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Chair: Ms. Farngalo (Vice-Chair) (Liberia)

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In the absence of Mr. Braun (Luxembourg), Ms. Farnagalo (Liberia), Vice-Chair, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 70: Promotion and protection of human rights (continued)

(a) Implementation of human rights instruments (continued) ([A/74/40](#), [A/74/44](#), [A/74/48](#), [A/74/55](#), [A/74/56](#), [A/74/146](#), [A/74/148](#), [A/74/228](#), [A/74/233](#), [A/74/254](#) and [A/74/256](#))

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(c) Human rights situations and reports of special rapporteurs and representatives (continued) ([A/74/166](#), [A/74/188](#), [A/74/196](#), [A/74/268](#), [A/74/273](#), [A/74/275](#), [A/74/276](#), [A/74/278](#), [A/74/303](#), [A/74/311](#), [A/74/342](#) and [A/74/507](#))

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (continued) ([A/74/36](#))

1. **Ms. Giammarinaro** (Special Rapporteur on trafficking in persons, especially women and children), introducing her report ([A/74/189](#)), said that the report addressed access to remedy for victims of trafficking for abuses committed by businesses and their suppliers. The report was drafted on the basis of information obtained through online consultations and interviews with workers, in particular in the road transportation sector. It therefore reflected different points of view on controversial issues, making it a helpful resource for finding innovative and effective solutions.

2. Although transparency legislation passed in some Member States now obliged companies to exercise some level of monitoring over their operations and those of their suppliers, it was necessary to go beyond minimal reporting obligations and require a higher level of commitment. Efforts by States, the private sector, trade

unions and civil society stakeholders must continue to ensure the establishment and implementation of detailed risk mapping and alert mechanisms so as to identify situations of trafficking and exploitation; ensure accountability, including in supply chains; and provide for remediation when violations occurred. Such efforts required the integration of workers' voices into social compliance mechanisms, through procedures for reporting exploitation and access to effective grievance and redress mechanisms that can offer viable solutions, such as improved working conditions and, if needed, the provision of residence status, in cooperation with host Governments.

3. **Ms. de Martino** (Italy) said that the evidence-based approach taken by the Special Rapporteur in collecting data from different sources would help to ensure the effective implementation of her complex recommendations. She asked how primary companies in a supply chain could react to unfair or illegal conduct by subcontractors in a way that balanced legal and regulatory compliance with the protection of migrant workers, their rights and basic needs.

4. **Ms. Azucena** (Philippines) said that the trafficking of migrant workers and other workplace abuses, especially with regard to women and children, was a serious concern of utmost priority for her country. Fears of deportation prevented migrant workers from raising complaints with authorities, even when experiencing workplace exploitation, but that did not reflect the entire picture, which was even more dire. The employer practice of withholding the passports and visas of documented and regular migrant workers and the Government practice of tying residence visas to employers were exploitative in themselves and constituted a violation of the human rights of migrants by rendering their stay in the host country contingent upon their employment, while their labour mobility was subject to the wishes of the employer. Fear of deportation or of long wait times without employment or income while cases were being processed often led migrants to think several times before raising concerns with authorities. She asked for recommendations on how to address that issue. In some jurisdictions, the burden of proof lay on businesses and employers to demonstrate their compliance with applicable labour regulations when an employee complained of workplace abuse, and she asked how that practice could be propagated further.

5. **Mr. Christodoulidis** (Greece) said that crucial State obligations to guarantee victims of trafficking and other forms of severe exploitation unhindered access to remedies by eliminating barriers and ensuring the imposition of sanctions on the companies involved must

be complemented by dedicated legislation safeguarding transparency in supply chains. Companies, however, had significant responsibility for improving access to operational grievance mechanisms and assistance and for providing remedies to victims.

6. His Government had developed a robust legal and institutional gender- and child-sensitive framework for victims and potential victims of trafficking, coordinated by a National Rapporteur on Trafficking in Human Beings, that was in line with international standards. A national identification and referral mechanism for victims and presumed victims was a fundamental component of the country's new national action plan on the prevention and fight against human trafficking and the protection of its victims. A particular focus was also placed on promoting due diligence to prevent trafficking and exploitation in private sector supply chains and public sector procurement procedures.

7. In an effort to maximize policy impact, Greece welcomed innovative partnerships between local administrations and the private sector. In January 2019, the Municipality of Athens had co-hosted a regional conference, together with the Organization for Security and Cooperation in Europe, the Office of the National Rapporteur and private sector partners, at which the mayor of the Municipality announced the launch of a new pilot project on trafficking-free public supply chains. Greece would continue to support international efforts to ensure effective and timely responses to trafficking in persons, including in business operations and supply chains. Such efforts were indispensable to the achievement of the Sustainable Development Goals.

8. **Ms. Oppermann** (Luxembourg) said that trafficking in persons was a serious form of exploitation-related violations of human rights that began with the creation of conditions conducive to the disregard of workers' fundamental rights. As a result of globalization and the global economic system, however, workers' rights throughout supply chains were at risk of fragmentation and neglect, which increased the risk of human trafficking. The active involvement of businesses in the fight against the phenomenon was therefore indispensable.

9. In view of that risk, Luxembourg had created an environment aimed at promoting strong trade unions and ensuring the right to collective bargaining. The Government had adopted a national action plan for the implementation of the Guiding Principles on Business and Human Rights, stipulating that companies must not only respect human rights, but also redress any negative impacts of their activities on human rights. The plan also provided for guaranteed and unconditional assistance to

every victim, regardless of the victim's willingness to cooperate with investigations. She wondered how businesses, including financial institutions, could use their leverage to prevent human trafficking and how they could establish truly effective grievance mechanisms.

10. **Mr. Kelsey** (United Kingdom) said that, since the introduction of transparency legislation by his Government in 2015, more businesses had opened up their supply chains, identified high-risk areas and introduced tailored steps to support vulnerable workers. Consultations had been conducted on how to further strengthen that legislation, in response to the independent review carried out under the Modern Slavery Act. In the light of the jointly launched principles to guide government action to combat human trafficking in global supply chains, his Government planned to publish its first statement on modern slavery by the end of 2019.

