

## **UN Secretary General's High-Level Panel on Internal Displacement**

**Submitted by Jesuit Refugee Service**

**April 2020**

### **1. The key issues, problems or imperative which, as you see it, should be prioritized by the Panel in its analysis of the crisis of internal displacement today and how prevention, response at large and solutions can be effectively advanced.**

Protracted displacement due to unresolved crises that hinder return and insufficient services on account of limited or decreased resources are two main challenges affecting internally displaced persons.

Services must prioritize access to safety, security, and basic needs for IDPs, whether in urban areas, camp-like, or camp settings. Local and national authorities must ensure that adequate security measures are in place, particularly with regards to the protection of women, children, the elderly, and the disabled. Sufficient food and potable water, basic shelter and housing, essential medical services and sanitation, and education that respects their cultural identity and religion, are vital to preserve the dignity of IDPs.

In some circumstances, IDPs are invisible to national governments and international organizations whose attention is focused on other domestic issues or migratory movements. In other settings, access to IDP populations is limited or restricted due to ongoing conflict or lack of recognition regarding their rights and needs. The social and financial crisis brought about by the COVID-19 pandemic could also result in the concerns of IDPs receding further into the background.

Examples include:

- Ezidi genocide survivors in the Duhok governorate of the Kurdistan Region of Iraq - particularly women and children - face significant protection needs resulting from protracted displacement and major trauma at the hands of ISIS.
- In the DRC, ongoing military operations between armed groups and the national army create circumstances for continual waves of displacement.
- Exploitation and maltreatment of IDPs by host community members in Nigeria create insecurity and conflict stemming from the insurgency by Boko Haram and other armed groups against government forces.
- Ongoing armed conflict in Colombia, despite a peace agreement with the FARC, has caused continual waves of internal displacement which are overshadowed by the large number of Venezuelan migrants and refugees.
- In the Kachin State of Myanmar, international humanitarian agencies, including UN agencies, have restricted access to some IDP camps located outside of government-controlled areas.
- 55,000 IDPs in over 50 informal settlements in Kabul, Afghanistan fear evacuation, resulting in loss of daily wage jobs and whatever assets they have secured. IDP children in Kabul are also exploited by drug peddlers, or by insurgents who use them as child suicide bombers.

### **2. Across the objectives of prevention, response and solutions, how can national political will, responsibility and capacity be catalyzed and cultivated.**

International law protecting IDPs and good governance need to be strengthened. IDPs should enjoy in equal measure the same rights and freedoms under international and domestic law as their fellow citizens. They must not be discriminated against or prevented from gaining access to basic human rights and freedoms on the grounds that they are internally displaced.

We must reinforce the principle that national government authorities have a primary duty and responsibility to provide protection and humanitarian assistance to IDPs within their jurisdiction. IDPs have the right to request and to receive protection and humanitarian assistance from their governments. In this regard, they shall not be persecuted or punished for making such a request.

Governments – both national and regional - must guarantee IDPs the right to seek safety in another parts of the country, the right to leave their country, the right to seek asylum in another country, the right to be protected against forcible return to or resettlement in any place where their life, safety, liberty or health would be at risk.

Governments should establish conditions, as well as provide the means, which allow IDPs to return voluntarily, in safety and with dignity, or to resettle voluntarily in another part of the country. They must facilitate the reintegration of returned or resettled IDPs, ensuring their full participation in the planning and management of their return or resettlement and reintegration.

Examples include:

- To promote the protection of displaced persons in Africa, especially vulnerable populations, we recommend that all AU Member States sign, speedily ratify, and implement the Kampala Convention. We also recommend that Convention signatories fully integrate the monitoring and review of displaced women's housing, land and property rights into the plan, and eliminate discriminatory and harmful practices, as defined in the Convention, that displace women and prevent their return.
- The National Policy on IDPs in Afghanistan and the Presidential Decree 305 (Identification and Allocation of Suitable Land for the Re-integration and Construction of Affordable Housing for Returnees, Internally Displaced Persons) must be fully implemented.

**3. The relevance and role of humanitarian, development, peace, climate change and disaster reduction action and how a more integrated approach in these respects can be fostered. Submissions can in these respects also address the role of the Private Sector, Regional or International Financial Institutions and other development partners and actors.**

A diverse range of partners – including the private sector, regional or international financial institutions and other development partners and actors – are essential in ensuring that sufficient resources are mobilized to address the current and future needs of IDPs.

Examples include:

- A significant challenge in addressing the needs of IDPs in Colombia has been providing humanitarian assistance while at the same time working to establish long-term solutions. There is a clear need for investment in an integrated approach that combines development, political empowerment, and peacebuilding efforts.
- In Myanmar, the government needs technical and financial assistance to establish contingency planning and a policy framework that meets the needs of IDPs within its borders. Relevant governmental departments and staff must be coordinated to respond to these cross-cutting issues.

