first point: internal displacement always has a crucial political dimension. In Georgia, internal displacement feeds directly into larger debates on the current security situation, not least evoked by the ongoing presence of Russian military in Abkhazia and South Ossetia and the restrictions imposed by Russian, Abkhaz, and South Ossetian border guards,



**Figure 0.1.** Topics of interest on the countries of the former Soviet Union.  
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which hinder IDPs from moving freely across the conflict divides. The topic is also directly linked to the ability of national authorities to pass and implement new and already existing policies on internal displacement in order to improve the lives of IDPs. This aspect is clearly associated with institution building, effective governance, and hence, with state-building in the broadest sense. Internal displacement also touches upon aspects of economic development, insofar as the strength of the Georgian economy directly affects the lives of IDPs, for example, with respect to the amount of social benefits they are entitled to receive from the national authorities or with respect to their chances of finding employment. At the same time, displacement goes hand in hand with economic destruction, which hampers growth.

Consequently, the interrelations of internal displacement with broader aspects of security, state-building, and the national economy will figure in this study, and in connection with the empirical data, explain government action in relation to internal displacement, too. Rarely do forced migration scholars make a serious attempt to truly understand the context in which displacement occurs and in which international, national, and local actors operate. This is not surprising, given that issues related to security, state-building, and democratic and economic development of societies are research topics in their own right. Often it takes years to understand the functioning of a state and a society. It thus seems easier to engage in a legal analysis, policy study, or alternatively focus one's attention on the workings inside secluded camps and settlements; yet, this study suggests that only when we also have a solid understanding of the national and local context can we uncover the factors that shape the protection of forced migrants, and based on these insights, make sound recommendations.

This is certainly not the first study on internal displacement in Georgia. Especially after the 2008 war, scholars showed an increasing interest in the dire living conditions of IDPs. Joseph Salukvadze, David Sichinava, and David Gogishvili (2014) studied how socioeconomic and spatial factors shape IDPs' strategies to cope with their tense economic situation and the problems of social integration in their new places of residence. Cathrine Brun (2015) explored the conditions of "homemaking" and the homemaking practices in and around houses for IDPs in Kutaisi, Western Georgia, that were built by the Norwegian Refugee Council (NRC) in 2002 and 2003. Archil Gegeshidze and Elene Chomaxidze (2008) investigated the degree of adequacy of the IDP policy carried out by the Georgian government from a human security perspective. They defined indicators of vulnerability in the context of return and integration. Later, Ana Diakonidze (2013) and Manana Gabashvili (2013) evaluated the general well-being of the population at the conflict divide between Georgia proper and Abkhazia and the efficiency of various assistance programs for the population.<sup>9</sup> Megan Ballard (2011) assessed the "My House" program of the Georgian government, which aimed

to support restitution and compensation for IDPs from Abkhazia. In addition, David Gogishvili (2015) examined the urban dimensions of internal displacement in Georgia. He analyzed the effects of inadequate housing on the lives of IDPs and critically discussed and reflected upon the housing policies of the Georgian government. The IDP project at the University of Arizona also deserves special mention. Between 2010 and 2013, researchers under the lead of principal investigator Beth Mitchneck published several peer-reviewed articles, focusing especially on how Georgian IDPs use social networks to enhance their livelihood opportunities and how these experiences differ across gender and dwelling types.<sup>10</sup>

It is striking that there are hardly any doctoral dissertations or monographs on the same subject, with only some exceptions on specialized topics. Nino Makhashvili (2015) conducted research on mental health disorders of war-affected populations in Georgia and studied how Georgia could upgrade its mental health policy. Minna Lundgreen (2016) explored the implications of borders and boundaries and how young forcibly displaced Georgians from Abkhazia understand issues of belonging and return. Mareen Seguin (2016) studied the issue of resource loss and coping strategies among internally displaced women in Georgia. Clearly, this overview shows that IDPs in Georgia have received only limited attention by international scholars.

