

Intersessional seminar

on the implementation of the Plan of Action for Advancing Prevention, Protection and Solutions for Internally Displaced Persons 2018–2020

to mark the twentieth anniversary of the Guiding Principles on Internal Displacement

Thursday 29 October 2020, 9.30 – 12.00 / 14.00 – 16.00 CET

1) Introduction

The Human Rights Council, in its resolution 41/15 of 11 July 2019, requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to convene an intersessional seminar in order to follow up on the implementation of the Plan of Action for Advancing Prevention, Protection and Solutions for Internally Displaced Persons 2018–2020 (GP20 Plan of Action) to mark the twentieth anniversary of the Guiding Principles on Internal Displacement. Furthermore, the Council requested OHCHR to invite States and other relevant stakeholders, including the United Nations Secretariat and relevant bodies, representatives of sub-regional and regional organizations, international human rights mechanisms, national human rights institutions and non-governmental organizations.

The objectives of the intersessional seminar were to:

- Highlight achievements, effective practices and lessons learned from the national implementation of the GP20 Plan of Action, including areas in need of priority attention;
- Hear internally displaced persons' (IDPs) recommendations on how States, the international community and local actors should move forward to prevent, address and resolve internal displacement at the local, national, regional and global level;
- Seek support for the most promising aspects of the GP20 Plan of Action to be continued and expanded beyond 2020 and recommend further actions that might be taken by the United Nations system, including the Human Rights Council, the UN Secretary General's High Level Panel on Internal Displacement and others, to assist internally displaced persons and support States in their efforts to prevent, address and resolve internal displacement and achieve the SDGs by 2030;
- Provide relevant inputs to the final outcomes of the GP20 processes, including by featuring seminar outcomes in the GP20 concluding event.

The intersessional seminar was moderated by Ms. Cecilia Jimenez-Damary, Special Rapporteur on the human rights of internally displaced persons. The discussion included opening statements by Ms. Michelle Bachelet, United Nations High Commissioner for Human Rights; H.E. Ambassador Elisabeth Tichy-Fisslberger, Permanent Representative of Austria to the United Nations Office at Geneva and President of the Human Rights Council; and Ms. Federica Mogherini, Co-Chair, UNSG's High Level Panel on Internal Displacement. Participating in the discussion as panellists were: Ms. Samira Gutoc, IDP Rights Advocate and Chairperson, Ako Bakwit, Republic of the Philippines; Ms. Grainne O'Hara, UNHCR, Director, Division of International Protection; Ms. Tetyana Durnyeva, Group of Influence,

Ukraine; Mr. Muhari Usman, National Association of Nigerian Nurses and Midwives (NANNM) affiliated to Public Services International (PSI); Ms. Nino Lomjaria, Public Defender of Georgia; Mr. Sebastian von Einsiedel, OCHA, Senior Advisor on Internal Displacement. Closing remarks were delivered by H.E. Ambassador Eunice Irungu Kigenyi, Deputy Permanent Representative of Uganda to the United Nations Office at Geneva; and H.E. Ambassador Giampaolo Carmelo Rizzo Alvarado, Permanent Representative of Honduras to the United Nations Office at Geneva.

The present informal summary was prepared by OHCHR.

