

## Realizing National Accountability and International Responsibility: Inter-Agency Submission to the High-Level Panel on Internal Displacement

April 2021

### Introduction

The present submission aims at outlining why and how a global space<sup>1</sup> would help to complement national responsibility in fostering progress for internally displaced persons (IDPs), particularly the ones displaced by armed conflict, by enhancing political will and accountability. For this purpose, we unpack some of the complex incentives for and gaps in State's accountability and political will as they address internal displacement at the national level and international level. While acknowledging the primary responsibility of States to respond to internal displacement, this submission argues that we need a shift in the narrative on IDPs so that global solutions can tackle current challenges and incentivize common responsibility in addition to the national government's responsibility. We then offer concrete recommendations on how a global forum and a UN Special Representative could be proposed by the High-Level Panel on IDPs to foster political will and accountability. We also propose recommendations on how the existing UN accountability mechanisms can be strengthened to better address internal displacement.

To approach such a complex issue, this submission builds on a thorough analysis of existing literature around the theme, interviews with key informants directly involved in the creation of global processes as well as those involved in working, advocating and creating policies for IDPs at the global, regional and national level.

We acknowledge that this is a sensitive and complex issue with a “no one-size-fits-all” approach; our aim here is, therefore, to contribute to the discussion on finding innovative ways to unlock progress for IDPs on a global scale.

### 1. Accountability and its linkage to political will: challenges and opportunities for unlocking progress for IDPs

The third principle of the United Nations' Guiding Principles on Internal Displacement recognizes that the primary responsibility to assist and protect internally displaced persons lies within national authorities.<sup>2</sup> This principle comes from the essence of internal displacement that happens within the borders of a State. The responsibility to address a matter that lays within the borders of a country is normally understood as an internal matter, where States should have the responsibility to protect and assist their citizens. It is undeniable that the “sovereignty as responsibility” argument has proven to be constructive and an

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<sup>1</sup> We use here the terms ‘forum’ and ‘space’ interchangeably to refer to formal and/or more informal structures for official discussions about subjects of public interest – in this case on internal displacement.

<sup>2</sup> United Nations, Guiding Principles on Internal Displacement, 1993

effective basis for dialogue with governments.<sup>3</sup> Several national governments have been able to mobilize domestic action to address internal displacement by drawing on international technical expertise, such as through the Special Rapporteur on the human rights of IDPs, collaborating with them in efforts to adopt effective practices to their specific context.<sup>4</sup> Nonetheless, it is important to recognize that this perspective is not always sufficient to ensure strong accountability, which is dependent on both the interest and capacity of national governments to address internal displacement. Other factors, that will be developed further below, such as civil society space, also leaves, in many instances, IDPs with limited or no capacity to hold their national authorities accountable.<sup>5 6</sup>

Although accountability has different and often complex dimensions, this submission defines it as the obligation of the State to respect, protect and fulfil the human rights of internally displaced persons. This includes three dimensions: States must refrain from interfering with or curtailing the enjoyment of human rights, they must protect individuals and groups against human rights abuses and take positive action to facilitate the enjoyment of basic human rights, including through responding to potential violations.

While different factors foster State's accountability to internally displaced persons, political will is a key determinant. Political will is understood in different ways, but is commonly defined as the "demonstrated credible intent of political actors"<sup>7</sup>. Political will, in this case, is determined by a large and heterogeneous set of underlying factors, such as fragile political contexts, limited capacity or willingness to address internal displacement. For this purpose, this submission analyses some of the incentives that States might have to foster political will to address internal displacement.

## **2. Why do States respond to internal displacement? Incentives and gaps regarding political will and accountability**

Willingness and capacity from the States to prevent and respond to internal displacement is highly context-specific. However, the current mainstream approach that IDPs are exclusively a national issue is not appropriate to foster the conditions that incentivize political will and accountability for IDPs.

For this purpose, in this section, we unpack some of the complex incentives for fostering political will, highlighting its current gaps. The criteria outlined below are not exhaustive but rather come from diverse experience at national, regional, and global levels. There are no single identifiable criteria for advancing political will and State accountability.

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<sup>3</sup> Francis M. Deng, "In the Vacuum of Sovereignty: The International Challenge of Internal Displacement," *Brookings* (blog), November 30, 1AD, 2, <https://www.brookings.edu/articles/in-the-vacuum-of-sovereignty-the-international-challenge-of-internal-displacement/>.

<sup>4</sup> GP20, Submission from the GP20 Initiative to the UN Secretary General's High-Level Panel on Internal Displacement, 2020

<sup>5</sup> Deng, "In the Vacuum of Sovereignty," 2.

<sup>6</sup> OHCHR and Center for Economic and Social Rights, "Who Will Be Accountable? Human Rights and the Post-2015 Development Agenda- Summary" (United Nations, 2013), 4.

<sup>7</sup> Carmen Malena, "FROM POLITICAL WON'T TO POLITICAL WILL" (Civicus, January 1, 2009), 18.

