Forced Migration Working Group
Online
30 September 2021 (11:00-12:30 CEST)


Agenda:
1. Discussion on options for follow-up on the High-Level Panel on Internal Displacement
2. Externalization: follow-up to the discussion with UNHCR and other options for engagement
3. AoB

1. Discussion on options for follow-up on the High-Level Panel on Internal Displacement

ICVA
- The idea of an NGO collective letter to the UNSG came from the meeting organized by the High-Level Panel on Internal Displacement, ICVA and InterAction on 21 September.
- The idea of the letter is to find an angle that brings a real message, in a relatively short letter, is realistic and framed in the perspective of keeping visibility and attention on the issue. [Since this meeting, the letter was sent to the UNSG and accessible here].
- There was discussion on whether to issue such a letter around 29 September, the day of the launch of the report, but for workload reasons and with the notion of keeping visibility and attention after the report launch.
- The letter aims to call on the UNSG to act on what he can do and influence on the recommendations. This would be the first step to fuel in the engine, to continue the process and keep the momentum.
- The end of the letter makes clear that responsibility remains with States, and they must work on the recommendations that concern them.
- Welcome NGOs’ views on statements, press releases to be issued, analysis, good or bad reaction to the report. Inputs and reactions on recommendations or areas, such as financing, and climate change are welcome.
- Jerome will write a blog on civil society engagement and the Panel’s work and happy to reflect on NGOs’ work. [Since this meeting, the blog was published and accessible here].

Internal Displacement Monitoring Center
- IDMC is making the best out of the report and sees it as an opportunity for political will from the international community and Member States.
- On the launch of the report on 29 September, it was surprising not to hear about climate change at all given how much it was talked about during the General Assembly even if it is true that there are no very strong points on it in the Panel’s report.
- The Panel co-chairs echoed a lot in their interventions the recommendations on the global fund and the Special Representative to the UNSG on Solutions to Internal Displacement.
- IDMC will prepare a blog or policy paper to reflect on priorities. IDMC will emphasize the idea of the needed global fund and facilitating States peer-to-peer exchanges. [Since this meeting, the paper was published and accessible here].

Action for the Needy
- How far does the report cover the connection between conflict, COVID-19 and climate change? Any aspect highlighting those impacts?
ANE initial action is that the letter is good, but it would be more effective if it is presented as a call for action.

ICVA

- There are missed opportunities that we can highlight, e.g. on climate change. Surprising is that most of those displaced by climate change, disasters and environmental issues are IDPs. It is visible and discussed and one objective of the Panel was to raise the visibility of IDP issues, so it is surprising in that sense too.
- To ANE, there are elements on conflict, COVID-19, and climate change in the report. There are also recommendations related to climate change, there are specific ones for example on system and coordination, that can have an impact on how actors work on climate change context. Related to climate change there is a section on recommendations under prevention. Not sure there are specific connections made between the three areas.
- There were interesting comments from the Secretary-General during the launch of the report and wondered how it was received by UNHCR when he said that for refugees there is an international legal regime, there is an institutional home – UNHCR – and then he said for IDPs there is nothing like that. It could be interpreted as the UNSG saying that UNHCR is not really mandated on IDPs. Maybe that was not the message he wanted to convey but some might take it like that.
- Connected to that, UNHCR short press release is not very much focused on recommendations or specific supports to the implementation of the recommendations and surprisingly was issued a few hours after UNDP press release and IOM press release.
- It will be interesting to see how UNDP has been engaged and raised its profile on IDP issues and engagement in the process.
- One key word, also repeated several times during the launch of the report, was “fragmentation” and how much the organization of the international community to deal with or respond to internal displacement is fragmented. There may be a real will from the Panel and the Secretary-General to end the fragmentation of the UN system and the fragmentation of the funding to respond to internal displacement.
- There was the recognition that we do not have the mechanisms in place to prevent and respond to internal displacement.
- The strong involvement of civil society was recognized several times. The importance of the work of civil society was emphasized in all the interventions.
- On red line comments and sign-on to the collective NGO letter: given the short time, we welcome small edits that you think are important to convey and if you are not in full disagreement with the letter. You can start coordinating internally the process of signing on. It would be important to make sure that we have a critical mass of NGOs signing.
- In this perspective, we will not stop at the letter and there are valuable ways we could continue to engage and explore. One suggestion that came up at the meeting organized on 21 September is to see if we could organize other meetings or even beyond meetings, a multistakeholder space/group, potentially with the States group of friends of the Panel, NGOs, and UN agencies with whom we regularly exchange, and we will keep you informed.
- One very active State was Norway and the person at the mission in Geneva – Magnus – is now in New York, assuming in a similar role, and we hope that it will help in the discussions
- To ANE, the letter is a call for action: for the Secretary-General to take action on the recommendations that he can directly influence and generate dynamics on. We started somewhere and it is his responsibility to launch the next phase of the implementation of the report. One interesting element will be how it will be reflected in regions and at national level. Welcome information you might have.

