

POLICY FRAMEWORK AND CORPORATE STRATEGY

UNHCR'S ROLE IN SUPPORT OF AN ENHANCED INTER-AGENCY RESPONSE TO THE PROTECTION OF INTERNALLY DISPLACED PERSONS

A. Introduction

1. Based upon its established competence and capacity, UNHCR aims to be a key instrument for the international community in its response to the issue of forced displacement. Complementing its long-standing mandate to provide protection and solutions to refugees, the High Commissioner's Office is committed to become a predictable, reliable and effective partner in efforts to protect people who are displaced within their own country.

2. This document explains the global significance of internal displacement; identifies the capacities that UNHCR brings to the task of protection of internally displaced persons (IDPs); presents the principles which form the basis of UNHCR's evolving role in IDP situations and summarizes the corporate strategy that the Office is implementing in relation to this issue. The paper does not purport to offer a comprehensive account of UNHCR's engagement with the issue of internal displacement, and will be complemented by more detailed inter-agency and UNHCR guidance materials on IDP protection. The paper will be reviewed and may be amended on the basis of experience gained in the implementation of UNHCR's corporate strategy.

B. The significance of internal displacement

3. The international community's concern for the issue of internal displacement has grown steadily in recent years, a development that has been driven by a variety of related considerations.

4. The number of people who have been internally displaced as a result of armed conflict has increased substantially over the past decade, and now stands at approximately 25 million. In many situations, the internally displaced are confronted with serious and persistent threats to their protection, rights and welfare. A large proportion of the world's IDPs have been displaced for protracted periods and do not have an early prospect of finding a solution to their plight.

5. While their vulnerability to such threats is by no means unique, and while the dynamics and consequences of displacement vary considerably from one country to another, there is considerable evidence to suggest that IDPs experience specific forms of loss and require particular efforts to address and resolve their plight.

6. The vast majority of IDPs are to be found in countries and regions that are affected by a complex mixture of development, governance, human rights and conflict-related challenges – problems that are both a cause and a consequence of internal displacement. It has become increasingly clear that efforts to bring peace and prosperity to parts of the world that are characterized by poverty and instability cannot hope to succeed unless they address the situation of IDPs in a comprehensive and integrated manner.

7. The international community's response to the challenge of internal displacement has generally been inadequate, depriving many IDPs, local communities and the countries concerned of the support they need. While international awareness of the IDP problem has grown significantly in recent years, operational efforts to provide internally displaced populations with protection and solutions have remained patchy and piecemeal, and are in significant need of reinforcement. There is a moral imperative for States and other actors to address this global issue in a more effective manner.

C. The humanitarian reform process

8. In 2005, the United Nations initiated a programme of humanitarian reform, based on a recognition that the international response to complex emergencies and disasters was failing to meet the needs of IDPs and other affected populations in a timely and consistent manner.

9. A number of measures have been introduced to address this situation, including the establishment of an agreed division of labour (known as the 'Cluster Approach') amongst United Nations and other humanitarian agencies. UNHCR has agreed to play a leading role in efforts to ensure the protection of conflict-related IDPs, the provision of emergency shelter to such populations, as well as the coordination and management of IDP camps. In addition, UNHCR actively participates in other clusters; shares a role with the Office of the High Commissioner for Human Rights (OHCHR) and UNICEF in ensuring the protection of people displaced by natural disasters; and has been designated by UNAIDS as the lead agency for HIV and AIDS amongst displaced populations.

10. UNHCR is fully supportive of the humanitarian reform process, is firmly committed to the task of establishing an enhanced inter-agency response to the protection of IDPs and is determined to exercise in full the responsibilities which it has assumed in relation to such populations.

11. In its efforts to meet these commitments, UNHCR will draw upon the many assets that are at its disposal. These include: the legitimacy and moral authority that derives from the internationally recognized mandate of the Office; the General Assembly's consistent support for UNHCR in providing protection and humanitarian assistance to internally displaced persons; the close working relationship that the Office has established with States, international, regional and non-governmental organizations in every part of the world; the human, physical and logistical resources that are available to the organization; and, most significantly, the expertise, competence and capacity that UNHCR has developed in protecting uprooted populations since its establishment more than 50 years ago.

