



CAPACITY BUILDING FOR LAW AND POLICY-MAKING ON INTERNAL DISPLACEMENT

## SESSION 4: ORGANISING A PARTICIPATORY PROCESS

### OVERVIEW

This session covers the initiation and organisation of a law or policy-making process and emphasises the participatory nature of the development of a national instrument on internal displacement. Such a process is an act of sovereignty, and as such only national authorities can take a decision to initiate it.

It is equally important, however, that the decision is publicised and that stakeholders are convened from the start of the process in order to draft an instrument that responds comprehensively to the needs of IDPs and other people affected by displacement. It is also important that those invited to participate in the process focus on the technical aspects of law and policy-making.

Having discussed the main principles that will guide the initiative, additional thinking should be given to how to make it as consultative as possible. For a law or policy to be truly effective it is vital to map the stakeholders who may have meaningful contributions to make to its formulation, adoption and implementation. It will not be possible to engage all stakeholders equally at all stages, but the appointment of a government agency to take charge and the establishment of effective support mechanisms and communication channels will serve both to inform the process and ensure buy-in.

*Kenyan civil society played a key role in the development of the country's national policy on IDPs. The contribution of CSOs, and particularly members of protection working group on internal displacement (PWGID), was significant. They collected and analysed information, facilitated consultations with IDPs and raised awareness of the process among stakeholders. They convened forums to build consensus on questions such as whether to develop a framework specific to IDPs or incorporate*

*protection mechanisms into existing frameworks, and on the standards that should be included in the policy.*

*As the process moved forward, they lobbied authorities and provided logistical and technical support. PWGID also worked closely with the 2010 parliamentary select committee on the resettlement of IDPs to coordinate with the parallel development of a law on internal displacement.*

## OBJECTIVES

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

- Identify the main principles guiding the law and policy-making process
- Understand how to run a consultative process
- Identify stakeholders
- Formulate a strategy to ensure their inclusion Allocate roles and set up bodies to support the government agency leading the drafting process

## KEY MESSAGES

- A government body should be put in charge of the process, to act as a convenor and coordinator for all activities.
- National governmental and non-governmental, regional and international agencies and other stakeholders should be identified and involved in the process from the outset.
- A steering committee to support the lead agency and a drafting committee may also be set up. One body may fulfil both functions.
- IDPs and other groups of people affected by displacement should be involved in the process.

## DOCUMENTATION

- National Instruments on Internal Displacement: A Guide to their Development, IDMC-NRC/Brookings-LSE, August 2013
- IDP's voices and views: Yemen's national dialogue, UNHCR, March 2013
- An IDP Policy for Afghanistan: from draft to reality, Forced Migration Review, May 2014

## HANDOUTS:

- Investing in a participatory process
- Participation in the Kampala Convention