In addition to these academic studies, there are also quite a number of reports on internal displacement in Georgia. Most noteworthy are those of the Representative of the Secretary-General/Special Rapporteur on the Human Rights of IDPs who visited Georgia in 2001, 2006, 2008, 2009, 2010, 2014, and 2016.<sup>11</sup> Furthermore, international and national organizations in Georgia have published extensively on internal displacement, especially following the 2008 August War between Georgia and Russia.<sup>12</sup> Transparency International Georgia, for example, has been active in monitoring the construction and rehabilitation of housing for IDPs.<sup>13</sup> The Internal Displacement Monitoring Center (IDMC) has also issued reports on the situation of Georgia's IDPs.<sup>14</sup> The United Nations High Commissioner for Refugees (UNHCR) conducted an "intentions survey on durable solutions" in which 2,001 IDPs from Abkhazia and South Ossetia "document their aspirations, thoughts and feelings regarding their future" (UNHCR 2015: 7). The World Bank published two important reports, one on challenges that impede the ability of IDPs to secure sustainable livelihoods (2013) and another one (2016) that analyzes potential poverty and social impacts of eliminating the IDP allowance in Georgia (World Bank 2013 and 2016). Furthermore, UN Women, the Danish Refugee Council (DRC), and the Czech NGO People in Need (PIN) as well as others have commissioned reports and evaluations.<sup>15</sup> Each of them provide valuable insights on various aspects of internal displacement in Georgia and are therefore frequently referred to in this study. Primarily, they target practitioners in Georgia and do not have the

ambition to contribute to larger scientific debates on norm diffusion or implementation and hence lack a theoretical underpinning.

This study, in contrast, is interested in the norm implementation process and aims to contribute to larger debates revolving around questions that explore, for example, why and when duty bearers accept certain normative elements of complex norm clusters and why the implementation of international norms remains challenging even after they have been put into law in national contexts. In this respect, the implementation of durable solutions in Georgia is an interesting case to scrutinize. As one of the first countries in the world with a law on IDPs, the Georgian government has made efforts to protect the rights of conflict-induced IDPs from the outset of their displacement. Hence, unlike other state authorities, which may even be responsible for internal displacement or are reluctant or unable to design laws and policies on IDPs, the Georgian government has shown a strong will to ensure the protection of IDP rights, as reflected in national laws and policies, their cooperation with international organizations, and the frequent invitation of the Representative/Special Rapporteur to Georgia. However, a closer look reveals that the authorities have interpreted durable solutions, and thus the protection of IDPs, quite flexibly to fit their own interests and identity, thereby delaying the process of finding a durable solution for IDPs. Consequently, Georgia is also a case that epitomizes the protracted nature of internal displacement that still requires long-term attention and determination from the authorities and the international community. Indeed, major challenges to realize protection and solutions for the conflict-induced IDPs on Georgian-controlled territory remain to this day.

Although Georgia is no longer in a situation of an acute crisis and does not have the highest number of IDPs in absolute terms, it represents a case where gaps in the protection of IDPs cannot easily be explained by a lack of solidarity with IDPs or a lack of interest in IDP issues by the government. Furthermore, several local and international organizations support the government and perform a variety of tasks to protect the human rights of IDPs and that of the wider conflict-affected population. Thus, the underlying causes for remaining protection gaps and the role of international actors in trying to close these gaps require closer scrutiny.

## Purpose and Central Research Question

This study investigates the implementation of durable solutions for IDPs in Georgia. It seeks to explain why a durable solution, and hence the protection of the human rights of IDPs, is so difficult to achieve. On the one hand, this involves studying how the Guiding Principles as a form of international norms find their way into national legal and policy frameworks and how

these frameworks are being refined and altered in this process. This is understood as the national implementation process. On the other hand, it entails an examination of the process by which international norms reach the local societal level. This is referred to as local implementation (see Jenichen and Schapper 2015, who distinguish national and local implementation processes). This study assumes that these processes interact with norm developments at an international level. Consequently, the international process will also be explored in detail. This research project has a single case study design and is guided by the following research question:

How are durable solutions implemented in Georgia and what does their implementation into national and local settings mean for the study of international norms?

As indicated by this research question, this study has both theoretical and practical relevance. Theoretically, this study seeks to contribute to ongoing debates in IR norm research, in three concrete ways. First, IR norm research has so far been dominated by studies that examine the process by which actors either accept or reject international norms. Yet, rarely do these studies explore the implementation of these norms into national and local contexts and how these processes relate to global processes of norm development. To close this gap in research, this study empirically examines the ongoing processes of national and local norm implementation.

Second, IR norm research tends to elevate the role of the state and neglects other actors in norm implementation, including international agencies and NGOs. Thus, their function is still not well understood. Beyond the state as a central actor, this study also strives to define the roles of international agencies, NGOs, and local actors in this process.

Third, and as mentioned above, most studies have focused on single norms or homogenous norm sets that actors accept, reject, or adapt. The Guiding Principles, however, consist of thirty principles drawn from various internationally recognized protection tools. As a result, not all normative elements will always receive equal attention in the implementation process. This study explores factors that account for their fragmentary implementation in Georgia.