12. In this context, it should be noted that UNHCR has been regularly engaged in situations of internal displacement since the early 1970s and is currently active in most of the countries where the international community provides support to IDPs. In its contribution to an enhanced inter-agency response to the protection of IDPs, UNHCR will ensure that it learns from, draws upon and shares its extensive experience in this domain.

13. The Office takes full note of the Report of the High-level Panel on System-wide Coherence, which states that "UNHCR must reposition itself to provide protection and assistance to displaced people in need, regardless of whether they have crossed an international border." UNHCR stands ready to engage in a discussion on this and other relevant recommendations of the report with the United Nations Secretary-General, member States and other partners, so as to determine how these proposals might contribute to an enhanced inter-agency response to the protection of IDPs.

D. UNHCR's IDP policy framework

14. To guide UNHCR's evolving role in relation to the issue of internal displacement, the Office has established a policy framework which consists of eight 'Rules of Engagement'. These rules of engagement, which are identified below, will be systematically disseminated to all UNHCR personnel and partners, and will be scrupulously respected in all IDP activities and operations undertaken by the Office.

I. *Scope and nature of involvement*

15. UNHCR stands ready to contribute to the inter-agency response to the protection of IDPs in any conflict-affected country where the presence and programmes of the Office have the consent of the authorities, where the humanitarian activities of UNHCR and its partners are free from undue political or military interference, and where the security environment enables its personnel to function within acceptable levels of risk. While this commitment is an unqualified one, the scope and nature of the organization's involvement in any IDP situation will naturally be affected by the availability of funding, as well as the role assumed by other humanitarian organizations.

16. UNHCR considers that the Cluster Approach provides a valuable basis for the development of an enhanced inter-agency response to the protection of IDPs, while recognizing that this approach is still a 'work in progress' that will need to be reviewed and revised in the light of experience. The Office supports the implementation of the Cluster Approach in all new emergencies, as well as its progressive extension to countries with Humanitarian Coordinators. UNHCR is also committed to continued collaboration with other agencies in long-standing situations of internal displacement where such coordinators have not been designated.

17. In accordance with agreements made under the humanitarian reform process, UNHCR's primary objective in such situations will be to provide effective leadership in the areas of protection, emergency shelter, camp coordination and management. The Office will give particular attention to those IDP situations where such functions are in greatest need of reinforcement, and will also play an active role in other clusters.

18. While UNHCR will not normally seek an extensive or prolonged operational involvement in situations where people have been displaced by natural disasters, the Office may, in consultation with its partners, lend immediate support to such populations when it is requested and able to do so.

II. *State responsibility*

19. States have primary responsibility for the rights, protection and welfare of their citizens, including those who are internally displaced. UNHCR will work closely with States and other authorities so that they can exercise this responsibility in an effective and equitable manner.

20. The Office recognizes that humanitarian actors can play only a limited role in addressing the issue of internal displacement. UNHCR consequently looks to States and to the international community to assume their full responsibility in the prevention and resolution of IDP situations and in protecting the rights of the internally displaced. To achieve these objectives, it will be necessary to counter the culture of impunity that has contributed to the problem of internal displacement in many parts of the world.

III. Partnerships

21. UNHCR's IDP protection efforts will entail the establishment of partnerships and working relationships with a range of national actors, including central government structures and local authorities, human rights institutions, parliamentarians, the judiciary, NGOs, religious bodies and other members of civil society.

22. With respect to humanitarian agencies, UNHCR acknowledges that the challenges of internal displacement lie beyond the mandate and capacity of any single organization and the Office considers that the protection of IDPs will be most effectively met by means of inter-agency and partnership approaches that are responsive, flexible and adapted to realities on the ground, which fill gaps and avoid overlapping activities.

23. In its contribution to such approaches, UNHCR will continue to support the process of humanitarian reform, working closely with the Emergency Relief Coordinator, OCHA and other members of the IASC. As well as fulfilling the responsibilities that it has accepted under the Cluster Approach, the Office will cooperate with other actors in the task of assessing, adjusting and enhancing that approach, so as to optimize its role in the protection of IDPs.

