**Arria Formula meeting hosted by the Governments of Chile and Australia**

**30 May 2014**

**Protection of IDPs: challenges and the role of the Security Council**

**Statement by Dr. Chaloka Beyani, UN Special Rapporteur on the human rights of IDPs, Associate Professor of International Law, London School of Economics and Political Science, and Chair of the Coordination Committee of the United Nations Human Rights Special Procedures**

1. I would like to thank the Governments of Chile and Australia for co-hosting this Arria Formula on a perennial challenge: how to jointly protect IDPs better.
2. Internal displacement shatters lives and often the future of entire generations. Violence, armed conflict and hideous violations of human rights, such as arbitrary killings, rape, torture, inhuman or degrading treatment or starvation, natural and human made disasters, are causing the flight of thousands and millions of people who find themselves often in long term displacement situations. Internal displacement is not only a result of conflict; in some contexts, it is also a feature or driver of it, a political statement or even a means of warfare. Many of today’s IDPs find themselves in countries, such as South Sudan, where this Council – Excellencies – has determined that the situation amounts to a threat against international peace and security.

Improving the protection of IDPs is a joint responsibility, including of my Mandate and the Security Council. I believe, we do not only share parts of this responsibility but also common goals:

**Common goal 1: Restoration of national authority and protection**

1. The protection of IDPs is the primary responsibility of national authorities. However, when they are dysfunctional, as authority and governance break down, or are among those perpetrating arbitrary displacement, national protection fails. Often, such situations are also determined by this Council to amount to a threat against international peace and security. Our common goal is to restore national responsibility where authorities are functional, accountable, able and willing to protect citizens. Ultimately, only the re-establishment of national protection will allow the sustainable resolution of internal displacement and the restoration of peace and security. Institution-building and the development of relevant policy on internal displacement is a central component of my Mandate and I appreciate the Council’s support in this endeavour, which it has done for example by its call for the ratification of the Kampala Convention in its latest resolution on Darfur.

**Common goal 2: Protection of civilians**

1. Where national protection fails, the role of the international community as a whole becomes essential. Protection of civilians is increasingly essential in ensuring safety of IDPs in areas of refuge, during flight and upon return. Ensuring the physical safety and security of IDPs as part of the civilian population goes beyond the important protection role humanitarian agencies, such as UNHCR or OCHA, for example provide. Protection of civilians is an essential component and responsibility of the international community and this Council.

As part of my Mandate I enter into dialogue with Governments and the international community alike to advise and advocate for the best possible protection of IDPs. I visited South Sudan in November 2013, just before the break out of the vicious armed conflict. There was a glaring absence of institutional and structural preparedness for internal displacement on the side of the Government as well as the United Nations Missions in South Sudan (UNMISS) at a time tensions were enormously high and ethnic violence caused large-scale displacement in parts of the country, such as Jonglei state. Although protection of civilians was central to UNMISS’ mandate, the mission’s state building efforts clearly preceded this important role. The lack of institutional capacity on internal displacement, the absence of adequate policy and guidance on situations where IDPs seek refuge in UNMISS protected areas and respective operational preparedness are part of today’s challenges in protecting IDPs in South Sudan. Protection of civilians activities outside of protected UNMISS areas have barely resumed at a time where ethnic dimensions of politically motivated violence continues to cause mass displacement and puts the lives and physical integrity of the displaced at stake. Here again, it is our common interest that the protection of civilian mandate is fully and responsibly implemented. I commend the Council for adopting SC Resolution 2155 (2014), which bolsters the strength of UNMISS to protect civilians and quell the violence in South Sudan. I am grateful to this Council for its consideration of IDP protection in the Mandates of MONUSCO in DRC, MINUSMA in Mali or MINUSCA in the Central African Republic where deployment is urgent and encourage considering IDP protection consistently in peacekeeping mandates and ensure that these mandate components are fully implemented on the ground.

**Common goal 3: Durable solutions – resolving displacement, restoring peace**

1. Finding durable solutions for IDPs is a long and complex process that does not only confront humanitarian and development, but equally peacebuilding challenges. Stabilization, peacebuilding and reconciliation at all levels are critical in resolving internal displacement. Global numbers of IDPs are going up, with over 33 million at the end of 2013, not only because of new displacement, but also due to unresolved causes of displacement. On the one hand, absence of political resolution of conflicts, ineffective reconciliation or stalled peace processes are some examples. I have just returned from a mission to Azerbaijan where this state of affairs is such that protracted displacement has now lasted more than twenty years. The message I was requested to convey was for the international community to revisit such unresolved situations and for the Security Council to ensure implementation of its pertinent resolutions.

On the other hand, the success of stabilization, peacebuilding and reconciliation also depends on the success of durable solutions for IDPs. Especially in countries with high numbers of IDPs in protracted displacement, such as Somalia or Afghanistan, prospects for restoration of peace and stability are seriously undermined if hundreds of thousands remain uprooted and often also victims of crimes committed during the conflict. I appreciate the recognition of this intrinsic relationship by the Security Council and its expressed support for durable solutions for IDPs. Yet, the urgency of the matter is such, that I am herewith requesting this Council to pay increased and consistent attention to durable solutions for the displaced as part of its primary interest to restore peace and stabilize nations.

1. As we share responsibility and goals, I am looking forward to an continued exchange with the Security Council and relevant partners.