



OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS, YANGON
THE REPUBLIC OF THE UNION OF MYANMAR

Date: 20 September 2019
Reference: OCHA/MYA-CO/176

Excellency,

Subject: Submitting an updated version of the Concept Note – “Durable solutions for internally displaced persons in Kachin State, Possible areas of cooperation between the UN and the Government of Myanmar”

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) presents its compliments to the Ministry of Social Welfare, Relief and Resettlement of the Republic of the Union of Myanmar.

With reference to the RC/HC a.i.’s letter, (Re: UNRC/HC -2019 -112), I would like to submit a revised Concept Note including inputs from UN Women which already has activities in Kachin.

The United Nations Office for the Coordination of Humanitarian Affairs avails itself of this opportunity to renew to the Ministry of Social Welfare, Relief and Resettlement of the Republic of the Union of Myanmar the assurances of its highest consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Marie Spaak', written in a cursive style.

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Durable solutions for internally displaced persons in Kachin State
Possible areas of cooperation between the UN and the Government of Myanmar

Concept Note

20 September 2019

I. Introduction

Today, more than 97,000 people remain displaced across over 136 IDP sites in Kachin State. While the current security situation is not conducive for large-scale solutions to displacement, small-scale opportunities for return, local integration, and resettlement have emerged. The protection of displaced person, including providing them with a durable solution and ensuring effective recovery and reintegration into communities, is first and foremost the responsibility of the Government of Myanmar. The international humanitarian and development community has a complementary role to support the Government and other local actors in their efforts.

II. Purpose of the Note

The present note has been prepared by the expanded UN Core Group (UNDP, UNHCR, OCHA, RCO, UNICEF, WFP, UNFPA, WHO, FAO, ILO, IOM, UN-Habitat, UN Women), as a follow-up to the meeting held with the Working Group for the Implementation of IDP Resettlement in Kachin in Nay Pyi Taw on 2 August 2019. The note outlines contributions the United Nations (UN) can make to the Government-led efforts to identify and realize solutions to internal displacement in Kachin. Potential UN support is presented under headings that correspond to the building blocks for achieving durable solutions. Most of the activities outlined below would take place in the short-to-medium-term, provided certain benchmarks are met. If solutions are to be sustainable and allow for a transition from humanitarian to development, they require a long-term focus to reduce vulnerability and risks of reoccurrence. Experience shows that investment in early-recovery is crucial as it expedites the achievement of durable solutions, avoids protracted displacement, stimulates spontaneous recovery activities within the affected population - including host and receiving communities - and helps prevent renewed displacement. All interventions highlighted below are intended to complement the contributions of Government partners. The note includes an annex of possible pilot projects for the realization of solutions (return and reintegration, resettlement and local integration).

III. UN support to the realization of solutions for IDPs in Kachin

The Guiding Principles on Internal Displacement stipulate that displacement shall last no longer than required by the circumstances. Drawing on existing international law, the right of internally displaced persons (IDPs) to a durable solution is articulated in Guiding Principles 28-30. These Principles set out the rights of IDPs to durable solutions, the responsibilities of national authorities, and the role of humanitarian and development actors to assist durable solutions. Facilitating durable solutions requires that all stakeholders – having affected communities at the center - including national and local authorities as well as armed groups parties to conflicts, humanitarian and development actors, work together to identify the appropriate strategies and activities to assist IDPs in this process, and set criteria that will help determine to what extent a durable solution has been achieved.

1. Ensuring inclusive and meaningful consultations with the participation of IDPs

The Guiding Principles on Internal Displacement stipulate that *“Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavor to facilitate the reintegration of returned or resettled internally displaced persons.”*

Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration". (Guiding Principle 28)

UNHCR and its partners could extend support to the following activities:

- Raise IDPs' awareness on solutions;
- Coordinate the assessments of conditions in areas of return, resettlement or local integration and share information and compare findings with key actors (Government authorities, KHCC, JST, etc.);
- Provide an adequate mechanism of information to IDPs to allow them to make informed decisions;
- Collect information on IDPs' intention in terms of future solutions ensuring consultation with women, girls, men, boys as well including the elderly and disabled.

UNICEF in collaboration with child protection partners, could support the following activities:

- Ensure the participation of children, youth, and adolescents in planning and decision-making, including assessing conditions in proposed areas of return, resettlement or local integration; ensure they are part of the decision both at family and community level; ensure they are engaged in all consultations and ensure that their voices and concerns are heard and reflected throughout the process;
- Ensure prevention and response services are in place for children;
- One-time provision of recreational kits and establishment of Child Friendly Spaces with appropriate technical support where appropriate and feasible;
- Provision of mental health and psychosocial support and referral as needed, including pre-return voluntary counselling sessions for those in need.

UNFPA in collaboration with GBV and protection partners, could support the following activities:

- Engage with CSOs, women and youth organizations for consultations and to support awareness-raising and dissemination of key messages;
- Ensure women and girls are engaged in all consultations and their voices and concerns are heard and seriously considered and are well informed about the conditions in areas of return, resettlement or local integration and are part of the decision both at family and community level.

ILO with its mandate to eliminate forced labour and child labour (including child soldiers), could support the fulfilling of the following objectives:

- Provide training / awareness-raising and monitoring support on forced labour practices;
- Support child protection network in issues of child labour;
- Provide Technical and Vocational Education and Training (TVET) in support of IDP livelihoods and early recovery through ILO micro-small and medium enterprise program.

UN-Habitat, in coordination with other UN agencies working on IDP camps, could extend support with the following activities:

- Gather information (baseline information) on the status of housing, land and property left behind by the IDPs to recover, to the extent possible, their property and possessions (in compliance of Principle 29: Competent authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions which they left behind or were dispossessed of upon their displacement);
- Initiate social mobilization process with affected communities in collaboration with stakeholders in view of the return and restitution options, including community-driven approach to settlement planning

IOM in collaboration with CSO partners on safe migration and Psychosocial activities;

- Deliver key messages and PS activities addressing safe migration and the risks of trafficking within IDPs affected by increased human mobility in the context of return, resettlement and future camp closure.
- Facilitate the concerted information, counselling and advisory services to IDPs on options for return, resettlement or safe migration through CSO partners

- Enhance awareness of prevention and response measures specifically regarding trafficking, exploitation and abuse through capacity building for CSOs, protection and non-protection actors
- Build the capacity of CSOs in Kachin on provision of PS support to vulnerable migrants, including victims of trafficking from IDP camps, violence, or abuse and returnees to target areas

UN Women in collaboration with its partners, including women's CSOs and their networks could support the following activities:

- Provide leadership training for women and build the capacity of women, women CSOs and their networks across Kachin to meaningfully engage in consultation processes
- Support the participation and engagement of women, women CSOs and women's networks in consultation processes to ensure that durable solutions strategies at State and local level are informed by and respond to their needs in line with the *Common Charter of Demands by Women's Groups for Gender Equality and Women's Empowerment across the Peace-Humanitarian-Development Nexus in Kachin State*

2. Long-term safety and security

As highlighted above, the IDPs must be able to return to places of origin, integrate into local communities or resettle elsewhere without the threat of attacks, intimidation, or harassment, and their Housing, Land and Property rights must be honored. Competent authorities should also address threats presented by landmines and unexploded ordinance.

UNICEF, in collaboration with members of the Mine Risk Working Groups (MRWG), Child Protection Working Group (CPWG) and State Child Rights Committee (SCRC) could extend support to the Government for the following activities:

- Provide Explosive Ordnance Risk Education (EORE) sessions, information on other security concerns, information on available child protection services/service providers, and dissemination of key prevention messages on child protection, to IDPs communities prior to returning;
- Ensure children, adolescents and youth are provided awareness on EORE, Monitoring and Reporting on the Grave Violations against children in the Conflict setting), and Child Protection and Child Rights;
- Ensure regular monitoring and referral of specific cases to relevant actors (Department of Social Welfare case managers, police and judiciary as appropriate);
- Support radio broadcasting and other dissemination methods of EORE messages;
- Advocate with other actors such as DRC/DDG, NAG or Halo Trust, - for the removal of unexploded ordinance in schools and demining at other service provision areas (water points, health facilities, schools and roads/paths leading to schools and water points).

UNFPA, in collaboration with its partners could support the Government for the following activities:

- Conduct regular safety mapping and monitoring to identify protection risks, particularly for women and girls and other at-risk populations including the elderly and persons with disability;
- Ensure functional referral pathways for multi-sectoral GBV response services are in place including through short-term mobile arrangements as systems are strengthened to ensure longer-term service availability;
- Support with mobile units to provide private GBV case management and Mental Health and Psychological Support (MHPSS) as well as Sexual and Reproductive Health and Rights (SRHR) services where adequate infrastructure is not available
- One-time provision of Dignity Kits;
- Support awareness-raising on issues related to Prevention of Sexual Exploitation of Abuse and other forms of GBV, family planning, HIV/AIDS, pre-natal and ante-natal care including with relevant authorities.

UNHCR could support such efforts through the implementation of Quick Impact Projects in areas of return, resettlement or local integration that would benefit both IDP and host/neighborhood communities and would contribute to strengthen social cohesion.

UNDP could extend support to:

- Establish a complaints mechanism and dispute resolution mechanism that will be essential for places of integration, return or relocation to prevent and mitigate conflict and enable social cohesion through inclusive community dialogue.
- UNDP's rule of law programming supports institutional capacity of the formal justice sector to provide higher quality, more accessible and responsive legal services to the public. In this regard, support can be extended for the following activities:
 - ✓ Organize capacity development activities for state and township officials to increase awareness and capacity to adhere to rule of law, fair trial standards and administrative justice principles
 - ✓ Capacity development and technical support of the Myanmar National Commission of Human Rights to address human rights complaints raised by IDPs and promote the protection of displaced persons.
 - ✓ Legal needs assessment of IDPs in the camps and locations of return, resettlement and integration to promote the design of effective access to justice programs.
- Through UNDP's parliamentary strengthening programme that includes professional development of Members of Parliament (MPs), strengthening many aspects of the parliamentary administration, committee development and committee inquiries, and MP constituency relations, support can be extended for the following activities:
 - ✓ Strengthen Kachin MPs' understanding of displacement and the impacts on their constituencies through seminars and field trips to camps and host communities.
 - ✓ Arrange practical Masterclasses through which MPs are supported to develop ways to manage the impacts of displacement on their constituents and help ensure that the short-term needs of IDPs are responded to.

ILO supports the Government to establish the national complaints mechanism on forced labour and will continue to support the government at the Union as well as state and regional levels to address forced labour, underage recruitment and end the practice, particularly the practice that involves land confiscation, human landmine sweeper, forced portering in conflict areas, including Kachin State.

UN-Habitat, in coordination with other UN agencies (e.g. UNDP and UNHCR), will support strengthening for a legal framework that recognizes and protects the right to land of IDPs in Myanmar.

IOM could extend support to:

- Support the Government to establish Migrant Resource Centers (MRCs) which provide one-stop information and referral services, including complaints from returnees on labour and sexual exploitation such as forced marriage.
- Provide life-saving direct assistance and reintegration services to vulnerable migrants, including victims of trafficking from IDP camps, violence, or abuse and returnees to target areas.
- Support the adjustment of state township disaster management plans with a special focus on areas of resettlement/return;

UN Women in collaboration with its partners, including IOM and women's CSOs could support the following activities:

- Support awareness for prevention and response to trafficking and support strengthening of linkages between VAW service providers and migration service providers with a specific focus on women migrant workers

3. Adequate standards of living

IDPs who have achieved a durable solution enjoy, without discrimination, an adequate standard of living, including at a minimum shelter, health care, food, water and other means of survival.

Food assistance

WFP already provides a six-month return package to IDP families. The family ration will be provided as a cash entitlement where appropriate, or in-kind in locations where markets may not be functioning optimally. Fuel-efficient stoves can be provided where necessary/appropriate.

Water, Sanitation and Hygiene (WASH)

UNICEF in collaboration with WASH partners, could support the following activities:

- Participate in Department of Rural Development/General Administration Department-led sector assessments to determine needs and gaps in community, health and education facilities;
- Repair/construction of WASH facilities at health centers and learning facilities;
- One-time provision of hygiene kits including menstrual hygiene kits as needed upon return or similar cash equivalent as part of a multipurpose cash grant;
- Establishing water and sanitation committees and conducting Community Approach Total Sanitation activities.

UN-Habitat, through its community-driven approach, “the People’s Process”, could support the following:

- Implement a resilient community-driven approach of construction of improved water supply and sanitation infrastructure at community and household level;
- Provide technical support, trainings, and capacity building initiatives to communities to manage and maintain WASH and allied small-scale infrastructure.

IOM could support the following:

- Provide direct reintegration/resettlement assistance through a community driven community transition assistance;
- Improve and/or develop community infrastructure based on community identified needs;
- Develop community resilience against natural disasters through community-based disaster risk reduction and risk management;
- Provide direct resettlement/return support through transport assistance.

Health and Nutrition

UNICEF in collaboration with health and nutrition partners, could support the following activities:

- Participate in State Health Department-led sector assessments,
- Capacity building in public health emergency preparedness and response, within the Health Cluster framework;
- One-time provision of health kits and nutrition supplies where needed;
- Through central and state health departments, routine and outreach immunization services, including microplanning, monitoring and catch-up campaigns;
- Quality of care improvement at community and facility levels, in partnership with central, state health departments and implementing partners;
- Screening of under five children where Integrated Management of Acute Malnutrition has been rolled out and support for Pregnant and Lactating Women (PLW);
- Promote Infant and Young Child Feeding (IYCF) practices by providing IYCF counselling to PLW;
- Provision of micronutrient supplementations to children (6-59 months) and PLW;
- Repair and rehabilitation of cold chain equipment.
- WFP in collaboration with relevant partners can provide services for the treatment of moderate acute malnutrition, as necessary/appropriate.