11. The United Kingdom also worked internationally to promote the Guiding Principles on Business and Human Rights, in which the duty of States to promote corporate responsibility to respect human rights and provide access to remedy for victims was set out. Preventing modern slavery and trafficking in persons in supply chains was a complex, long-term challenge. A balance must be found between public and private sector-led efforts, by learning from successes and setbacks in current systems. He requested examples of best practice models for providing access to remedy for trafficking victims.

12. **Mr. Fitzpatrick** (Ireland) said that human trafficking was a grave violation of human rights and a heinous crime that often targeted the most vulnerable groups in society. Committed to eradicating the scourge in all its forms and ensuring protection for the rights of all victims, Ireland had ratified the Abolition of Forced Labour Convention, 1957 (No. 105), of the International Labour Organization (ILO) and the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29), as well as other relevant international conventions, including the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). He asked for examples of best practices in designing grievance mechanisms in collaboration with workers and their representatives.

13. **Ms. Xu Daizhu** (China) said that many recommendations contained in the report of the Special Rapporteur, in particular with regard to enhancing legal protections and remedies, were in line with measures taken by her Government. The State Council had

promulgated and implemented an action plan against trafficking in persons for the period 2013–2020, outlining concrete measures to be taken by relevant government departments and social entities to prevent and combat the phenomenon, provide for victim relief and foster international cooperation. To help victims of human trafficking, Chinese judicial organs had severely cracked down on the crime and effectively safeguarded the rights and interests of victims. China had implemented a series of cooperation projects with ILO and the United Nations Office on Drugs and Crime (UNODC) to combat human trafficking, conducted cooperation activities with neighbouring countries and strengthened its policy and legal framework on forced labour and human trafficking. China stood ready to continue to work with United Nations agencies and all Governments in combating the trafficking of persons for labour exploitation and protecting the legitimate rights and interests of workers.

14. **Ms. Velichko** (Belarus) said that her delegation welcomed the Special Rapporteur's cooperation with States and others in increasing joint efforts to combat trafficking in persons, in particular her partnership with the Inter-Agency Coordination Group against Trafficking in Persons. The fifth ministerial meeting of the Group of Friends United against Human Trafficking, held on the margins of the general debate of the seventy-fourth session of the General Assembly, had benefited from the participation of members of the Coordination Group. During the meeting, which had led to the adoption of a declaration (see [A/74/492](#)), participants had discussed the growing number of cases of trafficking in women and girls for sexual exploitation through information technology. Since new and emerging technologies had increased the opportunities for trafficking in persons, States needed assistance to better understand how they could also be used to combat the phenomenon.

15. Her delegation invited the Special Rapporteur to prepare a report on that topic, with consideration of the influence of information and communication technologies on the increasing demand for human commodities. She also expressed the hope that the Special Rapporteur would resume the practice of jointly hosting, with UNODC, meetings of national anti-trafficking focal points, to discuss common challenges and gaps in their work and find common solutions.

16. **Ms. Al Abbasi** (Bahrain) said that her country attached great importance to combating trafficking in persons and contributed to regional and international efforts in that field. Bahrain was a party to the United Nations Convention against Transnational Organized Crime and the Protocols thereto and had concluded

agreements with a number of States for the extradition of persons accused of organized crime and trafficking in persons. Bahrain had signed a memorandum of understanding with the United Nations Office on Drugs and Crime for the establishment of a regional centre for capacity-building in the field of combating trafficking in persons and had recently hosted a governmental forum on combating trafficking in persons in the Middle East.

17. The first law on combating trafficking in persons had been promulgated in 2008, and a number of bodies had also been established to that end, such as the Labour Market Regulatory Authority and the National Committee to Combat Trafficking in Persons. Those efforts had contributed to Bahrain being classified in tier 1 in the United States Department of State's Trafficking in Persons Report, which meant that it fully met the minimum standards for the elimination of trafficking. The *kafalah* sponsorship system had been abolished in 2017 and replaced with the "flexi permit". The United Nations had commended the new system as an example of best practice, as it allowed workers whose permits had expired to regularize their situation and avoid being exposed to exploitation. The Expat Protection Centre, which provided a range of services for migrant workers, also included a shelter for victims, or potential victims, of trafficking. Her delegation stood ready to share its experiences in that field with any interested parties.

18. **Mr. Sigurdsson** (Iceland) said that in March 2019, his country's Ministry of Justice had issued a document on actions aimed at combating human trafficking and other forms of exploitation, to serve as the Government's new action plan on the issue. Those actions included numerous efforts to combat trafficking in persons and labour exploitation, including the revision of current legislation and regulations and of administrative directives on how to identify victims, with a view to providing assistance and protection to victims. With regard to the Special Rapporteur's recommendation that States design and implement awareness-raising campaigns on workers' rights, he requested details on the contents of such campaigns, including important elements that should be included, in particular consideration of gender-related factors.

19. **Mr. Giordano** (United States of America) said that, in her report, the Special Rapporteur had cited his Government's Federal Acquisition Regulation rule as an example of how Member States could adopt legislation requiring due diligence on human rights concerns throughout the supply chain. In its 2015 rule on ending trafficking in persons, the United States Government required federal contractors and subcontractors to notify

government procurement personnel whenever they had credible information about human trafficking or prohibited practices associated with trafficking. The definition of prohibited practices was purposefully broad and included engaging in trafficking in persons, using forced labour to execute contracts, using misleading or fraudulent recruitment practices, denying employees access to their immigration documents and charging employees recruitment fees. Non-compliance with the regulation could lead to termination of a contract or to the suspension or debarment of the contractor.

20. His Government had also worked with those of Australia, Canada, New Zealand and the United Kingdom on a set of non-binding core principles to guide government action to combat human trafficking in global supply chains, which were aligned with other frameworks, including the Guiding Principles on Business and Human Rights, and complemented promising practices seen in civil society organizations and the private sector. Regular communications were exchanged on ways to further implement the core principles and expand the number of countries endorsing them.

21. With regard to grievance mechanisms for survivors of trafficking seeking redress with their employers, he enquired as to whether some types of mechanisms were more effective than others and whether there were any recent examples of promising practices in that area.