However, the incentives discussed below cannot be applied in contexts where States are active participants in driving internal displacement (i.e., as a tactic of conflict, forced relocation). In those situations, there is little or no interest in the protection and fulfilment of the human rights of IDP's as a very basis for accountability. One could credibly argue that all States, regardless of their active participation are party to internal displacement due to their action or indeed inaction and indifference. However, while this is true, it is necessary to make distinctions between contexts where IDPs are a consequence of conflict and contexts where States purposefully use, and target displaced civilian populations as a war strategy.

### **2.1. Visibility and inclusiveness: the importance of IDPs participation and Civil Society Organizations (CSOs)**

In many, though not all contexts, State responsiveness to evolving national public opinion or coordinated advocacy is an effective way to pressure States and generate institutional behaviour change at the national level. National advocacy here refers to advocacy that takes place within countries at all levels of decision-making between multiple national actors, such as community leaders, mayors, ministers, parliamentarians, judges, law enforcement officials, etc. This also includes the support of international actors, such as foreign governments and representatives of multilateral bodies, as well as actors working in advocacy at national contexts.

Important developments in State accountability and political will that led to positive actions in the prevention and response to internal displacement, including national action plans, have emerged largely due to national activism. Various examples, such as in Nigeria and Mexico show how human rights defenders, through sustained advocacy managed to shift the spotlight to the consequences of internal displacement and enact laws and policies to protect IDPs.

In Mexico, the Mexican Commission for the Defence and Promotion of Human Rights (CMDPDH) took part in advocacy, engaging with local, national, and international actors, including members of academic institutions, NGOs, governmental institutions, and international agencies.<sup>8</sup> One of the key activities the CMDPDH took was strategic litigation before the Inter-American Commission on Human Rights (CIDH), together with activism in the Human Rights Council, and UN treaty bodies. All of this constant work allowed the CMDPDH to foster political will with the new Mexican Government, obtaining the recognition and incorporation of internally displaced persons in the Governmental National Development Plan.

Moreover, in Nigeria, the Civil Society Legislative Advocacy Centre engaged with persons affected by internal displacement for inclusive consultations on the draft of a national policy, ensuring that their concerns were part of the political process.<sup>9</sup>

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<sup>8</sup> Lígia de Aquino Barbosa Magalhães et al., "Incentivising Political Will for the Response to Internal Displacement: The Role of NGOs in Latin America," *Refugee Survey Quarterly* 39, no. 4 (December 1, 2020): 453, <https://doi.org/10.1093/rsq/hdaa032>.

<sup>9</sup> Daniel MacGuire, "The Relationship between National Normative Frameworks on Internal Displacement and the Reduction of Displacement," *International Journal of Refugee Law* 30, no. 2 (October 13, 2018): 285, <https://doi.org/10.1093/ijrl/eey035>.

Civil society space and the participation of internally displaced persons is crucial for creating effective solutions and bringing visibility to internal displacement. CSOs and IDPs themselves are essential in driving policy change, supporting the development of national policies, gathering data and responding to internal displacement.

The active and meaningful participation of IDPs is crucial in every step and response to internal displacement. Participation is not only a right in itself but also essential to finding long-term solutions, as they are the best placed to speak about their problems. There are numerous examples of internally displaced persons working as frontline workers, community mobilizers as well as advocates, for the rights of their communities.

However, IDP participation has been by far the most neglected aspect on the elaboration of policies for internal displacement. A recent consultation conducted by the High-Level Panel on Internal Displacement's secretariat found out that the overwhelming majority of IDPs felt they did not have any influence over their government's priorities for IDPs nor could they hold them into account.<sup>10</sup> It is also clear from diverse research that for women and girls, children, older persons, persons with disabilities it is particularly hard to have access to influencing opportunities due to harmful social norms and discrimination based on their age, gender and diversity.<sup>11 12</sup> Therefore, supporting the participation of internally displaced persons in all their diversity, including IDP-led organizations must be a priority for all actors, including civil society organizations, UN agencies and governments.

CSOs are an important partner in advocating for and with IDPs in decision-making spaces. Given their close work with communities affected by internal displacement, CSOs often act as a bridge between IDPs and other stakeholders, supporting IDP participation as well as bringing their specific needs in the formulation of policy frameworks and transforming attitudes from the Government. The involvement of civil society in outreach efforts, discussions or facilitated dialogues between government officials and communities may help to ensure broader participation of internally displaced persons and other affected populations.<sup>13</sup> In addition, CSOs have a pivotal role in advancing accountability for IDPs internationally, helping in holding States accountable in spaces like the Universal Periodic Review (UPR) of the UN Human Rights Council or the UN treaty bodies where they can provide critical information. In South Sudan for example, CSOs supported IDPs to understand and utilize existing normative frameworks on internal displacement, which also helped inform their contributions during the process of developing national policies.<sup>14</sup>

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<sup>10</sup> High Level Panel, 'Consultation with IDPs and Host Communities', 2021. Available at <https://www.un.org/internal-displacement-panel/content/consultations-affected-communities?>

<sup>11</sup> Special Rapporteur on the human rights of internally displaced people, "Protection of and Assistance to Internally Displaced People. Note by the Secretary General." (General Assembly, August 20, 2015), 9.