From a practical perspective, this study aspires to make several recommendations for the protection and assistance of IDPs. Their needs and remaining protection gaps deserve more practical and scientific attention.

## **Research Methodology and Case Selection**

This study has an explorative, qualitative, single-case-study design and uses various data collection methods to answer the central research question.

Processes of national and local norm implementation cannot be uncoupled from developments that occur at the international level. Thus, achieving durable solutions for IDPs is also contingent on international advocacy efforts and importance donors, UN member states, international agencies and NGOs attach to achieving durable solutions. To explore norm development at the international level, I studied reports of the UN Representative/Special Rapporteur and UN General Assembly resolutions and how durable solutions have been framed in these resolutions. Moreover, I present nine global initiatives that strive to approach “durable solutions” at the country level.

Next, this study explores the national and local implementation of durable solutions in Georgia. Because states are unable to sign and ratify the norms on IDPs, given that the Guiding Principles are not an international treaty but only soft law, the creation of a national law and policy constitutes the most obvious formal expression of norm acceptance. Based on process tracing, chapter 4 seeks to expose the motivations that impelled the Georgian government to either embrace or reject the global IDP norms. Process tracing has been widely accepted as a useful technique for depicting causal mechanisms (Bennet and Checkel 2015: 9). It aims “to provide a narrative explanation of a causal path that leads to a specific outcome” (Venesson 2008: 235). Interestingly, and as mentioned, conflict-induced IDPs have always enjoyed special protection under Georgian law (Funke and Bolkvadze 2018: 13). However, the creation of a national policy to enable durable solutions and a law that fully reflects the norms of the Guiding Principles has been delayed. What explains this delay and what was the role of other actors, including donors, international agencies, NGOs, and civil society in promoting a durable solution for IDPs in Georgia? Amy Gurowitz (1999: 416) argues that “the impact of international norms varies across time and place, and it is only through detailed process tracing that we can understand when and where they matter.” Consequently, following the trajectory of the response to internal displacement by using official documents, reports from civil society, program evaluations, interviews, and research articles enables me to account for the incomplete and fragmentary implementation of IDP norms in Georgia over time. Importantly, this part does not focus on government action only. It also pays attention to how international and national organizations as well as the Representative/Special Rapporteur have responded to internal displacement in each phase and interacted with government stakeholders to move toward a comprehensive human rights approach.

Having explored the process that led to the institutionalization of norms in law and policy, this study examines the realization of durable solutions at the local level. This examination lies at the heart of this study and offers intimate insights into the work of national and local authorities, international

agencies, and international and local non-governmental organizations. It studies how these actors strive to achieve or even prevent efforts to realize durable solutions for IDPs. The aim of this part is to arrive at a sound understanding of why certain elements of the durable solutions norm cluster are implemented while others are not.

### *The Extended Case Method*

My methods and methodology for studying the local implementation of durable solutions were inspired by Michael Burawoy’s elaborations on the extended case method. This approach endorses a methodology by which researchers immerse themselves into the culture and life world of their subjects “in order to extract the general from the unique, to move from the ‘micro’ to the ‘macro,’ and to connect the present to the past in anticipation of the future” (Burawoy 1998: 5). The extended case method applies what Burawoy calls a reflexive model of science, which, unlike positivism, “embraces not detachment but engagement as the road to knowledge” (1998: 5). The aim of this method is the reflective exploration of broad patterns and macrostructures through participant observation (1998: 6), which fits a relational ontology. The extended case method involves four extensions: (1) observers extend themselves into the life of the participants; (2) observers extend their observations over time and space; (3) the analysis extends from micro processes to macro forces; and (4) the analysis extends pre-existing social theory (1998: 16–21). This method understands knowledge as a social production, which derives from a dialogue between social scientists and the people they study (1998: 7). This approach to research “from below” is particularly useful to explore local norm implementation and how it relates to global processes of norm evolution because it moves beyond shallow analyses of policies, laws, and reports. While the extended case method primarily relies on ethnography as an overall framework for its research “from a standpoint of participant observation” (1998: 6), this study also incorporated document research, expert interviews, focus-group discussions, and document analysis.