2) Opening statements

The **UN High Commissioner for Human Rights, Michelle Bachelet** recalled that the purpose of the intersessional seminar was to consider the implementation of the GP20 Plan of Action through a human rights lens, in particular to outline solutions and positive practices that have worked and how they can be carried forward into the future. Ms. Bachelet stressed that the work of the GP20 Plan of Action, which has helped establish durable solutions for many internally displaced persons, has to continue to address internal displacement. She encouraged the Secretary General's High Level Panel on Internal Displacement to build on the work done over the past three years. The High Commissioner recalled that the GP20 Plan of Action is organized around four priorities: participation of IDPs; national law and policy on internal displacement; data and analysis; and addressing protracted displacement and supporting solutions. Ms. Bachelet pointed out that upholding participation means empowering IDPs to participate in decisions impacting them, in particular those in greater situations of vulnerability. The High Commissioner emphasised the importance of national laws and policies on internal displacement to adopt a human rights-based approach and noted the important role of the Human Rights Council, Special Procedures, Treaty Bodies, and national human rights institutions, among other relevant stakeholders, in this regard. She noted with concern that absence or poor quality of data, which lead to instances of internal displacement not to be acknowledged or responded to. Finally, she stressed that, in order to establish durable solutions it is crucial to recognise the agency of IDPs themselves, and to involve local communities and civil society in these decisions. She further underlined the need to have access to civil documentation, economic and social rights and justice in order to facilitate IDPs' agency. The High Commissioner concluded by praising the significant progress made towards addressing the four priorities of the GP20 Plan of Action, in ways that advance the human rights of IDPs.

Ambassador Elisabeth Tichy-Fisslberger, Permanent Representative of Austria to the United Nations Office at Geneva and President of the Human Rights Council, stressed that internal displacement is a major human rights issue of our time, which is often overshadowed by other phenomena. She pointed out that internal displacement involves people who have been arbitrarily and forcefully uprooted for a range of root causes, such as conflict, violence, climate disasters, organised crime, and land grabbing, among others. She noted that IDPs often find themselves traumatised and in protracted situations of displacement. Ms. Tichy-Fisslberger recalled that the GP20 process was established to ensure the operationalisation of the Guiding Principles on Internal Displacement and stressed that work in this area needs to continue beyond 2020. She noted that internal displacement presents important protection gaps and acknowledged that even if IDPs are entitled to the same rights as other persons in their country, this entitlement is often not reflected in practice. She further noted that the fact that both IDPs and host communities face numerous challenges, often leads to competition for access to resources, rights and services and that, in this competition, the most vulnerable, who are

often women, are left behind. Ms. Tichy-Fisslberger called for a human rights based approach to internal displacement as the only way of achieving durable solutions. She recognized the important role that the Human Rights Council and the Special Rapporteur on the human rights of IDPs have played in this regard. She concluded by noting that in the context of the COVID-19 pandemic, IDPs are among the weakest but stressed that we should not allow them to pay the most.

Ms. Federica Mogherini, Co-Chair, UNSG's High Level Panel on Internal Displacement noted that the numbers of IDPs continue to increase, as the world is facing multiple challenges, and as actions taken so far have not resolved the problem. She recognized that the GP20 Plan of Action has been an essential tool to advance the implementation of the Guiding Principles on Internal Displacement. She commended the work of the Secretariat, the Steering Committee and all the partners involved and praised the critical role played by the Special Rapporteur on the human rights of IDPs. Ms. Mogherini stressed that, as the GP20 mandate finishes, it is time to explore avenues to make progress on advancing prevention, protection, and solutions for IDPs. Ms. Mogherini explained that the High Level Panel on Internal Displacement was established because UN Member States and UN Secretary General want to effectively address internal displacement, including by addressing the implementation gap. She noted that the aim of the High Level Panel is to identify recommendation for the UN and Member States on the type of action and change that is needed to effectively address internal displacement. She further added that the High Level Panel will identify what has not worked so far and what needs to be changed and will provide practical, creative and implementable recommendations. Ms. Mogherini concluded by emphasizing that internal displacement requires a collective effort, with all actors coming together to address it.

3) Highlights from the implementation of the GP20 Plan of Action for Advancing Prevention, Protection and Solutions for Internally Displaced Persons 2018–2020: achievements, lesson learnt, effective practices and priority areas for attention

