

# SWP Comment

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## Working toward Durable Solutions to Internal Displacement

Recommendations of the UN High-Level Panel on Internal Displacement

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In September, the United Nations (UN) Secretary-General's High-Level Panel on Internal Displacement issued its final report. In it, the Panel called for a shift in emphasis from short-term humanitarian to longer-term development-oriented approaches and thus a focus on durable solutions. The Panel's key reform proposals – particularly the establishment of a Global Fund and the appointment of a UN Special Representative on the issue – are unlikely to receive widespread support at the international level at this point. Nevertheless, the report offers important starting points for addressing protracted internal displacement including: first, new incentive structures and accountability mechanisms to encourage the active participation of directly affected governments; and second, the operationalisation of the Humanitarian-Development-Peace Nexus (HDP Nexus). In order to breathe life into these recommendations, the new German government should adopt an inter-agency approach to engage in the follow-up process of the High-Level Panel.

According to the Internal Displacement Monitoring Centre, a total of 48 million persons were displaced within their own countries as a result of war and armed conflict in 2020, the vast majority of them in developing countries or emerging economies. In addition, there are 7 million persons who have been forced to leave their places of origin as a result of natural disasters and climate-related events. Others have been displaced as a result of major infrastructure projects, human rights abuses or organised crime. For years, internally displaced persons (IDPs) have outnumbered cross-border refugees. Unlike

the latter, however, they are not entitled to international protection. Instead, the responsibility for their protection and support lies with their respective governments.

### Lack of National and International Attention

All too often, governments fail to live up to their responsibility to protect and provide for IDPs. The reasons for this are manifold: in some cases, such as in Syria or Sudan, state actors are actively involved in the displacement and have no intention of help-



ing those affected. In others, such as in the Democratic Republic of Congo or Somalia, governments lack the capacity and resources to respond effectively. In many cases, however, as in Afghanistan, supporting IDPs — who were often disadvantaged and marginalised even before they were displaced — is simply not a priority for national decision-makers.

This has led to an increasing number of cases of protracted internal displacement, which account for a large proportion of internal displacement worldwide. Those affected suffer from displacement-related disadvantages, even though their original displacement took place years or decades ago. The lack of durable solutions manifests itself, for example, in the form of limited access to basic services or permanently precarious housing. Moreover, internal displacement is associated with considerable costs for society as a whole, for example in the form of economic losses and the intensification of existing violent conflicts.

At the same time, there is a lack of international attention paid to internal displacement because, unlike cross-border displacement, it has no direct impact on other countries. Moreover, many affected governments consider advocacy for the rights of IDPs that goes beyond providing them with humanitarian assistance as an inadmissible interference in their internal affairs. Finally, institutional responsibilities for IDPs in the UN system have always been blurred and marked by disputes over mandates between actors; in the humanitarian aid cluster approach, this dynamic is particularly pronounced between the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR). This is compounded by the inadequate involvement of development actors such as the United Nations Development Programme (UNDP) and the fact that separate support structures often exist for disaster-induced and conflict-induced IDPs. As a result, international engagement remains low, fragmented and unreliable.

## How the High-Level Panel Came About

The result of this combination of weak prioritisation, high political sensitivity and fragmented institutional responsibilities is that internal displacement has not been taken into account in key international policy negotiations and processes. While the introduction to the 2016 New York Declaration for Refugees and Migrants points to the need for action on this issue, despite being a direct outcome of the Declaration, the Global Compact for Refugees only refers to situations of cross-border displacement.

In order to fill this normative and institutional gap, in May 2019 a group of 57 states — including the member states of the European Union as well as a number of countries directly affected by internal displacement such as Afghanistan, Georgia, Iraq and Nigeria — called on UN Secretary-General António Guterres to set up a High-Level Panel on Internal Displacement. The intent behind this mobilisation was to generate more international attention around the issue and to develop concrete solutions to the worsening global problem of internal displacement. In the end of 2019, Guterres tasked the UNHCR, IOM and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) with arranging such a panel. Eight representatives from governments, civil society, the private sector and international organisations were selected, the majority of them from countries directly affected by internal displacement. The Panel began its work in early 2020. The German government was among those to financially and politically support the process.