<sup>12</sup> IDMC, Plan International and IMPACT. 'Hidden in Plain Sight: Women and Girls in Forced Displacement', 2020

<sup>13</sup> Special Rapporteur on the Human Rights of Internally Displaced Persons, "Rights of Internally Displaced Persons," July 24, 2017, 8.

<sup>14</sup> "GP20 Compilation of National Practices to Prevent, Address and Find Durable Solutions to Internal Displacement | Global Protection Cluster," 2020, 181, <https://www.globalprotectioncluster.org/2020/11/23/gp20-Compilation-of-national-practices-to-prevent-address-and-find-durable-solutions-to-internal-displacement/>.

However, CSOs face numerous challenges at the national and global level in participating in the development of internal displacement policies. One, in particular, is the lack of or limited space for civil society in contexts of internal displacement. Internal displacement tends to take place in crises including armed conflicts where authoritarian regimes have a tendency to silence civil society, therefore breaking the bridge built with the internally displaced populations. Moreover, NGOs are commonly the object of reprisals when raising national issues at the global level.<sup>15</sup> Additionally, civil society organizations working on internal displacement tend to be chronically underfunded and suffer human rights violations, facilitated by the low visibility of the issue at both the national and international level.<sup>16</sup>

## 2.2. Capacity to respond to internal displacement: the economic and social cost for States

While the obligation to protect and realize the human rights of persons affected by internal displacement lies fundamentally with the national authorities,<sup>17</sup> internal displacement often comes with social, economic and political costs for States affected by internal displacement. The lack of technical, human and financial resources in lower-income countries most affected by protracted internal displacement depletes the state's ability to respond and represents a challenge for accountability.<sup>18</sup>

This should not be seen as a reason for States to withdraw from their human rights obligations but rather to understand how technical, human and financial resources can be a vehicle to support States' compliance with these obligations and their follow-up to recommendations made by human rights mechanisms in that regard.

The economic cost of internal displacement, particularly protracted internal displacement represents both a deterrent and incentive for States in responding to internal displacement. The Internal Displacement Monitoring Centre (IDMC) in their 2021 Report *The Ripple Effect: Economic Impacts of Internal Displacement*<sup>[1]</sup> estimate that if we take the average cost, the total global economic impact of internal displacement in 2019 is \$20 billion. The greatest financial burden associated with internal displacement analysed by IDMC stemmed from the loss of livelihoods and health costs, which together accounted for two-thirds of the total economic impact of internal displacement. Concerning income losses, IDMC found that in parts of sub-Saharan Africa the costs were significant amounting to 60 per cent of the total economic impact of internal displacement in Cameroon and 58 per cent in Nigeria.

However, international funding has been focused mostly on short-term humanitarian response and has not been sufficient to support governments in responding to internal displacement. The strain displacement can place on national economies demonstrates the need to further integrated responses and funding into longer-term national plans in addition to fostering greater coordination between the humanitarian and development actors. A

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<sup>15</sup> International Service for Human Rights (ISHR), "Intimidations and Its Impact on Engagement with the UN Human Rights System. Methodological Challenges and Opportunities", 2020, 9.

<sup>16</sup> Special Rapporteur on the Human Rights of Internally Displaced Persons, (Human Rights Council, April 29, 2016), 3.

<sup>17</sup> <https://www.ohchr.org/en/issues/idpersons/pages/standards.aspx>

<sup>18</sup> IDMC, *The ripple effect: economic impacts of internal displacement*, 2020

recent review of challenges and good practices from GP20 revealed that many of the countries shared the difficulty of securing sufficient and flexible financial resources, particularly when faced with competing priorities. It also revealed that even when countries are implementing innovative approaches to internal displacement, challenges to funding response plans potentially jeopardized the positive outcomes.

### **3. National ownership is important but is not sufficient to foster accountability and political will**

Incentives for States to respond to internal displacement are complex and dependent on many external and internal factors that have not been consistently addressed over time. In many contexts, for CSOs and IDPs themselves, in particular, relying solely on national forums<sup>19</sup> has not been sufficient to ensure their meaningful participation in policy development nor to bring sustained change for IDPs.

Therefore, in addition to important national and local spaces, there is added value in creating global spaces and strengthening regional ones to foster national accountability for and with IDPs, bridging existing gaps in national spaces and providing a spotlight to encourage more systematic change. Relying solely on the national context renders change for IDPs highly dependent on the willingness of a country's government to put IDPs on its political agenda. From this, we conclude that there is both a demand and a benefit for strengthening spaces at the regional and global level to fill the gaps, where they exist, and generate sustained political will and accountability for IDPs in the long term at the national level.