a) Contributions of the panellists

Ms. Samira Gutoc, IDP Rights Advocate and Chairperson, Ako Bakwit, Republic of the Philippines highlighted some of the main issues facing IDPs, based on her experience as an IDPs' rights advocate in the Philippines. She recalled that in absence of an appropriate legal framework, IDPs are not identified as a vulnerable group and therefore are not benefiting from State support, including cash and food assistance. She stressed that internal displacement is also triggered by development projects that affect the land of indigenous people. She noted that language and location of IDPs represent additional barriers, especially for those in remote locations. She added that, in the context of the COVID-19 pandemic, assistance has become even less accessible due to lockdowns and quarantines. She added that IDPs are the poorest and are vulnerable to unfair recruitment. She further emphasised that the Guiding Principles serve as the only recourse to return home, as many IDPs lack titles to their land. Ms. Gutoc called for continued solidarity at the international level; strengthened participation of IDPs in programming and political processes; and formalisation of the Guiding Principles into national law.

Ms. Grainne O'Hara, UNHCR, Director, Division of International Protection outlined some of the main achievements of the GP20 initiative, and the lessons that UNHCR as an institution has learned through

the process. Ms. O'Hara stressed the relevance of the GP20 in providing practical measures to advance prevention, protection and solutions for IDPs, as well as in bringing the voices of IDPs themselves. She identified the value of inclusive and proactive multi stakeholder involvement as a lesson learnt of the process. She further noted that the GP20 showed the central role that States can play by assuming responsibility and leadership for internal displacement as a domestic issue, and the benefit of regional State to State exchanges. Ms. O'Hara pointed out the GP20 process validated a model for more joined-up and strategic action and added that synergies at the national level show how solutions can be gained. She reminded that IDPs are citizens, who can vote and use the Parliament, legal system and political processes of their own country. She noted that the GP20 platform showed that States are willing to develop their own legal systems. Ms. O'Hara concluded by stressing that the GP20 compendium of good practice can be a valid contribution to the work of the High Level Panel on Internal Displacement.

Ms. Tetyana Durnyeva, Group of Influence, Ukraine shared some of the lessons that the NGO Group of Influence learnt through their multi-year advocacy efforts to improve IDPs' access to voting rights in Ukraine. She recalled that IDPs faced legal, practical and political obstacles that prevented them to enjoy the same electoral rights as other Ukrainian citizens. In this regard, she stressed the importance of involving people potentially affected by a decision, following the rule "do nothing for us without us". She explained how the Group of Influence engaged IDPs and other internal migrants who faced obstacles to exercise their electoral rights to discuss possible solutions and to find the best legal model to ensure electoral rights for everyone affected. Ms. Durnyeva highlighted the importance of fighting against stereotypes and changing the attitude of politicians and the society towards IDP's electoral rights. She shared, as an example, the campaign #EveryVoiceMatters, which united efforts of many local, national and international stakeholders. She further noted that a key component of success was involving IDPs in the advocacy campaign, including by providing advocacy training across the country and giving IDPs knowledge and skills to be agents of change. She stressed the importance of multi-stakeholder's engagement and the role played by local government, the media, and international partners in pushing for full electoral rights for IDPs. She concluded by emphasizing that the society as a whole will benefit from finding solutions to internal displacement and added that this requires long-term efforts to uphold human rights and strong and diverse partnerships.

b) Summary of discussion

During the plenary discussion, representatives of Ukraine, Colombia, Iraq, Azerbaijan, Venezuela, Norway and the European Union delivered statements. In addition, one national human rights institution (Commissioner for Human Rights of the Philippines), one United Nations entity (World Health Organization), and one non-governmental organization (Plan International) made interventions from the floor.

The speakers welcomed the opportunity to share good practices and lessons learned in the implementation of the GP20 Plan of Action. Some participants emphasized that the GP20 process has been effective in galvanising efforts from multiple actors to address internal displacement, promote the participation of States, foster an environment for exchange, and gather a large number of promising practice and lessons learned. Participants noted that the broad engagement of States in GP20 implementation is a testimony of success. Some participants welcomed that that the GP20 will feed the work of the High Level Panel on Internal Displacement and expressed interest in recommendations on how GP20's good practice and lessons learned could be further scaled up and replicated.