### *Case Selection: Georgia*

There are more than 40 million IDPs worldwide. Most of them can be found in Syria (6.8 million), Colombia (6.5 million), the Democratic Republic of the Congo (4.5 million), Iraq (2.6 million), Yemen (2 million), Sudan (2 million),<sup>16</sup> and South Sudan (1.9 million) (IDMC 2019c). Four of these countries (Syria, Yemen, Iraq, and South Sudan) belong to the top five recipient states of humanitarian spending (Development Initiatives 2018: 9).<sup>17</sup> In light of these figures, scrutinizing the implementation of the durable solutions in

Georgia may seem surprising for three reasons. First, the number of IDPs, while significant in relation to Georgia's overall population, is comparatively small. As of 31 December 2018, 293,000 IDPs had been registered in Georgia. Second, Georgia represents a relatively stable context where new displacements as a result of conflict and violence have not occurred since the brief war between Georgia and Russia in August 2008. Third, many international organizations have withdrawn from the field or have diversified their activities and no longer implement programs that specifically target IDPs and the wider conflict-affected population. So the question inevitably arises why the implementation of durable solutions is being studied in a country that has hardly received attention in larger debates on forced migration so far.

The main reason for exploring the implementation of durable solutions in Georgia is the very fact that internal displacement is not a recent phenomenon there but has been a pervasive problem for almost three decades now. It allows the study of norm development over an extended period and can therefore display links between international norm development and national implementation. Interestingly, incomplete norm implementation and thus lack of protection of IDPs cannot be easily explained by a lack of political will, ongoing armed violence, or extreme weaknesses in the state structures. As mentioned, Georgia has displayed a strong solidarity with the IDPs from the outset of displacement and has been relatively receptive to international protection norms. Furthermore, since 2004, the government has implemented far-reaching reforms to build a functioning state administration. Thus, this study can provide insights about enabling and impeding factors for successful norm implementation in a relatively stable political context. As mentioned, gaps in protection in such a relatively benign policy context then also raise questions regarding the robustness of the Guiding Principles as the international normative framework for IDPs.

Another reason for focusing on Georgia is the fact that it is not a typical humanitarian context where the actors involved in the protection and assistance of IDPs are immediately obvious. In fact, some actors may not even be aware of the fact that they contribute to the realization of durable solutions. Studying their activities can tell us more about the practices and politics of norm implementation than a study that focuses exclusively on organizations with a specific protection mandate.

Finally, while the absolute figures of IDPs are comparatively small compared to the crises listed above, Georgia still hosts one of the highest rates of IDPs relative to the overall population. As mentioned earlier, the consequences of the armed conflicts in the former Soviet Union, which have both an international and a local dimension, rarely receive academic attention and need to be better understood.

## *Participant Observation in an International NGO*

I carried out participant observation in Georgia in 2017 while working as an intern for the Danish Refugee Council (DRC) in Zugdidi. Founded in Denmark in 1956, DRC has become one of the largest international humanitarian NGOs in the world. In Georgia, DRC has four offices, a head office in Tbilisi, a field office in Zugdidi, and two offices in Abkhazia, in Sokhumi and Gali. Occasionally, I would also travel to Tbilisi to work in the head office and have interviews with staff and other experts in the capital. Yet, five of the six months that I spent in the country, I was in Zugdidi. DRC has been operational in Georgia proper since 1999 and in Abkhazia since 2005 (DRC 2017–19: 29). All activities are implemented from a protection perspective and cover the following areas: livelihoods, education, shelter and small-scale construction, development of community services, and technical assistance for state stakeholders at the national and local level (field notes 13 June 2018).

I conducted a study on a newly constructed settlement at the outskirts of Zugdidi. The settlement was built with financial support from the German government for 312 IDP families. The purpose of my study was to identify protection gaps and socioeconomic challenges of the IDPs who had been resettled there. The report was shared with the German development bank KfW in 2018 but has not been published or openly shared with other organizations. The report had been quite specific but the expert interviews I conducted in Zugdidi informed both my report for DRC and this study (see section on interviews below).

Working for DRC had many advantages. I joined staff in events, meetings, and site visits I would most likely have been denied access to as an independent researcher. Furthermore, DRC staff shared gray literature with me as well as government documents, which they had translated from Georgian into English. Thus, working for DRC and engaging in activities like ordinary staff gave me access to information I would not otherwise have been able to obtain. While I did not speak Georgian sufficiently enough to always understand what was discussed around me, those who spoke English would then often translate for me. Speaking some Georgian greatly facilitated local interaction and my research. When international staff visited the field office English was used more frequently. Staff members would not always share the most confidential information with me, given my position as an intern in the organization, yet, they spoke freely in my presence. The longer I worked in the organization, the more I was exposed to insider information.

