



## CAPACITY BUILDING FOR LAW AND POLICY-MAKING ON INTERNAL DISPLACEMENT

# SESSION 7: PREPARATION - SCOPE AND TYPE

### OVERVIEW

This third session on preparation for a law or policy-making process focuses on the crucial choices to be made in defining a national instrument. Those engaged in the process will soon have to decide whether to develop a specific instrument on internal displacement or amend existing legislation. Should they opt for a specific instrument, they will also have to decide whether to develop a law or policy, and whether it will cover all phases and causes of displacement or concentrate on specific issues. The session analyses the pros and cons of the different options and concludes with the participants' formulating their preferences for each one.

### OBJECTIVES

By the end of the session participants should be able to:

- Illustrate how a specific instrument and existing legislation address IDPs' concerns differently and, in some cases, complement each other
- Explain the advantages of the comprehensive rather than partial regulation of displacement in a national instrument
- Tell the difference between laws, policies, strategies and action plans
- Define the most appropriate type(s) of national instrument required for their country

### KEY MESSAGES

- A national instrument may cover one or all phases of displacement, one or more potential causes and some or all of the rights IDPs are entitled to.
- A comprehensive instrument equips a country to address all causes and phases of displacement. There are at least four types

## DOCUMENTATION

## HANDOUTS:

of instrument - laws, policies, strategies and action plans. The adoption of one does not exclude the others.

- A decision on the type of instrument to be adopted requires careful evaluation of the political situation and potential obstacles.
- Guiding Principles, 1998
- Kampala Convention, 2009
- Great Lakes Pact, 2006
- National laws
- Type and scope of national instruments