

Concept note

Workshop on the role of National Human Rights Institutions in preventing conditions leading to internal displacement

4 March 2019, Geneva

Background

At the end of 2017, 40 million people remained uprooted within their own countries by conflict and violence - a staggering 11.8 million new internal displacements were also recorded in 2017 alone. Millions more are displaced every year in the context of disasters and climate change. In addition, an increasing number of internally displaced persons (IDPs) remain displaced for years or even decades. Internal displacement on this scale is unlikely to reverse any time soon, particularly given the number of ongoing conflicts without political solutions and the continuing adverse effects of climate change.

National human rights institutions (NHRIs) compliant with the Paris Principles are recognized as essential actors within the global human rights and humanitarian frameworks. NHRIs are unique bodies, created and funded by States but with independent mandates to protect and promote human rights and with broad legal or constitutional mandates covering the full range of international human rights norms and standards. NHRIs can therefore play an important bridging role between international and national human rights and humanitarian protection systems and between national authorities, civil society and those who are affected by internal displacement. In recent years, an increasing number of NHRIs around the world have dedicated more attention to internal displacement in their work. NHRIs have played an important role in raising awareness of internal displacement, monitoring displacement situations and returns, investigating individual complaints, advocating for and advising the government on the drafting of national law and policies to address internal displacement, and monitoring and reporting on the implementation of these frameworks.

When taking up her functions in November 2016, the Special Rapporteur (SR) on the human rights of IDPs identified the role of NHRIs in promoting and protecting the human rights of internally displaced persons as one of her priorities during her mandate, and decided to dedicate her report to the 41st session of the Human Rights Council (June 2019) to this topic. To this end, in February 2018 the SR co-organized a one-day consultative workshop preceding the Global Alliance for National Human Rights Institutions (GANHRI) annual meeting, in collaboration with the UN Refugee Agency (UNHCR), GANHRI and the Office of the High Commissioner for Human Rights (OHCHR).

The 2019 event

In line with the SR's thematic priorities, the GP20 Plan of Action for Advancing Prevention, Protection and Durable Solutions for IDPs¹, and the UN Secretary-General's agenda on Prevention², a follow-up workshop will be organized in March 2019 with a focus on prevention and protection from displacement due to all causes (conflict, generalised violence, disasters and the adverse effects of climate change, human rights violations including forced evictions), in line with Guiding Principles 5 to 9. Taking steps to prevent and avoid conditions that might lead to internal displacement is one fundamental step that states can take to exercise their responsibility with regard to internal displacement. Such measures should focus on both preventing unnecessary displacement and, when displacement is

¹ See http://www.globalprotectioncluster.org/_assets/files/20180523-gp20-plan-of-action-final.pdf

² See: <https://www.un.org/sg/en/priorities/prevention.shtml>

unavoidable, taking steps in advance to mitigate its harmful effects. Yet unfortunately, too often attention and resources dedicated to its prevention are insufficient.

NHRIs play an important role in this regard, as one of the functions of NHRIs is to closely monitor the human rights situation in a country. In many cases, human rights violations precede and can trigger waves of internal displacement. In countries where displacement has already taken place and is likely to occur again, for instance countries vulnerable to cyclical disasters or where political instability or conflict has been ongoing for some time, NHRIs can be extremely valuable in preventing, preparing for and mitigating the consequences of renewed internal displacement.

In light of this, the Special Rapporteur is planning to co-organise an event in collaboration with GANHRI, UNHCR and OHCHR in March 2019, on the occasion of GANHRI's Annual Meeting, aimed at bringing together selected NHRIs for them to reflect on common challenges, share good practices and lessons learnt, and strengthen cooperation among them and with partners on the prevention of the conditions leading to internal displacement. This event will be part of a larger consultative process led by the SR in preparation for her next thematic report, which will be submitted to the Human Rights Council's 41st session in June 2019.

Objectives

- Taking stock of existing practices by NHRIs aimed at preventing the conditions leading to internal displacement, preventing arbitrary displacement and minimising its impact when it occurs, as well as discussing challenges and recommendations;
- Fostering an exchange of experiences on early warning mechanisms (of both NHRIs and States) among NHRIs and with other experts on the subject, with a view to collecting lessons learned, identifying good practices that could be contextualized and replicated elsewhere, and strengthening cooperation among stakeholders on the subject.

Expected outputs

This event will result in:

- Summary document presenting lessons learnt, challenges, good practices and recommendations based on the discussions held during the workshop;
- Special Rapporteur's 2019 Human Rights Council thematic report on the role of NHRIs in promoting and protecting the human rights of IDPs.