



Leaving No One Behind: Ensuring an Age, Gender, and Diversity (AGD) Inclusive Approach to Internal Displacement

Joint Submission to the High-Level Panel on Internal Displacement



1) The Start of a Dialogue on Age, Gender, and Diversity (AGD)

The High-Level Panel on Internal Displacement (HLP) has a unique opportunity to offer clear recommendations reflecting the rights of *all* internally displaced persons (IDPs) and their host communities by ensuring that age, gender, and diversity, including disability, (AGD) are essential considerations. An AGD perspective under each of the HLP's different areas of focus is critical for ensuring an inclusive approach in the prevention of – and response to – internal displacement and, as such, is relevant to each of the eight questions in the HLP's call for submissions.

This collective submission marks the beginning of what hopefully will be an on-going dialogue with the HLP as it continues its deliberations, consults, and develops recommendations on internal displacement. The recommendations included here reflect our early thinking. We will undertake a series of dialogues among those making this submission and various other actors to develop bold and more concrete ideas around AGD and IDPs in the coming months.

Request to the HLP before finalising its Recommendations:

- ◆ Once the HLP has developed its initial recommendations, we request that a consultation dedicated to AGD be convened to help ensure that the HLP's recommendations adequately reflect AGD considerations.



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2) Why an AGD Focus for this Submission?

The HLP's Recommendations: Many policies, laws, and recommendations exist around internal displacement, but are often not put into practice. An analysis undertaken for this submission shows that States and others have taken insufficient measures to ensure the protection and assistance of specific groups, such as women, girls, youth, and children more generally – with each group having individuals with particular diversities. While there has been progress on AGD, it is not yet an approach that receives adequate attention in global or national policy spaces or responses. Where AGD policies or approaches exist, they often do not receive adequate resources.

The HLP has the opportunity to recommend ways to mobilise political will and the necessary resources to ensure that age, gender, and diversity, including disability, are central to policies, prevention, and responses around internal displacement.

The HLP's Consultations with IDPs: One of the key steps for the HLP will be to ensure that its consultations with IDPs are approached with consideration of – and adaptation to – the safety, dignity, needs, and capacities of different ages, genders, persons with disabilities, and diverse groups of IDPs. Inclusive consultations require thoughtful measures – such as accessible material for those with disabilities or safe spaces for women, girls, boys, and youth – to reach traditionally marginalised groups and ensure their voices are heard.

While online/virtual consultations may be required as a result of COVID-19 restrictions, many IDPs may not have access to – or be familiar with – such forms of communication. Accessibility requirements must be taken into account, in addition to addressing obstacles that prevent IDPs from using such technology (e.g. language barriers, low or no digital literacy, limited connectivity, or not having access to smartphones). Creative means of consulting IDPs – in all their diversity – and the different organisations working with IDPs are needed and may require a longer timeframe for the HLP's work, given the unforeseen consequences of COVID-19.

3) Why Protecting and Assisting IDPs Requires an AGD Approach

Protecting and assisting IDPs is fundamentally about respecting and upholding human rights and ensuring non-discrimination. IDPs face extremely difficult conditions and loss of safety and protection when they are forced to flee their homes and communities because of conflict, violence, disasters, or development and when they remain displaced for years. The response to any situation of internal displacement – whether resulting from conflicts, disasters, climate change, or development – requires a rights-based approach that puts people first.

Numerous international human rights instruments apply to all human beings and the *Guiding Principles on Internal Displacement* refer to all IDPs. The practical application of these instruments does not, however, always translate into the equal treatment of all individuals. Gaps remain in ensuring the protection and assistance of specific groups of IDPs who face violence and discrimination based on AGD.

There are often pre-existing discriminatory policies, practices, and gender inequalities that can result in further unequal treatment during displacement. These discriminatory factors can also negatively impact the search for solutions to their displacement, for example, when it comes to housing, land, and property; compensation; or inheritance. Displaced women, children, persons with disabilities, minorities, older persons, LGBTQI+¹ individuals, stateless persons, and other persons in vulnerable situations are among those more likely to suffer from human rights violations and loss of protection. Displaced women and girls, in particular, are at increased risk of gender-based violence (GBV). Young women and young men are particularly at risk of violence and recruitment by armed groups.