I documented my observations in a field diary. My field notes were guided by the questions Robert Emerson, Rachel Fretz, and Linda Shaw (2011: 83) point out in their description on summary notes: What did I learn today? What did I observe that was particularly interesting or significant?



What was confusing or uncertain? Did something happen today that was similar or radically different from things I have previously observed? Rather than writing down detailed descriptions of daily routines in chronological order, in my field notes I would focus on significant incidents that happened during the day. When I was visiting IDP settlements, I would be commenting on my own observations and perceptions. Thus, in my field notes I also reflect my role as an actor in the field, for example: “I visited another IDP settlement in Rukhi last week. . . . I felt it was a terrible place to live. Imagining that people have been living there for more than twenty years now, gave me a headache” (25 July 2017).

I also participated in four meetings of the European Union Monitoring Mission (EUMM) with local organizations in Zugdidi. During these meetings, professional interpreters of the EUMM would facilitate communication between internationals and locals. I would take extensive handwritten notes during these meetings and I would write them out in full on my laptop immediately after these meetings in the DRC field office. Participants would share highly sensitive information in relation to the conflict with Abkhazia, and hence, in this study, I do not reveal the identity nor the affiliation of the participants. In fact, I do not even refer to these meetings in my references but opted to mention the day of my field notes instead. All of my field notes are in English because this was the language I mostly used in this research.

### *Expert Interviews*

Besides participant observation, I conducted qualitative in-depth interviews with thirty-one experts of nineteen different organizations or institutions in Zugdidi and Tbilisi. I spoke with representatives from local NGOs and community-based organizations (CBOs) in Zugdidi, international NGOs, international agencies, local government institutions, the Public Defender (Ombudsman), and one policy expert at a national think tank. The length of the interviews varied between thirty minutes and one and a half hours. I interviewed two experts more than once. All interviews were recorded and transcribed with the qualitative data analytics software MAXQDA.

Every interview partner had to sign a form of consent in either English or Georgian. In the form of consent, interview partners were asked to state if they wanted to have their names included in this study or not. Most interview partners agreed to have their names included in the study, however, some experts preferred their identity to be concealed. Any informant who has provided information in relation to the conflict with Abkhazia has been anonymized. It will become apparent in this study that—as one informant reported—“Abkhazia is a challenging place to work” and hence any confidential information that could be traced back to its source might put the or-

ganizations operating in Abkhazia in a difficult position and even endanger their presence on the ground.<sup>18</sup>

I would meet several of my interview partners more than once during my research stay during training courses, on the street in Zugdidi or in the information-sharing meetings. Hence, I would also engage in informal conversations with my interview partners that allowed me to ask additional questions. I began interviewing experts after one month in the field. Thus, I had some time to familiarize myself with the environment and study gray literature I had received from DRC staff to “build up a knowledge base of the field the experts are moving in” (Meuser and Nagel 2009: 31). The interviews were loosely structured, and questions differed slightly depending on the type of organization or institution and the interviewee’s position in the organization and institution. I would prepare my interviews in advance and would try to obtain information about the organization/institution before the interview. I asked every interview partner to provide me with a brief description of the organization/institution and the programs they were currently implementing. The main topics covered their cooperation with partner organizations or institutions, the participation of IDPs in program development, the human rights situation of IDPs and strategies of the government to address internal displacement. Interview partners in Zugdidi would be asked additional questions about the living situation in the newly built IDP settlement on which I prepared a study for DRC. Organizations located in Tbilisi were not questioned on this particular settlement.

The interviews were conducted in English or Georgian. For interviews in Georgian, I hired an interpreter who was a former employee at DRC. She was not a professionally trained interpreter, but given her longstanding experience as employee of DRC, she was familiar with the terminology and my field of study. In my transcriptions, I would type out her translations. Before the interviews, I gave her a briefing on the purpose of the interview and the kinds of questions I would ask.

There is always the danger that important information gets lost when working with an interpreter, however, it has the advantage of obtaining information I would otherwise not have had access to. I was able to understand parts of the replies in Georgian, especially when, during the transcription of the recorded interviews, I was able to slow down the speed and listen to the spoken word several times. In this way, I could contrast—at least to some degree—the original Georgian reply with the English translation.

Working with an interpreter also has the advantage that one is able to share mutual impressions; furthermore, the interpreter does not only translate the spoken word but can share cultural knowledge and information with the researcher after an interview: “Eka told me that it was a very Soviet-style run office . . . Eka also said that he was using some slang words and that he didn’t talk in a very sophisticated manner as people from Tbilisi would do.”

