



# General Assembly

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## Human Rights Council

### Fourteenth session

#### Agenda item 3

#### **Promotion and protection of all human rights, civil political, economic, social and cultural rights, including the right to development**

**Albania\*, Australia\*, Austria\*, Belgium, Bosnia and Herzegovina, Bulgaria\*,  
Canada\*, Colombia\*, Côte d'Ivoire\*, Cyprus\*, Czech Republic\*, Denmark\*,  
Estonia\*, Ethiopia\*, Finland\*, France, Germany\*, Greece\*, Guatemala\*, Hungary,  
Ireland\*, Japan, Latvia\*, Lithuania\*, Luxembourg\*, Malta\*, Mexico, Netherlands,  
Norway, Poland\*, Portugal\*, Romania\*, Slovakia, Slovenia, Spain\*, Sweden\*,  
Switzerland\*, Thailand\*, Uganda\*, United Kingdom of Great Britain and Northern  
Ireland, United States of America: draft resolution**

**14/...**

### **Mandate of the Special Rapporteur on the human rights of internally displaced persons**

*The Human Rights Council,*

*Recalling* all previous resolutions on internally displaced persons adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, including Assembly resolution 64/162 of 18 December 2009 and Council resolution 6/32 of 14 December 2007,

*Recalling also* General Assembly resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations and the Guiding Principles annexed thereto,

*Recalling further* Council resolutions 5/1, on institution-building of the United Nations Human Rights Council, and 5/2, on the Code of Conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with these resolutions and the annexes thereto,

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

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\* Non-member State of the Human Rights Council.

Welcoming the adoption, on 22 October 2009, of the African Union Convention on the Protection and Assistance of Internally Displaced Persons in Africa, which marks a significant step towards strengthening the national and regional normative framework for the protection of and assistance to internally displaced persons,

1. *Commends* the Representative of the Secretary-General on the human rights of internally displaced persons for the activities undertaken to date, for the catalytic role that he has played in raising the level of awareness of the plight of internally displaced persons, and for his ongoing efforts to address their development and other specific needs, including through the mainstreaming of the human rights of internally displaced persons into all relevant parts of the United Nations system;

2. *Takes note* of the report of the Representative of the Secretary-General on the human rights of internally displaced persons submitted to the Council at its thirteenth session (A/HRC/13/21);

3. *Expresses its appreciation* to the Representative of the Secretary-General for his work on offering practical solutions for the challenges of internal displacement, and encourages all relevant actors to make use of it, as appropriate, when planning for and implementing programmes to support durable solutions;

4. *Also expresses its appreciation* to those Governments and intergovernmental and non-governmental organizations that have provided protection and assistance to internally displaced persons and have supported the work of the Representative of the Secretary-General;

5. *Expresses concern* at the persistent problems of large numbers of internally displaced persons worldwide, in particular the risk of extreme poverty and socio-economic exclusion, their limited access to humanitarian assistance, vulnerability to human rights violations and difficulties resulting from their specific situation, such as lack of food, medication or shelter, and issues pertinent during their reintegration, including, in appropriate cases, the need for the restitution of or compensation for property;

6. *Also expresses concern* at the problem of protracted internal displacement and recognizes the need to find durable solutions;

7. *Expresses particular concern* at the grave problems faced by many internally displaced women and children, including violence and abuse, sexual and labour exploitation, trafficking in persons, forced recruitment and abduction, and notes the need to continue 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, such as older persons, persons with disabilities and severely traumatized individuals affected by internal displacement, taking into account the relevant resolutions of the General Assembly;

8. *Expresses concern* at internal displacement caused by natural disasters, exacerbated by the expected effects of climate change and by poverty, and recognizes the need for a human rights-based approach to early warning, disaster contingency planning, disaster management and mitigation, as well as efforts to find durable solutions;

9. *Recognizes* the Guiding Principles on Internal Displacement as an important international framework for the protection of internally displaced persons, and encourages Member States and humanitarian agencies to continue to work together in endeavours to provide a more predictable response to the needs of internally displaced persons and, in this regard, calls for international support, upon request, for the capacity-building efforts of States;

10. *Calls upon* States to provide durable solutions, and encourages strengthened international cooperation, including through the provision of resources and expertise to

assist affected countries, and in particular developing countries, in their national efforts and policies related to assistance, protection and rehabilitation for internally displaced persons;