¹ Lesbian, gay, bisexual, transgender, queer, intersex, and + (indicating additional categories). Please note that the use of the acronym "LGBTQI+" is not intended to exclude any other sexual orientations or gender identities and should be read as inclusively as possible.



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To effectively protect and assist IDPs, States and other authorities need to incorporate a rights-based approach, which includes an AGD lens to ensure the protection and non-discrimination of *all* IDPs. This approach must also consider those communities hosting IDPs; those who may not have been able to flee their homes and might be more vulnerable than the displaced; and those returning refugees who risk becoming IDPs, as they may not be able to (or cannot) return home.

To date, there have been limited debates or policy developments in international forums focused on IDPs.² There are also limited opportunities or spaces – either globally or nationally – to bring human rights, humanitarian, and development actors together to more effectively respond to IDPs – including in terms of negotiating political solutions. Considering a “whole of society approach,” as taken with the Global Compact on Refugees, could be helpful in responding to internal displacement.

The HLP can play an important role in re-emphasising the existing obligations of States to respect the human rights of all those individuals displaced or affected by internal displacement within their borders. The HLP can also helpfully outline concrete measures to be taken by States to make progress towards realising these obligations, particularly towards those who may be subject to discrimination, such as women, girls, youth, and persons with disabilities, including enacting or reforming laws or policies. Suggesting the creation of a space to hold States accountable for these obligations would be a welcome contribution from the HLP.

Recommendations for the HLP during its Consultations:

- ◆ Ensure that consultations are designed and tailored to different groups of IDPs of diverse ages, genders, disabilities, and other diversities by using safe (and innovative) approaches. These consultations may require a longer time frame, given the unforeseen restrictions imposed by COVID-19, and the fact that many IDPs may not be able to access or use virtual forms of communication.
- ◆ Seek suggestions of how to ensure State accountability for their obligations to uphold international human rights and humanitarian law when responding to internal displacement, particularly their obligations to protect groups vulnerable to discrimination and violations, including women, children, older persons, and those with disabilities during displacement and in the search for solutions to their displacement.³

4) What does an AGD Approach Practically Entail?

Each person has agency and different attributes, capacities, and possibly disabilities. Age, education, ethnicity, language, religion, citizenship status, income, sexual orientation, gender identity, disability, or other diversity factors make each person unique, can shape an individual’s views and experiences, and can influence individual displacement experiences. These various elements together can contribute to multiple forms of discrimination and specific protection risks. They can also impact an individual’s ability to participate meaningfully in decisions affecting their lives, particularly during displacement.

An AGD approach enables responses to be adapted to different needs through meaningful participation. Understanding and addressing needs – particularly of groups at increased risk during displacement – can result in **more inclusive and accountable responses** to internal displacement.

² The only legally binding treaty on IDPs is the African Union *Convention for the Protection and Assistance of Internally Displaced Persons in Africa* (the “Kampala Convention”). Since the UN General Assembly’s (GA’s) first resolution on IDPs in 1994, only 14 GA resolutions have specifically discussed IDPs. Within the Human Rights Council, there have been no specific thematic resolutions on IDPs.

³ Such rights are encompassed, *inter alia*, in the Kampala Convention, the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), the *Convention on the Rights of the Child* (CRC), the *Convention on the Rights of Persons with Disabilities* (CRPD), and other relevant treaties that protect the rights of specific groups of persons. See: <https://database.girlsrightsplatform.org/en>



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Meaningful Participation

An AGD approach requires **thoughtful ways to ensure safe and meaningful participation** of diverse groups of IDPs and host communities. Such participation leads to a better understanding of needs, capacities, protection risks, and who can – or cannot – access rights, aid, services, information, and decision-making during displacement. Different groups of IDPs and host communities should be involved in identifying needs and protection risks; designing, implementing, monitoring, and evaluating programmes, including mitigating protection risks; developing communication means; and considering potential solutions.