WHO understands that the Kachin State Health Department prepared a “Health Services Provision in Return and Resettlement” action plan in the Burmese language. WHO could support with the following activities:

- Provide support to operationalize this action plan in line with the existing national priorities towards achieving Universal Health Coverage; programmatic support in the expanded programme of immunization, HIV-AIDS, tuberculosis, malaria. In addition, a special initiative regarding viral hepatitis, through government health staff to beneficiaries, in a whole of Kachin state approach;
- Continue to provide coordination assistance to the national health authorities, including Kachin State Health Department, and other health partners, to help with the availability of, and access to, essential health services;
- Support two additional rounds of supplementary immunization campaign for polio, measles and Japanese encephalitis for children missed, during October-December 2019. These are based on national campaigns and a programmatic approach (hence not based on a separate project). WHO is mobilising additional resources for implementation of this campaign. WHO would assist in maximizing partnerships with local and international NGOs in order to help reach to every child. This campaign targets 96 priority townships in Myanmar, 17 of which are in Kachin State.

UN-Habitat, through community-driven participation, could support the following:

- Improve nutrition targeting of primarily pregnant women and young children (1,000 days), and overall population through Social and Behavior Change Communication (SBCC) to positively influence social dimensions of health and well-being and to empower communities to adopt improved hygiene practices as well as to embrace beneficial opportunities from access to good hygiene practices, better sanitation and water, in relation to nutrition.

UNFPA in collaboration with partners could support the following activities:

- Coordination with the State Health Department (SHD)/Ministry of Health and Sports (MOHS) to ensure the availability of sexual and reproductive health services including short-term provision of required commodities and supplies to meet acute needs. This includes priority for ensuring access to pre and postnatal care, safe delivery, Emergency Obstetric and Newborn Care, voluntary family planning, diagnosis and treatment of sexually transmitted infections, and HIV testing, counselling and treatment and prevention and response to GBV;
- Capacity building in partnership with MOHS to ensure that clinical care for GBV survivors is available;
- Engagement with youth and adolescents, including outreach to young key affected populations, on comprehensive sexuality education to promote healthy lifestyles and promote health-seeking behavior;
- Support to expand access to quality MHPSS services.

Shelter

UNHCR and shelter partners could support with the construction of individual shelters in areas of return, resettlement or local integration.

UN-Habitat with affected communities at the center and identified partners can support settlement planning and reconstruction in communities of return, resettlement, or integration by:

- Promote the community-led, owner-built approach to construction of resilient and disaster resistant housing. Community-led, owner-built housing is demonstrated to be the most resilient and durable paradigm of settlement reconstruction/rebuilding and facilitates early recovery;
- Engage the community in the construction of communal spaces including community halls, religious spaces, and other spaces of a public and communal character.

IOM in close cooperation with communities, individuals and local CSOs proposes to support:

- Provide transitional shelter assistance;

- Training of construction related worker to ensure adequate and safe shelter construction;
- Provide cash for shelter assistance.

Education

UNICEF could engage with the following activities:

- Participate in State Education Department-led sector assessments;
- Support analysis and sharing of data from assessments and ensure relevant multisector activities are well coordinated;
- Engage with parents and SED to ensure that disruption in learning is minimized in the return process,
- One-time provision of Essential Learning Packages and school in a box/recreation kits if needed;
- Repair of education facilities including the provision of adequate sanitation facilities and quantities of safe drinking water and handwashing for personal hygiene at the learning site;
- Where facilities are non-existent or destroyed, provision of school tents, education and recreation materials to establish safe spaces/learning environments for children from different age groups assuming SED has a plan for long-term learning opportunities in these locations;
- Provide and support capacity-building for teachers.

WFP is ready to support primary school students in schools in places of return/resettlement through its school meal programme – either through the provision of a snack (High-Energy Biscuits) or on-site hot meals.

ILO could provide community-consultation based labour intensive program to support the return of IDPs to their place of origin. The program will provide local resource based labour intensive technology that will provide fundamental needs for returnees such as gravitation water supply for consumption and agricultural purposes, road links with markets, school and clinic. Labour intensive program is also capable of training local CBOs / or groups of villagers with training to become contractors for other neighboring areas.

Others

UNFPA, UNHCR and UNICEF could also support with the identification of vulnerable IDPs to inform interventions tailored to their specific needs before, during and upon the realization of solutions.

4. Access to employment and livelihood opportunities

Access to employment and livelihoods opportunities to allow IDPs to fulfill their core socio-economic needs is critical to ensure that solutions are sustainable.

Facilitating access to land and property

UNDP could undertake the following activities to address some of the barriers faced by IDPs to access land justice:

- Support land mapping in pilot locations identified for durable solutions;
- Conduct awareness sessions with IDPs on land registration processes;
- Support legal aid service providers to assist IDPs with Housing, Land and Property rights seeking remedies where their land rights are infringed;
- Support CSOs including legal aid service providers to monitor notification of land claims and assist IDPs to file objections to the claims where it encroaches on their land.

FAO could undertake the following activities:

- Support Township land administrations (DALMS, Farmland Management Bodies and GAD) to identify available land for (re)settlement as part of Participatory Land Use Planning and taking the necessary steps to secure tenure over these lands under existing legislation. This involves methodology development and capacity building and must look at the needs of neighboring communities to secure tenure in case this is not yet achieved (hence dealing with the host community needs);

- Support local administration and CSOs through Alternative Dispute Resolution mechanisms between local communities and new settlers;
- Support awareness-raising targeting local communities and administrations on (re)settlement needs and issues.

Support income-generating activities (IGA):

FAO could undertake the following activities:

- Support participatory land use planning to identify opportunities for (re)settled IDPs to engage in economic activities in the agricultural sector on land that is earmarked for (re)settlement;
- Improve diversification of activities and incomes through creation of vegetable gardens, aquaculture through pond construction/renovation using cash for work and poultry raising to allow egg production (improve nutrition, surplus sold in the market), noticeably improving the living conditions of the beneficiaries, mostly women, who will rapidly increase their incomes.

UNDP could undertake the following activities:

- Support micro and small businesses to explore opportunities and government permissions to set up businesses, through capacity building, training and micro grants.
- Support sustainable livelihoods skills training to explore markets for semi-skilled labour.
- Support implementation of Quick Impact Projects (QIPs).

UN-Habitat, through a community-driven approach, could support with the following:

- Support income generation through cash-for-work activities that can support settlements and provide access to markets, schools, health centers, and others through community-driven rebuilding or renovating of small-scale infrastructure such as roads, bridges, drainage and embankments.

IOM based on its community stabilization approach could support individual livelihood recovery through the provision of livelihood assets and infrastructure.

UN Women in collaboration with its partners, including women's CSOs could support the following activities:

- Support livelihood skills training and livelihood activities for women
- Support women to fully engage in the development of livelihood activities at local level and support the mainstreaming of gender in all livelihood activities supported by development partners

Targeted local economic recovery interventions

ILO could provide the following:

- Labour market assessment to identify Technical Vocational Education and Training (TVET) needs in specific locations and to ensure that local resilience could be enhanced to support longer-term sustainable livelihoods.
- Community consultation-based labour intensive program to support building of confidence, introduction of post conflict community livelihood building, market connectivity, integrated rural accessibility program;
- Introduce conflict-sensitive micro, small, medium enterprise with view to generate market-oriented activities to support the communities to regain confidence through income generation and ability to interact with local government as well as armed groups;
- Youth employment programme that would focus on knowledge and skills for employability and credit provision for starting up enterprise, and job fairs.

IOM proposes to support:

- Small and Medium Enterprise development and support to revitalize community-based service provision and market revitalization;
- Improve value change and supply chain support;
- Support the development of business cluster to enhance value chain activities.

- Support enhanced access amongst IDPs, returnees and households to market-driven skills development opportunities, job matching support and micro-enterprise start-up services.

Rebuilding agricultural livelihood:

FAO could rebuild agricultural livelihoods as part of income generating activities such as:

- Livestock capitalization through the supply of small ruminants (sheep or goat), village poultry and pigs to vulnerable returnees' households;
- Planting material such as rice seeds (provided land available) and vegetable seeds (home gardening and commercial) complemented with bio fertilizers, small tools provided to affected households.

WFP can support rebuilding livelihoods through Asset Creation activities, including:

- Irrigation canals, terracing and contouring of agricultural land;
- Ponds/wells, rainwater collection tanks, gravity-flow water systems;
- Road construction and rehabilitation to support access to markets & services;
- Nutrition-sensitive agriculture (home gardens/school gardens).

FAO/UNDP could provide training on Good Agricultural Practices, such as livestock rearing in order to support IDPs' skills, speed up IDPs' recovery and strengthen IDPs' food security and resilience to potential future natural hazards.

UNDP could also undertake the following activities:

- Support the state government to develop the Kachin State Environmental Action Plan and mainstream protected areas values into local development plans;
- Stakeholder consultations and need assessment can be carried out to understand the needs of vulnerable population amongst the IDPs and the host communities for taking an integrated approach and building resilience to natural disasters and helping communities to adapt to extreme weather and climate change linked events.

UN Women could support the following activities:

- Integration and mainstreaming of gender in agricultural livelihood programming
- Support women centered livelihood programming

5. Restoration of Housing, Land and Property (HLP)

The loss of land rights without the right to restitution or compensation has an adverse impact on the ability of IDPs to engage in livelihood activities and maintain self-reliance. Addressing housing, land and property rights issues therefore requires a comprehensive perspective. This includes the ability of the land administration body to administer land matters fairly, effectively and efficiently, and the ability of IDPs to protect their HLP rights.

Technical support to local government on restoring HLP rights:

UNDP could provide support by:

- Conducting capacity development activities and training of Village Tract/Township Farmland Management Committee Members on rule of law, collaborative dispute resolution, administrative justice, land laws and procedures;
- Capacity development and training of the Forestry Department on rule of law, collaborative dispute resolution, land laws and procedures.
- Support GAD in reviewing good practices and challenges in implementation of land laws and land administration policies (including existing case management systems);
- Support GAD to include provision of land documentation support as part of one-stop-shop/mobile documentation efforts.

UN-Habitat could support the strengthening of HLP restitution by:

- Conduct capacity building exercises with the Department of Rural Development and the Department of Disaster Management on the framework of HLP rights, international best practices from post-conflict resettlement scenarios, and practices for guarding of HLP rights while communities remain displaced;
- Building capacity with key Kachin stakeholders for community-driven, owner-led paradigm to rebuilding of settlements after return;
- Conducting trainings on DRR in settlement planning in coordination with the Department of Rural Development or/and Department of Disaster Management.

ILO could provide support through its work with the Government on a complaints mechanism to continue advocating for HLP rights.

6. Access to documentation

During displacement, people often lose documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates, marriage certificates, voter identification cards, title deeds, school records and professional or academic certificates or social security cards. In other cases, IDPs may have never had documents or their documents were not recognized, and this becomes a particular problem during their search for durable solutions. Access to personal and other documentation necessary to access public services, reclaim property and possessions, vote or pursue other purposes is key to the realization of sustainable solutions.

UNHCR could provide support on the following activities:

- Information-sharing and awareness-raising for IDPs on access to civil documentation;
- Legal aid to support civil documentation related requests;
- Technical support to local government.

7. Voluntary reunification with family members separated during displacement

IDPs who wish to reunite with family members from whom they were separated should be able to do so and allowed to seek a durable solution together. Families separated by displacement should be reunited as quickly as possible, particularly when children, older persons or other vulnerable persons are involved. Where control over territory is divided, national and de facto authorities should cooperate pragmatically (e.g. through humanitarian actors or other impartial intermediaries) to allow for family reunification despite obstacles such as closed boundary lines.

UNICEF could provide support to ensure the availability of family-based care arrangements, family tracing and reunification, and/or “best interest” determination of unaccompanied or separated children,

8. Participation in public affairs without discrimination

IDPs should exercise the right to participate in public affairs on the same basis as the resident population and without discrimination owing to their displacement. This includes the right to associate freely and participate equally in community affairs, election processes, as well as the right to work in all sectors of public service.

Ordinary people in Myanmar have little knowledge and information about (local) governance principles, how the public sector is managed - i.e. roles and responsibilities of different technical departments for delivery of public services, annual planning and budgeting processes at the local (state and township) level and how to meaningfully participate in public affairs. Involvement of people in public affairs has positive effects on building trust in government and building social cohesion amongst people.

Technical support to improved awareness on good local governance and public service delivery:

UNDP could support through:

- Capacity development and training for state/township/village tract officials and CSO/CBOs on democratic principles, good local governance and Agenda 2030/SDGs;
- Capacity development and trainings for wards/village tracks administrators, CSOs and CBOs and host communities on participation in public service delivery, planning and budgeting at local level;
- Conflict sensitivity trainings for state/township officials.

UN Women could support through:

- Strengthen the capacity of the gender equality machinery at state and township level to mainstream gender into governance in alignment with NSPAW and MSDP
- Support the capacity of state/township officials on gender responsive planning
- Support the inclusion of women’s CSOs in governance processes at state and township level

9. Access to effective remedies and restorative justice

Lack of knowledge of the law, poverty, lack of trust in the formal justice system among others are some of the barriers hindering IDPs from accessing effective remedies for violations. Provision of effective legal aid to IDPs is an opportunity to address some of these barriers and improve access to justice.

Legal aid

UNDP could undertake the following activities:

- Support legal aid service providers to provide legal aid services to IDPs on pertinent legal issues such as HLP, Gender Based Violence etc. Legal aid services shall include legal advice, legal representation and access to legal documentation.
- Support the establishment of paralegal networks in locations to support legal aid service delivery and referrals of cases to legal aid service providers.
- Support legal awareness campaigns in IDP camps and durable solutions pilot locations as well as host communities.

ILO could support and work in partnership with the government in the national complaints mechanism to promote access to justice and promotion of local reconciliation.