22. **Ms. Al Kuwari** (Qatar) said that the provision of long-term solutions for workers who had been the victims of trafficking or exploitation was a priority for her country, which hosted a large number of migrant workers to support construction and development efforts. A number of laws had been enacted to guarantee the employment rights and human dignity of migrant workers. The International Labour Organization had recently welcomed the comprehensive measures taken by Qatar to protect and promote the rights of migrant workers, which included the abolition of the *kafalah* sponsorship system, improved wages, strengthened labour and occupational health and safety inspection systems and enhanced recruitment procedures, and also measures for prevention, protection and prosecution. A law had been passed on the establishment of a workers' support and insurance fund. The National Committee to Combat Trafficking in Persons played an important role in monitoring the implementation of legislation in that field and provided services to workers through the humanitarian support centre, opened in July 2019. A complaints mechanism had also been put in place.

23. **Ms. Ekmektzoglou** (Observer for the European Union) said that, given the understanding of trafficking in persons as an extreme in a continuum of labour exploitation and abuse, Governments and businesses alike had a crucial role to play in harnessing their collective spending power to protect workers and ensure that public and private supply chains were not inadvertently reliant on forced labour. With debt bondage accounting for 50 per cent of all forced labour in the global private economy, steps must be taken to protect vulnerable migrant workers and promote responsible recruitment practices.

24. The European Union had established a comprehensive legal and policy framework to address trafficking in human beings, encompassing key priorities aimed at ensuring access to compensation for victims of crime. Under article 5 of the Charter of Fundamental Rights of the European Union, both slavery and trafficking in human beings were prohibited. The European Union supported with victims and survivors, and their voices should be heard.

25. As workers' lack of awareness of their rights was an impediment to their acquiring access to remedy, her delegation wished to know how and when they should gain such knowledge. With regard to the obligation of companies to establish or participate in effective grievance and redress mechanisms, she asked what measures could be implemented to ensure that companies fulfilled the recommendations set out in principle 29 of the Guiding Principles on Business and Human Rights. On supply chain transparency, she asked what practical steps the Special Rapporteur was taking to encourage all States to adopt or revise national legislation requiring businesses and other organizations to report on human rights due diligence activities throughout the supply chain.

26. **Ms. Lohmann** (Germany) said that exploitation and enslavement continued to destroy the lives of many people, violating their human rights and fundamental freedoms. All States must therefore do their utmost to fight the crime of trafficking in persons, and to further develop and support access to grievance mechanisms for victims. Businesses also had a responsibility to respect human rights and were expected to exercise due diligence regarding their supply chains. In 2016, her Government had adopted a National Action Plan for Business and Human Rights and was currently undertaking a large-scale monitoring process to gather data and evaluate the implementation of due diligence by companies as set out in the Plan. The results of that process would inform discussion on whether or not legislative measures were necessary to ensure respect for human rights in the context of business operations.

All stakeholders, however, not just businesses, needed to work together to effectively address human trafficking, including civil society and trade unions. To date, only about 30 States had adopted national action plans as part of efforts to implement the Guiding Principles on Business and Human Rights adopted in 2011. She wondered whether practices on trafficking in persons in the context of business activities could be addressed more adequately if more States committed themselves to the full implementation of the Guiding Principles.

27. **Ms. Oehri** (Liechtenstein) said that her delegation would appreciate further elaboration on the indicators and remediation measures mentioned in the Special Rapporteur's recommendation on training programmes for prosecutors and judges on trafficking in persons, as well as information on where the Special Rapporteur saw room for improvement in both national and international criminal justice systems. With regard to the need for efforts to be made by all relevant actors, including in the private sector, to effectively prevent and combat human trafficking, the Financial Sector Commission on Modern Slavery and Human Trafficking had issued a blueprint for mobilizing finance against slavery and trafficking in September 2019, in order to better equip financial institutions in that regard. She expressed the hope that the Special Rapporteur would help to disseminate the report to all relevant actors mentioned in her report.

28. **Mr. Sadnovic** (Indonesia) said that his delegation was concerned that trafficking in persons continued to pose threats and challenges, not only to individual countries but also to regional and global stability. It was also concerned about the connection between trafficking and other crimes, such as those related to drugs and fishing, whereby illegal, unreported and undocumented fishing had become a serious threat to the environment and to the social economy of many countries. Although awareness of the problem was increasing significantly, it could not be solved by individual countries alone. The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime served as an important forum for sharing best practices and lessons learned among countries in the region and complemented global efforts on the issue. Indonesia had made clear efforts to engage businesses in taking a more active role towards the eradication of all forms of trafficking. Businesses could help to tackle the crime by becoming more aware of it and by making sure that the plight of victims did not go unnoticed. He asked how cooperation among Governments, the private sector and other stakeholders, including regional and international organizations, could be strengthened and synergized.

29. **Mr. De La Mora Salcedo** (Mexico) said that his delegation welcomed the good practices, guidelines and recommendations outlined by the Special Rapporteur with regard to corrective and viable long-term responses for workers who had been victims of trafficking, especially the recommendation on establishing firewall protections to allow undocumented migrants to report having been victimized. The vulnerability of women, in particular those working in the domestic, agricultural and service industries, was a particular cause of concern.

30. Given that a lack of knowledge about labour rights was an obstacle to reporting and frequently led to a lack of respect for the right of access to justice, Mexico provided training on labour rights through its consular network and had specialized mechanisms to identify and assist victims of human trafficking. His delegation wondered about the role of the United Nations system and the actions of the agencies on the ground with regard to strengthening the capacities of States in multi-stakeholder partnerships that would enable them to successfully carry out the recommendations set out in the report.

31. **Ms. Giammarinaro** (Special Rapporteur on trafficking in persons, especially women and children) said that the work done under her mandate on implementing the Guiding Principles on Business and Human Rights had been aimed at operationalizing the protection of workers' rights, in particular with regard to safety at work, working conditions and general compliance with labour laws and regulations. To encourage better cooperation between Governments and the private sector in improving social compliance systems, she had engaged with the private sector, multi-stakeholder initiatives and trade unions. Having a tool that had been produced with the guidance of the main stakeholders would increase its chances of being implemented.

32. One major problem to be tackled was the situation of vulnerable migrant workers who were unable to access justice or other remedial mechanisms because they did not have access to their own passports and were at the mercy of their employer. She welcomed the announcement by the representative of Bahrain of the abolition of the *kafalah* system, one of the main avenues tying workers to a single employer, as it resulted in loss of residency and permission to remain in the country should a contract be revoked. The implementation of any laws abolishing the system needed to be closely monitored, however, to ensure that the practice did not continue in the field.