### **4. Global responsibility-sharing and its impacts in unlocking solutions for IDPs**

Given the scale and scope of internal displacement, the international community needs to scale up efforts to support and ensure increased human rights accountability for IDPs through effective collaboration, partnership, funding and collective outcomes. Over the years, internal displacement has increased in numbers and changed in patterns, in many cases being no longer purely "internal". Large-scale cross-border conflicts are affecting populations and leading to back-and-forth displacements on both sides of a border. Research from the Internal Displacement Monitoring Centre (IDMC) on the "displacement continuum", found that many refugees and asylum seekers were first internally displaced and that this pattern of status change repeats itself over time.<sup>20</sup> States and the international community must step up action to tackle this worsening global trend and must be willing to support collective and sustainable approaches to supporting States responding to internal displacement. The Guiding Principles (1998) highlight an important truth still relevant more than two decades later, "*it is fair to say that the international community is more inclined than it is prepared, both normatively and institutionally, to respond effectively to the phenomenon of internal displacement*".

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<sup>19</sup> Forum here is characterized as a formal or informal space where multiple actors come together to discuss and find out solutions for Internal displacement.

<sup>20</sup> IDMC, "The Displacement Continuum: the Relationship Between Internal Displacement and Cross-Border Movement in Seven Countries", June 2020. Available at <https://www.internal-displacement.org/publications/the-displacement-continuum-the-relationship-between-internal-displacement-and-cross>

Global responsibility-sharing here is defined as the collective response to large-scale movements of refugees and displaced persons. It includes the efforts to address the underlying causes of displacement within and across borders; efforts to find solutions; initiatives to enhance protection through financial support for displaced populations, and the communities in which they reside as well as technical assistance and training for host countries and local organizations.<sup>21</sup> The concept of responsibility-sharing in forced displacement often refers to refugee responses, given the recognition of the centrality of international cooperation to the refugee protection regime. However, it should also be systematically applied to tackle the growing scale and consequences of internal displacement globally. As mentioned previously, the international community has an important role in supporting States to fulfil and respect the human rights of IDPs by providing financial, technical resources as well as ensuring that internally displaced populations and host communities have their voices heard by decision-makers. This concept was enshrined as one of the intents of the Guiding Principles to “mobilize response by international agencies, regional intergovernmental and non-governmental organizations”.<sup>22</sup>

One should also note that this should not be seen as an excuse for inaction nor to take away the responsibility of States to respond to internal displacement. Rather, responsibility-sharing comes from the understanding that States are willing to foster accountability where the international community has a central role to complement and support. This can be materialized through humanitarian and development financing but also by the use of political capital to incentivize State’s accountability, promoting and defending IDPs human rights at the global level.

## **5. Advancing a global agenda for IDPs: the potential of an international approach to IDP policy**

### **5.1. Accountability for IDPs in the existing international mechanisms are a major gap**

There are limitations to the existing international accountability mechanisms in fostering the rights of IDPs. While we recognize the importance of those bodies and their contribution to the protection and promotion of human rights globally, we think it is useful to look at existing limitations on their mandate to monitor accountability for internal displacement that might be further improved and complemented by a dedicated global forum. For this purpose, we have analysed the extent to which internal displacement has been addressed by the outcomes of the Committee on the Rights of the Child (CRC), the Human Rights Council (HRC), the Universal Periodic Review (UPR), and the High-Level Political Forum on Sustainable Development (HLPF). This analysis does not aim at being exhaustive, but to understand part of the broader picture of how IDPs have not been properly addressed in some of the existing accountability mechanisms at the international level.<sup>23</sup>

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<sup>21</sup> Susan F. Martin, Rochelle Davis, Grace Benton and Zoya Waliyany, “International Responsibility-Sharing for Refugees”, KNOMAD Paper, March 2018

<sup>22</sup> United Nations, “New York Declaration on Refugees and Migrants”, 2016

<sup>23</sup> According to the IDMC database: Syria, Colombia, Democratic Republic of Congo, Yemen, Afghanistan, Somalia, Nigeria, Sudan, Iraq and Ethiopia

Once we look into how internal displacement has been addressed by international accountability mechanism focused on gender and age, a similar pattern emerges. The **Committee on the Rights of the Child (CRC)**, for example, has issued since 2007 only 165 recommendations to 39 States, on how states were responding to internally displaced children, in contrast with the 912 recommendations to 138 States issued in the context of refugees and asylum seekers.<sup>24</sup> The **Committee on the Elimination of Discrimination against Women (CEDAW)** has issued since 2007 only 199 recommendations to 50 States regarding internally displaced women, in contrast with the 584 recommendations to 116 States issued in the context of refugees and asylum seekers.<sup>25</sup>

The **UN Human Rights Council (HRC)**, as the UN's key intergovernmental body mandated to address human rights issues, has served to a certain extent, as a platform to address the situation of IDPs. In the HRC context, the **Special Rapporteur on the Human Rights of IDPs** has proven to be a key catalyzer of action for IDPs. Throughout its existence, the mandate has been responsible for shining light on different varying issues for IDPs, becoming one of the main spaces where IDPs are at the centre of the work.

