

Power of humanity

Council of Delegates of the International
Red Cross and Red Crescent Movement

8 December 2019, Geneva



**COUNCIL OF DELEGATES
OF THE INTERNATIONAL RED CROSS
AND RED CRESCENT MOVEMENT**

Geneva, Switzerland
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**Strengthening implementation of the
Movement Policy on Internal Displacement: Ten years on**

DRAFT ELEMENTS OF RESOLUTION

March 2019

Background

The draft elements of the proposed resolution on “Strengthening implementation of the Movement Policy on Internal Displacement: Ten years on” seek to provide an outline of the possible substance of individual paragraphs, without providing a definitive text for the proposed resolution.

Each paragraph is followed by a rationale explaining why it would be useful to include such a paragraph in the resolution.

This document is being shared for consultation with the members of the Council of Delegates in order to gather a first round of comments and feedback, and to gain an initial understanding of whether the proposed approach on the substance would be acceptable and garner consensus.

When providing comments and feedback on this document, please consider the following questions:

- Do you agree with the proposed elements for the preambular and operative paragraphs of the resolution?
- Are there any elements that are missing or should be included in the resolution?

Detailed comments on the wording of the draft elements of this resolution are not expected at this stage. There will be an opportunity to comment on specific wording at a later stage, once the “draft zero” of the resolution is available.

Introduction

Internal displacement has become one of the most pressing global humanitarian challenges. By the end of 2017, some 40 million people remained internally displaced because of armed conflict and other situations of violence, while 11.8 million people (almost double the previous year) were newly displaced that same year due to the same reasons. Another 19 million people were newly displaced by disasters, mostly due to weather-related hazards (source: Internal Displacement Monitoring Centre – IDMC). These figures are a stark reminder of the collective inability to address and reduce this phenomenon. Internally displaced people (IDPs) are among the most vulnerable, as they often find themselves in precarious and unsafe conditions, with no or insufficient access to basic goods and essential services. Yet, their voices remain largely unheard and the response to their needs inadequate. They may be considered an “invisible majority”, as the global policy debate in recent years has mainly focused on migration issues, overshadowing internal displacement.

2019 marks the 10th anniversary of the adoption of the Kampala Convention on IDPs in Africa, and 2018 saw the 20th anniversary of the adoption of the UN Guiding Principles on Internal Displacement. Seizing the momentum created by these anniversaries, the UN Special Rapporteur on the Human Rights of IDPs, jointly with UNHCR and OCHA, launched the GP20 Plan of Action for Advancing Prevention, Protection and Solutions for Internally Displaced People 2018–2020. The Plan of Action illustrates the commitment of the UN system, NGO partners and a group of champion States to improving the response to internal displacement. Most importantly, it recognizes the urgent need for concrete action by States affected by displacement, donors, humanitarian organizations and development actors.

Of particular importance to the International Red Cross and Red Crescent Movement (the Movement) is the 10th anniversary of the adoption of the Movement Policy on Internal Displacement by the Council of Delegates in 2009. A report on this policy produced in 2011 concluded that it was not sufficiently known or implemented across the different components

of the Movement, but the topic has not been further addressed at Movement level since then. In addition to the implementation report, several internal reflection processes on the issue of internal displacement have recently been conducted by the ICRC and the IFRC, concluding that there is a need for the Movement to step up its engagement on this important matter.

The 2019 Council of Delegates presents a timely opportunity for the Movement as a whole to refocus attention on the Movement Policy on Internal Displacement and to renew our commitment to strengthening the Movement's response. The proposed resolution identifies three areas of commitment, namely urban displacement outside of camps, protection from and during displacement and durable solutions. It recommends concrete measures to enhance the quality and coherence of the Movement's response in those specific areas – including stronger implementation of Principles 3 (displacement prevention), 4 (durable solutions), 5 (empowering individuals and communities by ensuring their participation in the design and implementation of programmes and by helping them to exercise their rights) and 6 and 7 (reminding the authorities of their obligations and supporting them in fulfilling them) of the Movement Policy on Internal Displacement.