IV. Other areas of support:

The UN system can support the development of targets, in collaboration with displaced and host communities and government, and a system to monitor and report on progress.

This may be linked to the Myanmar Sustainable Development Plan (MSDP) and SDG monitoring. The approach will allow for joint understanding of needs and targets and build trust through an ongoing partnership and transparent system for monitoring progress jointly as well as for overcoming obstacles and adjusting along the way to end displacement

Support and assistance should not focus exclusively on IDPs or returnees. Instead, an area-based approach should be pursued in which assistance is provided to IDPs/returnees, the host communities as well as to other affected people with an emphasis on conflict-sensitive programming, broader recovery and social cohesion.

V. Annex

Durable solutions for internally displaced persons in Kachin State Exploring solutions to displacement through pilot projects

13 September 2019

Purpose of the note: Acknowledging the several initiatives undertaken by the Government of Myanmar around the issue of durable solutions to internal displacement, including the drafting of a national strategy on closure of IDP camps and the recent establishment of a working group on resettling internally displaced persons (IDPs) in Kachin State, the present note puts forward some suggestions for further discussion with the Government on some possible pilot projects for the realization of solutions for some groups of IDPs in Kachin State.

1. Return and reintegration of IDPs in Dar Sai village, Momauk Township

Background

Since 2014, some IDPs started returning from IDP camps in Bhamo to their village of origin, Dar Sai in Momauk township, on the Myitkyina-Bhamo road. Some of these returns have been facilitated by local churches and local authorities, the latest of which took place in May 2019. The return process was gradual in nature and has often involved temporary visits to the village of origin before IDPs finally returned permanently. These returns have resulted in the closure of one IDP camp, Nant Hlaing RC camp in Bhamo township. However, the reintegration of these IDP returnees in Dar Sai is still an ongoing process and further support and improvement in the conditions of the village are needed to ensure the sustainability of the return. A successful return and reintegration would not only benefit the IDP returnees from Dar Sai but would also increase IDPs' confidence in any future return process in Kachin.

Opportunities

Security and freedom of movement: IDPs have not reported any serious security concerns in Dar Sai village. While travel north towards Myo Thit village is restricted at night, IDP returnees are able to travel between Dar Sai and Bhamo town.

Access to basic services: access roads, schools and a health center are available in the village tract (Go Kahtawng) that includes Dar Sai.

Livelihoods: Villagers are engaging in agriculture as the main livelihood activity.

Support humanitarian and development actors can provide to the Government

- Conduct a comprehensive assessment of the remaining **shelter** needs and provide some support to the returnees with shelter construction.
- Provide further support and assistance with **strengthening livelihoods opportunities** for both returnees and residents of the village.
- Given the distance some children need to travel for schooling (around 3 miles every day), the provision of **transportation for village or communal use** would assist with the re-integration of IDPs, allow them to resume normal lives and promote social cohesion.
- Raise **awareness** among returnees and villagers in Dar Sai **on how to apply for land use documents**.
- **Facilitate provision of information to and consult with IDPs** about assistance/support potentially available from the Government, as well as humanitarian and development actors.

2. [Resettlement of IDPs to Si Nar New Village, Sadung, Waingmaw Township](#)

Background

Since 2017, 474 IDPs (85 households) have been sheltering in the General Administration Department (GAD) compound in Sadung town, Waingmaw township. In June 2019, a durable solutions assessment was carried out by a multi-sector team of humanitarian agencies, with the facilitation of the authorities, specifically the Sadung GAD and the Department of Disaster Management (DDM). This assessment found that 33 households (about 160 to 200 people) have plans to move to Si Nar New village, a village on the Waingmaw road, outside Sadung town. Some of these IDPs have already purchased land plots in Si Nar New village. The assessment also indicated that, with the appropriate support, this group of IDPs, representing a substantial proportion of those IDPs currently in Sadung, could resettle in a voluntary, safe and dignified manner.

Opportunities

Security and freedom of movement: IDPs have expressed that they feel safe at the proposed resettlement site in Si Nar New village. To date, there have been no reports of landmine contamination in that location. IDP families who have already purchased land in Si Nar New Village have reported that they are able to move freely to and from the site and many have begun the process of clearing the land.

Access to land use documentation: The landowner in Si Nar New village whom some IDPs have bought land from has committed to help IDPs in obtaining land use documentation once they have completed the payment for the purchase of the land.

Housing: Many IDP families have cleared their land for shelter construction and are waiting for the ground to settle to build.

Water and Sanitation: There are two water sources, both mountain streams, available at some distance from the proposed site.

Livelihoods: Si Nar New village is located just outside Sadung town, located thirty minutes walking distance, with easy access to the daily market, schools, and health services available in town. In addition, some IDP families are already accessing livelihood activities, which they could pursue in the resettlement site (raising pigs, running small shops, etc.).

Support humanitarian and development actors can provide to the Government

- Gather up-to-date [information regarding landmine contamination risks](#) at the site (due to presence of former military installations), through consultations with local leaders, GAD officials, and host community members.
- Provide assistance for the construction of individual [shelters](#) with accompanying [latrines](#), [bathing facilities](#), and [access to safe and clean water](#).
- Provide [transitional food assistance](#) for an initial 12 months along with livelihoods support to individual families resettling to the site.
- Depending on the size of the total population that resettles, support the [establishment of a primary school](#) in Si Nar New village, or provide community-based transport arrangements to ensure the safe transport of students to primary schools in Sadung town.
- Raise [awareness](#) among IDPs [on how to apply for documentation](#) including CSCs, household lists and relevant land use documents.
- Facilitate the [provision of information to and consultation with IDPs](#) about the planned solution, conditions at the site, and assistance/support potentially available from the Government, as well as humanitarian and development actors.

3. [Local integration: Hkat Cho village, Waingmaw Township](#)

Background

Since 2017, local authorities in Hkat Cho village, Waingmaw township, began searching for solutions for the 449 IDPs (92 household) living in Hkat Cho IDP camp located on public land slated for the construction of new village facilities. After consulting with the IDPs, the Hkat Cho GAD identified affordable land in the village, which the IDPs could purchase and establish themselves on. In May 2019, a solutions assessment was carried out by a multi-sectoral team of humanitarian agencies, with the facilitation of the local authorities. This assessment found that some 27 to 30 households (approx. 146 people) are planning to integrate locally by purchasing land plots in Hkat Cho village, with support from the GAD. Some families have already purchased the land or made a preliminary payment. Other families currently do not have the means to purchase the land, but with the appropriate support, their integration could also be facilitated.

Opportunities

Security and freedom of movement: IDPs have indicated that they feel safe at the proposed local integration site in Hkat Cho, which is located near the existing IDP camp and that they are able to move freely in and out of the village. The host community members have also accepted the idea of IDPs integrating locally in the village and expressed their readiness to help them with the move.

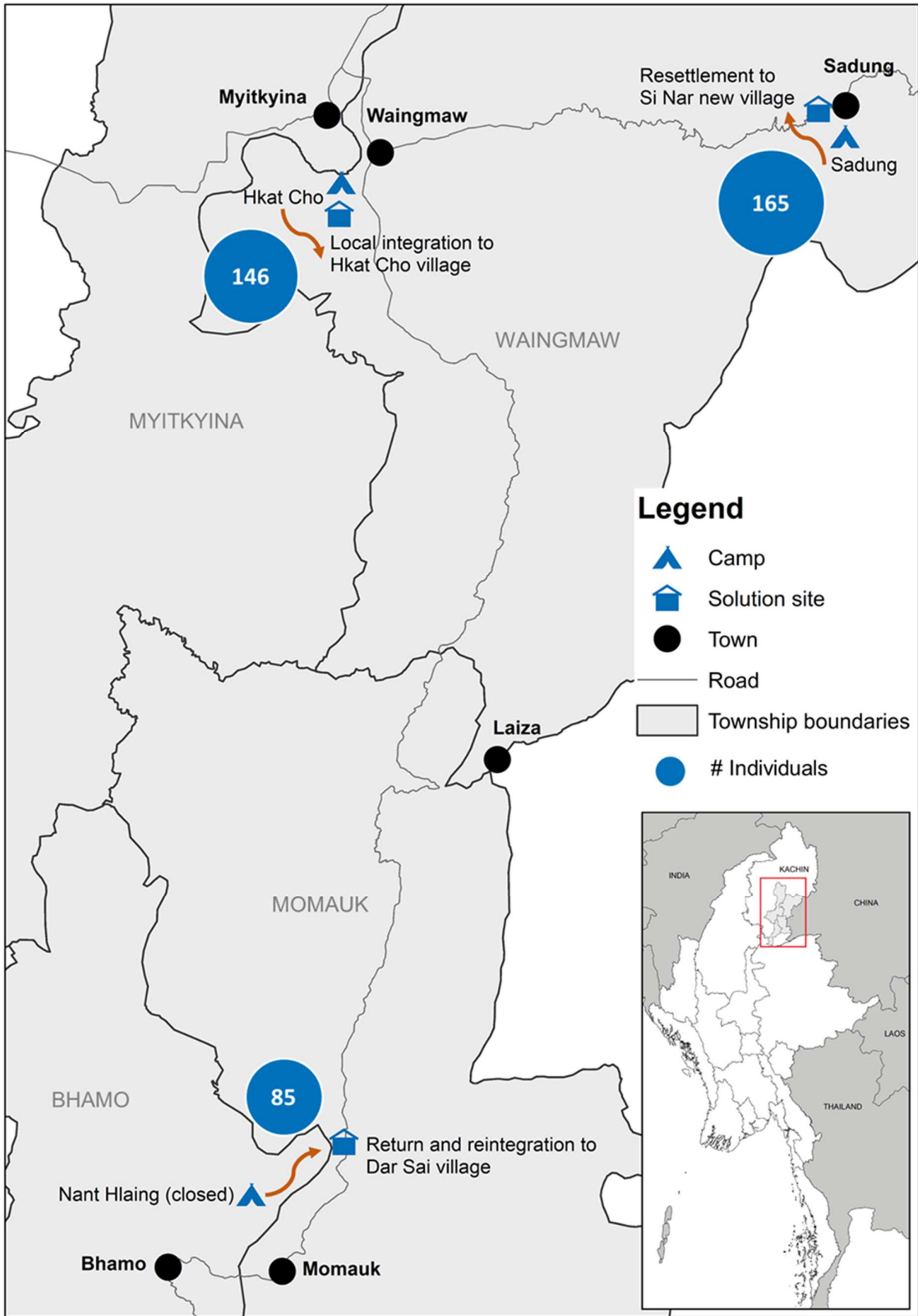
Access to land use documentation: IDPs already have access to civil documentation services. The village administrator is also supporting IDPs to acquire land and obtain documentation for their housing plots. Some IDPs have already bought housing plots in the new site and obtained land contracts or letters of purchase.

Livelihoods: IDPs plan to continue their livelihood activities (amber polishing and casual labour) as the proposed local integration site is close to central Hkat Cho. From the new housing plots, IDPs can access the same local market they currently use.

Access to basic services: IDPs can access healthcare facilities, primary and secondary schools in Hkat Cho village, as well as the village tract hospital.

Support humanitarian and development actors can provide to the Government

- Raise [awareness](#) among IDPs [on how to apply for documentation](#) including updated household lists once they have moved to their new location, as well as relevant land use documents for their purchased housing plots. These documents will be key to ensure effective local integration.
- Provide assistance for the construction of individual [shelters](#) with accompanying [latrines](#), [bathing facilities](#), as well as [drainage and access to safe and clean water](#).
- Provide [transitional food assistance](#) for 12 months to enable IDPs to maintain income-generating capacity and livelihoods activities.
- Provide support to the families who are currently unable to purchase land, to enable them to [access livelihoods opportunities](#) and become self-reliant.
- Provide electricity connections for those doing amber polishing and those who have electric machinery to [ensure continued access to livelihoods at the local integration site](#).
- Facilitate the [provision of information to and consultation with IDPs](#) about the planned solution, conditions at the site, and assistance/support potentially available from the Government, as well as humanitarian and development actors.



Durable solutions for internally displaced persons in Kachin State
Possible areas of cooperation between the UN and the Government of Myanmar

Concept Note

20 September 2019

I. Introduction

Today, more than 97,000 people remain displaced across over 136 IDP sites in Kachin State. While the current security situation is not conducive for large-scale solutions to displacement, small-scale opportunities for return, local integration, and resettlement have emerged. The protection of displaced person, including providing them with a durable solution and ensuring effective recovery and reintegration into communities, is first and foremost the responsibility of the Government of Myanmar. The international humanitarian and development community has a complementary role to support the Government and other local actors in their efforts.

II. Purpose of the Note

The present note has been prepared by the expanded UN Core Group (UNDP, UNHCR, OCHA, RCO, UNICEF, WFP, UNFPA, WHO, FAO, ILO, IOM, UN-Habitat, UN Women), as a follow-up to the meeting held with the Working Group for the Implementation of IDP Resettlement in Kachin in Nay Pyi Taw on 2 August 2019. The note outlines contributions the United Nations (UN) can make to the Government-led efforts to identify and realize solutions to internal displacement in Kachin. Potential UN support is presented under headings that correspond to the building blocks for achieving durable solutions. Most of the activities outlined below would take place in the short-to-medium-term, provided certain benchmarks are met. If solutions are to be sustainable and allow for a transition from humanitarian to development, they require a long-term focus to reduce vulnerability and risks of reoccurrence. Experience shows that investment in early-recovery is crucial as it expedites the achievement of durable solutions, avoids protracted displacement, stimulates spontaneous recovery activities within the affected population - including host and receiving communities - and helps prevent renewed displacement. All interventions highlighted below are intended to complement the contributions of Government partners. The note includes an annex of possible pilot projects for the realization of solutions (return and reintegration, resettlement and local integration).