Notes for NGOs only – not to be circulated to other parties
We do not know when the Secretary-General will announce the actions taken but it is information that we could get from the Panel’s Secretariat.

2. Externalization: follow-up to the discussion with UNHCR and other options for engagement

- ICVA shared the draft notes of the informal meeting organized between UNHCR and ICVA members on externalization of refugee protection on 13 September. Welcome your assessment on this meeting. We are finalizing the notes of the meeting and ask before UNHCR for their review and make sure there is no mistakes or misunderstandings.
- A number of members are interested in seeing ICVA continuing to work on externalization and there are several avenues.
- UNHCR is open to finding ways to work together, it could also involve some UNHCR Bureaus.
- ICVA is in contact with the Europe Bureau with the online consultations/meetings organized and they are open to discussions with NGOs on the topic. It has already taken place with consultations/meetings last year around recent law adopted in Hungary.
- One immediate connection to externalization is the NGO statement on International Protection that will be delivered at UNHCR 72nd Executive Committee [since the meeting, the statement is accessible on ICVA website] and we hope for tractions behind it.
- Related to the NGO statement and externalization, there is a joint statement by UNHCR, IOM, UNICEF, OHCHR calling for protection measures and a comprehensive regional approach for Haitians on the move.
- In terms of next steps that we can discuss: at the meeting with UNHCR on 13 September, there was the idea that the NGO statement could be used as a basis to develop a paper. There were two ideas discussed, first to have an explainer document on externalization and second to have an advocacy document around externalization. The statement on international protection would be best turned into an advocacy document rather than an explainer but we will look at this and discuss with those interested in collaborating.
- There was also the idea to exchange with other actors, not only with UNHCR but also with academics that work on externalization, maybe meetings with Member States.

Action for the Needy

- Given the sensitivity of the issue, to what extent refugee protection is externalized?

ICVA

- Refugee protection should not be externalized and the NGO statement on International Protection also brings two categories of activities, measures built around cooperation among States and sometimes with other actors such as private companies. Some have positive outcomes geared towards increasing solidarity and responsibility-sharing, e.g. resettlement and humanitarian corridors. Others are about externalization, to avoid fulfilling international obligations.

Refugee International

- A lot of the feedback that we got when drafting the NGO collective statement and the conversation that we had in this group before pointed that the UNHCR paper on externalization includes positive examples of cooperative arrangements that do promote responsibility-sharing for protection.
- The issue we got is bad externalization and positive cooperation, so through several iterations of the statement, we acknowledge that there are cooperative arrangements that are positive and necessary and would not be considered unlawful under international law and NGOs do not want to discourage it.
Then, externalization is very specific in unlawful, exploitative, dangerous, and ineffective. At Refugees International, we were talking about the concept of responsibility-sharing and how it is realized in concrete practice and is certainly easier to advocate around negative duties rather than positive duties, what States should not be doing rather than what they should be doing, or what they are doing.

**ICVA**

- In UNHCR’s note on externalization, there is also this dichotomy, and it is useful to find but also a bit disturbing and the difficulty in saying there is a good side of externalization and a bad side. There is a good side exercising cooperation and it is responsibility-sharing and there is a bad side, which is externalization.
- Connected to what was discussed on externalization, the [NGO ExCom side event](#) will also focus on externalization elements *since the meeting, the side event took place and a summary will be shared soon with participants*.
- In discussing with the NGO ExCom side event panelists for preparation, basically we wanted to highlight responsibility-sharing, mobilization for solidarity and for support, which can be calling for States or supporting States responsibility-sharing.
- The NGO ExCom side event will also flag NGOs and refugee-led organization (RLOs) roles to generate support and to directly support refugees. We will have one intervention around pushbacks in Andaman Sea and interesting perspectives around the role of fishermen communities in rescue at sea but also criminalization of those activities by States, similar, unfortunately, to what we see in the Mediterranean.
- The other aspect we will hear from is a refugee who became a human rights defender and has spent six years in detention in Manus Island, with an interesting perspective driving to lessons learned and strong advocacy messages.
- The first panelist will be Anila Noor who also represents a RLO and who will present her work on responsibility-sharing at the European level in the context of the Afghan crisis and hopefully she will be able to make some references to EU resettlement forum for Afghans.
- The event is short, but we will still try to have time for exchanges and encourage NGOs to take the floor, share results of your reports, advocacy points, perspectives on the topic.