Preambular paragraphs

PP1 *The preambular paragraph could express deep concern about the plight of internally displaced persons (IDPs) as a result of armed conflict, other situations of violence, disasters and climate change. It could also express concern about the impact of their displacement on host families and communities and acknowledge the inadequacy of current responses to this issue.*

Rationale: Internal displacement due to armed conflict, other situations of violence and disasters has worsened over the past ten years, increasing in terms of the number of people affected and the length of displacement. While new displacement keeps occurring, those who are already displaced are often unable to rebuild their lives and access a durable solution of their choice – hence the need for stronger collective efforts to prevent and solve internal displacement as a major global challenge.

PP2 *The preambular paragraph could stress the importance of respect for international humanitarian law, which applies in situations of armed conflict, and for international human rights law, which also applies outside of armed conflict, in preventing displacement, and could recall that these bodies of law, within their respective spheres of application, protect all persons affected by displacement, such as IDPs and resident and host communities. It could also acknowledge the relevance of international disaster law and environmental law in mitigating disaster- and climate-induced displacement.*

Rationale: Strengthening respect for international humanitarian law and human rights law can play a crucial role in preventing the conditions that may compel people to leave their homes and ensuring that the needs of all people affected by internal displacement are met. International disaster and environmental law, if applied, can mitigate displacement caused by situations involving slow-onset and sudden-onset disasters.

PP3 *The preambular paragraph could recognize and emphasize the protection that national laws and policies can provide, and encourage all components of the Movement, in accordance with their mandates, to take appropriate measures to support States in their efforts to incorporate international humanitarian law,*

human rights law and regional legal frameworks into their national laws and policies applicable to IDPs.

Rationale: The occurrence of displacement and IDP protection needs during all phases of displacement can be mitigated by the implementation of domestic laws and policies that uphold the rights of IDPs and provide for IDP protection.

PP4 *The preambular paragraph could recognize the efforts of the United Nations in developing the GP20 Plan of Action for Advancing Prevention, Protection and Solutions for Internally Displaced People 2018–2020 to mark the 20th anniversary of the Guiding Principles on Internal Displacement and the efforts of the African Union in promoting the ratification and implementation of the Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) across its member States over the last decade.*

Rationale: The adoption of the Guiding Principles 20 years ago and the Kampala Convention 10 years ago are developments we applaud, as they have enhanced the protection of IDPs. However, more needs to be done by States, donors, humanitarian and development organizations and other stakeholders to uphold the human rights of IDPs and to translate the Kampala Convention's provisions into concrete improvements for IDPs in Africa. The anniversaries of the Guiding Principles and the Kampala Convention have created significant momentum around the issue and an opportunity to step up efforts toward its solution. The GP20 Plan of Action illustrates the commitment of the UN system, NGO partners and a group of champion States to ensure an end-to-end approach to internal displacement from prevention to response and solutions. The Movement must also do its part and add its voice by positioning itself clearly on urgent IDP-related challenges.

PP5 *The preambular paragraph could recall and reaffirm the commitment of the components of the Movement to improving protection and assistance to IDPs as expressed in the Movement Policy on Internal Displacement (Resolution 5 of the Council of Delegates, Nairobi 2009), which celebrates its 10th anniversary this year. It could also recognize the continuing relevance of the Policy in providing clarity, focus and guidance to the Movement in its response to challenges related to internal displacement and the need to ensure it is better known and implemented by all components of the Movement.*

Rationale: This paragraph is intended to recall the adoption, ten years ago, of the Movement Policy on Internal Displacement as a key document guiding the Movement's approach to internal displacement. Internal processes of strategic reflection within both the ICRC and the IFRC Secretariat have confirmed the importance of the Movement Policy. A review of National Society practice in responding to internal displacement furthermore highlights that the Movement Policy is not sufficiently known and used by National Societies. The review was conducted jointly by the ICRC and the IFRC, based on a survey of 42 of the most involved National Societies, interviews with representatives from the Movement and other relevant organizations, and a literature review.

