



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/2003/L.71
16 April 2003

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-ninth session
Agenda item 14 (c)

**SPECIFIC GROUPS AND INDIVIDUALS: MASS EXODUSES AND
DISPLACED PERSONS**

**Albania*, Andorra*, Angola*, Argentina, Armenia, Austria, Belgium,
Bosnia and Herzegovina*, Botswana*, Bulgaria*, Canada, Cyprus*,
Democratic Republic of the Congo, Denmark*, Ecuador*, Finland*,
France, Georgia*, Germany, Greece*, Guatemala, Hungary*, Iceland*,
Ireland, Italy*, Japan, Liechtenstein*, Lithuania*, Luxembourg*,
Malta*, Mexico, Netherlands*, Norway*, Peru, Poland, Portugal*,
Republic of Korea, Romania*, Serbia and Montenegro*, Slovakia*,
Slovenia*, South Africa, Spain*, Sweden, Switzerland*,
United Kingdom of Great Britain and Northern Ireland and Uruguay:
draft resolution**

2003/... Internally displaced persons

The Commission on Human Rights,

Deeply disturbed by the alarmingly high numbers throughout the world of persons who have been forced or obliged to flee or leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or human-made disasters, and who have not crossed an internationally recognized State border,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Conscious of the human rights and humanitarian dimensions of the problem of internally displaced persons, who often do not receive adequate protection and assistance, and aware of the serious challenge this is creating for the international community and of the responsibility of States and the international community to strengthen methods and means to address better the specific protection and assistance needs of internally displaced persons,

Emphasizing the primary responsibility of national authorities to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address the root causes of their displacement in appropriate cooperation with the international community,

Noting the resolve of the international community to find durable solutions for all internally displaced persons and to strengthen international cooperation in order to help them return voluntarily to their homes in safety and with dignity or, based on their free choice, to resettle in another part of their country, and to be smoothly reintegrated into their societies,

Recalling the relevant norms of international human rights law, international humanitarian law and international refugee law, and recognizing that the protection of internally displaced persons has been strengthened by identifying, reaffirming and consolidating specific standards for their protection, in particular through the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2, annex),

Bearing in mind the relevant provisions of, inter alia, the United Nations Millennium Declaration (General Assembly resolution 55/2), the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights (A/CONF.157/23) and the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/CONF.189/12),

Mindful of the fact that the deportation or forcible transfer of population and the ordering of the displacement of the civilian population fall within the competency of the International Criminal Court in accordance with the provisions of the Rome Statute (A/CONF.183/9),

Recalling its previous relevant resolutions, in particular resolution 2002/56 of 25 April 2002 and General Assembly resolution 56/164 of 19 December 2001, and taking note of Economic and Social Council resolution 2002/32 of 26 July 2002, resolutions 2002/7 and 2002/30 of 14 and 15 August 2002 of the Sub-Commission on the Promotion and Protection of Human Rights and of the statement by the President of the Security Council of 20 December 2002 (S/PRST/2002/41),

1. *Welcomes* the report of the Representative of the Secretary-General on internally displaced persons (E/CN.4/2003/86 and Add.1-6) and commends him for his efforts to promote a comprehensive strategy that focuses on the prevention of displacement and on the protection, assistance and development needs of internally displaced persons, as well as on durable solutions;

2. *Expresses concern* at the persistent problems of large numbers of internally displaced persons worldwide, in particular their limited access to humanitarian assistance and protection, vulnerability to human rights violations and difficulties resulting from their specific situation, such as lack of food, medication, shelter or documentation and the need for restitution of or compensation for property;

3. *Expresses particular concern* at the grave problems faced by many internally displaced women and children, including violence and abuse, sexual exploitation, forced recruitment, abductions and trafficking, and welcomes the commitment of the Representative of the Secretary-General to pay more systematic and in-depth attention to their special assistance, protection and development needs, as well as those of other groups with special needs among the internally displaced, such as older persons and persons with disabilities;

4. *Stresses the importance* of taking the special needs and problems of internally displaced persons into consideration, when appropriate, in peace processes and in reintegration and rehabilitation processes;

5. *Expresses its appreciation* of the catalytic role the Representative of the Secretary-General continues to play in raising the level of awareness about the plight of internally displaced persons, and for his work in developing and promoting normative and institutional frameworks for the protection and assistance of internally displaced persons, in particular the compilation and analysis of legal norms and the development of guiding principles, in undertaking country missions to engage in dialogue with Governments and other pertinent actors, as well as in conducting research and issuing reports on the causes and specific aspects of internal displacement and on particular country situations, together with proposals for preventive or remedial measures, and encourages him to continue his efforts in this regard;

6. *Welcomes* the cooperation established between the Representative of the Secretary-General and the United Nations as well as other international and regional

organizations, in particular his participation in the work of the Inter-Agency Standing Committee and its subsidiary bodies, and encourages further strengthening of this collaboration in order to promote better protection, assistance and development strategies for internally displaced persons;

7. *Expresses its appreciation* of the Guiding Principles on Internal Displacement as an important tool and standard for dealing with situations of internal displacement, welcomes the fact that an increasing number of States, United Nations agencies and regional and non-governmental organizations are making use of and applying them, and encourages all relevant actors to respect the norms and standards contained in the Guiding Principles when dealing with internally displaced persons;