III. UN support to the realization of solutions for IDPs in Kachin

The Guiding Principles on Internal Displacement stipulate that displacement shall last no longer than required by the circumstances. Drawing on existing international law, the right of internally displaced persons (IDPs) to a durable solution is articulated in Guiding Principles 28-30. These Principles set out the rights of IDPs to durable solutions, the responsibilities of national authorities, and the role of humanitarian and development actors to assist durable solutions. Facilitating durable solutions requires that all stakeholders – having affected communities at the center - including national and local authorities as well as armed groups parties to conflicts, humanitarian and development actors, work together to identify the appropriate strategies and activities to assist IDPs in this process, and set criteria that will help determine to what extent a durable solution has been achieved.

1. Ensuring inclusive and meaningful consultations with the participation of IDPs

The Guiding Principles on Internal Displacement stipulate that *“Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavor to facilitate the reintegration of returned or resettled internally displaced persons.”*

Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration". (Guiding Principle 28)

UNHCR and its partners could extend support to the following activities:

- Raise IDPs' awareness on solutions;
- Coordinate the assessments of conditions in areas of return, resettlement or local integration and share information and compare findings with key actors (Government authorities, KHCC, JST, etc.);
- Provide an adequate mechanism of information to IDPs to allow them to make informed decisions;
- Collect information on IDPs' intention in terms of future solutions ensuring consultation with women, girls, men, boys as well including the elderly and disabled.

UNICEF in collaboration with child protection partners, could support the following activities:

- Ensure the participation of children, youth, and adolescents in planning and decision-making, including assessing conditions in proposed areas of return, resettlement or local integration; ensure they are part of the decision both at family and community level; ensure they are engaged in all consultations and ensure that their voices and concerns are heard and reflected throughout the process;
- Ensure prevention and response services are in place for children;
- One-time provision of recreational kits and establishment of Child Friendly Spaces with appropriate technical support where appropriate and feasible;
- Provision of mental health and psychosocial support and referral as needed, including pre-return voluntary counselling sessions for those in need.

UNFPA in collaboration with GBV and protection partners, could support the following activities:

- Engage with CSOs, women and youth organizations for consultations and to support awareness-raising and dissemination of key messages;
- Ensure women and girls are engaged in all consultations and their voices and concerns are heard and seriously considered and are well informed about the conditions in areas of return, resettlement or local integration and are part of the decision both at family and community level.

ILO with its mandate to eliminate forced labour and child labour (including child soldiers), could support the fulfilling of the following objectives:

- Provide training / awareness-raising and monitoring support on forced labour practices;
- Support child protection network in issues of child labour;
- Provide Technical and Vocational Education and Training (TVET) in support of IDP livelihoods and early recovery through ILO micro-small and medium enterprise program.

UN-Habitat, in coordination with other UN agencies working on IDP camps, could extend support with the following activities:

- Gather information (baseline information) on the status of housing, land and property left behind by the IDPs to recover, to the extent possible, their property and possessions (in compliance of Principle 29: Competent authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions which they left behind or were dispossessed of upon their displacement);
- Initiate social mobilization process with affected communities in collaboration with stakeholders in view of the return and restitution options, including community-driven approach to settlement planning

IOM in collaboration with CSO partners on safe migration and Psychosocial activities;

- Deliver key messages and PS activities addressing safe migration and the risks of trafficking within IDPs affected by increased human mobility in the context of return, resettlement and future camp closure.
- Facilitate the concerted information, counselling and advisory services to IDPs on options for return, resettlement or safe migration through CSO partners

- Enhance awareness of prevention and response measures specifically regarding trafficking, exploitation and abuse through capacity building for CSOs, protection and non-protection actors
- Build the capacity of CSOs in Kachin on provision of PS support to vulnerable migrants, including victims of trafficking from IDP camps, violence, or abuse and returnees to target areas

UN Women in collaboration with its partners, including women's CSOs and their networks could support the following activities:

- Provide leadership training for women and build the capacity of women, women CSOs and their networks across Kachin to meaningfully engage in consultation processes
- Support the participation and engagement of women, women CSOs and women's networks in consultation processes to ensure that durable solutions strategies at State and local level are informed by and respond to their needs in line with the *Common Charter of Demands by Women's Groups for Gender Equality and Women's Empowerment across the Peace-Humanitarian-Development Nexus in Kachin State*

2. Long-term safety and security

As highlighted above, the IDPs must be able to return to places of origin, integrate into local communities or resettle elsewhere without the threat of attacks, intimidation, or harassment, and their Housing, Land and Property rights must be honored. Competent authorities should also address threats presented by landmines and unexploded ordinance.

UNICEF, in collaboration with members of the Mine Risk Working Groups (MRWG), Child Protection Working Group (CPWG) and State Child Rights Committee (SCRC) could extend support to the Government for the following activities:

- Provide Explosive Ordnance Risk Education (EORE) sessions, information on other security concerns, information on available child protection services/service providers, and dissemination of key prevention messages on child protection, to IDPs communities prior to returning;
- Ensure children, adolescents and youth are provided awareness on EORE, Monitoring and Reporting on the Grave Violations against children in the Conflict setting), and Child Protection and Child Rights;
- Ensure regular monitoring and referral of specific cases to relevant actors (Department of Social Welfare case managers, police and judiciary as appropriate);
- Support radio broadcasting and other dissemination methods of EORE messages;
- Advocate with other actors such as DRC/DDG, NAG or Halo Trust, - for the removal of unexploded ordinance in schools and demining at other service provision areas (water points, health facilities, schools and roads/paths leading to schools and water points).

UNFPA, in collaboration with its partners could support the Government for the following activities:

- Conduct regular safety mapping and monitoring to identify protection risks, particularly for women and girls and other at-risk populations including the elderly and persons with disability;
- Ensure functional referral pathways for multi-sectoral GBV response services are in place including through short-term mobile arrangements as systems are strengthened to ensure longer-term service availability;
- Support with mobile units to provide private GBV case management and Mental Health and Psychological Support (MHPSS) as well as Sexual and Reproductive Health and Rights (SRHR) services where adequate infrastructure is not available
- One-time provision of Dignity Kits;
- Support awareness-raising on issues related to Prevention of Sexual Exploitation of Abuse and other forms of GBV, family planning, HIV/AIDS, pre-natal and ante-natal care including with relevant authorities.

UNHCR could support such efforts through the implementation of Quick Impact Projects in areas of return, resettlement or local integration that would benefit both IDP and host/neighborhood communities and would contribute to strengthen social cohesion.

UNDP could extend support to:

- Establish a complaints mechanism and dispute resolution mechanism that will be essential for places of integration, return or relocation to prevent and mitigate conflict and enable social cohesion through inclusive community dialogue.
- UNDP's rule of law programming supports institutional capacity of the formal justice sector to provide higher quality, more accessible and responsive legal services to the public. In this regard, support can be extended for the following activities:
 - ✓ Organize capacity development activities for state and township officials to increase awareness and capacity to adhere to rule of law, fair trial standards and administrative justice principles
 - ✓ Capacity development and technical support of the Myanmar National Commission of Human Rights to address human rights complaints raised by IDPs and promote the protection of displaced persons.
 - ✓ Legal needs assessment of IDPs in the camps and locations of return, resettlement and integration to promote the design of effective access to justice programs.
- Through UNDP's parliamentary strengthening programme that includes professional development of Members of Parliament (MPs), strengthening many aspects of the parliamentary administration, committee development and committee inquiries, and MP constituency relations, support can be extended for the following activities:
 - ✓ Strengthen Kachin MPs' understanding of displacement and the impacts on their constituencies through seminars and field trips to camps and host communities.
 - ✓ Arrange practical Masterclasses through which MPs are supported to develop ways to manage the impacts of displacement on their constituents and help ensure that the short-term needs of IDPs are responded to.

ILO supports the Government to establish the national complaints mechanism on forced labour and will continue to support the government at the Union as well as state and regional levels to address forced labour, underage recruitment and end the practice, particularly the practice that involves land confiscation, human landmine sweeper, forced portering in conflict areas, including Kachin State.

UN-Habitat, in coordination with other UN agencies (e.g. UNDP and UNHCR), will support strengthening for a legal framework that recognizes and protects the right to land of IDPs in Myanmar.

IOM could extend support to:

- Support the Government to establish Migrant Resource Centers (MRCs) which provide one-stop information and referral services, including complaints from returnees on labour and sexual exploitation such as forced marriage.
- Provide life-saving direct assistance and reintegration services to vulnerable migrants, including victims of trafficking from IDP camps, violence, or abuse and returnees to target areas.
- Support the adjustment of state township disaster management plans with a special focus on areas of resettlement/return;

UN Women in collaboration with its partners, including IOM and women's CSOs could support the following activities:

- Support awareness for prevention and response to trafficking and support strengthening of linkages between VAW service providers and migration service providers with a specific focus on women migrant workers

3. Adequate standards of living

IDPs who have achieved a durable solution enjoy, without discrimination, an adequate standard of living, including at a minimum shelter, health care, food, water and other means of survival.

Food assistance

WFP already provides a six-month return package to IDP families. The family ration will be provided as a cash entitlement where appropriate, or in-kind in locations where markets may not be functioning optimally. Fuel-efficient stoves can be provided where necessary/appropriate.

Water, Sanitation and Hygiene (WASH)

UNICEF in collaboration with WASH partners, could support the following activities:

- Participate in Department of Rural Development/General Administration Department-led sector assessments to determine needs and gaps in community, health and education facilities;
- Repair/construction of WASH facilities at health centers and learning facilities;
- One-time provision of hygiene kits including menstrual hygiene kits as needed upon return or similar cash equivalent as part of a multipurpose cash grant;
- Establishing water and sanitation committees and conducting Community Approach Total Sanitation activities.

UN-Habitat, through its community-driven approach, “the People’s Process”, could support the following:

- Implement a resilient community-driven approach of construction of improved water supply and sanitation infrastructure at community and household level;
- Provide technical support, trainings, and capacity building initiatives to communities to manage and maintain WASH and allied small-scale infrastructure.

IOM could support the following:

- Provide direct reintegration/resettlement assistance through a community driven community transition assistance;
- Improve and/or develop community infrastructure based on community identified needs;
- Develop community resilience against natural disasters through community-based disaster risk reduction and risk management;
- Provide direct resettlement/return support through transport assistance.

Health and Nutrition

UNICEF in collaboration with health and nutrition partners, could support the following activities:

- Participate in State Health Department-led sector assessments,
- Capacity building in public health emergency preparedness and response, within the Health Cluster framework;
- One-time provision of health kits and nutrition supplies where needed;
- Through central and state health departments, routine and outreach immunization services, including microplanning, monitoring and catch-up campaigns;
- Quality of care improvement at community and facility levels, in partnership with central, state health departments and implementing partners;
- Screening of under five children where Integrated Management of Acute Malnutrition has been rolled out and support for Pregnant and Lactating Women (PLW);
- Promote Infant and Young Child Feeding (IYCF) practices by providing IYCF counselling to PLW;
- Provision of micronutrient supplementations to children (6-59 months) and PLW;
- Repair and rehabilitation of cold chain equipment.
- WFP in collaboration with relevant partners can provide services for the treatment of moderate acute malnutrition, as necessary/appropriate.

WHO understands that the Kachin State Health Department prepared a “Health Services Provision in Return and Resettlement” action plan in the Burmese language. WHO could support with the following activities:

- Provide support to operationalize this action plan in line with the existing national priorities towards achieving Universal Health Coverage; programmatic support in the expanded programme of immunization, HIV-AIDS, tuberculosis, malaria. In addition, a special initiative regarding viral hepatitis, through government health staff to beneficiaries, in a whole of Kachin state approach;
- Continue to provide coordination assistance to the national health authorities, including Kachin State Health Department, and other health partners, to help with the availability of, and access to, essential health services;
- Support two additional rounds of supplementary immunization campaign for polio, measles and Japanese encephalitis for children missed, during October-December 2019. These are based on national campaigns and a programmatic approach (hence not based on a separate project). WHO is mobilising additional resources for implementation of this campaign. WHO would assist in maximizing partnerships with local and international NGOs in order to help reach to every child. This campaign targets 96 priority townships in Myanmar, 17 of which are in Kachin State.

UN-Habitat, through community-driven participation, could support the following:

- Improve nutrition targeting of primarily pregnant women and young children (1,000 days), and overall population through Social and Behavior Change Communication (SBCC) to positively influence social dimensions of health and well-being and to empower communities to adopt improved hygiene practices as well as to embrace beneficial opportunities from access to good hygiene practices, better sanitation and water, in relation to nutrition.

UNFPA in collaboration with partners could support the following activities:

- Coordination with the State Health Department (SHD)/Ministry of Health and Sports (MOHS) to ensure the availability of sexual and reproductive health services including short-term provision of required commodities and supplies to meet acute needs. This includes priority for ensuring access to pre and postnatal care, safe delivery, Emergency Obstetric and Newborn Care, voluntary family planning, diagnosis and treatment of sexually transmitted infections, and HIV testing, counselling and treatment and prevention and response to GBV;
- Capacity building in partnership with MOHS to ensure that clinical care for GBV survivors is available;
- Engagement with youth and adolescents, including outreach to young key affected populations, on comprehensive sexuality education to promote healthy lifestyles and promote health-seeking behavior;
- Support to expand access to quality MHPSS services.

Shelter

UNHCR and shelter partners could support with the construction of individual shelters in areas of return, resettlement or local integration.

UN-Habitat with affected communities at the center and identified partners can support settlement planning and reconstruction in communities of return, resettlement, or integration by:

- Promote the community-led, owner-built approach to construction of resilient and disaster resistant housing. Community-led, owner-built housing is demonstrated to be the most resilient and durable paradigm of settlement reconstruction/rebuilding and facilitates early recovery;
- Engage the community in the construction of communal spaces including community halls, religious spaces, and other spaces of a public and communal character.