After the interviews, Eka and I would often sit together for some time and discuss our impressions.

I could obtain plenty of information by participating in daily activities in the DRC office and joining staff in meetings and site visits, however, interviews allowed me to ask concrete questions about the means of cooperation and the types of programs and projects each organization was implementing on the ground. Furthermore, conducting expert interviews enabled me to get access to insider knowledge and collect data in a more concentrated and efficient way than I could have through participant observation alone (Bogner, Littig, and Menz 2009: 2). When I returned to Georgia in 2018 for a two-week follow-up visit, I only had interviews with DRC staff for further clarifications.

### *Focus-Group Discussions*

With support of DRC Zugdidi and the local CBO Ertsulovneba, I organized four focus-group discussions with IDPs in the newly built settlement in Zugdidi. The main purpose of these discussions was to inform my study for DRC, although I occasionally refer to information I obtained during the discussions in this book as well. The focus-group discussions gave me the chance to interact with IDPs from Abkhazia who had been resettled in a newly constructed settlement in Zugdidi and to listen to their opinions and concerns. Above all, they strengthened the argument that the resettlement alone does not constitute a durable solution for IDPs.

## **Secondary Sources**

This study relies on a variety of sources and written material. I utilize formal documents, such as UN reports, resolutions of the General Assembly and the United Nations Commission on Human Rights (UNCHR)/United Nations Human Rights Council (UNHRC); decrees; policies and laws; reports and studies from international and national organizations in Georgia; brochures of international, national, and local organizations on specific projects; and short articles in Georgian news outlets. For the overview on the causes and consequences of the conflicts in Georgia, I also draw heavily on academic texts, journal articles, and books by experts on Georgia. Most of the written material I use is in English; whenever I refer to Georgian laws and policies on internal displacement, I use unofficial English translations. Some news outlets were only available in Georgian; I do not quote directly from these sources but only draw on them for general information since my Georgian language skills only allowed me to grasp the gist of these texts.

## Data Analysis Strategy

To structure the data from the field and to answer the question why the implementation of durable solutions remains incomplete at the local level, I used the qualitative analysis program MAXQDA, which I also used for my interview transcriptions. Before coding my data, I first studied the data repeatedly and then arranged the respective text according to four thematic units I had identified before (Table 0.1). First, I would establish if a statement or piece of information in a text could be grouped into one of the four human rights fields: (1) Rights related to physical security; (2) Rights related to basic necessities to life; (3) Civil and political rights; or (4) Economic, social and cultural rights. In memos, I would then capture whether it was relevant to the “norm target,” and hence marked a remaining protection gap, or to an activity of a specific actor in the field. The chapters on Zugdidi, in which I first present an overview of the human rights situation and then examine the activities of relevant actors, reflects these two steps in the analysis process. In fact, I concluded that identifying enabling and impeding factors to norm implementation would not be comprehensible to the reader if they did not have any prior knowledge on the human rights situation on the ground. The terminology I used for my codes was originally close to the one I found in the texts, but they were further adapted during the analysis process to arrive at broad categories and themes, when I was able to identify the more common features. In doing so, I was able to capture the main factors, which affect the implementation of durable solutions for IDPs in Zugdidi and assign them to the four human rights areas as illustrated in Table 6.1. This inductive approach also allowed me to identify overarching themes, which challenge the realization of durable solutions, and which I discuss at length in chapters 5 and 6. In the first human rights field, physical security, this study pays special attention to the situation at the conflict divide and the ability of IDPs to move across the divide. In the second human rights field, housing issues were a reoccurring theme so that in this study they are discussed separately from other aspects related to basic necessities of life. In the third human rights area, this study focuses particularly on IDPs’ ability to access information, and in the fourth human rights field, this study elaborates on aspects related to access to livelihoods.

## Limitations

It is important to highlight the limitations of this study. From a theoretical perspective, this study is mainly concerned with national and local norm implementation processes and their relationship with the international pol-

icy level. This means that this study does not examine the whole norm evolution process, understood as “the process and stages through which norms grow, change and/or diffuse” (Jakobsson 2018: 21). Especially the initial phase, norm emergence, by which internal displacement became an international issue of concern and the process leading to the birth of the Guiding Principles.<sup>19</sup> This study particularly examines how the norms have gained further clarity at the international level and evolved over time, hence it speaks to norm development.

