

Submission to UN Secretary General's High-Level Panel on Internal Displacement
Latin America Research Network - INDCaP Project

'MAIN PROBLEMS AND POSSIBLE SOLUTIONS FROM LATIN AMERICA'

The Latin America research network of the global
(INDCaP), makes the following submission in response to the Call for
Inputs disseminated by the UN High-Level Panel (HLP) in March 2020.

The network

The INDCaP project promotes research on internal displacement in affected countries in Africa, Latin America and the Middle East. It aims to: (i) draw together researchers in each region to develop a robust research community on internal displacement; (ii) build the capacity of such researchers in academia, NGOs and IDP communities; and (iii) promote cutting-edge research from different disciplines to shape context-sensitive solutions to displacement challenges.

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1. The Peace Agreement reached in 2016 by the National Government and *Fuerzas Armadas Revolucionarias de Colombia-Ejército Popular* (FARC-EP) has meant neither the end of the internal conflict nor forced internal displacement. In spite of the expectation that

the outset, return has been privileged. Although in most cases the essential requirements to implement successful returns such as security conditions, socioeconomic support, and even the informed consent from IDPs themselves have been absent, the end of displacement has been deeply linked to this particular solution by the authorities. This situation has led to new forced displacement processes, as well as the re-victimization of displaced persons.

6. Urban IDPs.

material assistance to IDPs. There is a lack of indicators for assessing progress in relation to both the effective guaranteeing and the restoration of the rights enshrined for IDPs in law.

5. Taking a new approach for durable solutions. There is a need for rethinking and reshaping the approach to durable solutions in public policy, as the current has been unable to Φ h . This is an issue that has been discussed in several forums and diverse initiatives have been proposed both by academics and policy-makers. However, there are national, regional, and local dynamics preventing the implementation of structural changes. A real shift will only be achieved by meeting three conditions. First of all, a research project on this topic must be conducted in order to have an accurate diagnosis of the situation, along with the challenges, obstacles, and opportunities for each of the three durable solutions. Secondly, a new public policy on durable solutions must be designed, based on the results of such a research project. Finally, a political agreement among national, regional, and local authorities must be reached to guarantee the implementation of the new policy. IDPs, host communities, NGOs, academia, and international organizations must be actively involved throughout the whole process. Measures

framework for tracking this phenomenon throughout all its stages and providing assistance and protection to uprooted people. The fact that the country is facing a massive wave of forced disappearances has relegated internal displacement to a very national authorities.

3. Many IDPs lack proper documentation: A significant proportion of IDPs have lost their identification documents during their flight, making extremely difficult for authorities to guarantee their right to be recognized as a person before the law.
4. IDPs are frequently mistreated by civil servants: Despite the lack of a proper public policy, there are some measures that provide some assistance and protection to IDPs during the first stages of their flight, in particular if their movement has been in character. Nevertheless, civil servants have not been trained to deal with this vulnerable population; hence there is a high risk of re-victimizing these people.
5. There is no official IDP register system, such that the number of IDPs and the main features of their profiles remain undocumented: There are only some disconnected, fragmentary and partial registers created by civil society organisations, in particular the one held by the Comisión Mexicana de Defensa y Promoción de los Derechos Humanos (CMDPDH), and some government bodies.
6. Many IDPs end up being refugees or migrants in the USA: A significant proportion of this forced displacement takes place in the Northern region of Mexico. Due to the longstanding tradition of transnational migration, as well as complex social and cultural networks between both countries, many IDPs seek shelter across the border. Their new condition of migrants further complicates efforts to identify the actual causes of their exodus and attempts to recognise their rights back in Mexico.

Possible solutions:

1. A national response: The country needs a national public policy on forced internal displacement that guarantees assistance and protection throughout every stage of the displacement process. Land and propriety restitution have to be included as key elements for achieving sustainable solutions. Moreover, the policy must enshrine a legal IDP definition, broad enough to include all victims of forced displacement.
2. Analysis of conflicts and search for solutions: given the different drivers for internal displacement (particularly due to organized crime, environmental factors, and extractive industries), each conflict should be analysed according to local contexts, and solutions sought to prevent displacement.
3. A Unified Register of IDPs: This could be created initially by drawing on existing partial registers by civil society organisations and government bodies. The register should be disaggregated by gender, race, locality, and other relevant criteria.
4. Awareness rising for civil servants: Civil servants working with IDPs should treat IDPs with respect and avoid re-victimization. This includes the need to be sensitive to the trauma, lived experience, and physical, material and symbolic losses suffered by IDPs. Interpreters of native languages should be used for indigenous IDPs.

5. Lack of a differentiated approach: Staff working with IDPs should have a gender and ethnicity perspective in their work approach.
6. Sustainable solutions: IDP needs and interests should be at the centre of policy-making. This calls for a bottom-up and local approach where IDPs are actively involved in solutions and not treated as vulnerable victims needing standardised welfare.
7. Civil society participation: NGOs and church organisations have played an important role in supporting IDPs. The new draft legislation presented to Congress in Mexico gives little importance to civil society, prioritising the three levels of government. It is urgent to reconsider this proposal, recognizing the important role played by civil society organizations in the response to internal displacement and enhancing the spaces for their participation.
8. An independent monitoring centre: This should be established to monitor and evaluate government programmes and policy.

North of Central America (Guatemala, Honduras and El Salvador)

Main problems:

1. Internal displacement in the region is the outcome of multiple structural problems that, as they exacerbate one another, trigger other equally complex challenges: Structural violence, institutional corruption, high rates of human rights violations, and the progressive weakness of the State are some of the most acute problems faced by Guatemala, Honduras and El Salvador. All of these issues have deep roots in these permeate institutional, economic, and military structures. The amalgam of these factors has triggered forced exodus in the region.
2. There is a total lack of public acknowledgment in Guatemala: The country completely denies the existence of internal displacement in its territory. Thus IDPs face a complete state of vulnerability.
3. The Honduran and Salvadorian responses are insufficient: In contrast with their neighbour, there is some recognition of the problem in both Honduras and El Salvador. However, the legal frameworks crafted to cope with forced displacement do not tackle its root causes, fail in granting efficient judicial protection, and do not protect IDPs from social stigma. Moreover, they lack an adequate IDP registration system, such that there is no reliable data on the impact of violent events on forced displacement. As a result, uprooted people face failures both in assistance and protection. Multiple rights are violated, such as non-discrimination, due process, access to livelihoods, housing, education, and access to health services. Second and even third forced displacements are very likely in this context, as well as transnational exodus as a way of looking for international protection.
4. Megaprojects trigger forced displacement in the region: Violence is not the only cause of forced displacement in the Northern Triangle, the implementation of several massive projects related to extractive industries and power generation is another displacement trigger, affecting peasant and indigenous communities. As a general rule, such projects do not comply with international standards regarding participation and consultation of the affected populations. Moreover, although the displacement of