IOM in close cooperation with communities, individuals and local CSOs proposes to support:

- Provide transitional shelter assistance;

- Training of construction related worker to ensure adequate and safe shelter construction;
- Provide cash for shelter assistance.

Education

UNICEF could engage with the following activities:

- Participate in State Education Department-led sector assessments;
- Support analysis and sharing of data from assessments and ensure relevant multisector activities are well coordinated;
- Engage with parents and SED to ensure that disruption in learning is minimized in the return process,
- One-time provision of Essential Learning Packages and school in a box/recreation kits if needed;
- Repair of education facilities including the provision of adequate sanitation facilities and quantities of safe drinking water and handwashing for personal hygiene at the learning site;
- Where facilities are non-existent or destroyed, provision of school tents, education and recreation materials to establish safe spaces/learning environments for children from different age groups assuming SED has a plan for long-term learning opportunities in these locations;
- Provide and support capacity-building for teachers.

WFP is ready to support primary school students in schools in places of return/resettlement through its school meal programme – either through the provision of a snack (High-Energy Biscuits) or on-site hot meals.

ILO could provide community-consultation based labour intensive program to support the return of IDPs to their place of origin. The program will provide local resource based labour intensive technology that will provide fundamental needs for returnees such as gravitation water supply for consumption and agricultural purposes, road links with markets, school and clinic. Labour intensive program is also capable of training local CBOs / or groups of villagers with training to become contractors for other neighboring areas.

Others

UNFPA, UNHCR and UNICEF could also support with the identification of vulnerable IDPs to inform interventions tailored to their specific needs before, during and upon the realization of solutions.

4. Access to employment and livelihood opportunities

Access to employment and livelihoods opportunities to allow IDPs to fulfill their core socio-economic needs is critical to ensure that solutions are sustainable.

Facilitating access to land and property

UNDP could undertake the following activities to address some of the barriers faced by IDPs to access land justice:

- Support land mapping in pilot locations identified for durable solutions;
- Conduct awareness sessions with IDPs on land registration processes;
- Support legal aid service providers to assist IDPs with Housing, Land and Property rights seeking remedies where their land rights are infringed;
- Support CSOs including legal aid service providers to monitor notification of land claims and assist IDPs to file objections to the claims where it encroaches on their land.

FAO could undertake the following activities:

- Support Township land administrations (DALMS, Farmland Management Bodies and GAD) to identify available land for (re)settlement as part of Participatory Land Use Planning and taking the necessary steps to secure tenure over these lands under existing legislation. This involves methodology development and capacity building and must look at the needs of neighboring communities to secure tenure in case this is not yet achieved (hence dealing with the host community needs);

- Support local administration and CSOs through Alternative Dispute Resolution mechanisms between local communities and new settlers;
- Support awareness-raising targeting local communities and administrations on (re)settlement needs and issues.

Support income-generating activities (IGA):

FAO could undertake the following activities:

- Support participatory land use planning to identify opportunities for (re)settled IDPs to engage in economic activities in the agricultural sector on land that is earmarked for (re)settlement;
- Improve diversification of activities and incomes through creation of vegetable gardens, aquaculture through pond construction/renovation using cash for work and poultry raising to allow egg production (improve nutrition, surplus sold in the market), noticeably improving the living conditions of the beneficiaries, mostly women, who will rapidly increase their incomes.

UNDP could undertake the following activities:

- Support micro and small businesses to explore opportunities and government permissions to set up businesses, through capacity building, training and micro grants.
- Support sustainable livelihoods skills training to explore markets for semi-skilled labour.
- Support implementation of Quick Impact Projects (QIPs).

UN-Habitat, through a community-driven approach, could support with the following:

- Support income generation through cash-for-work activities that can support settlements and provide access to markets, schools, health centers, and others through community-driven rebuilding or renovating of small-scale infrastructure such as roads, bridges, drainage and embankments.

IOM based on its community stabilization approach could support individual livelihood recovery through the provision of livelihood assets and infrastructure.

UN Women in collaboration with its partners, including women's CSOs could support the following activities:

- Support livelihood skills training and livelihood activities for women
- Support women to fully engage in the development of livelihood activities at local level and support the mainstreaming of gender in all livelihood activities supported by development partners

Targeted local economic recovery interventions

ILO could provide the following:

- Labour market assessment to identify Technical Vocational Education and Training (TVET) needs in specific locations and to ensure that local resilience could be enhanced to support longer-term sustainable livelihoods.
- Community consultation-based labour intensive program to support building of confidence, introduction of post conflict community livelihood building, market connectivity, integrated rural accessibility program;
- Introduce conflict-sensitive micro, small, medium enterprise with view to generate market-oriented activities to support the communities to regain confidence through income generation and ability to interact with local government as well as armed groups;
- Youth employment programme that would focus on knowledge and skills for employability and credit provision for starting up enterprise, and job fairs.

IOM proposes to support:

- Small and Medium Enterprise development and support to revitalize community-based service provision and market revitalization;
- Improve value chain and supply chain support;
- Support the development of business cluster to enhance value chain activities.

- Support enhanced access amongst IDPs, returnees and households to market-driven skills development opportunities, job matching support and micro-enterprise start-up services.

Rebuilding agricultural livelihood:

FAO could rebuild agricultural livelihoods as part of income generating activities such as:

- Livestock capitalization through the supply of small ruminants (sheep or goat), village poultry and pigs to vulnerable returnees' households;
- Planting material such as rice seeds (provided land available) and vegetable seeds (home gardening and commercial) complemented with bio fertilizers, small tools provided to affected households.

WFP can support rebuilding livelihoods through Asset Creation activities, including:

- Irrigation canals, terracing and contouring of agricultural land;
- Ponds/wells, rainwater collection tanks, gravity-flow water systems;
- Road construction and rehabilitation to support access to markets & services;
- Nutrition-sensitive agriculture (home gardens/school gardens).

FAO/UNDP could provide training on Good Agricultural Practices, such as livestock rearing in order to support IDPs' skills, speed up IDPs' recovery and strengthen IDPs' food security and resilience to potential future natural hazards.

UNDP could also undertake the following activities:

- Support the state government to develop the Kachin State Environmental Action Plan and mainstream protected areas values into local development plans;
- Stakeholder consultations and need assessment can be carried out to understand the needs of vulnerable population amongst the IDPs and the host communities for taking an integrated approach and building resilience to natural disasters and helping communities to adapt to extreme weather and climate change linked events.

UN Women could support the following activities:

- Integration and mainstreaming of gender in agricultural livelihood programming
- Support women centered livelihood programming

5. Restoration of Housing, Land and Property (HLP)

The loss of land rights without the right to restitution or compensation has an adverse impact on the ability of IDPs to engage in livelihood activities and maintain self-reliance. Addressing housing, land and property rights issues therefore requires a comprehensive perspective. This includes the ability of the land administration body to administer land matters fairly, effectively and efficiently, and the ability of IDPs to protect their HLP rights.

Technical support to local government on restoring HLP rights:

UNDP could provide support by:

- Conducting capacity development activities and training of Village Tract/Township Farmland Management Committee Members on rule of law, collaborative dispute resolution, administrative justice, land laws and procedures;
- Capacity development and training of the Forestry Department on rule of law, collaborative dispute resolution, land laws and procedures.
- Support GAD in reviewing good practices and challenges in implementation of land laws and land administration policies (including existing case management systems);
- Support GAD to include provision of land documentation support as part of one-stop-shop/mobile documentation efforts.

UN-Habitat could support the strengthening of HLP restitution by:

- Conduct capacity building exercises with the Department of Rural Development and the Department of Disaster Management on the framework of HLP rights, international best practices from post-conflict resettlement scenarios, and practices for guarding of HLP rights while communities remain displaced;
- Building capacity with key Kachin stakeholders for community-driven, owner-led paradigm to rebuilding of settlements after return;
- Conducting trainings on DRR in settlement planning in coordination with the Department of Rural Development or/and Department of Disaster Management.

ILO could provide support through its work with the Government on a complaints mechanism to continue advocating for HLP rights.

6. Access to documentation

During displacement, people often lose documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates, marriage certificates, voter identification cards, title deeds, school records and professional or academic certificates or social security cards. In other cases, IDPs may have never had documents or their documents were not recognized, and this becomes a particular problem during their search for durable solutions. Access to personal and other documentation necessary to access public services, reclaim property and possessions, vote or pursue other purposes is key to the realization of sustainable solutions.

UNHCR could provide support on the following activities:

- Information-sharing and awareness-raising for IDPs on access to civil documentation;
- Legal aid to support civil documentation related requests;
- Technical support to local government.

7. Voluntary reunification with family members separated during displacement

IDPs who wish to reunite with family members from whom they were separated should be able to do so and allowed to seek a durable solution together. Families separated by displacement should be reunited as quickly as possible, particularly when children, older persons or other vulnerable persons are involved. Where control over territory is divided, national and de facto authorities should cooperate pragmatically (e.g. through humanitarian actors or other impartial intermediaries) to allow for family reunification despite obstacles such as closed boundary lines.

UNICEF could provide support to ensure the availability of family-based care arrangements, family tracing and reunification, and/or “best interest” determination of unaccompanied or separated children,

8. Participation in public affairs without discrimination

IDPs should exercise the right to participate in public affairs on the same basis as the resident population and without discrimination owing to their displacement. This includes the right to associate freely and participate equally in community affairs, election processes, as well as the right to work in all sectors of public service.

Ordinary people in Myanmar have little knowledge and information about (local) governance principles, how the public sector is managed - i.e. roles and responsibilities of different technical departments for delivery of public services, annual planning and budgeting processes at the local (state and township) level and how to meaningfully participate in public affairs. Involvement of people in public affairs has positive effects on building trust in government and building social cohesion amongst people.

Technical support to improved awareness on good local governance and public service delivery:

UNDP could support through:

- Capacity development and training for state/township/village tract officials and CSO/CBOs on democratic principles, good local governance and Agenda 2030/SDGs;
- Capacity development and trainings for wards/village tracks administrators, CSOs and CBOs and host communities on participation in public service delivery, planning and budgeting at local level;
- Conflict sensitivity trainings for state/township officials.

UN Women could support through:

- Strengthen the capacity of the gender equality machinery at state and township level to mainstream gender into governance in alignment with NSPAW and MSDP
- Support the capacity of state/township officials on gender responsive planning
- Support the inclusion of women’s CSOs in governance processes at state and township level

9. Access to effective remedies and restorative justice

Lack of knowledge of the law, poverty, lack of trust in the formal justice system among others are some of the barriers hindering IDPs from accessing effective remedies for violations. Provision of effective legal aid to IDPs is an opportunity to address some of these barriers and improve access to justice.

Legal aid

UNDP could undertake the following activities:

- Support legal aid service providers to provide legal aid services to IDPs on pertinent legal issues such as HLP, Gender Based Violence etc. Legal aid services shall include legal advice, legal representation and access to legal documentation.
- Support the establishment of paralegal networks in locations to support legal aid service delivery and referrals of cases to legal aid service providers.
- Support legal awareness campaigns in IDP camps and durable solutions pilot locations as well as host communities.

ILO could support and work in partnership with the government in the national complaints mechanism to promote access to justice and promotion of local reconciliation.

IV. Other areas of support:

The UN system can support the development of targets, in collaboration with displaced and host communities and government, and a system to monitor and report on progress.

This may be linked to the Myanmar Sustainable Development Plan (MSDP) and SDG monitoring. The approach will allow for joint understanding of needs and targets and build trust through an ongoing partnership and transparent system for monitoring progress jointly as well as for overcoming obstacles and adjusting along the way to end displacement

Support and assistance should not focus exclusively on IDPs or returnees. Instead, an area-based approach should be pursued in which assistance is provided to IDPs/returnees, the host communities as well as to other affected people with an emphasis on conflict-sensitive programming, broader recovery and social cohesion.

V. Annex

Durable solutions for internally displaced persons in Kachin State Exploring solutions to displacement through pilot projects

13 September 2019

Purpose of the note: Acknowledging the several initiatives undertaken by the Government of Myanmar around the issue of durable solutions to internal displacement, including the drafting of a national strategy on closure of IDP camps and the recent establishment of a working group on resettling internally displaced persons (IDPs) in Kachin State, the present note puts forward some suggestions for further discussion with the Government on some possible pilot projects for the realization of solutions for some groups of IDPs in Kachin State.

1. Return and reintegration of IDPs in Dar Sai village, Momauk Township

Background

Since 2014, some IDPs started returning from IDP camps in Bhamo to their village of origin, Dar Sai in Momauk township, on the Myitkyina-Bhamo road. Some of these returns have been facilitated by local churches and local authorities, the latest of which took place in May 2019. The return process was gradual in nature and has often involved temporary visits to the village of origin before IDPs finally returned permanently. These returns have resulted in the closure of one IDP camp, Nant Hlaing RC camp in Bhamo township. However, the reintegration of these IDP returnees in Dar Sai is still an ongoing process and further support and improvement in the conditions of the village are needed to ensure the sustainability of the return. A successful return and reintegration would not only benefit the IDP returnees from Dar Sai but would also increase IDPs' confidence in any future return process in Kachin.

Opportunities

Security and freedom of movement: IDPs have not reported any serious security concerns in Dar Sai village. While travel north towards Myo Thit village is restricted at night, IDP returnees are able to travel between Dar Sai and Bhamo town.

Access to basic services: access roads, schools and a health center are available in the village tract (Go Kahtawng) that includes Dar Sai.

Livelihoods: Villagers are engaging in agriculture as the main livelihood activity.

