



GPC GLOBAL PROTECTION FORUM 2020 CONCEPT NOTE FOR VIRTUAL EVENTS

Leveraging Law and policy for effective field protection response

29 September, 13:30 CET

Rationale/purpose

In the context of persistently high levels of internal displacement due to conflict, violence, human rights violations, development projects, disasters and climate change, people often find themselves in perilous and increasingly protracted situations, with heightened exposure to vulnerability. In such circumstances, it is more than ever incumbent for protection actors to invest in environment-building action,¹ aimed at creating and/or consolidating an environment – political, social, cultural, institutional, economic and legal – conducive to full respect for the rights of women, men, boys and girls, without any kind of discrimination. Promoting the implementation at the national level of relevant international law, including by supporting the ratification of relevant treaties and the establishment of adequate legal, policy and institutional frameworks, is essential.

Field Protection Clusters have an important role to play in advocating for and supporting States in the development and implementation of their laws and policies for protection outcomes; particularly relevant in many contexts are laws and policies relating to the protection of internally displaced persons (IDPs),² often necessary for the incorporation of the Guiding Principles on Internal Displacement (or the domestication of the African Union Kampala Convention as relevant) into national legislation. The engagement of field Protection Clusters in the law-and-policy area should be based on a solid analysis of the legal and policy context, which should be an integral part of the protection context-based analysis informing the overall strategic planning.

To support these efforts, an important objective of the GPC Task Team on Law and policy³ moving forward is to develop a number of practical tools for field Protection clusters and AoRs, such as a redesigned training package, a checklist and more in-depth guidance on their role in law & policy (including how they can engage with and contribute to the development of relevant laws and policies, and how to better use and integrate existing and applicable frameworks into their programs). Due to Covid-19 related constraints, the Task Team on Law and Policy decided to start with the consolidation of an interim guidance to be accompanied by a mapping of field practices and lessons learned.

¹ In addition to responsive and remedial action, as defined by the ICRC in the “protection egg model” (see ICRC, Strengthening protection in , 2001). These three groups – or types of activity – constitute a “protection framework” which may be imagined in the form of an egg and which is meant to convey the non-hierarchical and interdependent nature of the activities as well as the possibility of carrying them out simultaneously.

² Under the term laws and policies relating to the protection of IDPs we understand normative frameworks specifically on internal displacement, such as IDP laws, policies, strategies/action plans. They can also include other laws and policies that are not IDP specific such as those related to durable solutions, disasters and climate change, national disaster risk reduction strategies, land voting rights.

³ Currently co-chaired by UNHCR and NRC.



Expected Outcome

The discussion (based on the guiding questions below) will inform the development of a checklist and the "Interim guidance for Field Protection Clusters and AoRs coordinators and operational actors on Law and Policy", outlining the role that field protection clusters can have in the development and promotion of legal and policy frameworks on internal displacement in their country of operation, as well as the use of normative framework in protection programming and response in practice. The event will also be an opportunity for colleagues to discuss what type of additional support they might need from the Task Team itself. Finally, the session will also inform the ongoing revision of the GPC law-and-policy training package.

Format/Content of the Event

The event will be moderated by Martina Caterina, incoming co-chair of the Task Team on Law & Policy.

Opening remarks by:

- William Chemaly, GPC Coordinator: Welcome, presentation of the Task Team role and future plans
- Dr. Chaloka Beyani, member of the Expert Advisory Group for the UN Secretary General's High-Level Panel on Internal Displacement and former Special Rapporteur on the human rights of IDPs

Presentations by:

- Valerie Svobodova, UNHCR, former Niger Protection Cluster Coordinator (focus: supporting the development of an IDP law domesticating the Kampala Convention in Niger)
- Lorena Nieto, UNHCR, former Honduras Protection Working Group Coordinator (focus: supporting the development of an IDP law in Honduras and using the property law to establish a registry of properties abandoned by those displaced)
- Elina Shyshkina, R2P Advocacy coordinator, Ukraine Protection Cluster Member (focus: using protection monitoring to support advocacy for legislative change - particularly with regards to regulations adopted in the context of the current COVID19 pandemic, restricting people's freedom of movement and access to related rights).

Presentations will be followed by a plenary discussion.

Concluding remarks:

- Corita Tassi (or Eliana Irato, TBC), ECHO, Regional Protection, Gender and Education in Emergency Expert
- Martina Caterina, co-chair of the Task Team on Law & Policy

Language: English

Time zone: 1.5h session (13h30 CET)

Platform: Webex

Tools: none

Speakers/Moderator/ technical donor partner

Moderator: Co-chair of the TTLP

Resource persons: Chaloka Beyani

Technical donor partner: ECHO



Field Cluster/Operations

Niger, Honduras, Ukraine

Guiding questions for panelists/participants

1. Has your cluster or organisation been engaged in supporting the development and/or implementation of laws and policies relating to the protection of IDPs in your country of operation? If yes, clarify in which operation, and briefly explain how.
2. In your experience, what are key challenges for protection clusters (coordinators and members) to engage with the development of legal and policy frameworks relating to the protection of IDPs? And the key opportunities?
3. In your experience, what are key challenges and opportunities for protection clusters (coordinators and members) to promote knowledge and understanding of legal and policy frameworks among humanitarian actors, local authorities, and affected populations?
4. How can a protection cluster (coordinators and members) best leverage and use laws and policies for strengthened protection outcomes, including through their programs and activities?
5. Can you share a practical example when a (sub-)cluster or an operational partner (your agency or another one) used effectively existing laws and policies relevant to internal displacement for the protection of affected populations?

Background reading and resources

- GPC, "[Regulatory Frameworks on internal displacement - Global, regional and national developments](#)", 2016.
- ICRC, "[Stock-taking exercise on the implementation of the Kampala Convention](#)"
- ICRC, "[Kampala Convention: Key recommendations 10 years on](#)", 2020
- IPU and UNHCR, "[Handbook for Parliamentarians](#)", 2013
- NRC, Training Manual on Kampala Convention for CSOs ([here for links to version in ENG and FR](#))
- Global database: The global database on laws and policies on internal displacement (available at: <http://www.internal-displacement.org/law-and-policy>) provides IDPs, national and local authorities, academics and practitioners with an accessible and current online central repository of IDP specific laws and policy instruments alongside an analysis and comparison of these instruments.