Another limitation of this study is that it explores the implementation of durable solutions in a single setting, namely on Georgian-controlled territory (“Georgia proper”). Estimates indicate that approximately fifty thousand IDPs have spontaneously returned to Abkhazia (DRC 2017–19: 7). Nevertheless, this study only focuses on norm implementation in Georgia proper, where the government is relatively receptive to the global protection norms of IDPs. Clearly, studying norm implementation in a setting where the authorities under control are reluctant to promote durable solutions would have given additional insights into the robustness of global norms and the way they diffuse in local settings, especially with respect to how international and local organizations work in such restrictive environments. Yet, such a study would have required even more time and financial resources. Gaining access would also have been a problem.

Moreover, it is worth highlighting that this study does not intend to assess the exact details of the extent to which IDPs have achieved a durable solution in Georgia proper. To measure this, a quantitative research and survey design would have been more appropriate. Ideally, such a design applies the “durable solutions indicator library” that operationalizes the eight benchmarks of the IASC Durable Solutions Framework.<sup>20</sup> This approach is indeed suited to establishing gradation of integration among various groups of IDPs, depending on, for example, the location of their settlement, the type of accommodation they live in (collective center of private accommodation) and a host of other social features, such as age, sex, disability, and ethnicity. Furthermore, it could provide important information regarding the integration of IDPs in relation to their host communities. This study, however, centers on the practices and politics of norm implementation and specifically with the role of various actors in this process. Thus, it presents a more general overview of remaining protection gaps and ongoing needs of IDPs based on qualitative research methods.

At the local level, this study explores norm implementation in the Zugdidi district in West Georgia. The challenges that emerge for the actors in this process may therefore—to a certain extent—be specific to this location, particularly in the human rights area on physical security due to Zugdidi’s location adjacent to the administrative boundary line with Abkhazia. How-

ever, Georgia is a highly centralized state and in many human rights areas decision-making takes place at the national level, which means challenges to norm implementation often also apply to other parts of the country.

Finally, this study covers the period from Georgia's independence in 1991 until October 2018. Any changes in laws, policies, institutions or programs that came into force later or political developments in Georgia after this date are not taken into consideration.

## Overview of the Book

This book is divided into seven chapters. After this introduction, chapter 1 provides a historical background on the underlying causes of conflict-induced displacement in Georgia and examines why the organized return of IDPs to Abkhazia and South Ossetia still remains a distant political objective. In this light, local integration on Georgian-controlled territory is the only viable solution for IDPs for now.

Chapter 2 develops a theoretical framework to investigate the implementation of durable solutions in Georgia. It suggests treating durable solutions as a varied norm cluster and argues that in addition to IR norm research, insights from William DeMars and Dennis Dijkzeul (2015) on the interaction of actors in heterogeneous networks and Stephen Krasner and Thomas Risse's elaborations on limited statehood (2014) can offer a more complete understanding of the politics behind norm implementation. Moreover, these insights can help explain why a durable solution is so hard to achieve. Furthermore, this chapter introduces the garbage can model of decision-making (Cohen, March, and Olsen 1972; Kingdon 1984) as a useful framework to explain decision-making at the international, national, and local levels.

Chapter 3 studies norm development at the international level. Particularly, it explores how the need to pursue "durable solutions" for IDPs gained international significance. IDPs have nevertheless been neglected in many international debates and recent agreements on forced migration. This chapter therefore presents nine international initiatives that strive to raise awareness and promote durable solutions for IDPs in national and local settings.

Chapter 4 traces the process by which the Georgian government has implemented international protection norms into law and policy. The existence of a national law and policy framework that is in line with the Guiding Principles is considered an important prerequisite for the realization of durable solutions for IDPs. This chapter divides this process into four distinct phases and seeks to explain why the implementation of durable solutions has been delayed in Georgia despite a strong solidarity with IDPs on the part of the government from the outset of displacement.

Chapters 5 and 6 explore how durable solutions are being implemented in Zugdidi. Chapter 5 presents an overview of the human rights situation to identify remaining protection gaps and socioeconomic challenges. Chapter 6 then describes and scrutinizes the activities of international, national, and local stakeholders. Both chapters follow a similar structure and examine norm implementation according to the four human rights areas of the durable solutions (see Table 0.1). In this way, these chapters can reveal variation in norm implementation of the multifaceted “durable solutions” norm cluster and detect a number of factors, which have supported or impeded the realization of durable solutions so far.