Operative paragraphs

OP1 *An operative paragraph could request a commitment from all components of the Movement to ensure that the Movement Policy on Internal Displacement informs all Movement responses to the needs of people affected by displacement and support provided to other components of the Movement to this end.*

Rationale: The various internal reflections that have taken place within both the ICRC and the IFRC and their joint review of National Society practices in internal displacement settings showed that, despite the important role played by the Movement and the promising practices that have been developed, gaps exist in the response to internal displacement of all the components of the Movement. The recommendations of these internal processes are in line with the Movement Policy, highlighting its continuing relevance. Preliminary consultations with a group of selected National Societies that are actively engaged in the issue of internal displacement from an operational and/or policy perspective confirmed the need to step up efforts to address ongoing IDP-related challenges in line with the Movement Policy. In particular, it is necessary to strengthen implementation of Principles 3 (displacement prevention), 4 (durable solutions), 5 (empowering individuals and communities) and 6 and 7 (reminding the authorities of their obligations and supporting them in fulfilling them) of the Movement Policy in order for the Movement’s holistic response to have a greater impact on people at risk of displacement, IDPs and host communities.

OP2 *An operative paragraph could state a commitment by the Movement to focus on internal displacement in urban areas outside camps, whereby the components of the Movement undertake to prioritize efforts to meet both the short- and longer-term needs of IDPs and their host communities by combining structural interventions involving urban services and domestic frameworks with tailored responses to help IDPs rebuild their lives and by integrating IDP-related issues and solutions into tools and approaches developed for urban contexts and Preparedness for Effective Response (PER).*

Rationale: A growing proportion of IDPs live dispersed within urban environments, often in informal settlements and hazard-prone areas, where basic services and infrastructure are severely inadequate. The joint ICRC–IFRC review of National Society practice in responding to internal displacement highlighted that National Societies are less responsive to non-camp situations, especially in urban areas, despite the fact that the majority of IDPs do not live in camps. The ICRC’s study on internal displacement in urban areas outside camps (2018) identified some major shortcomings undermining the overall humanitarian response to which the Movement is not immune.

OP3 *An operative paragraph could state a commitment by the Movement in the area of protection from and during displacement, whereby the components of the Movement undertake to prioritize efforts to ensure people’s safety, dignity and physical and psychological integrity throughout the displacement cycle – from pre-displacement to durable solutions. In particular, it could recommend increasing the Movement’s capacity to assess and respond to IDP protection needs by implementing the “minimum protection approach”, as described in the Protection within the Movement framework, when engaging with IDPs.*

Rationale: Ensuring protection throughout the displacement cycle must be central to the Movement’s response. It requires stronger implementation of Principle 3 (displacement prevention) and Principles 6 and 7 (reminding the authorities of their obligations and supporting them in fulfilling them), including by strengthening implementation of international humanitarian law during armed conflict. When engaging with communities at risk of displacement in situations of armed conflict or other situations of violence, the Movement must seek to help them avoid displacement by preventing the conditions that may compel people to leave, but also support them so that they are better prepared by reducing the risks and vulnerabilities they may face during flight and displacement. In disaster settings, and particularly in situations of climate-induced displacement, the IFRC and National Societies must ensure that internal displacement considerations are integrated into all climate change, disaster risk reduction (DRR) and development policies and frameworks. To address displacement risks, they should

support community-based actions for DRR, climate change adaptation, disaster preparedness and resilience building and work with partners and governments to ensure that any relocation undertaken as a climate change adaptation measure is planned through a participatory and consultative process involving affected communities in line with the IFRC's Framework for Climate Action Towards 2020.

OP4 *An operative paragraph could identify a commitment for the area of durable solutions for IDPs (Principle 4 of the Movement Policy), whereby the components of the Movement undertake to prioritize efforts to improve a coordinated response in support of voluntary, safe and dignified choices by IDPs, by engaging with the authorities on the full spectrum of durable solutions (i.e. return, local integration and resettlement in another part of the country) and increasing the Movement's capacity to support recovery efforts and identify durable solutions, among other things.*

Rationale: More needs to be done to support durable solutions for IDPs based on voluntary, safe and dignified choices as part of efforts to reduce displacement. The Movement should do its part, in line with its commitment to respond to all phases of displacement, by stepping up its engagement across the full spectrum of durable solutions, to ensure IDPs are able to return safely to their homes or places of habitual residence and sustainably reintegrate there or are provided with concrete alternatives in terms of local integration in the place of displacement or resettlement in another part of the country, based on their decisions and priorities.

