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Stocktaking Meeting on Internally Displaced Persons: An Opportunity to Follow Up

22 January 2015, Geneva Centre for Security Policy

Introduction

This meeting to take stock of internal displacement is the third in a series of consultations with stakeholders on developments regarding internally displaced persons (IDPs). The first meeting was held in November 2012, at the initiative of the Special Rapporteur on the human rights of IDPs, in cooperation with the [Brookings-LSE Project on Internal Displacement](#). A year later, [a follow-up meeting](#) with stakeholders was held following the High Commissioner's Protection Dialogue on IDPs, convened by UNHCR. This third stocktaking meeting, held on 22 January 2015 in Geneva, was called to provide an opportunity for the Special Rapporteur (SR) to brief stakeholders on his activities during the past year and to solicit a discussion on the following questions:

- Has the situation of IDPs improved over the course of the past year? Has the international community's response gotten better?
- What progress has been made on the two joint priorities identified at the November 2012 stocktaking meeting – support for the African Union (AU) Convention on the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) and encouraging durable solutions to displacement, particularly through the engagement of development actors?

Participants also reflected on the future of the IDP mandate. The meeting was chaired by Johan Meyer of the Norwegian Foreign Ministry. Elizabeth Ferris, co-director of the Brookings-LSE Project, welcomed participants and noted that the Project would launch a major new study on '[how IDPs are faring ten years after humanitarian reform?](#)' in the afternoon of 22 January 2015. This stocktaking meeting of 35 stakeholders, held under the Chatham House rule, discussed a broad range of issues. This brief report is intended to summarize the key ideas and concerns from the discussion.

Missions/Working Visits

The SR began by reviewing some of the high points of his missions/working visits over the course of the past year. In all of his visits he met with a range of stakeholders, including government representatives, IDPs, and representatives of international and national organizations working with the displaced.

The SR traveled to **Kenya** from 29 April to 7 May as a follow-up to his visit in 2011 which focused on displacement caused by post-election violence in 2007-2008. Since his last visit, he noted that there is a new government, a new constitution and unfortunately, new displacement. With the distribution of cash grants to IDPs, the Kenyan government considers internal displacement to have ended. The SR noted that this tendency to close the IDP file is also evident in other countries, such as Sri Lanka and Haiti.

However, he noted that in Kenya the lack of profiling or needs assessments means that those who received cash grants were not always IDPs and this is still a need to carry out a verification exercise. He noted that some IDPs who received the cash grant found it wasn't sufficient to buy land and enable them

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to find a durable solution. Even as solutions are elusive for some of those displaced eight years ago, new displacement is occurring in the northeast part of the country, particularly pastoralists living near the Ethiopian border. When the SR returned to Kenya in August, he found some signs of progress in the disbursement of funds, in reconstruction and in the establishment of peace committees between communities. In some cases, communities have established early warning systems which could help prevent violence around future elections. The SR had urged the government to implement new Kenyan legislation on IDPs, noting that budgetary approval was needed.

The SR traveled to **Azerbaijan** from 8-24 May 2014 as a follow-up to former RSG Walter Kälin's earlier visit and at the request of the government. Given the conflict in Ukraine, the situation was understandably somewhat tense. The number of IDPs has decreased since the 1990s and reconstruction of housing for IDPs has generally been good. However, serious problems remain around IDPs' livelihoods. The government does not want IDPs to work, but rather is supporting them with funds from oil production. Mobile health clinics and special schools have been established for IDPs but local integration is discouraged. The conflict over Nagorno-Karabakh remains frozen and the Minsk process seems highly problematic.

Following his earlier visit in 2012, the SR travelled to **Côte d'Ivoire** from 16-20 June 2014, with a particular focus on IDPs living outside of camps. In his first visit, he had been particularly troubled by the attack by criminal elements on an IDP camp which had highlighted the inability of the peacekeeping forces to respond. He was encouraged to see that some of his initial recommendations had been followed. For example, the government had ratified the AU Convention and passed a new law on birth registration. The government had also established a coordinating committee together with humanitarian partners to meet on a monthly basis and chaired by the prime minister. However, progress on finding solutions has been slow and there are still issues around IDPs living in informal settlements. He is also concerned about land issues in the western part of the country which need attention.

The SR visited **Haiti** from 29 June-5 July 2014 as a follow-up to Walter Kälin's 2010 visit. As humanitarian agencies are departing, there is a need for a smooth transition from a humanitarian to a development approach. For example, there are major issues about how to integrate IDPs and deal with informal settlements in urban planning processes. There does not seem to be an effective coordination system between development actors, nor in their interactions with the government. Some saw IOM's policy on rentals as a solution to displacement, but lack of livelihood opportunities meant that many were not able to pay rent. Many face the threat of evictions and the rule of law needs to be strengthened.