Chapter 7 uses a “levels of analysis” approach and connects the evidence presented in previous chapters to theoretical deliberations. The garbage can model of decision-making then serves as a conceptual framework to analyze and connect the findings of the empirical chapters. Applied to this study, it can explain why the implementation of the norms remains incomplete despite strong support at the international and national levels. In addition, this chapter explores the role of the Representative/Special Rapporteur on IDPs and that of international organizations in linking processes of norm evolution at the international, national, and local levels.

In the conclusion, I summarize the main finding of this study, assess the usefulness of the theoretical framework, examine the benefits and drawbacks of the study design and the methodological approach, and point out avenues for further research. Its final section presents a number of recommendations for the international community, donors, the Georgian government, researchers, and international, national, and local organizations and stresses the relevance of this research for other displacement crises.

## Notes

1. UNGA, *Report of the Secretary-General, “In Larger Freedom: Towards Development, Security and Human Rights for All,”* UN-Doc. A/59/2005, 21 March 2005: 51.
2. The number of people displaced by slow-onset disasters remains unknown.
3. The Inter-Agency Standing Committee was established in 1992 and is the primary mechanism for inter-agency coordination in humanitarian action. It includes members of the UN and non-UN humanitarian organizations. See Inter-Agency Standing Committee (n.d.). Retrieved 26 August 2019 from <https://interagencystandingcommittee.org/>.
4. Multilevel governance is a popular research topic among scholars of the European Union. According to Liesbet Hooghe and Gary Marks (2001: xi), it “describes the dispersion of authoritative decision-making across multiple territorial levels.” This study is not concerned with the allocation of authority to different levels of decision-making in a regional union. In trying to answer the central research question, it explores norm evolution at the international, national, and

local levels of governance, where, as will be shown, decision-making follows its own dynamics, and where windows of opportunity create momentum for norm entrepreneurs and norm connectors to establish links between these levels.

5. There are, of course, some exceptions, for instance: Beissinger 2002; Coppeters 1996, 2004; Cornell 2001; Duncan 1992; Zürcher 2007. Apart from the conflicts in Georgia, there has been another conflict in the South Caucasus over the territory of Nagorno-Karabakh, which flared up again in 2020 and remains unresolved to this day (Cornell 2017; Dijkzeul 2008).
6. This found its culmination in the eastern enlargement of the EU in 2004, when seven former Eastern Bloc countries simultaneously joined the Union. Four of these countries are members of the Central European Alliance called the Visegrad Group, the Czech Republic, Hungary, Poland, and Slovakia; the three Baltic countries, Estonia, Latvia, and Lithuania, were parts of the former Soviet Union.
7. For example, Asmus 2010; Cheterian 2008; Cooley, and Mitchell 2010; Cornell and Starr 2009; Paramentier 2009; Welt 2010.
8. For a few exceptions, see Cullen Dunn 2012; Hansen 1998, 2009.
9. The reports were prepared within the project “Across the Georgian-Abkhaz Conflict Divide: Addressing the Needs of Locals (Samegrelo-Zemo Svaneti)” and were merged into one publication, with the Georgian Foundation for Strategic and International Studies (GFSIS) as editor: GFSIS. 2013.
10. For an overview of the project and publications, see Georgia IDP Project. “Welcome to the IDP Project.” Retrieved 10 July 2019 from <https://georgia.idp.arizona.edu/index.html>. Key publications include Kabachnik, Grabowska et al. 2013; Kabachnik, Regulska, and Mitchneck 2012, 2010.
11. The position of the Representative of the Secretary-General was demoted to that of a Rapporteur in 2010.
12. In Georgia, the conflict is widely referred to as the “August War.” This reference will also be used throughout this book.
13. The section on the “post-emergency phase” draws on the insights from Transparency International Georgia. See Transparency International Georgia (2010a, 2011).
14. See IDMC (2012, 2008).
15. See UN Women (2014); DRC and Charity Humanitarian Center Abkhazeti (CHCA) (2015b); People in Need (2016).
16. Sudan includes Darfur.
17. The other one being Palestine.
18. There are only a limited number of organizations that have access to Abkhazia and therefore the decision was made to conceal the identity of all informants.
19. For such an overview, see Thomas Weiss and David Korn (2006).
20. As mentioned, the IASC Durable Solutions Framework identified eight benchmarks to determine the extent to which a durable solution has been achieved. The Danish Refugee Council (DRC) South Caucasus shared a draft indicator library with me in 2017, which operationalizes these benchmarks. The indicator library is available for download here: <https://inform-durablesolutions-idp.org/indicators-2/>.