



UN Secretary General's High-Level Panel on Internal Displacement
Submission from the International Committee of the Red Cross

8 May 2020

The High-Level Panel on Internal Displacement offers a unique opportunity to trigger much needed action by building on the collective work already done to respond to internal displacement, but also by highlighting gaps and innovative practices. The Panel is well positioned to showcase existing good practices in addressing the challenges posed by internal displacement, and to facilitate the exchange of information and lessons learned across borders and regions. The Panel's good offices can promote cooperation between various actors, local and regional, grassroots and high level, who are already working on internal displacement. Beyond informational exchange, the Panel provides the opportunity to catalyze political momentum behind actions and policies that can highlight incentives for all stakeholders to address internal displacement.

The International Committee of the Red Cross (ICRC) looks forward to leveraging its long-standing experience supporting internally displaced persons and host communities and engaging with States and non-State actors in support of the Panel's work. We will provide two further inputs:

- In collaboration with the International Federation of Red Cross and Red Crescent Societies (IFRC) we will host a consultation on preventing internal displacement in situations of armed conflict and disasters later this year. The consultation will serve to highlight best practices and lessons learned in preventing the conditions that lead to displacement and supporting communities who are at risk of displacement in preparing for that eventuality. Following the consultation, we will submit to the Panel a summary of the discussion and written recommendations from the Red Cross Red Crescent Movement.
- We will also submit for the Panel's consideration a discussion paper on avenues to help displaced people normalize their situations, thus achieving 'intermediate solutions' to internal displacement, and on ensuring a sustainable humanitarian impact in situations of protracted conflict and violence.

Key issues that should be prioritized by the Panel

We welcome the fact that the **prevention of displacement**, notably through respecting International Humanitarian Law (IHL) in situations of armed conflict, will receive close consideration by the panel. The best way to address displacement is to prevent its emergence in the first place by seeking to reduce some of the conditions that may compel people to leave their homes. We are encouraged by the attention this issue has received so far and look forward to exploring it in depth in a multi-layered consultation later this year alongside the Secretariat of the Panel and the IFRC

We consider it essential to ensure that **protection** remains at the centre of discussions on durable solutions to situations of internal displacement. Durable solutions require that people and their rights are protected. Without safety and security, there can be no sustainable return, local integration, or relocation. Development and peace-building are essential components of achieving durable solutions, and so too is a humanitarian perspective, especially in relation to protection.

We encourage the Panel to foster a **holistic perspective on conflict- and climate or disaster-related internal displacement**, thus linking conversations that are often taking place in silos. This involves considering the cumulative impacts of combined conflict and climate risks on people and their role in triggering displacement. Many conflict-affected countries are at the same time particularly vulnerable to climate change, not only because of their location, but also because conflict fragilizes assets that are

key to adapting to a changing climate, such as institutions, markets, and social cohesion. In situations of armed conflict, people's adaptive capacity is particularly limited. This reduces their resilience to shocks, including climate shocks and disasters. This acute vulnerability can lead to displacement, secondary displacement or prolonged displacement.

Finally, specific attention should be paid to the **circumstances of internally displaced persons in urban settings**. Internal displacement is increasingly urban, and urban settings demand adapted responses and coordination by humanitarian and development actors and national and local governments. We have addressed this topic in depth in our 2018 report *Displaced in Cities: Experiencing and Responding to Urban Internal Displacement outside Camps*.¹ We will capture some of its considerations in our discussion paper on intermediate solutions and sustainable humanitarian impact, and we encourage the Panel to consider urban issues throughout its work.

Catalyzing and cultivating national political will, responsibility and capacity

Respect for IHL and International Human Rights Law (IHRL) not only helps prevent displacement but also ensures the protection of those displaced. It safeguards their safety and access to essential services and humanitarian assistance, and can prevent secondary displacement by preserving their physical, food and economic security in their place of displacement.

The ICRC has carried out extensive research into the causes and consequences of IHL violations by both State and non-State armed actors, and into sources of restraint on their behaviour.² Findings from this research are relevant to discussions on displacement, given that respect for IHL contributes to limiting displacement (this will be further explored in the consultation on the preventing internal displacement). We have notably found that integrating IHL and other norms of restraint into **formal training and compliance mechanisms** has a positive impact on the behavior of armed actors.³ Furthermore, linking IHL obligations to **contextual and local norms and values** give the law greater traction and more durably promotes adherence.⁴

Beyond promoting respect for IHL, the ICRC has explored how to overcome systemic obstacles to effectively preventing and responding to displacement. In 2019 the ICRC reviewed the progress and lessons learned from the first ten years of the Kampala Convention. This generated a series of considerations on how to drive forward national responses to internal displacement.⁵ First, States must be in the driving seat. They bear the primary responsibility for protecting the rights of displaced persons within their territory, and so must also have **ownership** of response efforts.⁶ Second, there is great value in states engaging in **peer-to-peer exchanges**. At both regional and sub-regional levels, exchanges of

¹ *Displaced in Cities: Experiencing and Responding to Urban Internal Displacement outside Camps*, *International Committee of the Red Cross*. August 2018. Pg. 12. <https://www.icrc.org/en/publication/4344-displaced-cities-experiencing-and-responding-urban-internal-displacement-outside>

² See: ICRC 2018. *The Roots of Restraint in War* and ICRC 2004. *The Roots of Behaviour in War: Understanding and Preventing IHL Violations*, available at: <https://shop.icrc.org/the-roots-of-restraint-in-war.html> and <https://shop.icrc.org/les-origines-du-comportement-en-temps-de-guerre-comprendre-et-prevenir-les-violations-du-dih-2639.html>

³ *The Roots of Restraint in War*: p.64.