24. UNHCR is committed to the development of strategic partnerships for IDP protection at the global and national levels, as well as in functional areas such as operations, advocacy, human and financial resource mobilization. In this respect, UNHCR will draw upon its longstanding relationship with the NGO community. While such NGO partnerships may involve contractual and funding arrangements, the Office will ensure that they also include the development of common visions, understandings and strategies, as well as joint policy analysis, planning and programming activities.

25. Given its primary concern for the protection and rights of IDPs, the Office places particular importance on its partnership with the International Committee of the Red Cross and OHCHR, as well as the Representative of the Secretary-General on the human rights of internally displaced persons. UNHCR's IDP protection strategies and activities will be based and draw upon the complementary mandates of these and other actors.

IV. Protection and human rights

26. UNHCR's efforts on behalf of the internally displaced are based on the principle that IDPs, like all other citizens, are entitled to full protection under international human rights and humanitarian law, as well as national law, at all stages of the displacement process.

27. Based upon this rights-based approach, all IDP activities and operations undertaken by the Office will incorporate the norms, standards and principles of international human rights and humanitarian law, as well as the United Nations' *Guiding Principles on Internal Displacement*. UNHCR will also advocate on behalf of these norms, standards and principles.

28. UNHCR will work closely with other relevant actors to address human rights deficits and to protect IDPs from abuse, employing a combination of preventive, alleviative and remedial measures. The Office will also give practical support to the establishment of national laws, institutions and mechanisms that safeguard the rights of IDPs, strengthen their protection and enable them to find lasting solutions to their plight.

V. Durable solutions

29. UNHCR considers it imperative to avert the emergence of protracted IDP situations, especially those in which the internally displaced are continuously deprived of their rights, basic needs and opportunities for self-reliance.

30. All of UNHCR's activities and operations on behalf of the internally displaced will be oriented towards the attainment of durable solutions, including the voluntary return of IDPs to their former place of residence, long-term or permanent settlement in areas to which they have been displaced, or voluntary relocation to another part of their own country.

31. Irrespective of the solution pursued, UNHCR will work in close collaboration with other actors to ensure that IDPs are able to benefit from a full process of legal, economic and social integration. On this basis, the Office, in cooperation with its partners, will establish benchmarks and strategies for the progressive withdrawal of its presence and programmes in situations of internal displacement.

VI. Age, gender and diversity mainstreaming

32. UNHCR's role in the protection of IDPs will be based on the principle of age, gender and diversity mainstreaming. This principle recognizes that displaced populations consist of different social groups, including women, girls, men and boys, who have equal rights under international law, but who also have varying resources, abilities, aspirations, needs and vulnerabilities.

33. In view of the fact that displaced females generally have less power, a lower social status and fewer opportunities in life than displaced men and boys, and given that such inequalities are often exacerbated in the process of displacement, UNHCR will support and empower women and girls as a means to achieve gender equality.

VII. Community-based approach

34. UNHCR will adopt an inclusive and participatory approach to IDP protection and solutions, building upon the capacities of displaced communities and facilitating their involvement in decisions that affect their lives. The Office will give special attention to the protection of IDPs who are excluded from the social and political power structures of their community, and will ensure that community practices do not violate the rights of, or discriminate against any members of the population.

35. UNHCR's activities will be primarily targeted at IDPs who are congregated in specific locations. The Office may also provide support to local communities in areas of displacement, as well as populations who are at immediate risk of being uprooted. UNHCR is not, however, in a position to assume broader responsibility for the well-being of other citizens living in conflict and crisis-affected States, whose rights and needs must be met within the broader framework of national and, where appropriate, international responsibility.

VIII. IDPs and refugees

36. UNHCR considers it essential to ensure that the conditions of life experienced by IDPs, including the level of protection and standards of assistance available to them, are comparable to

those of refugees. The Office will also ensure that its role in situations of internal displacement does not detract from its mandated activities in relation to refugees, and will maximize the synergies and economies of scale that link the two functions.