However, a brief search through the HRC's database showed that since its creation in 2006, it has only adopted 5 resolutions focusing on the rights of IDPs, only referring to the mandate of the Special Rapporteur on the matter.<sup>26</sup> Even then, the mandate of the Special Rapporteur faces constraints to exercise its functions. Among those challenges are its voluntary nature, which means that mandate holders only work part-time and have insufficient human and financial resources to further impact the issue at hand.<sup>27</sup>

Other than that, internal displacement is marginally addressed in some of the country resolutions, for example on the human rights situation in the Central African Republic and Haiti.

Also, under the auspices of the Human Rights Council, the **Universal Periodic Review (UPR)**, as a mechanism for peer-to-peer State review, has since 2008 made only 350 recommendations to 54 States on internally displaced people. This number contrasts with the 1862 recommendations to 166 States made in the same period for refugees and asylum seekers.<sup>13</sup> Looking at the comparatively small number of recommendations on internal displacement, it is clear that there is a collective omission and/or an overwhelming prioritisation of other issues.<sup>28</sup> This might not be such a problem if that particular issue is being systematically raised elsewhere in some other peer-to-peer forum. Yet, in the case of internal displacement, there is no evidence that this is presently the case.<sup>29</sup> It is also important to highlight that UPR reviews are conducted only once every four years, making it ill-equipped to give a rapid response to the emerging IDP humanitarian crisis.

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<sup>24</sup> <https://uhri.ohchr.org/en/search-human-rights-recommendations>

<sup>25</sup> <https://uhri.ohchr.org/en/search-human-rights-recommendations>

<sup>26</sup> <https://www.ohchr.org/en/Issues/IDPersons/Pages/Resolutions.aspx>

<sup>27</sup> <https://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>

<sup>28</sup> Ben Hudson and Bríd Ní Ghráinne, "Enhancing State-to-State Dialogue on Internal Displacement: Current Global Fora and Future Prospects," *Refugee Survey Quarterly* 39, no. 4 (December 1, 2020): 427, <https://doi.org/10.1093/rsq/hdaa021>.

<sup>29</sup> Hudson and Ní Ghráinne, 427.



The **High-Level Political Forum** is the fora to present Voluntary National Reviews (VNRs) on the advancement of the 2030 Agenda. It is important to recall that the 2030 Agenda contains a pledge that no one would be left behind including a specific reference to IDPs. Several SDG targets and indicators are linked to internal displacement. Target 10.7 aims to facilitate orderly, safe, regular and responsible migration and mobility of people. Target 17.18 encourages the production of data disaggregated by migratory status. However, from the 248 VNRs presented since 2016 only 15 refer to internal displacement in contrast with 45 addressing refugees and asylum seekers.

## 5.2. The Kampala framework: a good regional example

The Kampala Convention, as the first legally binding framework addressing internal displacement caused by armed conflict, natural disasters and large-scale project, was adopted in October 2009 and has 30 State Parties, out of the 50 members of the African Union. Since its adoption, State Parties have adopted domestic legislation or policies to implement its provisions or are currently undergoing this process.<sup>30</sup>

Despite its promising and forward-looking character, the Kampala Convention, as one of the only frameworks for IDP accountability in the region has limitations in its implementation. In 2016, the International Committee of the Red Cross (ICRC) undertook a stocktaking exercise from where recommendations were issued regarding progress made, experiences of, implementation, building on lessons learned and promoting best practices.<sup>31</sup> From this exercise, they have acknowledged that public authorities had made limited progress in ensuring consultation and active engagement of IDPs and host communities in decision-making on actions undertaken on their behalf. It also noted that public authorities at all levels with responsibilities for delivering assistance should improve mechanisms for monitoring short and longer-term outcomes for IDPs. Finally, this study recognized that there were concerns about the delays by many States in enacting the necessary legislation to domesticate the Convention. Among them are the lack of awareness by national authorities of the issue of internal displacement and the government's obligations under the Kampala Convention; lack of capacity, budget allocations and prioritization of internal displacement by the authorities; and the involvement of the State in an armed conflict.<sup>32</sup>

## 6. What could be the benefit of a new global forum for political will and accountability for IDPs?

Within this section, we unpack and provide initial thinking on why and how such a global space could help to both improve the conditions at the national level and fill the current gaps at the global level.

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<sup>30</sup> ICRC, "The Kampala Convention: Key Recommendations 10 Years On" (, 2019), 10.

<sup>31</sup> "Translating the Kampala Convention into Practice: A Stocktaking Exercise," *International Review of the Red Cross* 99, no. 904 (April 2017): 365–420, <https://doi.org/10.1017/S1816383117000601>.

<sup>32</sup> "Translating the Kampala Convention into Practice," 386.