Inclusive and meaningful participation leads to the design and implementation of more appropriate responses and solutions. Too often in displacement responses, women, girls, older persons, persons with disabilities, and minority groups are neither adequately consulted nor meaningfully engaged in decision-making processes, accentuating existing power differentials and contributing to increased protection risks and discrimination. While the vast majority of internal displacement takes place in urban settings, the complexity of responding in such contexts means that special attention is required to ensure inclusive and meaningful participation.

As noted above, COVID-19 restrictions may require the HLP to conduct online/virtual consultations. Such virtual consultations need to be broadly accessible and allow for other forms of consultations to feed into the process, as and when social and mobility restrictions are reduced to allow for community interaction. A deliberate and thoughtful approach is needed to guarantee the safe, meaningful, and inclusive participation of diverse groups of IDPs and host communities.

The HLP should work with partners, including non-governmental organisations, to develop guidance outlining the specific measures that must be put in place to ensure that IDPs of different ages, genders, disabilities, and diversities are properly informed, supported, and able to meaningfully contribute to the consultations. Such measures should include, for example, information being provided in languages and formats that are accessible for persons with disabilities and older persons, and in child friendly formats.

Disaggregated Data

It is equally important **to collect, analyse, and use disaggregated data**, at a minimum by sex, age, and disability. Where possible, other diversity factors, such as ethnicity, gender identity, or sexual orientation, should be collected when it will *not* put people at risk. It is important to collect and manage such disaggregated data in a safe and responsible manner to ensure that the needs of different groups, such as girls with disabilities, do not have their distinct needs neglected or ignored. All those responding to internal displacement should include AGD considerations in their planning and responses, which can be enhanced with disaggregated data.

Considering AGD can help to realise the human rights and protection of all IDPs and ensure that no displaced person is left behind – in line with the Sustainable Development Goals (SDGs).

Recommendations for the HLP to Consider in its Final Report:

- ◆ States and all those responding to internal displacement situations should incorporate an AGD inclusive approach in their responses so that **all** IDPs are protected, have their human rights respected, and to ensure that no one who is internally displaced is left behind. For example:
 - Decision-makers should set up systems to collect, analyse, and use AGD disaggregated data to develop/adapt inclusive laws, policies, and responses to internal displacement.
 - Governments should partner with other stakeholders to bring together different actors (including ministries) to identify and tackle any discrimination faced by IDPs based on AGD.
- ◆ Women, girls, youth, older persons, persons with disabilities, sexual and gender minorities, and minority groups in all their diversity must be represented and safely and meaningfully consulted in decision-making processes to ensure that their needs and views are included in all responses to internal displacement. Actors working with IDPs should make available spaces for participation that are gender-sensitive, as well as child- and disability-friendly; provide accessible materials in relevant languages and formats; and reach out within communities for equal representation across AGD groups.



5) Gender Equality and Non-Discrimination in Laws and Policies are Essential

An essential part of a rights-based approach is the protection and non-discrimination of certain groups of persons who – due to AGD – require additional protection. Without a rights-based approach, such groups risk being excluded from decision-making, programme design, and the implementation of humanitarian responses. Certain groups may be at a higher risk of experiencing harm or having their rights violated, including women, girls, children, persons with disabilities, and older or stateless persons.

Women and girls represent half of the world's population and, therefore, also half of its potential. More than half of all IDPs are women and girls.⁴ Yet internally displaced women and girls – especially those with disabilities – continue to face discrimination, GBV, and inequalities in accessing essential services – such as education, health, economic opportunities, and sexual and reproductive healthcare and rights (SRHR) – because of AGD. Services designed to meet women's needs, such as SRHR, often do not exist because women were inadequately consulted prior to services being put in place.

Women are all too often treated as a homogeneous group: differences are not made between the needs and experiences of young or adolescent girls or young, middle-aged, or older women. Internally displaced girls face challenges that differ from boys and adult women. IDP girls are less likely to be in school or have access to health services, including SRHR; are at greater risk of GBV; face restricted freedom of movement; and are uniquely at risk of early and forced marriage.

While displacement can lead to a range of protection threats, certain groups – such as women and girls, LGBTQI+ individuals, and persons with disabilities – are at increased risk of GBV, including domestic violence. Given that it is often difficult to reach these groups due to stigma, discrimination, and social exclusion, creative approaches are required. Prevention and responses to GBV in situations of internal displacement continue to not be seen as life saving activities. GBV prevention and response programming are inadequately resourced or prioritised, including in terms of access to SRHR, safe spaces and shelters, and mental health and psychosocial support. Laws continue to be insufficient to provide justice to GBV survivors in many countries.