11. *Decides* to extend the mandate of the special procedure on the human rights of internally displaced persons as a Special Rapporteur for a period of three years:

(a) To address the complex problem of internal displacement, in particular by mainstreaming human rights of the internally displaced into all relevant parts of the United Nations system;

(b) To work towards strengthening the international response to the complex problem of situations of internal displacement and engage in coordinated international advocacy and action for improving protection and respect of the human rights of the internally displaced, while continuing and enhancing dialogue with Governments, non-governmental organizations and other relevant actors;

12. *Requests* the Special Rapporteur on the human rights of internally displaced persons, in carrying out his/her mandate:

(a) To continue, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, the analysis of the reasons for internal displacement, the needs and human rights of those displaced, measures of prevention and ways to strengthen protection, and assistance and durable solutions for internally displaced persons, taking into account specific situations and relevant information, including, in particular, national data and statistics, and to include information thereon in his/her reports submitted to the Council;

(b) To continue, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, his/her efforts to promote comprehensive strategies and support that focus on the prevention of displacement, better protection and assistance and durable solutions for those displaced, taking into account the primary responsibility of States within their jurisdiction in this regard;

(c) To continue to use the Guiding Principles on Internal Displacement in his/her dialogue with Governments, intergovernmental and non-governmental organizations and other relevant actors, and to continue his/her efforts to further the dissemination, promotion and application of the Guiding Principles and to provide support for efforts to promote capacity-building and the use of the Guiding Principles, as well as the development of domestic legislation and policies;

(d) To integrate a gender perspective throughout the work of the mandate and to give special consideration to the human rights of internally displaced women and children, as well as of other groups with special needs, such as older persons, persons with disabilities and severely traumatized individuals affected by internal displacement, and their particular assistance, protection and development needs;

(e) To continue his/her efforts to promote, where appropriate, the consideration of the human rights and the specific protection and assistance needs of internally displaced persons in peace processes, peace agreements and reintegration and rehabilitation processes;

(f) To continue to pay attention to the role of the international community in assisting affected States, upon request, in meeting the protection and assistance needs of internally displaced persons, including in implementing national strategies, and to incorporate in his/her advocacy activities an emphasis on the mobilization of adequate resources in response to the needs of affected countries;

(g) To continue, through continuous dialogue with Governments and the intergovernmental and non-governmental organizations concerned, his/her efforts to promote the protection of human rights of internally displaced persons in the context of natural disasters;

(h) To strengthen further the cooperation established between the Representative of the Secretary-General and the United Nations, including in the framework of the Peacebuilding Commission, as well as other international and regional organizations, in particular his/her participation in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

13. *Strongly encourages* all Governments, in particular Governments of countries with situations of internal displacement, to facilitate United Nations activities addressing the protection, assistance and development needs of internally displaced persons, and to respond favourably to requests by the Special Rapporteur for visits and information, and urges Governments and the relevant bodies of the United Nations system, also at the country level, to follow up effectively, where appropriate, on recommendations of the mandate holder and to make available information on measures taken in this regard;

14. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, mandate holders, interested institutions and independent experts, and non-governmental organizations to develop regular dialogue and cooperation with the Special Rapporteur in the fulfilment of his/her mandate;

15. *Encourages* all relevant United Nations organizations and humanitarian assistance, human rights and development organizations to enhance their collaboration and coordination, through the Inter-Agency Standing Committee and United Nations country teams, in countries with situations of internal displacement, to provide all possible assistance and support to the Special Rapporteur, and requests the continued participation of the Special Rapporteur in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

16. *Requests* the Secretary-General and the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the assistance and adequate staffing necessary to carry out his/her mandate effectively and to ensure that the mechanism works in close cooperation with the Emergency Relief Coordinator, with the continued support of the Office for the Coordination of Humanitarian Affairs and the United Nations High Commissioner for Refugees;

17. *Invites* the Special Rapporteur to continue to submit annual reports on the implementation of his/her mandate to the Council and the General Assembly, making suggestions and recommendations regarding the human rights of internally displaced persons, including on the impact of measures taken at the inter-agency level;

18. *Decides* to continue its consideration of the question of the human rights of internally displaced persons in conformity with its annual programme of work.