## 6.1. Providing visibility and enhancing multi-stakeholder global policy solutions for IDPs

First, the benefit of a global forum would be to allow for sustained attention on IDPs. According to the analysis for this submission, visibility was an important and yet one of the most difficult components to achieve at a national level, given the varying attention from media and priorities of political actors. Both experts and NGOs highlighted that there were insufficient spaces to discuss internal displacement policy and response. Recent experiences of setting a global forum for discussion on IDPs showed that it has the potential to allow for different stakeholders, including States themselves, to regularly discuss and identify common challenges in tackling internal displacement. The GP20, for example, is a global multi-stakeholder initiative to mark the 20<sup>th</sup> anniversary of the Guiding Principles on Internal Displacement. It has successfully served as a forum for different stakeholders to identify and build upon innovative approaches to improve national responses to internal displacement, as well as to galvanize support for responding to internal displacement.<sup>33</sup>

Another important added value of creating a global forum is to open space for civil society and IDPs themselves to contribute to solutions for internal displacement. Both interviewees and the analysis conducted for this submission have highlighted the point that most of the existing initiatives for addressing internal displacement have been focused on the ‘peer to peer’ aspect of it. While this has proven to be an effective way to foster cooperation among governments, it often comes with severe limitations for the participation of civil society, including IDPs themselves. For CSOs and IDPs who are on the frontline of responding and advocating, it has been highlighted that a global forum could potentially be a space to bridge power asymmetries, which are an inherent obstacle in the national space. NGOs and IDPs are key actors, but often they are not included or allowed to be part of policy development in national contexts given the sensitivities and varying interest and capacities of national governments to engage them.

Such a forum would also be beneficial for traditionally marginalized groups of IDPs, such as young people and children, including younger women, girls and persons with disability to participate in solutions to their problems. Given their age, gender and disability, their participation is often scarce in the few existing decision-making spaces at the local and national level. Therefore, a global space properly equipped to support their participation would allow to bridge the inequalities and be inclusive of different stakeholders to engage in policy discussions and have an opportunity to have their voices heard.

It is important, however, to ensure that multi-stakeholder participation at a global level is incorporated from the start as part and parcel of a global forum. Lessons from other processes such as the Global Compact on Refugees show that not only an inclusive society approach should be at the core of such a body, but that support and dedicated resources must be provided to ensure the meaningful participation of diverse groups.

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<sup>33</sup> GP20, “Working Together Better to Prevent, Address and Find Durable Solutions to Internal Displacement”. Available at [https://www.globalprotectioncluster.org/wp-content/uploads/GP20\\_web.pdf](https://www.globalprotectioncluster.org/wp-content/uploads/GP20_web.pdf)

A multi-stakeholder approach means in practice that CSOs and IDPs themselves should be involved in consultative processes, helping to define the form and collective outcomes of the global space. For IDPs and their representative groups support can take the form of but is not limited to the assignment of dedicated staff tasked with the creation of inclusive channels for participation, taking into account age, gender and diversity, as well as the mapping and support of networks of IDPs and their representative organizations. Financial support is also key to ensure that proper structures are in place to assist the direct participation of IDPs in all their diversity and their representative organizations.

## **6.2. Fostering collective responsibility-sharing and broadening the base of support**

One of the biggest benefits of a global forum mentioned in the interviews is to foster support and responsibility-sharing between governments. Internal displacement is a complex issue and for that matter requires not only political will but support across countries and stakeholders. Without a global agreement on internal displacement, the narrative of IDPs as being exclusively a national subject has not been effective to create the necessary momentum globally for different stakeholders to coordinate and agree on supporting joint action. Therefore, a global mandated and properly resourced forum on internal displacement could be helpful to advance responsibility sharing, fostering the necessary political will to stimulate action.

For this purpose, a global forum could serve not only as a tool to enhance responsibility-sharing among donors and States affected by internal displacement but also to attract new financing institutions to potentially increase and diversify funding. This is also the case for finding solutions to prevent internal displacement, including addressing country and regional instability through peace and security cooperation. The experience with similar processes for refugees such as the Global Refugee Forum has highlighted that a global forum provided a unique space to find consensus on what is needed to enact progress on policy and practice, enhancing the willingness of decision-makers to act.

## **Recommendations for the High-Level Panel on Internal Displacement**

First, it is important to recognize that there is no single action or process that can by itself prevent and respond to internal displacement globally. This submission is also cognizant of the political sensitivity and multilateral challenges related to internal displacement, as distinct from other migration and human rights processes and advocacy. The authors believe that the High-Level Panel on Internal Displacement, the GP20 Plan of Action and other important processes like the Global Compact on Refugees (GCR) and the Global Refugee Forum (GRF) have created an opportunity to drive collective action to the benefit of affected populations, affected States, and the international community.

Below we outline some initial recommendations and measures to be undertaken by States, international and regional bodies to enable collective action by all relevant stakeholders.