33. With regard to combining government and private sector initiatives, a mix of binding provisions and

voluntary private sector-led mechanisms was necessary. It was important to go beyond action plans and establish basic legal obligations for companies. Existing transparency legislation had produced initial results. Companies also needed to address the issue of how to report on actions taken, as current reports provided very little information. Legislative requirements must become more precise, requiring not only reporting on actions taken, but also detailed information about risk assessments and alert and remediation mechanisms. Although the private sector had undertaken efforts to refine its systems to identify cases of severe exploitation in their supply chain, there were few good practices to cite in that regard. One example that seemed to be working was the agreement between IndustriALL and ASOS in France; another was the accord signed in the wake of the Rana Plaza tragedy in Bangladesh, which included a remediation tool. Nevertheless, remediation mechanisms in general were still very weak, and considerable work remained to be done.

34. Several other problems also remained to be addressed. For example, parent companies disclosing their lists of contractors and suppliers could be a very effective way to control what happened in their supply chains, but they were reluctant to do so. Compromise solutions on those issues were possible, and discussions on a number of issues were under way. The international community and all the main stakeholders should continue to push for concrete results in that regard.

35. With regard to how parent companies could contribute to effective remediation, she noted that joint civil liability of all the companies involved in a chain that had led to exploitation should apply when there was a failure to comply with national legislation and international instruments. Engagement between Governments and the private sector was needed to ensure that, even when parent companies complied with their obligations to identify cases of trafficking and exploitation and terminate contracts with the subcontractors involved, they would remediate the situation of workers, who would also be affected by such measures. One possible solution could be that the payment that the subcontractor was to receive from the parent company could be paid directly to the workers concerned. In that regard, better cooperation was needed to ensure that responsibility was taken for what happened to the workers.

36. Many countries had anti-trafficking systems or national referral mechanisms in place. For exploited workers trying to access justice, however, the functions of those two systems were not aligned. National referral mechanisms operated only when criminal proceedings were in place, which was not always the case for labour

exploitation, as workers sometimes preferred to appeal to civil or labour law courts or non-State grievance mechanisms. Therefore, when provisions on labour exploitation were included in anti-trafficking measures, national legislation needed to be reviewed so as to disconnect protection and assistance measures from criminal proceedings and ensure that those measures were effective.

37. **Ms. Bhoola** (Special Rapporteur on contemporary forms of slavery, including its causes and its consequences), introducing her report (A/74/179), said that, during her six years as Special Rapporteur, she had visited 10 countries in Africa, Central Asia, Latin America and Europe, and had one more visit planned in January 2020. Four years after the adoption of Agenda 2030 for Sustainable Development, and in spite of its legal abolition worldwide, slavery continued to exist in every region of the globe, in stark contrast with the universal commitment made under target 8.7 of the Sustainable Development Goals to end child labour in all its forms by 2025. In her report, she addressed the various forms and manifestations of slavery affecting children and the duties of States and businesses in that regard.

38. In order to end all forms of child slavery by 2030, and child labour within 5 years, it was necessary for the global community to take urgent action. In that regard, States must criminalize all forms of slavery, prosecute perpetrators and ensure effective legal redress for the children whose rights had been violated. They must ensure access to decent work, for example by extending minimal wage protection to the informal sector. They must also ensure that businesses did not engage in or condone child slavery, by monitoring compliance and taking corrective action in cases of non-compliance, including steps to ensure remediation. Disaggregated data must be collected at the national level on the various forms of child slavery. States must also address the root causes of child slavery, including through comprehensive national awareness-raising on the rights of the child and community-level awareness-raising campaigns aimed at changing attitudes on the education of girls, child marriage and violence against children.

39. **Mr. Kelsey** (United Kingdom) said that his delegation had noted with concern the suggestion that 121 million children could remain in child labour by 2025 if progress towards eliminating child labour continued at the rate seen between 2012 and 2016. Although nearly 90 countries had already endorsed the call to action to end forced labour, modern slavery and human trafficking, such statistics underlined the urgent need to maintain momentum towards achieving targets 5.2, 8.7 and 16.2 of the Sustainable Development Goals. The United Kingdom would continue to work

with law enforcement, civil society, businesses and Governments to galvanize global action to tackle and eradicate those complex and often hidden crimes.

40. Through its Modern Slavery Act, his Government had introduced the concept of independent child trafficking guardians as a source of advice and advocacy, to ensure that victims received child support and protection from re-trafficking. In addition, a child trafficking protection fund had been established to support projects based in the United Kingdom and overseas that provided specialized support to victims. Given the complex interplay of factors leading to child slavery, he requested advice on how the international community should collaborate to build and disseminate an evidence base of the most effective interventions.

41. **Ms. Arndt** (United States of America) said that her Government recognized that adversity could be a factor leading to heightened vulnerability. Through its Action Plan on Children in Adversity, the United States Government had committed itself to helping ensure that every child could thrive within protective, loving families. The Plan provided a comprehensive approach to international assistance for the world's most vulnerable children by aligning relevant foreign assistance with three broad objectives: increasing the number of children reaching their full development potential; reducing the number of children living outside of family care; and reducing the number of children exposed to violence, exploitation, abuse and neglect.

42. Through its complementary strategy on advancing protection and care for children in adversity, the Government targeted its foreign assistance investments to protect and care for children, with an emphasis on strengthening families, recognizing that nurturing family care was essential for the development, protection and safety of children. She asked for recent examples of the successful inclusion of anti-slavery provisions in broader policies on education, social protection and labour.

43. **Ms. Feldman** (Australia) said that efforts to eliminate child slavery required concerted action across and between Governments, international agencies, businesses and civil society to address numerous socioeconomic, human rights and justice-related issues, including root causes and gender inequality. To that end, Australia engaged with partner countries to build strong legal, policy and operational frameworks to tackle the phenomenon and support vulnerable workers, both nationally and internationally. Her Government was committed to preventing and eradicating child slavery through the implementation of international labour standards at the national level. Under its Modern

Slavery Act of 2018, large companies, other organizations and the Government were required to report annually on their actions to address modern slavery risks in their operations and supply chains.