Participants highlighted lessons learned from the implementation of the GP20 Plan of Action and areas in need of priority attention. A participant recognized that internal displacement must be addressed with specific actions primarily at the national level. Some participants highlighted the importance of the active and meaningful participation of IDPs in the design and implementation of national policies and stressed that meaningful participation ensures better and more durable solutions. Others noted that depending on their age, gender and diversity, IDPs may face specific risks but also specific challenges on participating in decisions affecting them. A participant underscored the importance of tackling root causes in order to effectively address internal displacement. Participants emphasized that there is no single solution to internal displacement and underlined that it is necessary to assess the various options available to address different situations of internal displacement. A participant stressed the need for new and innovative approaches, such as support of host communities, strengthened international solidarity and burden-sharing, and halting forced returns until situations have stabilised. Participants stressed the need to preserve the dignity and human rights of IDPs, including through their inclusion in the socio-economic development of a country. Access to health services, education, livelihood opportunities and adequate housing was referenced as fundamental in realising the human rights of IDPs. A participant underscored the close interconnection between human rights and IDPs' health outcomes. Several speakers emphasized the importance of international solidarity and cooperation and the need to reenergise the international and multilateral support to affected States and to IDPs themselves. A participant called upon international organisations in the humanitarian and development field to allocate increased funding to situations of internal displacement. The need to incorporate age, gender, and diversity-responsive approaches to IDP responses was raised.

Delegations presented promising practices with regard to prevention, protection and solutions for IDPs. The representative of Ukraine stressed that the Guiding Principles on Internal Displacement have been the main international document the government referred to during the development and improvement of national legislation on the protection of the rights of IDPs. The representative added that a new procedure has allowed IDPs to exercise their right to vote and participate in local elections. The representative of Colombia noted that the country has implemented a policy of assistance and reparation for victims, promoted the participation of IDPs through the National Table of Victims, and implemented a land restitution program. The representative of Iraq stressed that measures have been taken to enhance IDPs' access to social and economic rights, including the right to work, the right to health and the right to education, with an enhanced focus on children, women and persons with disabilities. The representative of Azerbaijan emphasized steps taken to reduce the dependence of IDPs on humanitarian aid and to improve their living conditions and livelihoods. The representative of Venezuela noted the role that the Ombudsman's Office can play in the exercise of its constitutional powers of defence and monitoring of human rights throughout the national territory. The representative of the European Union noted that IDPs are a priority for assistance and protection in a large number of EU humanitarian operations and that 40% of EU's annual humanitarian budget goes to situations affected by internal displacement. The Commission for Human Rights of the Philippines referred to a monitoring tool developed to monitor the situation of IDPs, including in the context of the pandemic. The World Health Organization referred to their commitment to addressing IDPs' health and well-being in an inclusive and comprehensive manner and as part of a holistic approach to address the overall population's health needs.

Ms. O'Hara presented three final observations and recommendations. First, the importance of developing national laws and policies on internal displacement, including national dialogues that involve IDPs. She recommended increasing awareness about international and national expertise and technical support that is available for States wanting to adopt laws and policies on internal displacement. Second, she stressed the centrality of durable solutions and called for a focus on

innovative local responses that respect IDPs rights and re-establish their self-reliance. Third, she acknowledged the need of a continued whole-of-UN-system and whole-of-society approach and suggested the establishment of a standing international forum on international displacement. Ms. Durnyeva noted that IDPs women face numerous barriers and have additional responsibilities, such as taking care of children and the elderly. In this regard, she underlined that gender equality should be strengthened. Ms. Gutoc recalled the UN Security Council resolution 1325 on increasing women's participation in all peace and security efforts and stressed the importance of gender mainstreaming, education and of formalising spaces for women in decision-making positions.

