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, the need to respond to displacement crises with preparedness and technical capacity, including by supporting the establishment of adequate legal, policy and institutional frameworks is more than ever incumbent. The development and implementation of laws and policies relating to the protection of internally displaced persons (IDPs)\(^1\) are only possible with political will, effective mechanisms for non-discriminatory practices, and through social behavioral changes that positively shape attitudes towards IDPs. Field protection clusters have an important role to play in supporting States in the development and implementation of their laws and policies for protection outcomes.

In this context, an important objective of the Task Team this year is to develop practical guidance to field protection clusters and AoRs ( coordinators, co-coordinators and members) on: 1-how they can engage with and contribute to the development of relevant laws and policies, and 2-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.

The guidance aims to:

- Clarify the role and contributions of protection clusters and AoRs in the development (including as domestication of the Kampala Convention) and implementation of laws and policies relating to the protection of IDPs.
- Clarify the role of protection clusters and operational partners in raising awareness about and in promoting the use of existing normative frameworks among humanitarian actors, national and local authorities, and affected populations.
- Promote the use of relevant legal and policy frameworks for protection outcomes through protection programming and activities, including advocacy etc.

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\(^1\) 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.
Expected Outcome

The discussion (based on the guiding questions below) will inform the development of 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 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 protection cluster coordinators and members 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 law-and-policy training package.

Format/Content of the Event?

Format:
The event will be moderated by the Chair of the Task Team on Law & Policy (UNHCR).

Opening remarks by:
- Chair of the Task Team, briefly outlining the role and plans of the Task Team
- 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:
- Protection Clusters coordinators and operational partners, sharing experiences and lessons learnt about how their respective clusters have engaged in the process of development of relevant law and policy frameworks to contribute to their shaping in line with international standards and operational realities, how they have worked to promote the implementation of such frameworks, as well as how they leverage and use laws and policies for strengthened protection outcomes, including through their programs and activities.

Presentations will be followed by a plenary discussion.

Language: English

Time zone: 1.5h session (13h30 CET)

Platform: Webex

Tools: none

Speakers/Moderator/ technical donor partner

Moderator: UNHCR Legal Advisor/Chair of the TTLP

Resource persons: Chaloka Beyani (tbc)

Technical donor partner: ECHO (tbc)

Field Cluster/Operations

Honduras, South Sudan, Niger, Philippines and 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

- 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.