44. The Government of Australia also worked collaboratively with other Governments, the private sector and civil society to implement the Acknowledge, Act and Advance Recommendations of the Bali Process Government and Business Forum to improve supply chain transparency and ethical recruitment and employment. Through the Global Coordinating Group, Australia continued to contribute to collective efforts by the Alliance 8.7 partnership to accelerate the achievement of target 8.7 of the Sustainable Development Goals. She enquired about particular arrangements or strategies that could best harness the work of such partnerships in the fight against child slavery.

45. **Ms. Xu Daizhu** (China) said that her country worked unwaveringly to eliminate all forms of slavery and dealt severely with the perpetrators. As the country with the largest population of children in the world, China had steadily improved its legal system and had established a State council to crack down on criminal activities, including those targeting children, to effectively protect the rights of vulnerable groups. Such factors as poverty, social inequality, discrimination and armed conflict could lead to modern slavery. The international community should deepen cooperation and work together to eliminate the root causes. Countries should incorporate the fight against human trafficking and forced labour into national laws, improve their institutional architecture and mobilize other stakeholders. The United Nations human rights mechanisms should also strengthen coordination with ILO and the International Criminal Police Organization (INTERPOL) to forge synergies. Developed countries should also provide financial and technical support to help developing countries strengthen capacity-building. At a round-table meeting on the fight against modern slavery, held in September 2017, the Minister for Foreign Affairs of China had put forward a proposal on jointly shouldering responsibility for addressing the issue. China remained, and would remain, engaged with all parties striving to eliminate all contemporary forms of slavery and foster an enabling environment for the healthy growth of children around the world.

46. **Ms. Bhoola** (Special Rapporteur on contemporary forms of slavery, including its causes and its consequences) said that Alliance 8.7, and in particular its knowledge platform, Delta 8.7, played an important role in how international communities could continue to collaborate and build evidence-based strategies, by facilitating both data collection and information-sharing

and creating a key role for pathfinder countries. Because of the hidden nature of modern slavery, lack of information was a key gap in addressing the crime, in particular with regard to children and global supply chains. One research report had indicated that, by targeting some 20 specific countries in the world, significant progress could be made towards eradicating the problem. Such collaboration, through existing global and regional multi-stakeholder partnerships and platforms, would accelerate information-sharing and the creation of an evidence base, foster commonalities in approaches and facilitate the use of resources to strategize in areas that would have the greatest impact.

47. The mechanisms implemented in the United States to apply a targeted and humanitarian response to protecting children from slavery were commendable. She was not aware, however, of a single country that had included anti-slavery provisions in all its social policies and programmes to ensure that child slavery concerns were reflected in all areas. Nevertheless, there were increasing efforts to integrate the protection of child rights, and of children in general, through greater emphasis in social policy on the areas that contributed most to child rights violations. The Government of the Netherlands, for example, was currently considering a law requiring the specific disclosure of any business impact that violated the rights of children. Governments also needed to identify areas potentially susceptible to child slavery and integrate concerns about child rights into social measures aimed at protecting families against economic shocks and hardships resulting from technological changes in the working environment, in order to prevent entire households, including children, from falling into contemporary forms of slavery.

48. In addition to economic and geopolitical factors, fundamental changes in the world of work, demographics, migration patterns, climate and the environment were contributing to increased vulnerability and growing displacement worldwide. Research was needed to ensure that the areas of greatest priority were targeted, that progress was measured and that the most technologically advanced countries could provide resources and support to countries that did not have such resources. Global efforts in that regard needed to become less fragmented and more collaborative, more participative and more focused on information-sharing and on what could be jointly achieved. It was through such strategies that the work of partnerships could be best harnessed. ILO had carried out a number of relevant interventions that had been successful in combating child labour, such as its International Programme on the Elimination of Child Labour. Numerous other stakeholders, platforms and partnerships were also

working to address child labour in general, and forced child labour in particular. The work done through the Bali Process, for example, had shown significant results already in the Asia-Pacific region. In addition, current knowledge platforms, such as Delta 8.7 and Code 8.7, were examining how research into computing, digitalization and artificial intelligence could strengthen efforts to end slavery and facilitate existing work aimed at gathering evidence and identifying strategic areas, with a view to achieving the greatest impact on the most vulnerable, or potentially vulnerable, areas.

49. The need to strengthen capacity-building was a key theme in her report. Raising awareness among communities and stakeholders and increasing their capacity to build resilience were both important mechanisms for preventing adults and children from being forced into modern slavery. To make progress in that regard, it was necessary to strengthen people's ability to resist the types of coercive interventions that resulted in human beings being traded as capital. Greater progress would be made when people were aware of their rights and they had access to justice to address violations of those rights. In addition to enforcing State accountability and business responsibility in addressing those challenges, it was critical to empower communities, survivors and potential victims with sufficient knowledge to face them.

50. **Ms. Jimenez-Damary** (Special Rapporteur on the human rights of internally displaced persons) introducing her report ([A/74/261](#) and [A/74/261/Corr.1](#)), said that the report was focused on the rights of internally displaced children, in honour of the fact that 2019 marked the thirtieth anniversary of the Convention on the Rights of the Child. The year also marked the tenth anniversary of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). In addition, the Secretary-General had recently announced the establishment of the High-level Panel on Internal Displacement, with a focus on solutions addressing the rights of internally displaced children.

51. Activities in 2019 had revolved around the promotion of the human rights of internally displaced persons, through encouragement for national activities led by Member States in support of the activities of the African Union and, internationally, within the context of the Plan of Action for Advancing Prevention, Protection and Solutions for Internally Displaced People 2018–2020 (GP20), launched in 2018 by Member States, United Nations agencies and non-governmental organisations (NGOs) to mark the twentieth anniversary of the Guiding Principles on Internal Displacement. More information on those activities could be found in

her reports to the Human Rights Council ([A/HRC/41/40](#) and [A/HRC/41/40/Add.1](#)).

52. **Ms. Mondini** (Switzerland) said that, although children were disproportionately affected by internal displacement, the lack of accurate and disaggregated data with regard to their journeys hindered the pursuit of sustainable solutions that took their specific protection-related needs into account. Her delegation therefore strongly supported the Special Rapporteur's call for a special approach to the collection and use of data on internally displaced children, to allow those needs to be reflected while adequately protecting the identities of the children concerned. She enquired as to whether the High-Level Panel on Internal Displacement could play a role in closing gaps with regard to specific data on those children and in improving the quality of such data.