37. UNHCR is committed to a rigorous respect for the right to seek and enjoy asylum in other States, and has established criteria to ensure that IDP activities undertaken by the Office do not undermine that right. UNHCR will fully respect those criteria and discourage others from acting in a manner that is detrimental to the principles and practice of refugee protection.

E. UNHCR's corporate IDP strategy

38. To ensure that the policy framework and rules of engagement presented above are effectively operationalized, UNHCR has formulated a corporate strategy on internal displacement. Details of the evolution and implementation of this strategy will be shared on a regular basis with Executive Committee members and other partners. All UNHCR Directors have been requested to establish work plans for the implementation of the strategy and to quantify the funding and staffing implications.

39. UNHCR's role in situations of internal displacement continues to be an important consideration in its ongoing Structural and Management Reform initiative, as the involvement of the Office in the inter-agency IDP response has important ramifications for the organization's processes, structures and workforce profile. UNHCR will ensure that the demands of this role are taken into full account in determining the way in which resources are mobilized, the budget is structured, and partnerships are forged.

I. *Organizational capacity and structure*

40. A senior-level staff member will be appointed on a temporary basis to coordinate the full and timely implementation of the corporate strategy. Working in close consultation with the Assistant High Commissioner (Operations) and Assistant High Commissioner (Protection), as well as other staff members engaged in IDP issues, the Coordinator will also ensure that the implementation of the strategy is consistent with the policy framework set out in this document. Primary responsibility for IDP operations will remain with the Regional Bureaux, who will ensure that UNHCR's evolving role with IDPs is adapted to the specific circumstances of each country and region.

41. UNHCR's IDP Support Team (IST), which serves as a multifunctional and mid-level coordination mechanism, will continue to meet on a regular basis, chaired by the Coordinator and involving senior representatives from all parts of Headquarters. IST members will ensure that the entities they represent are provided with relevant information on developments relating to the corporate strategy, a task that will be facilitated by the establishment of an internal IDP website.

42. UNHCR will strengthen the capacity and technical competences of the three Global Clusters that it leads. Given UNHCR's primary interest in the protection of IDPs and the *droit de regard* that the Protection Cluster exercises in relation to the other clusters, the Office will prioritize the provision of senior and stable leadership to the Protection Cluster.

43. The Office will also undertake a substantive investment in country-level cluster leadership by ensuring the deployment of an adequate number of suitably skilled staff members and stand-by personnel in countries where UNHCR has assumed or is likely to assume new IDP responsibilities.

44. Every effort will be made to ensure that the personnel needs outlined above are met from existing human resources, particularly at Headquarters, by means of prioritization, redeployment and the placement of staff members who are in need of assignment.

II. Internal communications and staff development

45. The Office will initiate an extensive internal communications and staff development programme, so as to equip staff members with the knowledge, skills and attitudes that are required to support the corporate strategy. This programme will incorporate issues such as the Cluster Approach, the Humanitarian Coordinator system, pooled funding arrangements, the role of the Representative of the Secretary-General on the human rights of internally displaced persons and the *Guiding Principles on Internal Displacement*.

46. UNHCR's efforts in this area will draw upon the experience of staff members who have previously been deployed in IDP situations, as well as those who are familiar with the tasks of partnership building and inter-agency coordination. Particular attention will be given to a review and revision of existing learning programmes, so as to equip the Office with the capacity and competencies required by the Cluster Approach.

47. Revised and additional tools will be required to reflect the evolving nature of UNHCR's involvement with IDPs. Priority will be given to the preparation of concise and practical field-based tools to complement inter-agency guidance materials.

III. Human resources deployment

48. UNHCR's human resources deployment strategy has four principal components.

- The Office will ensure an effective presence from the beginning of new IDP emergencies, deploying teams of suitably senior and experienced personnel.
- In IDP situations where the Cluster Approach is invoked, UNHCR will deploy an appropriate number of staff members with effective coordination and communication skills and who have specific competences in the three functional areas in which UNHCR has assumed cluster lead responsibilities.
- UNHCR will make strategic use of short-term staffing arrangements and surge capacities, ensuring that the cluster lead activities of the Office are not undermined by an over-reliance on such personnel, who are subject to regular turnover.
- The Office will strengthen its stand-by arrangements with partners, particularly in the technical sectors.