The SR traveled to **Ukraine** from 16-25 September 2014. At the time of his visit there were 310,000 IDPs but since the time of his visit, the number has more than doubled. He noted that the government was totally unprepared for the scale of displacement. The armed forces were unprepared for the conflict and private brigades were created. While the government passed a law on IDPs, the central government has been largely invisible and coordination between government ministries is lacking. Needs assessments are lacking and local governments have run out of resources. IDPs reported they could not access benefits, such as social security, when they moved. A housing strategy for IDPs is urgently needed. While the government sees displacement as a short-term issue, experience suggests that it could turn out to be longer-term. Attention also needs to be paid to relationships between IDPs and host communities to avoid

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perception of preferential treatment. He noted that while he was unable to visit Crimea, the situation of Crimean Tatars remains outstanding.

Future visits.

The SR will travel to the **Central African Republic** as part of a joint mission with OCHA and the European Union from 9-15 February as well as to **Cameroon**. While setting dates for future visits is always difficult, he hopes to travel to Syria later this year as well as to **Colombia** and the **Philippines**.

The SR noted that he hopes that by the time his mandate ends, in November 2016, he has been able to visit all of the countries visited by the mandate and to write a comprehensive report for his successor.

In response to questions from participants, the SR noted a few cross-cutting observations from his visits. The fact that figures and other relevant information on IDPs are lacking or incomplete makes it difficult to plan for durable solutions. Governments and other actors seem to lack understanding of what durable solutions entail. For example, in Côte d'Ivoire, the government was attempting to resolve displacement by closing camps without linking it to housing and livelihood strategies while the Kenyan government was offering cash grants for the same purpose, again without considering the wider long-term needs of IDPs. Return is usually seen as the only durable solution, while many IDPs are hoping to integrate locally. UN missions are being closed in both Côte d'Ivoire and Haiti but there is little planning for the transition. He is concerned about the lack of protection for IDPs, particularly as displacement is seen as a humanitarian issue and that development actors do not have a tradition of working on protection. Too often, ensure the meaningful participation of IDPs in relevant processes regarding them is an afterthought.

In response to a question about existing tools to follow-up his visits, the SR noted that the visits themselves generate interest and that he works with partners on the ground, whether UN, NGO or civil society actors to provide necessary follow-up. While the SR can help identify solutions, partners are needed both to monitor progress on general recommendations from the visits and for individual cases that surface. In Ukraine, for example, the SR is working with partners to organize a follow-up workshop to consider all measures needed to ensure effective protection and assistance of IDPs, including based on experiences from other countries of the region.

In response to a question about the growing tendency to consider the closure of camps as a solution in itself, the SR lamented the lack of strategies for closing camps. When camps are closed, there is no follow up on whether IDPs then achieve durable solutions. A system is needed to coordinate and share information between humanitarian and development actors; for example in Haiti there are cases where IDPs were resettled to areas where they were vulnerable to evictions simply because of a lack of communication.

There was considerable discussion about the continued need to engage development actors in responding to displacement. In particular there are a number of initiatives currently underway including the piloting of the Secretary-General's Policy committee decision on durable solutions for IDPs and returning refugees, the Solutions Alliance and work the SR is leading with the Joint IDP Profiling Service to develop indicators for durable solutions based on the IASC Framework for Durable Solutions for IDPs. It is also important to remember that many organizations work on both humanitarian and development issues. The SR reported that in May he, along with others, had participated in an Arria formula meeting of

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the Security Council on the protection of IDPs, which highlighted the intersections between humanitarian, development, and peacebuilding. His annual report to the General Assembly focused on durable solutions, particularly in the context of urban displacement. The need to develop national frameworks and policies on urban displacement was also a theme of the IASC meeting in December. Efforts to include displacement in the post-2015 development agenda are still ongoing, particularly in the form of specific indicators that States will use to measure whether they have reached wider targets.

In discussions about implementation of the Kampala Convention, the SR referred to a March 2014 meeting with the African Union which identified the need to create an action plan for implementation – a suggestion he followed up in a meeting with the AU in August. This plan needs to be concretized and he intends to work with the AU in organizing an African expert group meeting later this year. The World Humanitarian Summit also offers an opportunity to promote the Convention and he hopes to stimulate regional approaches in other parts of the world to build on the AU's experience in developing a regional instrument. In particular, given the Cartagena +30 initiative, it would be an opportune time for InterAmerican organizations, such as the InterAmerican Commission on Human Rights to initiate a regional approach to internal displacement.

In the discussion there was agreement that protection needs to include a focus on solutions and not be seen solely as a technical issue. The Rights up Front initiative is pitched as comprehensive solution to protection, but one participant noted that it is perceived as a UN-centric process, and still hasn't been shared with NGOs although the content of the plan of action seems quite strong. A positive development in working with IDPs has been progress in developing national laws and policies and participants affirmed the need to engage more with national human rights institutions.

Participants in the meeting affirmed the need to continue to focus on internal displacement and expressed some concern that the issue was not receiving the attention it deserved. This led to a discussion about whether it is now time to advocate for the creation of a new Special Representative of the Secretary-General (SRSG) post which would give the issue greater visibility and facilitate access by the mandate-holder to senior governmental and international officials.

Participants appreciated the opportunity to assess collectively progress being made on internal displacement and expressed the desire to continue these annual stock-taking meetings.