53. **Ms. Bartel** (Austria) said that her delegation welcomed the focus of the 2019 report addressing the specific vulnerabilities of internally displaced children. As a member of the GP20 Steering Group, Austria supported the call for sustainable solutions to protect the most vulnerable and to enhance prevention measures. A focus on educational programmes was vital, as children deprived of education for extended periods of time could become even more vulnerable in situations of protracted displacement.

54. Women and girls faced considerable inequalities with regard to decision-making and access to resources. They were also often victims of gender-based violence. Special attention must therefore be paid to addressing such issues as lack of access to information, education, legal aid, decent work and health services, including sexual and reproductive health services, and to eradicating harmful practices such as female genital mutilation. In that regard, she wondered how the structural barriers that prevented girls from exercising their rights could be reduced. She also wondered about the interrelation between climate change and internal displacement and how the adverse effects of climate change on internally displaced children in particular could be mitigated, given the increasing challenges involving internal displacements as a result of more frequent and more severe natural disasters.

55. **Mr. Dollo** (Mali) said that, with regard to the situation of internally displaced persons and Malian refugees linked to the crisis in the north and the violence in the central part of the country, his Government had been working tirelessly to ensure the inclusive implementation of the Agreement on Peace and Reconciliation in Mali emanating from the Algiers process. In that regard, his delegation wished to thank

Burkina Faso, Mauritania and the Niger for welcoming Malian refugees into their territories. In the central regions, the Government of Mali was striving to ensure the implementation of a comprehensive security plan so as to ensure the provision of basic social services, combat the proliferation of small arms and light weapons, including through the disarming of militia groups, and promote the effective implementation of traditional conflict prevention and management mechanisms. Those measures were supported by partners, in particular the United Nations, and were aimed at ensuring the dignified and safe return of refugees and internally displaced persons to their areas of origin. He asked what form of cooperation the Special Rapporteur would envisage having with the High-level Panel on Internal Displacement, within the context of her mandate.

56. **Ms. Brito Maneira** (Observer for the European Union) said that tackling the specific vulnerabilities of children remained one of the most pressing issues with regard to the protection of internally displaced persons. Her delegation therefore echoed the call to respect international humanitarian and human rights law, in particular the Convention on the Rights of the Child and Security Council resolutions on children and armed conflict, and to end impunity.

57. Her delegation hoped that the newly created High-level Panel on Internal Displacement would strengthen the prevention of and response to internal displacement and help to achieve long-term solutions on a global level. She wondered how the Panel could ensure the protection of the most vulnerable and what efforts should be undertaken to mainstream the human rights of internally displaced persons, especially children, throughout the United Nations system. The specific needs of internally displaced persons also needed to be addressed in order to uphold the principle of leaving no one behind; failing to do so could undermine efforts to achieve the Sustainable Development Goals. She asked how the Goals could be used effectively to prevent and mitigate the effects of internal displacement, taking into account the specific vulnerabilities of children.

58. **Ms. Vent** (United Kingdom) said that almost half of all internally displaced persons were thought to be under the age of 18 years. It was therefore important to consider the special protection risks and vulnerabilities faced by those children. Their experiences, and the relevant legal and policy frameworks, must be central to efforts to address and reduce internal displacement. The establishment of a High-level Panel on Internal Displacement offered an important opportunity to accelerate progress on the issue by galvanizing political and operational attention, elevating good country and

regional practices, driving improved coordination within the United Nations system and paving the way for ambitious and creative solutions that the international community could support and that would make a real difference to the lives of millions. Her delegation would welcome the views of the Special Rapporteur on what such a panel should prioritize.

59. **Ms. Melfald** (Norway) said that ensuring protection and support for internally displaced children required enhanced and targeted attention. Special measures in the design and delivery of protection and assistance programmes were also necessary, to ensure that the specific rights and needs of girls and boys were properly addressed. Positive developments related to children's rights included the adoption of the Safe Schools Declaration, which had already gained wide support among Member States and would soon have 100 signatories. The decision to establish a High-level Panel on Internal Displacement provided an opportunity to address the rights and needs of children and propose how that work could be enhanced.

60. Her delegation would appreciate further details on the assertions that local governments played an increasingly important role in displacement settings and that systems and services had the greatest impact on children's daily lives, as well as on how the ongoing United Nations reform process provided an opportunity to increase coherence in the international response to assist internally displaced children.

61. **Ms. Xu Daizhu** (China) said that the root causes of internal displacement were very complex. China therefore called on all Governments to focus on those causes, promote economic and social development, build lasting peace and implement comprehensive measures to eliminate the factors that led to internal displacement. It was hoped that the Special Rapporteur would play an active role in that regard. Displaced children were an especially vulnerable group among the internally displaced, requiring particular attention, support and assistance from Government and society. With 2019 marking the thirtieth anniversary of the adoption of the Convention on the Rights of the Child, to which many States were parties, China called on all countries to actively fulfil their obligations thereunder to ensure that every child could grow up in a spirit of peace, dignity, tolerance, freedom, equality and unity.

62. **Ms. Stepanyan** (Armenia) said that comprehensive integration policies aimed at countering large-scale internal displacement, which her country had often experienced, had been implemented in Armenia since its independence in the early 1990s, a time of severe economic hardship and scarce resources. Rather than

building camps or collective centres for those affected, however, her Government had implemented a special housing action plan for internally displaced persons and refugees. Most recently, the Government had approved assistance for border villages subjected to sporadic ceasefire violations and attacks on civilian targets, in order to provide affected populations with the means and resources to overcome the challenges of living under hostile fire.

63. Her delegation shared the views of the Special Rapporteur on the importance of international instruments and commitments to promote the safety of children, especially those caught in conflict and violence. Armenia had endorsed the Safe Schools Declaration, the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, the Paris Commitments to protect children from unlawful recruitment or use by armed forces or armed groups and the Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers. Armenia was also party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and had taken a strong stand on the importance of its universal ratification. Internally displaced persons from all conflict-affected areas should not experience discrimination because of their place of residence. International organizations, in particular all relevant United Nations agencies and rapporteurs, should have unhindered access to affected populations, regardless of the legal status of territories, and attempts to hinder such access should be strongly rejected.