Support humanitarian and development actors can provide to the Government

- Conduct a comprehensive assessment of the remaining **shelter** needs and provide some support to the returnees with shelter construction.
- Provide further support and assistance with **strengthening livelihoods opportunities** for both returnees and residents of the village.
- Given the distance some children need to travel for schooling (around 3 miles every day), the provision of **transportation for village or communal use** would assist with the re-integration of IDPs, allow them to resume normal lives and promote social cohesion.
- Raise **awareness** among returnees and villagers in Dar Sai **on how to apply for land use documents**.
- **Facilitate provision of information to and consult with IDPs** about assistance/support potentially available from the Government, as well as humanitarian and development actors.

2. [Resettlement of IDPs to Si Nar New Village, Sadung, Waingmaw Township](#)

Background

Since 2017, 474 IDPs (85 households) have been sheltering in the General Administration Department (GAD) compound in Sadung town, Waingmaw township. In June 2019, a durable solutions assessment was carried out by a multi-sector team of humanitarian agencies, with the facilitation of the authorities, specifically the Sadung GAD and the Department of Disaster Management (DDM). This assessment found that 33 households (about 160 to 200 people) have plans to move to Si Nar New village, a village on the Waingmaw road, outside Sadung town. Some of these IDPs have already purchased land plots in Si Nar New village. The assessment also indicated that, with the appropriate support, this group of IDPs, representing a substantial proportion of those IDPs currently in Sadung, could resettle in a voluntary, safe and dignified manner.

Opportunities

Security and freedom of movement: IDPs have expressed that they feel safe at the proposed resettlement site in Si Nar New village. To date, there have been no reports of landmine contamination in that location. IDP families who have already purchased land in Si Nar New Village have reported that they are able to move freely to and from the site and many have begun the process of clearing the land.

Access to land use documentation: The landowner in Si Nar New village whom some IDPs have bought land from has committed to help IDPs in obtaining land use documentation once they have completed the payment for the purchase of the land.

Housing: Many IDP families have cleared their land for shelter construction and are waiting for the ground to settle to build.

Water and Sanitation: There are two water sources, both mountain streams, available at some distance from the proposed site.

Livelihoods: Si Nar New village is located just outside Sadung town, located thirty minutes walking distance, with easy access to the daily market, schools, and health services available in town. In addition, some IDP families are already accessing livelihood activities, which they could pursue in the resettlement site (raising pigs, running small shops, etc.).

Support humanitarian and development actors can provide to the Government

- Gather up-to-date [information regarding landmine contamination risks](#) at the site (due to presence of former military installations), through consultations with local leaders, GAD officials, and host community members.
- Provide assistance for the construction of individual [shelters](#) with accompanying [latrines](#), [bathing facilities](#), and [access to safe and clean water](#).
- Provide [transitional food assistance](#) for an initial 12 months along with livelihoods support to individual families resettling to the site.
- Depending on the size of the total population that resettles, support the [establishment of a primary school](#) in Si Nar New village, or provide community-based transport arrangements to ensure the safe transport of students to primary schools in Sadung town.
- Raise [awareness](#) among IDPs [on how to apply for documentation](#) including CSCs, household lists and relevant land use documents.
- Facilitate the [provision of information to and consultation with IDPs](#) about the planned solution, conditions at the site, and assistance/support potentially available from the Government, as well as humanitarian and development actors.

3. [Local integration: Hkat Cho village, Waingmaw Township](#)

Background

Since 2017, local authorities in Hkat Cho village, Waingmaw township, began searching for solutions for the 449 IDPs (92 household) living in Hkat Cho IDP camp located on public land slated for the construction of new village facilities. After consulting with the IDPs, the Hkat Cho GAD identified affordable land in the village, which the IDPs could purchase and establish themselves on. In May 2019, a solutions assessment was carried out by a multi-sectoral team of humanitarian agencies, with the facilitation of the local authorities. This assessment found that some 27 to 30 households (approx. 146 people) are planning to integrate locally by purchasing land plots in Hkat Cho village, with support from the GAD. Some families have already purchased the land or made a preliminary payment. Other families currently do not have the means to purchase the land, but with the appropriate support, their integration could also be facilitated.

Opportunities

Security and freedom of movement: IDPs have indicated that they feel safe at the proposed local integration site in Hkat Cho, which is located near the existing IDP camp and that they are able to move freely in and out of the village. The host community members have also accepted the idea of IDPs integrating locally in the village and expressed their readiness to help them with the move.

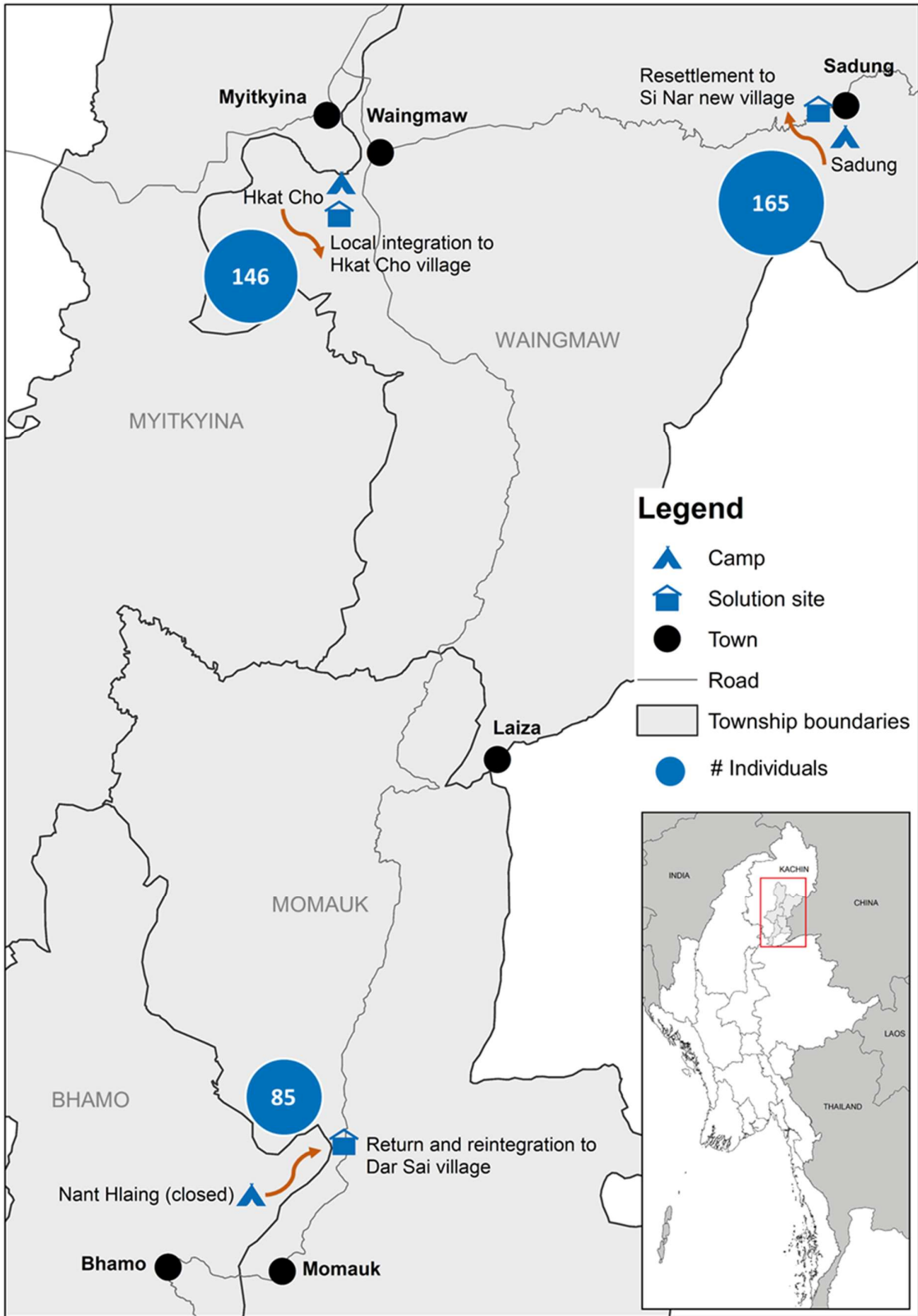
Access to land use documentation: IDPs already have access to civil documentation services. The village administrator is also supporting IDPs to acquire land and obtain documentation for their housing plots. Some IDPs have already bought housing plots in the new site and obtained land contracts or letters of purchase.

Livelihoods: IDPs plan to continue their livelihood activities (amber polishing and casual labour) as the proposed local integration site is close to central Hkat Cho. From the new housing plots, IDPs can access the same local market they currently use.

Access to basic services: IDPs can access healthcare facilities, primary and secondary schools in Hkat Cho village, as well as the village tract hospital.

Support humanitarian and development actors can provide to the Government

- Raise [awareness](#) among IDPs [on how to apply for documentation](#) including updated household lists once they have moved to their new location, as well as relevant land use documents for their purchased housing plots. These documents will be key to ensure effective local integration.
- Provide assistance for the construction of individual [shelters](#) with accompanying [latrines](#), [bathing facilities](#), as well as [drainage and access to safe and clean water](#).
- Provide [transitional food assistance](#) for 12 months to enable IDPs to maintain income-generating capacity and livelihoods activities.
- Provide support to the families who are currently unable to purchase land, to enable them to [access livelihoods opportunities](#) and become self-reliant.
- Provide electricity connections for those doing amber polishing and those who have electric machinery to [ensure continued access to livelihoods at the local integration site](#).
- Facilitate the [provision of information to and consultation with IDPs](#) about the planned solution, conditions at the site, and assistance/support potentially available from the Government, as well as humanitarian and development actors.



Durable solutions for internally displaced persons in Kachin State
Possible areas of cooperation between the UN and the Government of Myanmar

Concept Note

20 September 2019

I. Introduction

Today, more than 97,000 people remain displaced across over 136 IDP sites in Kachin State. While the current security situation is not conducive for large-scale solutions to displacement, small-scale opportunities for return, local integration, and resettlement have emerged. The protection of displaced person, including providing them with a durable solution and ensuring effective recovery and reintegration into communities, is first and foremost the responsibility of the Government of Myanmar. The international humanitarian and development community has a complementary role to support the Government and other local actors in their efforts.

II. Purpose of the Note

The present note has been prepared by the expanded UN Core Group (UNDP, UNHCR, OCHA, RCO, UNICEF, WFP, UNFPA, WHO, FAO, ILO, IOM, UN-Habitat, UN Women), as a follow-up to the meeting held with the Working Group for the Implementation of IDP Resettlement in Kachin in Nay Pyi Taw on 2 August 2019. The note outlines contributions the United Nations (UN) can make to the Government-led efforts to identify and realize solutions to internal displacement in Kachin. Potential UN support is presented under headings that correspond to the building blocks for achieving durable solutions. Most of the activities outlined below would take place in the short-to-medium-term, provided certain benchmarks are met. If solutions are to be sustainable and allow for a transition from humanitarian to development, they require a long-term focus to reduce vulnerability and risks of reoccurrence. Experience shows that investment in early-recovery is crucial as it expedites the achievement of durable solutions, avoids protracted displacement, stimulates spontaneous recovery activities within the affected population - including host and receiving communities - and helps prevent renewed displacement. All interventions highlighted below are intended to complement the contributions of Government partners. The note includes an annex of possible pilot projects for the realization of solutions (return and reintegration, resettlement and local integration).

III. UN support to the realization of solutions for IDPs in Kachin

The Guiding Principles on Internal Displacement stipulate that displacement shall last no longer than required by the circumstances. Drawing on existing international law, the right of internally displaced persons (IDPs) to a durable solution is articulated in Guiding Principles 28-30. These Principles set out the rights of IDPs to durable solutions, the responsibilities of national authorities, and the role of humanitarian and development actors to assist durable solutions. Facilitating durable solutions requires that all stakeholders – having affected communities at the center - including national and local authorities as well as armed groups parties to conflicts, humanitarian and development actors, work together to identify the appropriate strategies and activities to assist IDPs in this process, and set criteria that will help determine to what extent a durable solution has been achieved.

1. Ensuring inclusive and meaningful consultations with the participation of IDPs

The Guiding Principles on Internal Displacement stipulate that *“Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavor to facilitate the reintegration of returned or resettled internally displaced persons.”*

Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration". (Guiding Principle 28)

UNHCR and its partners could extend support to the following activities:

- Raise IDPs' awareness on solutions;
- Coordinate the assessments of conditions in areas of return, resettlement or local integration and share information and compare findings with key actors (Government authorities, KHCC, JST, etc.);
- Provide an adequate mechanism of information to IDPs to allow them to make informed decisions;
- Collect information on IDPs' intention in terms of future solutions ensuring consultation with women, girls, men, boys as well including the elderly and disabled.

UNICEF in collaboration with child protection partners, could support the following activities:

- Ensure the participation of children, youth, and adolescents in planning and decision-making, including assessing conditions in proposed areas of return, resettlement or local integration; ensure they are part of the decision both at family and community level; ensure they are engaged in all consultations and ensure that their voices and concerns are heard and reflected throughout the process;
- Ensure prevention and response services are in place for children;
- One-time provision of recreational kits and establishment of Child Friendly Spaces with appropriate technical support where appropriate and feasible;
- Provision of mental health and psychosocial support and referral as needed, including pre-return voluntary counselling sessions for those in need.

UNFPA in collaboration with GBV and protection partners, could support the following activities:

- Engage with CSOs, women and youth organizations for consultations and to support awareness-raising and dissemination of key messages;
- Ensure women and girls are engaged in all consultations and their voices and concerns are heard and seriously considered and are well informed about the conditions in areas of return, resettlement or local integration and are part of the decision both at family and community level.

ILO with its mandate to eliminate forced labour and child labour (including child soldiers), could support the fulfilling of the following objectives:

- Provide training / awareness-raising and monitoring support on forced labour practices;
- Support child protection network in issues of child labour;
- Provide Technical and Vocational Education and Training (TVET) in support of IDP livelihoods and early recovery through ILO micro-small and medium enterprise program.