**CARE International**

- Have any Member States confirmed their participation in the side event already?

**ICVA**

- One Member State is registered as of today (Angola) but we are expecting more registrations. If you have specific contacts with Member States and you want to invite them to the side event, go ahead.
- UNHCR sent a reminder for the Executive Committee, ICVA sent it to NGOs.
- One idea was brought up that we can directly circulate the NGO statements by e-mail to the missions in Geneva after each Executive and Standing Committees. Usually, we publish the NGO statements online and before the pandemic, we had hard copies that States could take, but it is a good idea to circulate those after each of the governing bodies’ meetings.
- The idea was brought up by a new staff at the mission of Germany mentioning that it would be helpful in terms of conveying messages to the capital.

3. **AoB**

**Debrief of UNHCR 82nd Standing Committee (15-16 September)**

- Documents of this Standing Committee are accessible [here](#).

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*Notes for NGOs only – not to be circulated to other parties*
• There was an emphasis on Afghanistan, from UNHCR, on the recent deterioration of the humanitarian situation and mentioning that resources for the humanitarian response remained in short supply.
• UNHCR mentioned that they operate in two-third of the country and are working to ensure preparedness and contingency planning in neighboring countries.
• Pakistan and Iran were also a focus with a need for more humanitarian, development, and bilateral funding; they need more vaccines, and they need more options for resettlement.
• Afghanistan also took the floor to call for urgent humanitarian assistance and not to be limited and restricted in two third of the country.
• Afghanistan also requested all Member States to provide protection under the 1951 Refugee Convention for all Afghans reaching out to their countries.
• There were few specific interventions from States on Afghanistan from the U.S. and Switzerland related to funding and UNHCR emergency appeal as well as Pakistan and Iran reminding that they are largely hosting Afghan refugees and are looking for support.
• On internal displacement that will be certainly also discussed next week during the Executive Committee, Switzerland asked how UNHCR will consider the High-Level Panel report. Kelly Clements answered that UNHCR will go through the report’s recommendations and assume that they will be “heavily involved with other UN agencies in terms of forming a response in a concrete way of engagements when it comes to prioritization issues”. So, we can also remind those declarations to UNHCR in the future if need be.
• UNHCR provided an update on the High-Level Officials Meeting (HLOM), on the upcoming weeks ahead of December, mentioning that during the briefing of 27 October more information will be provided on the modalities of attendance and the programs and some information related to the content/directions on each roundtable in November. Also some information on the side events organized ahead of the HLOM, notably on age, gender and diversity, meaningful refugee participation and the Global Academic Interdisciplinary Network (notably focusing on Afghan scholars’ support).
• The online agenda for the HLOM is unclear on how the roundtables, e.g. on Solutions will take place. We will try to get more details. [Since the meeting, the programme has been updated and more information is provided notably for each roundtable].
• Finally, thanks for the inputs into the 2 NGO statements on The Grand Bargain and The Oral update on the ExCom Conclusions. The final versions are accessible on our website.
• On the Grand Bargain, UNHCR – Rob Hurt – insisted or reacted to the numerous interventions of States such as the EU & Norway in connection with providing more funding to local and national NGOs and indicated it will continue to progress in that direction.
• UNHCR also mentioned they do not have complete data on funding provided to women-led organisations and they will try to correct that and that they will have next year some results related to the pilot grants for RLOs this year.
• On the ExCom Conclusion, it was more focused by the ExCom Rapporteur on the importance of the adoption of the Conclusion and few States reiterated their commitments to international protection during a health emergency, in particular COVID-19. Colombia highlighted an example of the need to continue access to durable solutions even during a health emergency and they mentioned the access they provide to 4000 Afghans.

IDMC
• Is there any possibility to attend the Sudan-South Sudan side event during ExCom in-person?

