

# SESSION 0 – FACILITATOR’S NOTES

INTRODUCTION

DURATION 90’

## SESSION AT A GLANCE

Activity	Methodology	Timing
Activity one: Registration		30’
Activity two: Presentation of objectives, expectations, agenda, participants and training team		30’
Activity three, first option: Speakers’ corner - do we need a framework in this country?	Moderated debate	30’
Activity three, second option: Formal intervention by an institution	Paper and follow-up debate	30’
		90’

## ACTIVITIES IN DETAIL

### ACTIVITY ONE: REGISTRATION

30’

Most of the exercises and activities will be carried out in groups made up of MPs, members of national authorities, national and international NGOs, other international organisations and civil society organisations (CSO) and, if possible, IDPs’ representatives. The participants will represent their institution or organisation throughout the workshop. The room setting should be adapted to allow for such a participatory event. Ideally the participants should sit at four or five round tables.

After the general introduction, present the following contents:

1. Workshop goal

2. Workshop objectives

The goal and objectives should be written on a flipchart page and should remain visible for the duration of the workshop.

3. Expectations: Collect individual expectations on Post-it notes and put them on a separate flip chart

4. Agenda: Go through the topics to be covered and ask the participants to what extent they correspond with their expectations. If you envisage that some of the stated expectations depart from the overall objectives of the workshop, make it clear from the beginning.

5. Ground rules or "community norms »: they should provide the participants a framework to ensure open, respectful dialogue and maximum participation. Ask the participants to create their own rules in plenary. Write each rule on a flip-chart and refer to them when they are breached.

6. Introduction of participants: start with an ice-breaker to help the participants get know one another. Participants should introduce themselves, their organisation or institution and their potential roles in the development and implementation of a legal framework on internal displacement.

Ask the co-organisers of the workshop to identify two participants in advance and confirm that they are willing to represent opposing views on its central topic.

The moderator should begin by asking them:

**“Does this country need a national legal or policy framework to address displacement?”**

Give them each five minutes maximum to put their arguments for and against, and then three minutes each to counter the other's views.

---

## ARGUMENTS FOR A NATIONAL INSTRUMENT

1. A national law or policy is an instrument that establishes a framework for a government to fulfil its responsibility for IDPs' protection and assistance.
2. Existing national legislation may not be tailored to address the needs of people forced to flee their homes.
3. IDPs' right to effective protection and assistance needs to be restated and incorporated into national legislation and policy. The means and methods for doing so need to be explicitly spelled out.
4. The country is bound by international and regional instruments to put specific measures for IDPs in place, and the national framework must comply with such obligations.
  
- 5.a For all countries, and particularly members of the International Conference on the Great Lakes Region (ICGLR), a national instrument based on, or fully in line with the Guiding Principles can improve efforts to protect and assist IDPs.
  
- 5.b For African Union countries, the Kampala Convention requires the full domestication of its provisions, which include the development and adoption of laws, policies and strategies to address displacement.
  
6. A national instrument can help to tailor adequate responses to specific displacement situations.
7. A national instrument facilitates coordination between ministerial entities and other state and non-state agencies involved in protecting and assisting IDPs.
8. National instruments can boost the credibility of the government's response to IDPs and facilitate domestic and international cooperation on displacement.
9. A national instrument provides a solid basis for prioritising activities to support IDPs.
10. A legal provision that stipulates adequate resources to address displacement facilitates the planning of measures to meet the needs of IDPs and other communities affected or potentially affected.

---

## ARGUMENTS AGAINST

1. The development of national instrument is too time consuming and a drain on resources. The country cannot afford to address the issue while it is still recovering from a serious political, economic and social crisis.
2. A national instrument is not a priority. Other issues such as education, healthcare, water, sanitation and employment are more important.
3. There should be no discrimination among the country's citizens. Given that most of the population suffered during the conflict and crisis, there should not be any specific provisions for IDPs.
4. The humanitarian phase of the response to the crisis is over, issues related to displacement have been solved and it is now time to foster development and attract investment.
5. Existing legal instruments such as disaster risk reduction (DRR) and humanitarian strategies cover issues related to displacement, so there is no need for a specific law or policy.
6. Dozens of UN-backed strategies and policies covering humanitarian responses have been developed over the last five years. The country is well equipped.
7. Displacement is a politically sensitive issue and the development of a national instrument could create unnecessary tensions in a fragile country.
8. There is no internal displacement in the country.

The moderator could intervene a) to recap on the main points of the interventions and b) to elicit a few - no more than three or four - reactions from the audience to the issues the speakers touched upon.

**ACTIVITY THREE, SECOND OPTION: INTERVENTION BY AN INSTITUTION 30'**

A representative from a national or international entity gives a ten to 15-minute presentation on the justifications for a national instrument, and past and present experiences of displacement in the country and/or region.

The intervention should be followed by a Q&A session of 20 minutes maximum.

**DOCUMENTATION:**

- Protecting Internally Displaced Persons: A Manual for Law and Policy Makers, Brookings, October 2008
- National Instruments on Internal Displacement: A Guide to their Development, IDMC-NRC/Brookings-LSE, August 2013
- Internal Displacement: Responsibility and Action, UNHCR-IPU handbook for parliamentarians, October 2013
- Framework for national responsibility, Brookings-Bern, August 2005
- IASC operational guidelines on protection in situations of natural disasters, January 2011
- IASC framework on durable solutions for IDPs, April 2010

**EQUIPMENT AND MATERIAL:**

- Projector
- Laptop
- Screen
- PowerPoint presentation: Introduction
- Post-its or coloured cards
- Hard copies of the manuals and tools introduced at the end of the session