UN-Habitat, in coordination with other UN agencies working on IDP camps, could extend support with the following activities:

- Gather information (baseline information) on the status of housing, land and property left behind by the IDPs to recover, to the extent possible, their property and possessions (in compliance of Principle 29: Competent authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions which they left behind or were dispossessed of upon their displacement);
- Initiate social mobilization process with affected communities in collaboration with stakeholders in view of the return and restitution options, including community-driven approach to settlement planning

IOM in collaboration with CSO partners on safe migration and Psychosocial activities;

- Deliver key messages and PS activities addressing safe migration and the risks of trafficking within IDPs affected by increased human mobility in the context of return, resettlement and future camp closure.
- Facilitate the concerted information, counselling and advisory services to IDPs on options for return, resettlement or safe migration through CSO partners

- Enhance awareness of prevention and response measures specifically regarding trafficking, exploitation and abuse through capacity building for CSOs, protection and non-protection actors
- Build the capacity of CSOs in Kachin on provision of PS support to vulnerable migrants, including victims of trafficking from IDP camps, violence, or abuse and returnees to target areas

UN Women in collaboration with its partners, including women's CSOs and their networks could support the following activities:

- Provide leadership training for women and build the capacity of women, women CSOs and their networks across Kachin to meaningfully engage in consultation processes
- Support the participation and engagement of women, women CSOs and women's networks in consultation processes to ensure that durable solutions strategies at State and local level are informed by and respond to their needs in line with the *Common Charter of Demands by Women's Groups for Gender Equality and Women's Empowerment across the Peace-Humanitarian-Development Nexus in Kachin State*

2. Long-term safety and security

As highlighted above, the IDPs must be able to return to places of origin, integrate into local communities or resettle elsewhere without the threat of attacks, intimidation, or harassment, and their Housing, Land and Property rights must be honored. Competent authorities should also address threats presented by landmines and unexploded ordinance.

UNICEF, in collaboration with members of the Mine Risk Working Groups (MRWG), Child Protection Working Group (CPWG) and State Child Rights Committee (SCRC) could extend support to the Government for the following activities:

- Provide Explosive Ordnance Risk Education (EORE) sessions, information on other security concerns, information on available child protection services/service providers, and dissemination of key prevention messages on child protection, to IDPs communities prior to returning;
- Ensure children, adolescents and youth are provided awareness on EORE, Monitoring and Reporting on the Grave Violations against children in the Conflict setting), and Child Protection and Child Rights;
- Ensure regular monitoring and referral of specific cases to relevant actors (Department of Social Welfare case managers, police and judiciary as appropriate);
- Support radio broadcasting and other dissemination methods of EORE messages;
- Advocate with other actors such as DRC/DDG, NAG or Halo Trust, - for the removal of unexploded ordinance in schools and demining at other service provision areas (water points, health facilities, schools and roads/paths leading to schools and water points).

UNFPA, in collaboration with its partners could support the Government for the following activities:

- Conduct regular safety mapping and monitoring to identify protection risks, particularly for women and girls and other at-risk populations including the elderly and persons with disability;
- Ensure functional referral pathways for multi-sectoral GBV response services are in place including through short-term mobile arrangements as systems are strengthened to ensure longer-term service availability;
- Support with mobile units to provide private GBV case management and Mental Health and Psychological Support (MHPSS) as well as Sexual and Reproductive Health and Rights (SRHR) services where adequate infrastructure is not available
- One-time provision of Dignity Kits;
- Support awareness-raising on issues related to Prevention of Sexual Exploitation of Abuse and other forms of GBV, family planning, HIV/AIDS, pre-natal and ante-natal care including with relevant authorities.

UNHCR could support such efforts through the implementation of Quick Impact Projects in areas of return, resettlement or local integration that would benefit both IDP and host/neighborhood communities and would contribute to strengthen social cohesion.

UNDP could extend support to:

- Establish a complaints mechanism and dispute resolution mechanism that will be essential for places of integration, return or relocation to prevent and mitigate conflict and enable social cohesion through inclusive community dialogue.
- UNDP's rule of law programming supports institutional capacity of the formal justice sector to provide higher quality, more accessible and responsive legal services to the public. In this regard, support can be extended for the following activities:
 - ✓ Organize capacity development activities for state and township officials to increase awareness and capacity to adhere to rule of law, fair trial standards and administrative justice principles
 - ✓ Capacity development and technical support of the Myanmar National Commission of Human Rights to address human rights complaints raised by IDPs and promote the protection of displaced persons.
 - ✓ Legal needs assessment of IDPs in the camps and locations of return, resettlement and integration to promote the design of effective access to justice programs.
- Through UNDP's parliamentary strengthening programme that includes professional development of Members of Parliament (MPs), strengthening many aspects of the parliamentary administration, committee development and committee inquiries, and MP constituency relations, support can be extended for the following activities:
 - ✓ Strengthen Kachin MPs' understanding of displacement and the impacts on their constituencies through seminars and field trips to camps and host communities.
 - ✓ Arrange practical Masterclasses through which MPs are supported to develop ways to manage the impacts of displacement on their constituents and help ensure that the short-term needs of IDPs are responded to.

ILO supports the Government to establish the national complaints mechanism on forced labour and will continue to support the government at the Union as well as state and regional levels to address forced labour, underage recruitment and end the practice, particularly the practice that involves land confiscation, human landmine sweeper, forced portering in conflict areas, including Kachin State.

UN-Habitat, in coordination with other UN agencies (e.g. UNDP and UNHCR), will support strengthening for a legal framework that recognizes and protects the right to land of IDPs in Myanmar.

IOM could extend support to:

- Support the Government to establish Migrant Resource Centers (MRCs) which provide one-stop information and referral services, including complaints from returnees on labour and sexual exploitation such as forced marriage.
- Provide life-saving direct assistance and reintegration services to vulnerable migrants, including victims of trafficking from IDP camps, violence, or abuse and returnees to target areas.
- Support the adjustment of state township disaster management plans with a special focus on areas of resettlement/return;

UN Women in collaboration with its partners, including IOM and women's CSOs could support the following activities:

- Support awareness for prevention and response to trafficking and support strengthening of linkages between VAW service providers and migration service providers with a specific focus on women migrant workers

3. Adequate standards of living

IDPs who have achieved a durable solution enjoy, without discrimination, an adequate standard of living, including at a minimum shelter, health care, food, water and other means of survival.

Food assistance

WFP already provides a six-month return package to IDP families. The family ration will be provided as a cash entitlement where appropriate, or in-kind in locations where markets may not be functioning optimally. Fuel-efficient stoves can be provided where necessary/appropriate.

Water, Sanitation and Hygiene (WASH)

UNICEF in collaboration with WASH partners, could support the following activities:

- Participate in Department of Rural Development/General Administration Department-led sector assessments to determine needs and gaps in community, health and education facilities;
- Repair/construction of WASH facilities at health centers and learning facilities;
- One-time provision of hygiene kits including menstrual hygiene kits as needed upon return or similar cash equivalent as part of a multipurpose cash grant;
- Establishing water and sanitation committees and conducting Community Approach Total Sanitation activities.

UN-Habitat, through its community-driven approach, “the People’s Process”, could support the following:

- Implement a resilient community-driven approach of construction of improved water supply and sanitation infrastructure at community and household level;
- Provide technical support, trainings, and capacity building initiatives to communities to manage and maintain WASH and allied small-scale infrastructure.

IOM could support the following:

- Provide direct reintegration/resettlement assistance through a community driven community transition assistance;
- Improve and/or develop community infrastructure based on community identified needs;
- Develop community resilience against natural disasters through community-based disaster risk reduction and risk management;
- Provide direct resettlement/return support through transport assistance.

Health and Nutrition

UNICEF in collaboration with health and nutrition partners, could support the following activities:

- Participate in State Health Department-led sector assessments,
- Capacity building in public health emergency preparedness and response, within the Health Cluster framework;
- One-time provision of health kits and nutrition supplies where needed;
- Through central and state health departments, routine and outreach immunization services, including microplanning, monitoring and catch-up campaigns;
- Quality of care improvement at community and facility levels, in partnership with central, state health departments and implementing partners;
- Screening of under five children where Integrated Management of Acute Malnutrition has been rolled out and support for Pregnant and Lactating Women (PLW);
- Promote Infant and Young Child Feeding (IYCF) practices by providing IYCF counselling to PLW;
- Provision of micronutrient supplementations to children (6-59 months) and PLW;
- Repair and rehabilitation of cold chain equipment.
- WFP in collaboration with relevant partners can provide services for the treatment of moderate acute malnutrition, as necessary/appropriate.

WHO understands that the Kachin State Health Department prepared a “Health Services Provision in Return and Resettlement” action plan in the Burmese language. WHO could support with the following activities:

- Provide support to operationalize this action plan in line with the existing national priorities towards achieving Universal Health Coverage; programmatic support in the expanded programme of immunization, HIV-AIDS, tuberculosis, malaria. In addition, a special initiative regarding viral hepatitis, through government health staff to beneficiaries, in a whole of Kachin state approach;
- Continue to provide coordination assistance to the national health authorities, including Kachin State Health Department, and other health partners, to help with the availability of, and access to, essential health services;
- Support two additional rounds of supplementary immunization campaign for polio, measles and Japanese encephalitis for children missed, during October-December 2019. These are based on national campaigns and a programmatic approach (hence not based on a separate project). WHO is mobilising additional resources for implementation of this campaign. WHO would assist in maximizing partnerships with local and international NGOs in order to help reach to every child. This campaign targets 96 priority townships in Myanmar, 17 of which are in Kachin State.

UN-Habitat, through community-driven participation, could support the following:

- Improve nutrition targeting of primarily pregnant women and young children (1,000 days), and overall population through Social and Behavior Change Communication (SBCC) to positively influence social dimensions of health and well-being and to empower communities to adopt improved hygiene practices as well as to embrace beneficial opportunities from access to good hygiene practices, better sanitation and water, in relation to nutrition.

UNFPA in collaboration with partners could support the following activities:

- Coordination with the State Health Department (SHD)/Ministry of Health and Sports (MOHS) to ensure the availability of sexual and reproductive health services including short-term provision of required commodities and supplies to meet acute needs. This includes priority for ensuring access to pre and postnatal care, safe delivery, Emergency Obstetric and Newborn Care, voluntary family planning, diagnosis and treatment of sexually transmitted infections, and HIV testing, counselling and treatment and prevention and response to GBV;
- Capacity building in partnership with MOHS to ensure that clinical care for GBV survivors is available;
- Engagement with youth and adolescents, including outreach to young key affected populations, on comprehensive sexuality education to promote healthy lifestyles and promote health-seeking behavior;
- Support to expand access to quality MHPSS services.

Shelter

UNHCR and shelter partners could support with the construction of individual shelters in areas of return, resettlement or local integration.

UN-Habitat with affected communities at the center and identified partners can support settlement planning and reconstruction in communities of return, resettlement, or integration by:

- Promote the community-led, owner-built approach to construction of resilient and disaster resistant housing. Community-led, owner-built housing is demonstrated to be the most resilient and durable paradigm of settlement reconstruction/rebuilding and facilitates early recovery;
- Engage the community in the construction of communal spaces including community halls, religious spaces, and other spaces of a public and communal character.

IOM in close cooperation with communities, individuals and local CSOs proposes to support:

- Provide transitional shelter assistance;

- Training of construction related worker to ensure adequate and safe shelter construction;
- Provide cash for shelter assistance.

Education

UNICEF could engage with the following activities:

- Participate in State Education Department-led sector assessments;
- Support analysis and sharing of data from assessments and ensure relevant multisector activities are well coordinated;
- Engage with parents and SED to ensure that disruption in learning is minimized in the return process,
- One-time provision of Essential Learning Packages and school in a box/recreation kits if needed;
- Repair of education facilities including the provision of adequate sanitation facilities and quantities of safe drinking water and handwashing for personal hygiene at the learning site;
- Where facilities are non-existent or destroyed, provision of school tents, education and recreation materials to establish safe spaces/learning environments for children from different age groups assuming SED has a plan for long-term learning opportunities in these locations;
- Provide and support capacity-building for teachers.

WFP is ready to support primary school students in schools in places of return/resettlement through its school meal programme – either through the provision of a snack (High-Energy Biscuits) or on-site hot meals.

ILO could provide community-consultation based labour intensive program to support the return of IDPs to their place of origin. The program will provide local resource based labour intensive technology that will provide fundamental needs for returnees such as gravitation water supply for consumption and agricultural purposes, road links with markets, school and clinic. Labour intensive program is also capable of training local CBOs / or groups of villagers with training to become contractors for other neighboring areas.

Others

UNFPA, UNHCR and UNICEF could also support with the identification of vulnerable IDPs to inform interventions tailored to their specific needs before, during and upon the realization of solutions.

4. Access to employment and livelihood opportunities

Access to employment and livelihoods opportunities to allow IDPs to fulfill their core socio-economic needs is critical to ensure that solutions are sustainable.

Facilitating access to land and property

UNDP could undertake the following activities to address some of the barriers faced by IDPs to access land justice:

- Support land mapping in pilot locations identified for durable solutions;
- Conduct awareness sessions with IDPs on land registration processes;
- Support legal aid service providers to assist IDPs with Housing, Land and Property rights seeking remedies where their land rights are infringed;
- Support CSOs including legal aid service providers to monitor notification of land claims and assist IDPs to file objections to the claims where it encroaches on their land.

FAO could undertake the following activities:

- Support Township land administrations (DALMS, Farmland Management Bodies and GAD) to identify available land for (re)settlement as part of Participatory Land Use Planning and taking the necessary steps to secure tenure over these lands under existing legislation. This involves methodology development and capacity building and must look at the needs of neighboring communities to secure tenure in case this is not yet achieved (hence dealing with the host community needs);

- Support local administration and CSOs through Alternative Dispute Resolution mechanisms between local communities and new settlers;
- Support awareness-raising targeting local communities and administrations on (re)settlement needs and issues.