**4. Focusing on solutions, your perspectives on what has led to many situations of internal displacement remaining stalled for many years and how effective solutions can be catalyzed, driven forward and supported.**

Long-standing, and in some areas deeply historical, disputes or conflicts are at the heart of many protracted crises that have led to internal displacement. Resulting political instability makes it all but impossible to further discussions on areas of concern including disputed territories, integration into host communities, and access to rights and services. Beyond addressing the root causes of conflict and investing in good governance, it is imperative to focus on peace building, social cohesion, and reconciliation to develop long-term solutions.

National governments must listen to those who have been impacted by internal displacement, in particular women and children, and involve them as much as possible in the planning for long-term solutions. Solutions must prioritize equal access to quality health and education services as well as creating job opportunities linked to market demands.

Reconciliation is an area that deserves further exploration with an eye towards developing long-term solutions. JRS defines reconciliation as a journey to “create right relationships” among the displaced, and between the displaced and host communities. Such reconciliation is rooted in justice and sought in dialogue among diverse religions, cultures, and groups. There is an urgent need to work for reconciliation and to build social cohesion manifested in the personal and communal impacts of the human violence that drives displacement, especially when such violence erupts in poor countries, among groups living in close proximity, and leads to long periods of communal unrest and suspicion.

Examples include:

- IDPs are returning to Burundi after fleeing in 2015 due to sociopolitical tensions. Positive interventions include improving the quality of education in returnee schools, facilitating access to education for the most vulnerable returnee students, and enhancing the social cohesion and reconciliation of the returnee community with the local community.
- In South Sudan, the promotion of a peaceful coexistence through peace education, conflict resolution, and reconciliation has helped support community-led initiatives to assist in the rehabilitation and reintegration of IDPs into communities.
- In Venezuela, information sessions for IDPs on creating a culture of peace, hospitality and reconciliation, and workshops to strengthen community resilience help support efforts to create social cohesion among these groups.
- In Colombia, an integrated strategy that combines political and economic integration, social empowerment, organization, and reconciliation and healing, has been crucial in catalyzing effective and long-term solutions.
- In Afghanistan, peace education, psychosocial support, adult literacy, quality education for children, capacity building of teachers, integration between members of different ethnic groups and between the local community are critical in developing long-term solutions for IDPs.

##### **5. New or creative financing solutions which can be built up or better utilized in enabling more effective responses to displacement and the achievement of durable solutions.**

Governments should embrace multiple approaches at promoting the rights of IDPs and providing humanitarian assistance for IDPs to help in recovery, rehabilitation, and development efforts, as well as peacebuilding. New or creative financial solutions must focus on reconstruction and renovation of origin communities to make spaces habitable for IDPs to return, as well as supporting programs that address the physical, social, and emotional needs of the displaced and vulnerable members of the host community. Developing or strengthening microfinancing and mobile money systems, as well as access to banking services are additional ways to create paths to financial stability for IDPs.

**6. Critical issues or questions as you see them in respect to data and evidence in the response to internal displacement including gaps, shortcomings and challenges in approaches or implementation and how these can be addressed.**

Access to sufficient data regarding the needs of IDPs is critical in ensuring that their needs are adequately identified and addressed. For example, the negative social stigma experienced by persons with disabilities makes it difficult to provide accurate, effective data regarding their needs. Enhanced data collection would allow for better promotion of their needs and provision of protective services. Often times, family members are unable to participate in the social-economic sector due to fear of exposure of children living with disabilities. By collecting and effectively disseminating data to IDPs and organizations assisting IDPs, new activities for the protection of internally displaced persons can be generated.

**7. What steps could be taken to strengthen the effectiveness of response management, coordination and accountability at all levels in contexts of internal displacement?**

Notable attention should be given to protect IDPs against murder, genocide, or arbitrary executions and forced disappearances. Provisions must be made to meet the needs of members of vulnerable groups as well as protecting them against various forms of exploitation.

Access to populations by humanitarian workers must be facilitated. All authorities must grant and facilitate the free and safe passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to IDPs. Humanitarian assistance to IDPs must not be diverted for political or military reasons. Actors in the area of international peace work should collaborate in holding states accountable for protecting and assisting IDPs. They should also improve the Cluster Leadership Approach, which is a joint effort by humanitarian agencies to reach more IDPs in need of assistance and protection in a reliable and timely way; and should work towards strengthening inter-agency coordination within government departments when protecting and assisting IDPs.

We encourage UNHCR and OCHA to closely monitor states' development of, and compliance with, such laws, and to continue to develop its mandate related to IDP issues, by strengthening its expertise and staffing levels at headquarters and at the country level. UN agencies must prioritize coordination with national and international NGOs working with IDPs, allowing them to express clearly their voice and concerns.