49. UNHCR will identify staff members with the skills and experience required to function effectively in IDP operations for inclusion in the organization's emergency roster. Those who are placed on the roster will be provided with specialized training in order to develop their leadership and coordination skills, as well as their understanding of UNHCR's policy framework and corporate strategy on IDPs.

IV. Resource mobilization and management

50. UNHCR will implement a resource mobilization strategy that takes advantage of the fundraising opportunities associated with the process of humanitarian reform, without detracting from its mandated responsibility to provide protection and solutions to refugees.

51. To meet these objectives, the Office, in consultation with the Executive Committee, plans to redesign its budget structure and to establish a Global IDP Programme that operates on the basis of project funding. The Global IDP Programme will be rooted in country-level needs assessment, planning and result-based management systems. UNHCR's Regional Bureaux and Representatives will play an important role in this process, which will be undertaken in close coordination with other IASC members at the country and global levels.

52. Under the terms of the proposed arrangement, the Global IDP Programme would be approved at the annual meeting of the Executive Committee. Supplementary budgets would continue to be used for short periods of time in response to new IDP emergencies and unforeseen developments in existing situations. In addition to supporting fundraising efforts on behalf of IDPs and preserving the integrity of UNHCR's refugee programmes, this approach is also expected to facilitate the task of human resource management.

V. Security in IDP-populated areas

53. Situations of internal displacement are generally more dangerous than those involving refugees, as they are often located in areas of active conflict and are characterized by the presence of military forces, security personnel and militia groups. UNHCR's IDP protection activities will take full account of these circumstances and will be based on partnerships with national and international actors that are able to contribute to the security of internally displaced populations. Special efforts will be made to address the issue of sexual and gender-based violence.

54. UNHCR's response to the challenge of staff security in IDP-populated areas will be pursued on a two-track basis, the first addressing UNHCR's own security management capacity, and the second focusing on the role of other actors, including the United Nations' Department of Safety and Security, the Department of Peacekeeping Operations and Designated Officials.

55. With respect to the first of these two approaches, the Office will review its security arrangements in IDP operations, adapting the organization's existing guidelines on the presence of armed elements to the context of internal displacement. In terms of the second approach, UNHCR will contribute to inter-agency efforts to provide all relevant national and international actors with a better understanding of international humanitarian law, the rights and protection needs of IDPs and the safety of humanitarian personnel.

VI. Emergency preparedness and contingency planning

56. The corporate strategy will pay close attention to the issue of emergency preparedness and contingency planning, because the effectiveness of the Cluster Approach will be most seriously tested in new and fast-moving IDP situations, and because UNHCR's role and reputation in situations of internal displacement are dependent on the ability of the Office to respond to sudden crises.

57. UNHCR's efforts in this area will adopt the inter-agency mode of consultation required by the Cluster Approach and the process of humanitarian reform. Those efforts will also consider the potential for new IDP emergencies in countries where UNHCR has not previously maintained a presence or a significant programme.

VII. Results-based management

58. The Office will continue to contribute to inter-agency efforts to establish a set of performance and impact indicators that will be used as a basis for the formulation of an enhanced response to the provision of protection and assistance to IDPs.

59. To assist in the process of planning and prioritizing its own IDP activities and operations, UNHCR will continue with the development of results-based management software, which will enable the Office to better assess the impact and shortcomings of its leadership role and programmatic interventions at the country, regional and global levels.

VIII. Monitoring, assessment and evaluation

60. Despite the additional attention that has recently been given to the issue of internal displacement, relatively little is known about the impact of the humanitarian reform process on the protection, rights and welfare of IDPs. UNHCR will address this situation by ensuring the establishment of effective monitoring mechanisms.

61. In keeping with the High-level Panel's recommendation that the international response to humanitarian emergencies should be subject to "transparent, periodic and independent assessment", UNHCR, in cooperation with partner organizations, will assess its IDP operations and ensure that such reviews are utilized for the purposes of policymaking, planning and programming. The Office will also play a full part in inter-agency evaluation initiatives related to IDP operations and issues.