Achieving gender equality and non-discrimination – in addition to being a fundamental human right and critical for sustainable development and more peaceful and inclusive communities – is essential for tackling discrimination against IDPs. Gender equality and non-discrimination are key to enabling individuals – in all their diversity – to achieve their full human potential, including in terms of access to education, jobs, livelihoods, and decision-making at all levels.

Laws and policies, including those aimed at protecting and assisting IDPs, must ensure that there is no discrimination against internally displaced women, girls, and others requiring specific protection, such as children, persons with disabilities, LGBTQI+ individuals, or older persons. Gender-discriminatory nationality laws, for example, can lead to a lack of birth registration and statelessness. In displacement, gender-discriminatory laws can further exacerbate protection concerns, for example, if a mother is unable to confer her nationality on her child or prove her child's existence without a birth certificate. Equal and non-discriminatory access to civil registration processes is essential to ensure that IDPs, and particularly women, are able to access civil documents for themselves and their children, and are not considered as 'second class citizens.'

⁴ 21 million of 41 million IDPs were women and girls, as identified in IDMC, Plan International, and IMPACT (2020), *Hidden in Plain Sight: Women and Girls in Internal Displacement*.



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Recommendations for the HLP to Consider in its Final Report:

- ◆ Where discrimination exists in nationality laws, States should enact reforms to uphold gender equality to prevent statelessness, to uphold the equal rights and dignity of women and men, and to mitigate protection threats during displacement.
- ◆ States, donors, and humanitarian actors in internal displacement situations must ensure that gender equality considerations are integrated throughout humanitarian and development responses, including revising or enacting policies or laws when necessary. The prevention of, and response to, gender-based violence must be prioritised early on during internal displacement.

6) Building Momentum for AGD Responsive Policies and Approaches

Putting an AGD approach into action in internal displacement responses requires political will and interest to bring together different actors to prioritise AGD in all their responses. When AGD is prioritised from the beginning of a response, there are positive long-term consequences for both IDPs and their host communities. Too often, AGD approaches are seen as a luxury or an additional burden when, in fact, such approaches help to make responses more efficient and sustainable. When AGD is not incorporated into a response, the consequences for individuals can be severe, with inequalities being further exacerbated and needs being multiplied.

Creating momentum around AGD responsive policies, approaches, and solutions to internal displacement must happen both internationally and nationally. There are opportunities to learn from good AGD practices that have taken place in various IDP and also refugee responses. Adopting AGD policies within governments and organisations can be one step, but there is also a need to work with others in a society to encourage a broader, “whole of society” approach to respond to internal displacement in an AGD sensitive manner.⁵

Recommendation for the HLP to Consider in its Final Report:

- ◆ States should adopt or strengthen national laws, policies, and other frameworks to ensure protection and assistance for IDPs without discrimination, in accordance with international law, which takes into account the particular needs and challenges faced by IDPs due to AGD. More specifically, States should facilitate opportunities to bring together diverse parties to work together to safely and meaningfully engage IDPs and host communities to understand how they are affected based on AGD and ensure appropriate responses.

The recommendations from the HLP will be essential to ensure that IDPs do not “fall through the cracks.” The HLP’s recommendations of ways forward should ensure that they are inclusive of all IDPs, regardless of their age, gender, and diversity, including disability. The HLP has an important opportunity to make sure that, through its report and recommendations, an AGD approach becomes a pivotal part of prevention, responses, and solutions to internal displacement.

⁵ Different actors are part of a “whole of society” approach, as per the UN GA’s 2016 New York Declaration for Refugees and Migrants calling for a comprehensive refugee response: “...a multi-stakeholder approach that includes national and local authorities, international organizations, international financial institutions, civil society partners (including faith-based organizations, diaspora organizations and academia), the private sector, the media and refugees themselves.” (paragraph 69, A/RES/71/1).