## Focus on Durable Solutions

The Panel's final report, published in September 2021, "Shining a Light on Internal Displacement: A Vision for the Future", reflects a focus on durable solutions for IDPs and host communities that was

included in the Panel's original mandate and sharpened throughout the course of its work (recommendations 1 – 7). The report goes into much less detail on prevention and on protection and assistance in humanitarian emergencies (recommendations 8 and 9). Finally, it makes proposals for the follow-up of the Panel process (recommendation 10).

The focus on durable solutions is rooted in the assessment that the greatest scope for action lies in addressing protracted displacement situations. Here, however, real progress is only possible with the agreement of respective governments. The report's recommendations therefore explicitly refer to country contexts in which state actors show a degree of openness towards constructively working to resolve internal displacement. They also represent a shift from short-term humanitarian assistance to longer-term and more development-oriented approaches.

As a starting point, the report recapitulates a series of demands directed at national actors which have long been widely agreed upon among academics and practitioners. As part of a whole-of-government approach, governments concerned should adopt laws and strategies to protect the fundamental rights of IDPs and allocate financial resources to solutions at the local and municipal level. Furthermore, the Panel advocates the active inclusion of IDPs in peace processes and the targeted consideration of their needs in national and local development plans as well as in urban planning processes (recommendation 1). The implementation of these goals should be supported by systematically involving civil society actors and by promoting private sector engagement (recommendations 3 and 4).

Notwithstanding the relevance of these approaches, the added value of the report arguably lies elsewhere: on the one hand, it outlines concrete ways of promoting or mobilising the political will required to realise durable solutions; and on the other hand, it contains proposals for the operationalisation of the HDP nexus.

## **Incentivise and strengthen accountability**

In order to strengthen the political will of state actors, the Panel proposes establishing new incentive structures and accountability mechanisms. Among other things, a UN Special Representative of the Secretary-General (SRSG) on Solutions to Internal Displacement should be appointed. This office would have greater political clout than the existing UN Special Rapporteur on the Human Rights of IDPs. Its influence could be leveraged to ensure the ongoing engagement of affected governments through targeted diplomatic efforts. An annual UN report on the issue and the prosecution of perpetrators of forced displacement in national courts or the International Criminal Court should ensure that governments are held accountable (recommendation 2).

The Panel considers it equally important to establish financing structures that incentivise the creation of durable solutions. It recommends that approaches to solving the problem of internal displacement be integrated into existing financing mechanisms of development cooperation more systematically than in the past. At the same time, independent financing instruments geared towards durable solutions should be created. They should serve as a catalyst for the implementation of such solutions, while also contributing to performance monitoring and accountability. One concrete proposal is to establish a Global Fund on Internal Displacement Solutions (recommendation 6).

Finally, the report advocates investing in improved data collection and analysis in order to gain knowledge that would help convince national actors of the added value of durable solutions (recommendation 7).

## **Operationalisation of the HDP Nexus**

In order to promote the shift in focus envisaged by the High-Level Panel from a primarily humanitarian to a development-oriented approach towards protracted inter-

nal displacement, the report suggests a number of internal UN reforms relating to the HDP nexus. Central is the proposed appointment of an SRSG with the political authority to bring together UN actors from all three fields.

The Panel attaches equal importance to the country-based UN Resident Coordinators, the most senior representatives of the UN development system at the country level. It recommends that their leadership in developing and coordinating strategies to address internal displacement be formally affirmed and that this responsibility be included in their terms of reference. In addition, UN agencies involved in development cooperation should intensify their engagement in the field of durable solutions and engage in joint analysis and programming (recommendation 5).

The financing of durable solutions should be in line with the recommendations of the Development Assistance Committee (DAC) of the Organisation for Economic Cooperation and Development (OECD) on the nexus approach (recommendation 6).

## Obstacles and Controversies

In view of increasing pressure due to the steadily rising numbers of IDPs, expectations for the Panel were high. The willingness of some governments that are directly affected by internal displacement to engage constructively and work towards durable solutions raised hopes that the process would develop momentum of its own, leading to tangible results and greater national commitment to durable solutions. However, following the publication of the final report, it appears that these expectations will not be fulfilled in the near future. There are three main reasons for this.

### Lack of political consensus

First, there is a lack of political support for some of the most prominent recommendations put forth in the Panel's report, notably the appointment of an SRSG and the estab-

lishment of a Global Fund on Internal Displacement Solutions. At the UN level, this is due to ongoing competition over who should have institutional responsibility for internal displacement. The IOM and UNHCR tend to be sceptical about the establishment of an SRSG; at the same time, the UNDP is signalling interest in taking on a coordinating role. The openly expressed reservations about the establishment of an SRSG shortly before the publication of the final report also indicate that there were failures in the political consensus-building that is essential for a successful process.