### **Recommendation #1: Creating a global space to foster momentum on internal displacement**

The fragmented and lack of a coordinated approach to internal displacement at the global level represents one of the greatest challenges in the advancement of solutions to internal displacement at scale. Collective action and responsibility-sharing require a unifying structure, guiding principles, standards and a common roadmap of implementation and accountability. This submission identifies the need for a mandated, adequately resourced and empowered multi-stakeholder forum supported by a globally recognized and mobilized framework or agreement as central to any credible effort to prevent and respond to internal displacement.

Noting existing gaps and limitations at the international level and the ongoing momentum established by the High-Level Panel and other important processes and platforms noted above, the following recommendations are necessary for fostering collective international action to drive national political will and accountability:

### **1.1 A mandated, adequately resourced and empowered multi-stakeholder forum on internal displacement**

A mandated and adequately resourced multi-stakeholder forum on internal displacement should be proposed by the High-Level Panel as an endeavour to be taken forward by relevant stakeholders. Such a space should take inspiration from similar successful initiatives such as the Global Refugee Forum to suggest a structure that is less process-heavy to mobilize diverse actors towards finding long-term solutions for IDPs and fostering accountability. This space would:

- a. Complement other peer-to-peer initiatives at the regional level.
- b. Create a space to foster positive practices, serving as a standalone space to discuss emerging trends and finding financial, technical and policy solutions.
- c. Foster political will through a renewed commitment from different actors to work together and through enhanced visibility of internal displacement globally

The exact purpose, format and ambition of the space should be defined through consultations with different stakeholders, such as Member States, UN agencies, CSOs and IDPs themselves, the goal, purpose, format and ambition for collective outcomes for a global forum that is contextually relevant and fit for purpose. It should also have space within the multilateral system that provides for a mandate with political weight to advance accountability for IDPs.

A UN agency should be mandated to define processes, liaise with different stakeholders and design a possible format. This agency or secretariat should be fully resourced to be able to perform its role.

Such a forum would highly benefit from a global agreement, led by States who are willing to invest political weight for the success of the initiative. The experience with the Global Compact on Refugees shows that seizing global momentum to enact a new global policy framework became the stepping-stone for renewed political will to address refugee response. This requires the particular buy-in from States who have large numbers of IDPs as well as the leading role of a UN agency willing to galvanize support and invest resources in process

coordination. Such an initiative should also enjoy support from the UN General Assembly to gain the necessary political support to come into reality.

## **1.2 A global forum must be multi-stakeholder at its core**

If the international community is to successfully achieve durable solutions and positive outcomes for affected populations, the increased participation and leadership of a variety of actors, including NGOs and IDPs themselves must be at the forefront. Peer-to-peer initiatives have proven to be effective instruments to promote State-State cooperation, but accountability cannot be achieved without the active participation of those closest and most affected by internal displacement. This should be done by:

**Recognizing and establishing strong gender, age and diversity lens:** Pre-existing discriminatory policies, practices, and gender inequalities can result in further unequal treatment during displacement. These discriminatory factors can also negatively impact the search for solutions to their displacement. Displaced women, children, persons with disabilities, minorities, older persons, LGBTQI+ individuals, stateless persons, and other persons in vulnerable situations are among those more likely to suffer from human rights violations and loss of protection.

Therefore, any mandated global space must have an intersectional lens ensuring any outcome/solution highlights the specificities on how the issues of internal displacement affect differently women, girls, boys, men, people with disabilities and LGBTQI+ individuals.

**Supporting the active and safe participation of IDPs and displacement affected populations** in the design and functioning of a global forum. This should be done through dedicated financial and human resources to support the participation of diverse groups of IDPs and their representative organizations, with particular attention to adapting those spaces for the participation of young people, children and persons with disabilities.

**Ensuring the participation and leadership of diverse actors** on internal displacement and human rights including development actors and donors, peacebuilding actors, human rights experts, and national and international private sector actors. Civil society organizations, including those that are led by refugees, women, youth or persons with disabilities, and those operating at the local and national levels, are key to ensure such a forum and its outcomes are inclusive and reflect community strengths and needs.

## **1.3 A regional application and contextualization of a global forum**

A global forum should ensure complementarity with existing regional spaces for discussions on internal displacement policy and solutions. The interaction between a global international agreement and process in the GCR and accompanying regional mechanisms in support of national action is of particular relevance for this submission and recommendation. They represent an important model for analysis both for increased utilization on mixed migration crises and potentially as replicable models for dedicated internal displacement prevention and response mechanisms.

Regional spaces are key for allowing peer to peer learning and galvanizing collective action, political will and accountability for internal displacement including:

- **Contextualized regional mechanisms diverse in both makeup and operation:** regional mechanisms, much like the GCR Support Platforms, should be designed and implemented as per contextual requirements including diverse and distinct incentives (both push and pull factor), and multi-stakeholder leadership co-led by States, regional bodies, donors, UN Agencies, national and international civil society organizations.
- **The participation of governments at multiple levels:** Regional mechanisms must engage and support governments at multiple levels including national, regional and district governments, mayor and city leaders, noting the increasing urbanization of internal displacement and often localization of displacement.