64. The need for credible data on internally displaced persons was also important. Intentionally misleading information and manipulated figures were still being provided by certain Member States pursuing narrow political agendas. It was unacceptable to capitalize on the human rights of internally displaced persons in order to promote one-sided conflict narratives. The Guiding Principles on Internal Displacement remained a highly relevant and important foundation for policy and practice at the national and international levels.

65. **Mr. Herasymenko** (Ukraine) said that some 1.5 million persons in his country had been registered as internally displaced persons. The root cause of that massive internal displacement and the dire humanitarian situation in the Donbass region of Ukraine was the ongoing war waged by the Russian Federation against his country. Faced with new challenges, his Government was undertaking all possible institutional and legislative efforts, in line with international standards, to increase social and security guarantees for internally displaced persons and protect their rights. In 2017, the

Government had adopted a strategy to support the socioeconomic integration of internally displaced persons and the implementation of long-term solutions for protecting their rights, freedoms and interests and increasing their self-reliance. The Government had also taken steps to provide them with social and temporary housing, develop and improve home financing mechanisms, expand employment opportunities and ensure that they received proper health care. The previous day, a decree had been adopted to simplify birth and death registrations in the temporarily occupied territories of the Donetsk and Luhansk regions. As mentioned in the report of the Special Rapporteur, Ukraine had also established additional school locations and simplified admissions procedures for displaced children. His Government would continue to work on a number of critical challenges that remained to be addressed, in particular in relation to pensions and voting rights.

66. **Mr. Mack** (United States of America) said that more than 41 million people had been internally displaced in recent years, owing to armed conflict, violence and natural disasters. The United States had a long record of supporting internally displaced persons and would continue to target its humanitarian and development assistance to improve their lives. His delegation welcomed the establishment of the High-level Panel on Internal Displacement, which should spotlight the need for greater attention, forge durable solutions and clarify the duties of United Nations agencies in Member States. His delegation also applauded the many States members of the African Union that had acceded to the Kampala Convention and had offered life-saving protection and assistance to internally displaced persons. More needed to be done, however, to facilitate the delivery of effective humanitarian assistance, for example by promoting the safety and security of humanitarian workers and supporting United Nations reforms, including the Grand Bargain of 2016.

67. His delegation noted several situations of particular concern. In Venezuela, the former Maduro regime had perpetrated human rights abuses and fuelled significant displacement, triggering an unprecedented humanitarian crisis and forcing Venezuelans to cope with alarming levels of hunger, disease and desperation. In north-east Syria, millions of internally displaced persons faced a deeply uncertain future. The Assad regime was responsible for innumerable atrocities, some of which rose to the level of war crimes and crimes against humanity, including the use of chemical weapons, killings, torture, enforced disappearance and other inhumane acts.

68. **Mr. Al Khalil** (Syrian Arab Republic), speaking on a point of order, said that he was addressing the Chair to recall once again the importance of urging representatives of Member States to use the appropriate diplomatic language when addressing each other at United Nations meetings, while reserving their right to voice their opinion. When there had been such occurrences at meetings of other Committees, the Chairs had adopted a firm stance in urging delegates to observe proper decorum. If the Chair would not make a decision, an advisory opinion could be requested from the General Assembly. He called for the work of the Committee to be suspended until a decision had been made on the matter; otherwise, his delegation would file an official report with the Secretary-General. His delegation was not the first to make that request; others had also expressed the same concerns.

69. **The Chair** said that any decision to suspend the meeting would have to be put to a vote, and she asked whether the representative wished to do so, or whether he would agree for the meeting to continue.

70. **Mr. Al Khalil** (Syrian Arab Republic) said that he did not wish to disrupt the work of the Committee, but if the representative of the United States of America – not the “American regime” – was to continue to speak in that way, it would be preferable to suspend the work of the Committee until a legal opinion on the matter had been received.

71. **The Chair** said that, following consultation with the Office of Legal Affairs, the situation was deemed not to be a matter for the Secretariat or the Chair to address. She requested that representatives refrain from language that could be deemed provocative and asked the representative of the Syrian Arab Republic whether the meeting could continue. In response to a request for clarification from the representative of the Syrian Arab Republic as to why the matter was beyond the scope of the work of the Secretariat, she reiterated her previous statement and appealed to all to observe her request with regard to language.

72. **Mr. Hassani Nejad Pirkhouhi** (Islamic Republic of Iran), speaking on a point of order, said that similar requests had been made by a Member State several times during the previous four weeks. Some Member States had been allowed to refer to the Government of a Member State in a manner that was entirely disrespectful, while others had been politely requested to avoid using certain terms. All Member States should receive fair and equal treatment. Despite the Chair’s very helpful explanation, it remained unclear who was responsible for ensuring the proper conduct of Committee business. One representative had respectfully requested legal advice,

but had not received a reasonable response, and the improper and disrespectful treatment by the other representative had continued. He requested clarification from the Secretariat and the legal department on the respectful use of the recognized names of Member States.

73. **The Chair** said that a legal opinion could only be requested by the entire Committee. She again reiterated her appeal to all representatives to refrain from language that could be deemed provocative and expressed the hope that the meeting could continue.

74. **Mr. Mack** (United States of America) said that the Special Rapporteur's constructive outreach to Member States, as part of her ongoing efforts to protect and assist internally displaced persons, had facilitated collaboration between the Governments of affected countries and the international community. Concerned about the sexual exploitation and abuse of internally displaced persons, his delegation wished to know what more could be done to highlight the issue.

75. **Mr. Kilbourn** (Canada) said that access to safe and quality education dramatically increased the potential of children, and girls in particular, to make a positive contribution to host communities and to the rebuilding of their lives upon their return home. Canada had made a \$3.8 billion commitment in 2018 in order to advance such access; the momentum must be maintained. The empowerment of women and girls, including those who were internally displaced, was essential to ensure their meaningful participation in decision-making processes affecting their lives.