In addition, the governments of major donor countries have legitimate reservations about the establishment of another international fund in the area of migration and displacement. They fear that only a small group of states would participate, similar to the Migration Multi-Partner Trust Fund established under the Global Compact for Safe, Orderly and Regular Migration.

### Scepticism on the part of the development community

Second, the Panel suffered from the outset from the inadequate involvement of development actors. The scepticism of the UNDP and the World Bank towards the development of separate advocacy and financing structures for IDPs points to the fundamental discrepancy between group-specific humanitarian support and the integrated approach of development cooperation (*status-based vs. area-based approaches*), a dissonance that represents one of the greatest hurdles in the implementation of the HDP nexus.

The insufficient involvement of development actors in the design of the Panel is also reflected in the tone of the report, which in parts reads like a list of demands from humanitarian actors to development actors. This runs counter to the goal of arriving at a common understanding of the need for action and diminishes the chance of a cross-sectoral commitment to durable solutions. In addition, there is a lack of convincing proposals for the systematic involvement of peace actors.

## Lack of trailblazers

Third, time worked against the High-Level Panel. Whereas the call for such a panel arose in the context of a certain spirit of optimism in which it seemed possible for the first time that a critical group of affected states could be persuaded to act, two central sources of hope have evaporated over the past two years: civil war broke out in Ethiopia, and the Taliban have taken power in Afghanistan. While there are other countries, such as Somalia, where development-oriented approaches could be expanded in cooperation with the respective governments, this list is still short.

## Starting Points for German Engagement

Notwithstanding these problems, the panel process is not irrelevant. Its fundamental concern to intensify efforts to find durable solutions is promising and well-suited to garner widespread support. It also matches the recommendations of the German Federal Government's Commission on the Root Causes of Displacement published in May 2021. Moreover, creating incentive structures and accountability mechanisms for state actors, on the one hand, and better interweaving humanitarian and development-oriented approaches within the UN institutional structure, on the other, are goals many governments can agree on. The specific policy measures derived from this, however, require a strong political consensus, which has yet to be worked out. The report should therefore not be read as the end point of a process, but as the basis for further negotiations.

One strength of the panel process was its participatory nature, which was reflected in a large number of substantive submissions from governmental and non-governmental actors. The task now is to maintain this momentum and translate it into a goal-oriented exchange on different options for action at the international level. This re-

quires a platform specifically dedicated to the issue – for example in the form of a high-level event on internal displacement that brings together all relevant actors.

Apart from this, the new German government should support the process-oriented elements of the Panel's report – i.e. the continuation of forums at which the governments of states affected by internal displacement exchange experiences; the establishment of a so-called "Coalition of Champions" in which actors from humanitarian aid, development cooperation, peace-building and other relevant sectors jointly develop solution strategies; and finally, the establishment of a contact group of bilateral donors, international financial institutions and the OECD, which works specifically towards integrating internal displacement into development financing instruments.

In order to achieve lasting solutions, it is crucial to build bridges between humanitarian and development-oriented approaches, and to establish shared responsibility for internal displacement among relevant ministries. The Federal Foreign Office and the Federal Ministry for Economic Cooperation and Development (BMZ) should therefore participate in these processes on an equal footing. In a high-level event on internal displacement, the BMZ could contribute its experience from the special initiative "Tackling the Root Causes of Displacement, (Re-)integrating Refugees", which already explicitly addresses IDPs. This would also provide an opportunity at the international level to promote the merits of successful approaches and instruments such as Transitional Development Assistance and the Civil Peace Service, which have long been applied in displacement contexts. Equally relevant is further substantiation of the peace component of the HDP nexus. In this regard, the BMZ is already making an important contribution through its commitment to durable solutions in the context of existing nexus and peace partnerships. These efforts could be further expanded in countries such as Somalia, Iraq and South Sudan.

Ultimately, protracted internal displacement represents a key arena for operationalising the HDP nexus. The Panel report offers valuable suggestions on how to advance its implementation, for example by formalising the role of UN Resident Coordinators in developing durable solutions. The future German government should commit to this – as well as to the development of new financing instruments aimed at changing the incentive structures for governments of countries affected by internal displacement. Doing so would help to ensure that the creation of durable solutions is prioritised.

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