### **Recommendation #2 A mandated and adequately resourced special representative on internal displacement**

The establishment of a Special Representative to the Secretary-General (SRSG) or an equivalent for the prevention and response to internal displacement globally, is an essential component in the realization of greater national accountability and international responsibility and coordination. The specific details of the mandate, objectives, and deliverables of such an appointment must be developed through a multi-stakeholder and inclusive process that is reflective of the participation of governments, UN Agencies, national and international civil society, internally displaced persons, and the guidance of leading experts on internal displacement.

The SRSG or equivalent appointment among other functions would serve as a central coordination, oversight and accountability body aligning global, regional and national initiatives to prevent and respond to internal displacement, drawing on the expertise, experience and guidance of multi-stakeholder actors. Such an SRSG must incorporate within its mandate the recognition to pursue an intersectional lens to its work ensuring any outcome/solution highlights the specificities on how the issues of internal displacement affect differently women, girls, boys, men, persons with disabilities and LGBTQI+ individuals. It would also be important that the SRSG collaborates and coordinates with other mechanisms, including the Special Rapporteur on IDPs, so as to avoid the creation of silos.

### **Recommendation #3: Improve existing platforms, mechanisms and bodies to foster sustainable solutions for IDPs**

**3.1 States, donors, UN Agencies, national and international civil society actors should explore the possibility of working with and support existing Regional Platforms for the Global Compact on Refugees (GCR) to prevent and respond to internal displacement, including avenues for the establishment of additional regional platforms for contexts with high rates of internal displacement.**

While the issue of internal displacement and its direct inclusion in the GCR remained a point of major contention and political sensitivity for several States, there are important references across three sections of the Compact in Support for countries of origin and voluntary repatriation.<sup>34 35 36</sup> Specifically, the Compact notes that in response to complex mixed migration situations *affected States, may seek support from the international community to address them* and *“preparedness measures will take into account global, regional, subregional and national (...) measures to enhance evidence-based forecasting of future movements and emergencies”* including in the prevention and response to internal displacement.

Therefore, the existence and current operationalization of mechanisms in support of mixed migration crises including the Compact, Global Refugee Forum, and Regional Support Platforms, represents a significant avenue for greater collective action on internal displacement as part of broader human rights in displacement agenda. The nature of said mechanisms also supports positive incentives and collective action toward solutions avoiding a singular approach of accountability and standard bearing.

**3.2 Mainstreaming internal displacement in UN human rights and SDG accountability spaces.**

While recognizing that there is no specific international body that is mandated to address the matter of internal displacement, this issue must be mainstreamed through all UN human rights bodies. The UN human rights treaty bodies, the UPR, the HRC and the HLPF are international fora that can address internal displacement as a human rights issue from different angles under their human rights and SDGs mandate. It would also be worth noting the importance of the international community in positively incentivizing through rights-based accountability mechanisms, political appeals and oversight in favour of the fulfilment of the human rights of IDPs.

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<sup>34</sup> **Paragraph 12:** *While the CRRF relates specifically to large refugee situations, population movements are not necessarily homogenous, and may be of a composite character. Some may be large movements involving both refugees and others on the move; others may involve refugees and internally displaced persons; and, in certain situations, external forced displacement may result from sudden-onset natural disasters and environmental degradation. These situations present complex challenges for affected States, which may seek support from the international community to address them. Support for appropriate responses could build on the operational partnerships between relevant actors, including UNHCR and the International Organization for Migration (IOM), engaging their respective mandates, roles and expertise as appropriate to ensure a coordinated approach.*

<sup>35</sup> **Paragraph 53:** *Preparedness measures will take into account global, regional, subregional and national early warning and early action mechanisms, disaster risk reduction efforts, and measures to enhance evidence-based forecasting of future movements and emergencies. They could, where appropriate, also take into account forced internal displacement that may result from a particular situation*

<sup>36</sup> **Paragraph 89:** *Depending on the context, concerned countries may seek technical guidance on measures to avoid further forced displacement on return (internal or cross-border), and to take into account the situation of internally displaced and non-displaced resident populations.*

For instance:

- Concluding observations from treaty bodies and recommendations from UPR review cycles should adopt internal displacement as a standalone issue, with gender and age lenses.
- The HRC should strengthen internal capacity to address internal displacement. This includes ensuring the mandate of the Special Rapporteur on the Human Rights of Internally Displaced People is properly staffed. This should also include dedicated staff within the Office of the High Commissioner on Human Rights for working on internal displacement, following similar experiences such as the OHCHR Migration Unit or the OHCHR Climate Change Unit. Member States should also consider adopting a thematic resolution on internal displacement to ensure monitoring on the fulfilment of the human rights of displaced populations.
- The High-Level Political Forum should promote encourage Voluntary National Reviews (VNR) to include more data, lessons learned and information on the progress made on tackling internal displacement, by incorporating specific action in its updated guidelines for VNRs. Similarly, countries that are conducting VNRs should work with ministries, national data institutions, civil society and IDPs themselves to ensure accurate data and analysis on internal displacement.