⁴ *The Roots of Restraint in War*: p.65.

⁵ *The Kampala Convention: Key Recommendations Ten Years On*, *International Committee of the Red Cross*. 2019. <https://shop.icrc.org/the-kampala-convention-key-recommendations-ten-years-on-3188.htm>

⁶ GP20, 4th GP20 Steering Group Meeting, Addressing Protracted Internal Displacement and Fostering Durable Solutions.

practice help states adapt policy, share lessons, and drive forward momentum. They also provide new avenues for constructive engagement with and among key international partners.⁷ Third, there should be an emphasis on the **cumulative effect of cooperation and partnerships**. Although States are the primary duty bearers, they cannot solve issues of internal displacement alone. The international community has an important role to play in terms of technical support, capacity-building, and awareness raising.

We have translated these considerations into four key recommendations; three geared directly towards States, and one towards the broader international community. Although these recommendations were developed in the specific context of the Kampala Convention, we believe they are widely applicable to efforts to prevent and address internal displacement.

1. Broad dissemination of information

States should ensure that all relevant public authorities, internally displaced people, host communities, and civil society are aware of key international obligations under IHL, IHRL, and/or regional obligations under the Kampala Convention. Moreover, guidance from the Guiding Principles on Internal Displacement should be followed, amplified and shared. This step helps give effect to measures taken by states to protect internally displaced people by accompanying policies with a strategy to ensure they are understood. Dissemination efforts are crucial to building ownership and galvanizing commitments by all stakeholders to implement policies on internal displacement.

2. A clearly designated authority

States should empower a coordinating authority with the mandate and legitimacy to effectively respond to the needs of internally displaced people and ensure their protection. Such an authority facilitates the work of internal and external stakeholders. Without such a structure it is exceedingly difficult to plan, coordinate, and manage the diverse types of responses that are necessary to meet the needs of IDPs and host communities.

3. Participation of internally displaced people and host communities

Public authorities should ensure that displaced persons and host communities are consulted on activities undertaken to improve their situation. Engagement should be inclusive, should consider the diverse profiles of the displaced population, and should pertain to all phases of displacement, from emergency assistance through to protection needs and the search for durable solutions. Developing policy through a people-centric approach is crucial to make sure that policies are effectively and efficiently matched to the needs of affected populations.

4. Coordinated support

Regional and international organizations, humanitarian actors, and donors should collaborate with States to make sure that their specific strengths, programs, and capacities are put to use in a coordinated effort. Effective programming works when States take ownership of the process, while other actors can play complementary roles. Regional organizations in particular play an important convening role that can drive forward momentum, host peer-to-peer exchanges, and maintain a focus on urgent internal displacement-related challenges.

⁷ A. Cotroneo, “Strengthening implementation of the Guiding Principles by affected States”, *Forced Migration Review*, Vol. 59, October 2018, p. 30: <https://www.fmreview.org/GuidingPrinciples20>.

Catalyzing, driving forward and supporting effective solutions to protracted displacement

When people find themselves in situations of displacement for months and years on end, as is often the case, their avenues towards rebuilding their lives and fulfilling their rights are severely constrained. Such protracted scenarios also put tremendous economic and social strain on host communities, municipalities, and cities that support displaced people.⁸ The ICRC's Institutional Strategy for 2019-2022 includes a strong commitment to deliver more relevant and sustainable humanitarian support to affected people.

Achieving solutions to internal displacement is a gradual process, and in the absence of durable solutions, displaced people and host communities require not only life-saving assistance, but continued support as they work to normalize their situation to the greatest possible extent. Tailored measures to help particularly vulnerable individuals and families must be combined with a more systemic approach to dealing with the legal and administrative obstacles that often undermine the efforts of IDPs to rebuild their lives. Such an approach must address structural gaps in services, urban development, and infrastructure in areas that receive displaced persons, to meet increasing demand and provide for the needs of both displaced persons and host communities

Although progress has been made in recent years, the potential for more effective partnerships with local actors as well as better collaboration and coordination with development and private sector actors must be accelerated. This will open opportunities for displaced individuals to access livelihood programs and increase their resilience.

The ICRC will be sharing a more detailed reflection on sustainable humanitarian impact and intermediate solutions with the Panel in the coming months.

Guided by its mandate to protect the lives and dignity of people affected by armed conflict and other violence, the ICRC responds to situations of internal displacement around the world. We seek to prevent displacement from occurring in the first place by promoting respect for International Humanitarian Law, strengthening people's economic security, and supporting communities in ensuring their continued access to essential services and critical infrastructure. We aim to complement the efforts of other actors involved in responding to internal displacement, notably by helping displaced people outside camps and in urban settings where we work with both displaced people and host communities, and in locations that other humanitarian actors cannot access.

⁸ W. Kaelin and H.E. Chapuisat, *Breaking the Impasse: Reducing Protracted Internal Displacement as a Collective Outcome*, OCHA 2015. https://www.unocha.org/sites/unocha/files/Breaking-the-impasse_0.pdf