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Selected Resources

Age, Gender, and Diversity Tip Sheet for Global Refugee Forum Pledges: Helping Ensure Age, Gender, and Diversity Inclusive Pledges and Good Practices for the Global Refugee Forum. Various organisations. 2019.

<https://www.womensrefugeecommission.org/research-resources/agd-tip-sheet-for-grf-pledges/>

Call to Action on Protection from Gender-Based Violence in Emergencies. <https://www.calltoactiongbv.com/what-we-do>

Cuevas-Parra, P. and Stephano, M. *Children's voices in times of COVID-19: Continued child activism in the face of personal challenges*. World Vision International. 2020.

<https://www.wvi.org/publications/report/child-participation/childrens-voices-times-covid-19-continued-child-activism>

IDMC, Plan International, and IMPACT. *Hidden in Plain Sight: Women and Girls in Internal Displacement*. 2020.

<https://plan-international.org/publications/hidden-plain-sight-report#download-options>

Global Campaign for Equal Nationality Rights, UNHCR, UNICEF. *Gender Discrimination and Childhood Statelessness*. 2019.

<https://equalnationalityrights.org/reports/document/1291-gender-discrimination-and-childhood-statelessness-arabic-publication>

Oxfam. *Drought, Displacement and Livelihoods in Somalia/Somaliland: Time for gender-sensitive and protection-focused approaches*. 2018.

<https://policy-practice.oxfam.org.uk/publications/drought-displacement-and-livelihoods-in-somaliasomaliland-time-for-gender-sensi-620503>

Oxfam. *Forced from home: climate-fuelled displacement*. 2019.

<https://www.oxfam.org/en/research/forced-home-climate-fuelled-displacement>

Oxfam International, Nile Hope, Titi Foundation, Danish Refugee Council, Norwegian Refugee Council, and CARE. *No Simple Solutions: Women, Displacement and Durable Solutions in South Sudan*. September 2019.

<https://oxfamilibrary.openrepository.com/bitstream/handle/10546/620857/bp-no-simple-solutions-women-displacement-south-sudan-030919-en.pdf>

Plan International. *Girls' Rights are Human Rights*. 2017.

<https://plan-international.org/publications/girls-rights-are-human-rights>

Women's and girls' rights and agency in humanitarian action: A life-saving priority. Various organisations. 2019.

<https://insights.careinternational.org.uk/publications/women-s-and-girls-rights-and-agency-in-humanitarian-action-a-life-saving-priority>

Women's Refugee Commission and IOM. *Women in Displacement, a platform providing tools and building common learning towards the enhancement of participation and inclusion of women and girls in displacement*. 2019.

<https://womenindisplacement.org/>

Entities signing onto this submission:

ACT Alliance; Act for Peace; Asia Pacific Network of Refugees; Asia Pacific Refugee Rights Network; Arab Women Organization of Jordan; CARE International; Cameroon Humanitarian Women's Network; Community Association for Vulnerable Persons; Community Education For Life (CEFLife); Collective for Research and Training on Development Action - CRTDA; Coordinating Unit of Associations of Persons with Disabilities; DRC Danish Refugee Council; European Coalition; Equality Now; Forced Migration Research Network, UNSW Sydney; Global Affairs Canada; Global Campaign for Equal Nationality Rights; Global Refugee-led Network; HelpAge International; I CAN South Sudan; Institute on Statelessness and Inclusion; International Disability Alliance (IDA); International Rescue Committee; INTERSOS; Islamic Relief Worldwide; Justice Centre Hong Kong; The Lutheran World Federation (LWF); Ministry of Foreign Affairs of Denmark; Ministry for Foreign Affairs of Finland; Naripokkho; National Union Of Women with Disabilities Of Uganda; New Women Connectors; North West Association of Women with Disabilities; Norwegian Ministry of Foreign Affairs; Norwegian Refugee Council; Oxfam International; Plan International; Refugee Consortium of Kenya (RCK); Refugees International; RefugePoint; Save the Children; Settlement Services International; Somali Women Development Centre; Sweden; Tabish Social Health Education Organization; Townsville Multicultural Support Group Inc.; Translators without Borders; Women's Learning Partnership; Women's Refugee Commission; Women Refugee Route; World Vision