8. *Welcomes* the dissemination, promotion and application of the Guiding Principles on Internal Displacement and the fact that the Representative of the Secretary-General continues to use the Guiding Principles in his dialogues with Governments, intergovernmental and non-governmental organizations and other pertinent actors, and requests him to continue his efforts in disseminating and promoting them, inter alia through supporting and initiating their publication and translation, participation in training, and, in consultation with governments, regional organizations, intergovernmental and non-governmental organizations and other relevant institutions, the holding of national, regional and international seminars on displacement, as well as in providing support for efforts to promote capacity-building and the use of the Guiding Principles;

9. *Expresses its appreciation* to Governments and intergovernmental and non-governmental organizations which have provided assistance and protection to internally displaced persons and supported the work of the Representative of the Secretary-General;

10. *Calls upon* Governments, in particular Governments of countries with situations of internal displacement, to provide protection and assistance, including reintegration and development assistance, to internally displaced persons, to develop national policies aimed at addressing their plight, as well as to ensure that they benefit from public services, in particular basic social services such as health services and education, based on the principle of non-discrimination, and to facilitate the efforts of relevant United Nations agencies and humanitarian organizations in these respects, including by improving access to internally displaced persons;

11. *Also calls upon* all Governments, in particular Governments of countries with situations of internal displacement, to facilitate the activities of the Representative of the Secretary-General, to accept without delay his requests for visits and to respond positively to requests for information, and urges Governments as well as the relevant parts of the United Nations system, also at the country level, to follow up effectively on the recommendations of the Representative of the Secretary-General and to make available information on measures taken in this regard;

12. *Stresses* the need to further strengthen inter-agency arrangements and the capacities of United Nations agencies and other relevant actors to meet the immense humanitarian challenge of internal displacement, and calls upon States to provide adequate resources for programmes to assist and protect internally displaced persons with a view to enhancing the capacities of countries with situations of internal displacement, and of the relevant intergovernmental and non-governmental organizations, to meet the protection and assistance needs of internally displaced persons;

13. *Emphasizes* in this regard the central role of the Emergency Relief Coordinator in inter-agency coordination for the protection and assistance of internally displaced persons, welcomes the establishment of the Unit on Internal Displacement within the Office for the Coordination of Humanitarian Affairs, and encourages them to further strengthen their collaboration with the Representative of the Secretary-General, in line with the memorandum of understanding between the Representative and the Emergency Relief Coordinator of 17 April 2002;

14. *Notes with appreciation* the activities aimed at addressing the plight of internally displaced persons undertaken by the United Nations High Commissioner for Human Rights, the United Nations High Commissioner for Refugees, the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the World Health Organization, the International Organization for Migration, the International Labour Organization, the Food and Agriculture Organization of the United Nations, the World Bank, and by all other relevant humanitarian assistance, human rights and development agencies and organizations, including non-governmental organizations, and encourages them to further enhance their coordination with regard to internally displaced persons, especially through the Inter-Agency Standing Committee;

15. *Encourages* the Emergency Relief Coordinator, the Representative of the Secretary-General and the Unit on Internal Displacement to further promote an effective, predictable and collaborative response among all relevant international agencies and bodies with regard to protecting and assisting internally displaced persons, at headquarters as well as in countries with situations of internal displacement, bearing in mind the role of resident or humanitarian coordinators and the need to strengthen their capacity to address effectively the problem of internal displacement;

16. *Notes with appreciation* the increased attention paid to internally displaced persons in the consolidated inter-agency appeals process and encourages further efforts in this regard;

17. *Acknowledges with appreciation* the work of the International Committee of the Red Cross and the other components of the International Red Cross and Red Crescent Movement in protecting and assisting internally displaced persons;

18. *Notes with appreciation* the efforts of non-governmental organizations and the increasing role of national human rights institutions in assisting internally displaced persons and in promoting and protecting their human rights;

19. *Welcomes* the initiatives undertaken by regional organizations, such as the African Union, the Organization of American States, the Organization for Security and Cooperation in Europe, the Council of Europe and the Economic Community of West African States, to address the assistance, protection and development needs of internally displaced persons and encourages them and other regional organizations to strengthen their activities and their cooperation with the Representative of the Secretary-General;

20. *Also welcomes* the attention paid by relevant special rapporteurs, working groups, experts and treaty bodies to issues of internal displacement, and calls upon them to continue to seek information on situations which have already created or could create internal displacement and to include relevant information and recommendations thereon in their reports and make them available to the Representative of the Secretary-General;

21. *Calls upon* the United Nations High Commissioner for Human Rights, in cooperation with Governments and national human rights institutions, the Representative of the Secretary-General and with other relevant parts of the United Nations system, to continue to promote the human rights of internally displaced persons, to enhance their protection on the

ground and to develop projects to address their plight as part of the programme of advisory services and technical cooperation, including in the areas of human rights education, training and assistance in legislative and policy development, and to provide information thereon to the Representative for inclusion in his report to the Commission;

22. *Notes* the relevance of the global internally displaced persons database, advocated by the Representative of the Secretary-General, and encourages the members of the Inter-Agency Standing Committee and Governments to continue to collaborate on and support this effort, including by providing relevant data and financial resources;

23. *Requests* the Secretary-General to provide his Representative, from within existing resources, with all necessary assistance to carry out his mandate effectively, and encourages the Representative of the Secretary-General to continue to seek the contribution of States, relevant organizations and institutions in order to put his work on a more stable basis;

24. *Requests* the Representative of the Secretary-General to continue to report on his activities to the General Assembly and to the Commission;

25. *Decides* to continue its consideration of the question of internal displacement at its sixtieth session.