c) Concluding remarks

H.E. Ambassador Eunice Irungu Kigenyi, Deputy Permanent Representative of Uganda to the United Nations Office at Geneva summarized the main issues raised during the panel discussion. She pointed to the continued need of a process to tackle internal displacement and noted that the GP20 lessons learnt and multi-stakeholder approach should be taken forward. She underlined that a human rights based approach is needed to address internal displacement and noted that the Guiding Principles serve as a basis for the enactment of national laws on this issue. She further underscored that IDPs should be part of formal decision-making and electoral processes and that community-based involvement should be strengthened in addressing IDP issues. She added that IDPs should be integrated into services and infrastructure. She also noted that the UN is an important player, particularly to address legal and policy gaps on internal displacement. To conclude, she noted that there is no single solution for all IDPs situations and that multiple solutions are available, but also stressed that increased political will, particularly to address the root causes of displacement, is needed in order to find durable solutions.

4) Beyond 2020 and the GP20 initiative: priority areas for attention and concrete recommendations on prevention, protection and solutions for internally displaced persons, for the United Nations system, including the Human Rights Council, States and other key stakeholders

a) Contributions of the panellists

Mr. Muhari Usman, National Association of Nigerian Nurses and Midwives (NANNM) affiliated to Public Services International (PSI) highlighted three priority actions for IDPs beyond 2020: first, addressing the root causes of internal displacement, such as poverty, peace and security, democracy and participation, and access to jobs and livelihoods; second, ensuring non-discriminatory access to quality public services, such as health care, housing, social services, water and sanitation, education and public infrastructures; and third, ensuring that all frontline actors providing services to IDPs benefit from decent work conditions and social protection, particularly in the context of COVID-19. Mr. Usman stressed that the role of workers and trade unions in defending the human rights of IDPs should be recognised and capacity-building efforts towards this end should be supported. He noted that in the context of the pandemic, health workers are at the forefront of raising awareness of COVID-19 in IDPs camps and that trade unions are leading the advocacy for inclusion of IDPs in the response to the pandemic. He underlined that investing in public health services is key to addressing health inequalities and building resilience to pandemics. Mr. Usman concluded by calling for non-discriminatory access to public health services for both IDPs and host communities.

Ms. Nino Lomjaria, Public Defender of Georgia outlined the work that the Public Defender of Georgia is doing to protect and promote the rights of IDPs in Georgia, including as regards provision of legal assistance to IDPs, human rights monitoring and engagement in the development of policies and laws on IDPs. She noted that data collection and analysis are crucial to identify IDPs' needs, to develop effective policies and programmes that protect their rights and to comply with reporting commitments made under the 2030 Agenda for Sustainable Development and the core human rights treaties. Ms. Lomjaria recalled the recommendations made by the Special Rapporteur on the human rights of IDPs in her 2019 report on national human rights institutions (NHRIs). She underlined that NHRIs should be vested with broad power, functions and adequate resources to carry out their work effectively. She added that NHRIs should be provided with access to all locations and communities affected by internal displacement. She further called for continued support to the work of NHRIs at the global level, in particular to the Global Alliance for National Human Rights Institutions (GANHRI), as they play a crucial role, including in terms of facilitating their cooperation with the UN system, and providing a platform to meet and exchange promising practices.

Mr. Sebastian von Einsiedel, OCHA, Senior Advisor on Internal Displacement highlighted opportunities to advance the solutions agenda, including the High Level Panel on Internal Displacement, the UN development system reform, the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee's commitment on the humanitarian-development-peace nexus, and innovative practice on the ground, as documented in the GP20 compilation of effective practices. Mr. von Einsiedel outlined how the broader UN system might leverage these opportunities to further strengthen collective efforts towards durable solutions. He stressed that durable solutions require a truly collective exercise by all relevant UN entities at the country level. He noted that common country assessments are meant to inform both humanitarian and development strategies and programming and added that these need to be complemented by in-depth profiling and other data collection efforts at the local level. As an example of a promising practice, Mr. von Einsiedel referred to a profiling exercise conducted in Darfur, noting that it was carried out with the involvement of UN system entities and the government, relying on community based consultations and a broad set of indicators. He acknowledged some concerns among the humanitarian community that humanitarian principles and standards might be infringed in the pursuit of the humanitarian development peace nexus approach to durable solutions. In order to address this concern, he stressed that the realisation of human rights and protection of IDPs should underpin and inform all efforts to pursue durable solutions.

b) Summary of discussion

During the plenary discussion, representatives of Switzerland, Armenia, Azerbaijan and USA took the floor. Moreover, representative of two NGOs, the academia and the youth made interventions.