OP5 *An operative paragraph could recommend the Movement to seize all relevant opportunities to promote the development and implementation of domestic laws and policies that uphold the rights of IDPs and integrate IDP protection into broader legislative and policy efforts, as a way to enhance the response in the three areas of commitment identified in this resolution.*

Rationale: Law and policy efforts are instrumental to improving the response to urban displacement, enhancing protection from and during displacement and supporting durable solutions. In the sphere of disaster and climate displacement, connecting disaster risk management and climate change adaptation is important to avoid duplication and contradictions.

OP6 *An operative paragraph could call upon the Movement to engage in a more structured and systematic way with people affected by displacement, thereby integrating the voices of IDPs and their hosts in the identification of needs and the design of adequate responses as well as in the implementation and evaluation of those responses, recognizing that a people-centric approach is key to achieving greater impact in the three areas of commitment identified in this resolution.*

Rationale: The participation of IDPs and host communities is crucial to ensure that we grasp people's needs and priorities and that responses are based on our thorough understanding of those needs. The people-centred approach should be promoted further, specifically in line with Principle 1 and Principle 5 of the Movement Policy on Internal Displacement, within the framework of broader efforts to strengthen the Movement's accountability to affected people. Different forms of participation by the affected communities could be explored, notably through the use of new digital technology for engaging with IDPs dispersed across large urban areas. Additionally, methodologies should be adapted to take into account particular constraints related to access, security and the "do no harm" principle, such as the challenges faced in contexts of displacement related to urban violence.

OP7 An operative paragraph could call upon the Movement to dedicate more resources to strengthening the capacity of National Societies, including through the development of a joint training module on the Movement's approach to internal displacement, applicable legal frameworks and relevant standards.

Rationale: The joint ICRC–IFRC review of National Society practice in responding to internal displacement highlighted the need to increase National Society knowledge of applicable legal principles, rules and relevant standards. It also emphasized the limited capacity of National Societies, strongly recommending staff capacity building to improve the overall response to internal displacement. Furthermore, during preliminary consultations with various National Societies on the topic of internal displacement, participants have expressed their desire for stronger guidance for their respective National Society on the issue of internal displacement.

OP8 An operative paragraph could encourage the creation of a Movement Reference Group on Internal Displacement to serve as a community of practice to foster exchanges of experience, share examples of good practices and lessons learned and reflect on shared challenges in responding to internal displacement. It could also ensure implementation of the recommendations included in this resolution.

Rationale: Sharing experiences, examples of good practices and lessons learned will enhance the response to the needs of IDPs. The joint ICRC–IFRC review of National Society practice in responding to internal displacement recommended capitalizing more effectively on existing good practices and lessons learned to improve the Movement's response to internal displacement. The report furthermore highlighted the lack of common understanding among National Societies on issues related to camps and collective accommodation, especially with regard to protection and the needs of host communities. A shared platform for engagement could therefore build a better common understanding among National Societies.

OP9 An operative paragraph could invite the Movement to include the issue of the implementation of the resolution as part of the agenda for the 2021 Council of Delegates of the International Red Cross and Red Crescent Movement in order to monitor the implementation of the resolution, assess the response to the needs of those affected by displacement, feed into the lessons learned and ensure effective follow-up of the resolution.

Rationale: In order to ensure effective implementation of the resolution and hence the Movement Policy, it is vital for coordinated follow-up to be put in place. The 2021 Council of Delegates will provide an opportune moment to collectively monitor implementation of this resolution, assess existing gaps in the response and consolidate further recommendations for an improved response by all components of the Movement to the needs of those affected by displacement, where necessary.