ICVA
• On registration to side events, including in-person, the Executive Committee, we still do not know and cannot get a clear answer from UNHCR. Interesting upcoming side events with a focus on Afghanistan; Sudan and the South Sudan Initiative; Comprehensive Solutions

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Strategy for Ivorian Refugees; The role of the judiciary in promoting stronger nationality and asylum systems; Climate Action. There will be the Nansen Award Ceremony also.

- ICVA is in contact with UNHCR to work with them to organize a meeting with NGOs around Comprehensive Solutions Strategy for Ivorian Refugees, it will be interesting to discuss the Strategy and its impacts including in Europe, in the Americas and other contexts.
- ICVA has been advocating with UNHCR to increase NGOs in-person space since the pandemic started. Unfortunately, the rule again for this Executive Committee this year is only one NGO staff in the room, the NGO that reads a statement. There is no clarity yet for the side events, but we would imagine the same rule applies.
- ICVA tried to tell UNHCR to increase the NGOs space and we would appreciate your help in conveying the same message because the current restriction rules are clearly too strict.
- We expect to have clarifications during UNHCR Executive Committee on the UNHCR five years Strategic Directions which will not exactly repeat from the 2017-2021 UNHCR Strategic Directions as Michelle Yonetani (UNHCR) mentioned during the Monthly Consultations on climate action that a global strategic plan will be put in place to have a bridge between the global plan and regional plans, and this will be included in the Strategic Priorities.

**Potential follow up to the UNHCR-NGO meeting on Afghanistan**

**CARE International**
- Were there any comments at Geneva level on the lack of inclusiveness of NGOs in the refugee preparedness and response plan in Afghanistan?

**ICVA**
- Related to the budget and funding side, we encourage NGOs to raise the question with our colleagues in humanitarian financing and our representative in Asia.
- On the lack of inclusiveness, we have not heard specific points at Geneva level.
- Linked to the conversation, UNHCR has been asking whether it would be useful and interesting to have a second meeting on Afghanistan at global level like the one of almost a month ago with Raouf Mazou and Aurvasi Patel, initially with Filippo Grandi but now UNHCR came back saying that the HC is too busy now.
- **If there is interest**, we could work towards a meeting without duplicating existing meetings at regional and national levels. This meeting could help bring decontextualized and difficult questions to be discussed at a more general level including how NGOs are involved in planning, their budget and financing.

**CARE International**
- If it is an informal briefing as UNHCR is used to doing, not necessarily the best. We have discussions at the regional level and the content of the discussion is the same but if Filippo Grandi for instance can be there, that changes the focus of the event and if we can be more prepared with strong advocacy talking points, that can be useful.

**ICVA**
- If a second meeting is to be organized, UNHCR suggested an NGO speaker along with a UNHCR speaker, not UNHCR talking to NGOs and bringing more of an exchange.
- At the last meeting, UNHCR told us there were surprised that NGOs came in a listening mode and did not share and exchange information despite asking questions.

**CARE International**
- Happy to check with a few NGO colleagues in Kabul and ask if we could use a second meeting for an advocacy purpose.
• One of the clear points of the briefing on Afghanistan one month ago was additional resettlement, additional complementary pathways including family reunification and all the work that will need to happen with Member States. NGOs in Brussels, Geneva and many other places out of Asia are working on this now the question is more if there is a need for this meeting to discuss it and if there are no other channels. Happy to hear your views.

• For November UNHCR-NGOs Monthly Consultations, ICVA raised the idea to focus the exchange on Afghan resettlement notably with the EU Forum for the protection of Afghan at risk; so, it is one channel where we will have the discussion.

Short debrief on the Monthly UNHCR-NGO consultations of 29 September (Climate Action: Disaster preparedness and response)

• Oxfam South Africa’s perspectives on involving governments in taking actions and the challenges faced as well as IFRC’s case on anticipatory action were insightful. UNHCR was frank on the need to update their emergency policy and the promised clarification on UNHCR’s role in responding to disasters would be important.

• On the regional plan of action to operationalize the UNHCR Strategic Framework for Climate Action, we heard that it is still in the planning but not sure we are yet at the stage to have concrete information. Andrew Harper focused a lot on greening the blue and not so much on what climate action means for UNHCR mandate. We do hope by end of the year latest we will have clarifications on this. Then on the format, yesterday exchange, unfortunately, was not so dynamic.

Short update on the UNNM Consultation on Climate Change and Migration (28 September)

• UNMM is launching a new workstream around climate change and migration, they are opened to NGOs feeding into the activities. ICVA mentioned that we are happy to circulate to our members any call for inputs and information about events. We will keep you informed.