76. The correlation between the rise in displacement and in the number of violent conflicts worldwide reflected the need for long-term international engagement to meet the needs of internally displaced persons, seek durable solutions and more effectively address the root causes of forced displacement. He asked how States could best support a coordinated interagency approach to providing protection and assistance to internally displaced persons, given the importance of responsive programming to addressing the specific needs of internally displaced children. In view of the recent anniversaries of the Guiding Principles on Internal Displacement and the Kampala Convention and in the light of the establishment of the High-level Panel on Internal Displacement within the United Nations system, he wondered what role States could play in strengthening international discussions on the topic and what the best forums would be for hosting such discussions.

77. **Ms. Kipiani** (Georgia) said that, given the continuous rising trend of internal displacement, her delegation welcomed the establishment of the High-

level Panel on Internal Displacement and its focus on finding solutions to internal displacement situations and alleviating their impact on millions of affected people. Georgia was a party to the Convention on the Rights of the Child and the Optional Protocols thereto and had endorsed the Vancouver Principles and the Safe Schools Declaration. Georgia had adopted a law on internally displaced persons that served to align the national framework with the Guiding Principles on Internal Displacement. The law facilitated the implementation of concrete preventive measures and granted protection to all internally displaced persons in Georgia, including children. Her Government was continuing its durable housing policy, having granted assistance to nearly 40,000 families, with priority given to internally displaced families with children. In addition, internally displaced children in Georgia had access to multiple State programmes and services, including health, education and early childhood development services.

78. The fundamental right of internally displaced persons to return to their places of origin in safety and dignity, however, was being ignored by the Russian Federation, which exercised effective control over the occupied regions of Abkhazia and Tskhinvali. The issue of forced displacement in Georgia was among the core agenda items of the Geneva International Discussions, but the Russian Federation and its occupation regimes continued to disrupt the process through blackmail and walk-outs. She asked how the High-level Panel might galvanize global action with regard to enabling internally displaced persons to exercise their right to return in Georgia and other affected regions of the world.

79. **Mr. Al Khalil** (Syrian Arab Republic) said that substantial efforts had been made by his Government to support and provide services for internally displaced persons and to begin reconstruction work. The Syrian High Relief Committee and the repatriation coordination centre had also made significant efforts, with the help of friendly countries and organizations, including United Nations entities and other Syrian and international non-governmental organizations, of which there were currently 1,400 working in Syria.

80. His delegation rejected the conduct of the United States and its attempts to tarnish the image of the Syrian Arab Republic. The United States was not ethically, morally or legally qualified to do so, as it had imposed unilateral coercive measures on the Syrian people and was implicated in killing thousands of Syrians and displacing them from their homes. The representative of the United States had described his country as a champion of the internally displaced; however, it needed

to act in line with the Charter of the United Nations and refrain from fuelling crises in the first place.

81. **Ms. Jimenez-Damary** (Special Rapporteur on the human rights of internally displaced persons) said that the High-level Panel on Internal Displacement was a very important element in efforts to protect the human rights of internally displaced persons, prevent internal displacement in accordance with international law and, in particular, find solutions to the problem. To do so, the Panel must implement a comprehensive approach based on existing international law and Member States' obligations. The Panel should also ensure the integration of an evidence-based approach into United Nations policies and encourage Member States to do likewise. It was important to ensure that comprehensive and relevant data was gathered in a coordinated manner and that it was appropriately disaggregated to accommodate the need for a specific focus on certain groups, in particular children.

82. The High-level Panel must ensure the involvement of all relevant actors, from Member States, United Nations agencies and development actors, to the internally displaced communities themselves, including displaced children. In the light of United Nations development reform, development actors needed to extend their role in emergency situations beyond simple coordination to encouraging and providing humanitarian and life-saving approaches and solutions. The Panel also needed to integrate the ideals and visions associated with achieving the Sustainable Development Goals, as those left behind were usually the more vulnerable populations, including internally displaced persons. In some discussions, the prospect had been raised of Panel members, once appointed and organized, conducting country visits to consult both Governments and affected communities. Any such consultations in the field should incorporate the voices and perspectives of the affected populations. Her role as mandate holder would be to provide advice and assistance to the Panel, the Secretary-General and Member States.

83. The participation, at a side event held the previous day, of a youth representative who had grown up in a context of displacement had highlighted the importance of including the voices of those affected, which was in line with the focus of the Special Rapporteur's first report to the General Assembly (A/72/202). Fostering the participation of internally displaced persons, including children, and ensuring that the best interests of the child were articulated, were essential steps to guaranteeing the relevance of solutions provided to the futures of internally displaced children.

84. She welcomed Member States' interventions concerning women and girls, in particular their focus on gender-based violence. No solution would be complete

or sustainable if women and girls were ignored in overall humanitarian and development approaches. Education was the key to protecting internally displaced children and finding durable solutions, in order to ensure them a safe and secure future. Although the focus of her 2019 report had been on internally displaced children within the context of violence and armed conflict, she looked forward to cooperating with Member States and other stakeholders with regard to her work on internal displacement and climate change and would welcome the views of Member States on how that could be addressed and implemented.

85. Her experience in the field had shown that the involvement of local actors was essential to ensuring the protection of internally displaced persons, in particular through implementation of State responsibility by local governments. In many countries, and especially in Africa, she had encountered considerable support for encouraging local governments to play a front-line role in responding to internal displacement. Multilateral cooperation by the United Nations, Member States and NGOs was necessary to ensure that local governments were supported on the ground and that local protective capacities were enhanced in donor relations, in programming and in emergency and development work, in particular in the implementation of the Sustainable Development Goals.

86. Working closely with Governments had enabled her to foster truly constructive engagement, to the benefit not only of the work done under her mandate, but also the situation of internally displaced persons themselves, including children. One aspect to be emphasized was States' obligation to continue to implement the normative basis for the protection of internally displaced persons. That basis included international norms, treaty law and *jus cogens* as embodied in the Guiding Principles on Internal Displacement, as well as the Vancouver Principles, the Safe Schools Declaration and the Kampala Convention. Such instruments had led to various regional and State-level events and initiatives being implemented on the ground. With Member States, United Nations agencies, NGOs and internally displaced communities working together, supported and assisted by the Special Rapporteur, the numerous existing challenges could be overcome. Without coordination, collaboration or respect for each other's capacities and expertise, however, such efforts would be in vain. It was necessary to build on the many successes achieved in the 21 years since the adoption of the Guiding Principles.

The meeting rose at 12.35 p.m.