Participants highlighted priority areas and made several recommendations on prevention, protection and solutions for IDPs. Several participants recommended that the international community focus its efforts on strengthening political will, responsibility and capacity. Participants stressed that more focused and decisive action by national authorities, with the support of the international community, is needed to achieve solutions. A participant stressed the need to improve coordination by realising that internal displacement is not only a humanitarian and human rights challenge, but also a developmental and peace challenge. A participant highlighted that children and youth should be critical partners in finding solutions, and that inclusive platforms should be established to ensure that their voices and concerns are heard. The participant added that children and youth should be given access to inclusive quality education and that youth-led inclusion and integration efforts should be

supported. A participant noted that the academia has a role to play in promoting and strengthening the existing framework on IDPs' rights. A participant noted that the UN and international organisations should be granted unrestricted access to fulfil their humanitarian mission and that protracted situations of displacement require increased international attention. A participant highlighted that the implementation of international and regional frameworks on internal displacement must better tackle inequality and discrimination based on age, gender and diversity, including disability status. Questions were raised on how political will, responsibility and capacity can be catalysed and how to move from recommendations to implementation.

Mr. von Einsiedel stressed that to incentivize national action is necessary to raise awareness on the financial cost of displacement and the impossibility to make progress in meeting the SDGs unless internal displacement is addressed. He noted that avenues to generate political will, include promoting the development and adoption of internal displacement laws and policies and the availability of data and evidence on IDPs locations, demographics, needs and vulnerabilities. Mr. von Einsiedel noted there is room to improve the coordination between humanitarian and development actors, including by leveraging the role of empowered resident coordinators. Ms. Lomjaria emphasized that countries affected by internal displacement are post conflict countries and have limited financial resources and that in order to allocate effectively resources in these countries, political will is required. She stressed the important role that the academia can play by collecting data that can inform the development and assessment of policies. She further highlighted several actions that NGOs can pursue to address displacement, including monitoring, strategic litigation, awareness raising and participation in the elaboration of policies and strategies on IDPs. Ms Lomjaria noted that IDPs are one of the most vulnerable groups in society and that older persons, women, victims of violence, persons with disabilities and other IDPs can be particularly vulnerable. She suggested to have more targeted discussions on relevant approaches that need to be developed to respond effectively to the needs of IDPs. Mr. Usman stressed the importance of IDPs participation in political and decision-making processes. He stressed the importance of quality services investment, participatory budgeting and good governance campaigns. Mr. Usman concluded by emphasising that every IDP should have equal rights to all citizens.

c) Concluding remarks

H.E. Ambassador Giampaolo Carmelo Rizzo Alvarado, Permanent Representative of Honduras to the United Nations Office at Geneva illustrated the experience of Honduras since the official recognition in 2013, of a problem of internal displacement in the country, which led to the establishment of an inter-agency commission for the protection of internally displaced persons from violence, efforts to improve data collection, and the development of a national plan for the implementation of the regional framework for protection and solutions. He emphasized the importance of promoting a one-UN approach to find durable solutions through the nexus of humanitarian aid, development and peace; and that all stakeholders need to be included. Mr. Rizzo Alvarado noted that while many relevant recommendations were made during the discussion, challenges are still big and have been aggravated by the COVID-19 pandemic. He stressed that while national authorities have a primary obligation to provide protection and humanitarian assistance to IDPs, however, regional and global problems require regional and global solutions; thus, multilateralism and inclusion are crucial to find durable solutions. He concluded by calling for support to the humanitarian and development agenda, in accordance with the 2030 Agenda for Sustainable Development, and include new elements such as health emergencies and climate change.