

## **CHECK AGAINST DELIVERY**

**6<sup>th</sup> session of the Human Rights Council, 10-14 December 2007**

### **Item 3: Promotion and protection of human rights – Review, rationalization and improvement of mandates**

#### **Statement by the Representative of the Secretary General on the Human Rights of Internally Displaced Persons**

**Geneva, 13 December 2007**

Chairperson,  
Distinguished delegates,  
Ladies and Gentlemen,

Internal displacement has been at the centre of State preoccupations and, in fact, of this Council and its predecessor, the Commission on Human Rights, for the past 15 years. Although progress has been made in clarifying the normative framework for the protection of internally displaced persons (IDPs) and in the institutional responses both by governments and by the United Nations as a system, the number of internally displaced persons has not diminished significantly. Still today there are over 24 million persons displaced due to conflict and such displacement is on-going while we are meeting here today. At least as many if not more are estimated to be in displacement due to the effects of sudden or slow onset disasters. Listening to the hundreds of IDPs I met during my missions - including persons particularly at risk such as women and children or elderly persons - made it abundantly clear to me that being displaced does not only mean to lose one's home and livelihoods but creates specific vulnerabilities and often intense suffering.

In order to address the plight of the internally displaced, the Commission on Human Rights established, in 1992, the mandate of the Representative of the Secretary General on Internally Displaced Persons. In 2004, it created a "new mechanism" and changed the title of the mandate holder to "Representative of the Secretary General on the Human Rights of Internally Displaced Persons". I was appointed to this mandate in September of the same year. The new title meant a clearer focus on the protection of human rights of internally displaced persons. In this perspective, I was tasked to (1) engage in coordinated advocacy in favor of the protection and respect of the human rights of IDPs; (2) continue and enhance dialogues with Governments as well as non-governmental organizations and other actors; (3) strengthen the international response to internal displacement; and (4) mainstream the human rights of IDPs into all relevant parts of the United Nations system.

My strategy in carrying out this mandate was and is built on the realization that internally displaced persons can fully enjoy their human rights only if several elements are in place. First, a strong normative framework is needed. In this regard, I focused and will continue to focus on the promotion of the 1998 Guiding Principles on Internal Displacement which have been recognized by the General Assembly as an "important international framework for the protection" of IDPs, and on their incorporation into national laws and policies. I am glad to be able to report that several countries have done so since I visited them.

Second, without strong political will even the best norms remain ineffective. Missions and follow-up visits serve to enter into dialogue with governments, regional organizations, civil society and other relevant actors with a view to convince them to do more to respect, protect

and fulfill the human rights of the displaced. Although I have not been able to trigger as much change as would be necessary, such dialogue has been fruitful and often led to tangible improvements. I would like to thank those States that have been willing to receive me and work with me.

Third, internally displaced persons will not be able to fully enjoy their human rights if States that carry the primary responsibility for protecting and assisting them lack the capacity to do so. Within the limitations of a voluntary position and its part-time nature I have tried and will continue to my best to assist governments with technical advice, to train their officials at an annual course in San Remo and to provide them as well as other actors including international and non-governmental organizations with practical tools such as the Framework for National Responsibility. To trigger, where needed, support by humanitarian agencies and organizations as well as donors is also part of my work.

Finally, we all must be able to respond flexibly to new challenges as they occur. In this context, I have focused on the challenges of human rights protection in the context of displacement due to natural disaster whose frequency is likely to increase as a consequence of climate change. I also felt, that while there is a strong understanding and support for the humanitarian challenges internally displaced persons face during the emergency phase of a crisis, more needs to be done to address internal displacement in peace processes, peace-agreements and peace-building activities.

Today, I conclude that the mandate as it is currently formulated gives me sufficient flexibility to intervene at different levels and in different manners for the defense of human rights of internally displaced persons. In this context, the mandate to mainstream the human rights of internally displaced persons into all relevant parts of the UN system and the position of Representative of the Secretary General that is intrinsically linked to this mainstreaming task has proven to be particularly fruitful. It has allowed for very close cooperation, in particular with UNHCR and the Office for the Coordination of Humanitarian Affairs, but also with other UN entities including UNDP and UNICEF, especially in the areas of advocacy as well as follow-up to my recommendations made after visiting a particular country. Close cooperation with the UN country teams in countries visited had a tangible impact in several cases and greatly enhanced the effectiveness of the mandate. Mainstreaming also means enhancing the capacity of these organizations to better address the human rights challenges faced by IDPs. The policy input I have been able to deliver such as the Framework for Durable Solutions and the Operational Guidelines on Human Rights and Natural Disasters is aimed at contributing to the advance made by United Nations and the international community towards better understanding and responses to the human rights challenges that internally displaced persons continue to face.

These and other challenges including the fact that the large majority of IDPs are women and children with their specific needs that are often neglected remain serious, indeed. While we may hope for a world where those who have to flee because of conflict or have been displaced by other causes are fully protected and assisted by their governments and the international community, we have to be realistic: Human rights of internally displaced persons continue to be disregarded and violated in all parts of the world. As long as this reality persists, this mandate remains a necessity.

Thank you