Support income-generating activities (IGA):

FAO could undertake the following activities:

- Support participatory land use planning to identify opportunities for (re)settled IDPs to engage in economic activities in the agricultural sector on land that is earmarked for (re)settlement;
- Improve diversification of activities and incomes through creation of vegetable gardens, aquaculture through pond construction/renovation using cash for work and poultry raising to allow egg production (improve nutrition, surplus sold in the market), noticeably improving the living conditions of the beneficiaries, mostly women, who will rapidly increase their incomes.

UNDP could undertake the following activities:

- Support micro and small businesses to explore opportunities and government permissions to set up businesses, through capacity building, training and micro grants.
- Support sustainable livelihoods skills training to explore markets for semi-skilled labour.
- Support implementation of Quick Impact Projects (QIPs).

UN-Habitat, through a community-driven approach, could support with the following:

- Support income generation through cash-for-work activities that can support settlements and provide access to markets, schools, health centers, and others through community-driven rebuilding or renovating of small-scale infrastructure such as roads, bridges, drainage and embankments.

IOM based on its community stabilization approach could support individual livelihood recovery through the provision of livelihood assets and infrastructure.

UN Women in collaboration with its partners, including women's CSOs could support the following activities:

- Support livelihood skills training and livelihood activities for women
- Support women to fully engage in the development of livelihood activities at local level and support the mainstreaming of gender in all livelihood activities supported by development partners

Targeted local economic recovery interventions

ILO could provide the following:

- Labour market assessment to identify Technical Vocational Education and Training (TVET) needs in specific locations and to ensure that local resilience could be enhanced to support longer-term sustainable livelihoods.
- Community consultation-based labour intensive program to support building of confidence, introduction of post conflict community livelihood building, market connectivity, integrated rural accessibility program;
- Introduce conflict-sensitive micro, small, medium enterprise with view to generate market-oriented activities to support the communities to regain confidence through income generation and ability to interact with local government as well as armed groups;
- Youth employment programme that would focus on knowledge and skills for employability and credit provision for starting up enterprise, and job fairs.

IOM proposes to support:

- Small and Medium Enterprise development and support to revitalize community-based service provision and market revitalization;
- Improve value chain and supply chain support;
- Support the development of business cluster to enhance value chain activities.

- Support enhanced access amongst IDPs, returnees and households to market-driven skills development opportunities, job matching support and micro-enterprise start-up services.

Rebuilding agricultural livelihood:

FAO could rebuild agricultural livelihoods as part of income generating activities such as:

- Livestock capitalization through the supply of small ruminants (sheep or goat), village poultry and pigs to vulnerable returnees' households;
- Planting material such as rice seeds (provided land available) and vegetable seeds (home gardening and commercial) complemented with bio fertilizers, small tools provided to affected households.

WFP can support rebuilding livelihoods through Asset Creation activities, including:

- Irrigation canals, terracing and contouring of agricultural land;
- Ponds/wells, rainwater collection tanks, gravity-flow water systems;
- Road construction and rehabilitation to support access to markets & services;
- Nutrition-sensitive agriculture (home gardens/school gardens).

FAO/UNDP could provide training on Good Agricultural Practices, such as livestock rearing in order to support IDPs' skills, speed up IDPs' recovery and strengthen IDPs' food security and resilience to potential future natural hazards.

UNDP could also undertake the following activities:

- Support the state government to develop the Kachin State Environmental Action Plan and mainstream protected areas values into local development plans;
- Stakeholder consultations and need assessment can be carried out to understand the needs of vulnerable population amongst the IDPs and the host communities for taking an integrated approach and building resilience to natural disasters and helping communities to adapt to extreme weather and climate change linked events.

UN Women could support the following activities:

- Integration and mainstreaming of gender in agricultural livelihood programming
- Support women centered livelihood programming

5. Restoration of Housing, Land and Property (HLP)

The loss of land rights without the right to restitution or compensation has an adverse impact on the ability of IDPs to engage in livelihood activities and maintain self-reliance. Addressing housing, land and property rights issues therefore requires a comprehensive perspective. This includes the ability of the land administration body to administer land matters fairly, effectively and efficiently, and the ability of IDPs to protect their HLP rights.

Technical support to local government on restoring HLP rights:

UNDP could provide support by:

- Conducting capacity development activities and training of Village Tract/Township Farmland Management Committee Members on rule of law, collaborative dispute resolution, administrative justice, land laws and procedures;
- Capacity development and training of the Forestry Department on rule of law, collaborative dispute resolution, land laws and procedures.
- Support GAD in reviewing good practices and challenges in implementation of land laws and land administration policies (including existing case management systems);
- Support GAD to include provision of land documentation support as part of one-stop-shop/mobile documentation efforts.

UN-Habitat could support the strengthening of HLP restitution by:

- Conduct capacity building exercises with the Department of Rural Development and the Department of Disaster Management on the framework of HLP rights, international best practices from post-conflict resettlement scenarios, and practices for guarding of HLP rights while communities remain displaced;
- Building capacity with key Kachin stakeholders for community-driven, owner-led paradigm to rebuilding of settlements after return;
- Conducting trainings on DRR in settlement planning in coordination with the Department of Rural Development or/and Department of Disaster Management.

ILO could provide support through its work with the Government on a complaints mechanism to continue advocating for HLP rights.

6. Access to documentation

During displacement, people often lose documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates, marriage certificates, voter identification cards, title deeds, school records and professional or academic certificates or social security cards. In other cases, IDPs may have never had documents or their documents were not recognized, and this becomes a particular problem during their search for durable solutions. Access to personal and other documentation necessary to access public services, reclaim property and possessions, vote or pursue other purposes is key to the realization of sustainable solutions.

UNHCR could provide support on the following activities:

- Information-sharing and awareness-raising for IDPs on access to civil documentation;
- Legal aid to support civil documentation related requests;
- Technical support to local government.

7. Voluntary reunification with family members separated during displacement

IDPs who wish to reunite with family members from whom they were separated should be able to do so and allowed to seek a durable solution together. Families separated by displacement should be reunited as quickly as possible, particularly when children, older persons or other vulnerable persons are involved. Where control over territory is divided, national and de facto authorities should cooperate pragmatically (e.g. through humanitarian actors or other impartial intermediaries) to allow for family reunification despite obstacles such as closed boundary lines.

UNICEF could provide support to ensure the availability of family-based care arrangements, family tracing and reunification, and/or “best interest” determination of unaccompanied or separated children,

8. Participation in public affairs without discrimination

IDPs should exercise the right to participate in public affairs on the same basis as the resident population and without discrimination owing to their displacement. This includes the right to associate freely and participate equally in community affairs, election processes, as well as the right to work in all sectors of public service.

Ordinary people in Myanmar have little knowledge and information about (local) governance principles, how the public sector is managed - i.e. roles and responsibilities of different technical departments for delivery of public services, annual planning and budgeting processes at the local (state and township) level and how to meaningfully participate in public affairs. Involvement of people in public affairs has positive effects on building trust in government and building social cohesion amongst people.

Technical support to improved awareness on good local governance and public service delivery:

UNDP could support through:

- Capacity development and training for state/township/village tract officials and CSO/CBOs on democratic principles, good local governance and Agenda 2030/SDGs;
- Capacity development and trainings for wards/village tracks administrators, CSOs and CBOs and host communities on participation in public service delivery, planning and budgeting at local level;
- Conflict sensitivity trainings for state/township officials.

UN Women could support through:

- Strengthen the capacity of the gender equality machinery at state and township level to mainstream gender into governance in alignment with NSPAW and MSDP
- Support the capacity of state/township officials on gender responsive planning
- Support the inclusion of women’s CSOs in governance processes at state and township level

9. Access to effective remedies and restorative justice

Lack of knowledge of the law, poverty, lack of trust in the formal justice system among others are some of the barriers hindering IDPs from accessing effective remedies for violations. Provision of effective legal aid to IDPs is an opportunity to address some of these barriers and improve access to justice.

Legal aid

UNDP could undertake the following activities:

- Support legal aid service providers to provide legal aid services to IDPs on pertinent legal issues such as HLP, Gender Based Violence etc. Legal aid services shall include legal advice, legal representation and access to legal documentation.
- Support the establishment of paralegal networks in locations to support legal aid service delivery and referrals of cases to legal aid service providers.
- Support legal awareness campaigns in IDP camps and durable solutions pilot locations as well as host communities.

ILO could support and work in partnership with the government in the national complaints mechanism to promote access to justice and promotion of local reconciliation.

IV. Other areas of support:

The UN system can support the development of targets, in collaboration with displaced and host communities and government, and a system to monitor and report on progress.

This may be linked to the Myanmar Sustainable Development Plan (MSDP) and SDG monitoring. The approach will allow for joint understanding of needs and targets and build trust through an ongoing partnership and transparent system for monitoring progress jointly as well as for overcoming obstacles and adjusting along the way to end displacement

Support and assistance should not focus exclusively on IDPs or returnees. Instead, an area-based approach should be pursued in which assistance is provided to IDPs/returnees, the host communities as well as to other affected people with an emphasis on conflict-sensitive programming, broader recovery and social cohesion.

V. Annex

Durable solutions for internally displaced persons in Kachin State Exploring solutions to displacement through pilot projects

13 September 2019

Purpose of the note: Acknowledging the several initiatives undertaken by the Government of Myanmar around the issue of durable solutions to internal displacement, including the drafting of a national strategy on closure of IDP camps and the recent establishment of a working group on resettling internally displaced persons (IDPs) in Kachin State, the present note puts forward some suggestions for further discussion with the Government on some possible pilot projects for the realization of solutions for some groups of IDPs in Kachin State.

1. Return and reintegration of IDPs in Dar Sai village, Momauk Township

Background

Since 2014, some IDPs started returning from IDP camps in Bhamo to their village of origin, Dar Sai in Momauk township, on the Myitkyina-Bhamo road. Some of these returns have been facilitated by local churches and local authorities, the latest of which took place in May 2019. The return process was gradual in nature and has often involved temporary visits to the village of origin before IDPs finally returned permanently. These returns have resulted in the closure of one IDP camp, Nant Hlaing RC camp in Bhamo township. However, the reintegration of these IDP returnees in Dar Sai is still an ongoing process and further support and improvement in the conditions of the village are needed to ensure the sustainability of the return. A successful return and reintegration would not only benefit the IDP returnees from Dar Sai but would also increase IDPs' confidence in any future return process in Kachin.

Opportunities

Security and freedom of movement: IDPs have not reported any serious security concerns in Dar Sai village. While travel north towards Myo Thit village is restricted at night, IDP returnees are able to travel between Dar Sai and Bhamo town.

Access to basic services: access roads, schools and a health center are available in the village tract (Go Kahtawng) that includes Dar Sai.

Livelihoods: Villagers are engaging in agriculture as the main livelihood activity.

Support humanitarian and development actors can provide to the Government

- Conduct a comprehensive assessment of the remaining **shelter** needs and provide some support to the returnees with shelter construction.
- Provide further support and assistance with **strengthening livelihoods opportunities** for both returnees and residents of the village.
- Given the distance some children need to travel for schooling (around 3 miles every day), the provision of **transportation for village or communal use** would assist with the re-integration of IDPs, allow them to resume normal lives and promote social cohesion.
- Raise **awareness** among returnees and villagers in Dar Sai **on how to apply for land use documents**.
- **Facilitate provision of information to and consult with IDPs** about assistance/support potentially available from the Government, as well as humanitarian and development actors.

2. [Resettlement of IDPs to Si Nar New Village, Sadung, Waingmaw Township](#)

Background

Since 2017, 474 IDPs (85 households) have been sheltering in the General Administration Department (GAD) compound in Sadung town, Waingmaw township. In June 2019, a durable solutions assessment was carried out by a multi-sector team of humanitarian agencies, with the facilitation of the authorities, specifically the Sadung GAD and the Department of Disaster Management (DDM). This assessment found that 33 households (about 160 to 200 people) have plans to move to Si Nar New village, a village on the Waingmaw road, outside Sadung town. Some of these IDPs have already purchased land plots in Si Nar New village. The assessment also indicated that, with the appropriate support, this group of IDPs, representing a substantial proportion of those IDPs currently in Sadung, could resettle in a voluntary, safe and dignified manner.

Opportunities

Security and freedom of movement: IDPs have expressed that they feel safe at the proposed resettlement site in Si Nar New village. To date, there have been no reports of landmine contamination in that location. IDP families who have already purchased land in Si Nar New Village have reported that they are able to move freely to and from the site and many have begun the process of clearing the land.

Access to land use documentation: The landowner in Si Nar New village whom some IDPs have bought land from has committed to help IDPs in obtaining land use documentation once they have completed the payment for the purchase of the land.

Housing: Many IDP families have cleared their land for shelter construction and are waiting for the ground to settle to build.

Water and Sanitation: There are two water sources, both mountain streams, available at some distance from the proposed site.

Livelihoods: Si Nar New village is located just outside Sadung town, located thirty minutes walking distance, with easy access to the daily market, schools, and health services available in town. In addition, some IDP families are already accessing livelihood activities, which they could pursue in the resettlement site (raising pigs, running small shops, etc.).

Support humanitarian and development actors can provide to the Government

- Gather up-to-date [information regarding landmine contamination risks](#) at the site (due to presence of former military installations), through consultations with local leaders, GAD officials, and host community members.
- Provide assistance for the construction of individual [shelters](#) with accompanying [latrines](#), [bathing facilities](#), and [access to safe and clean water](#).
- Provide [transitional food assistance](#) for an initial 12 months along with livelihoods support to individual families resettling to the site.
- Depending on the size of the total population that resettles, support the [establishment of a primary school](#) in Si Nar New village, or provide community-based transport arrangements to ensure the safe transport of students to primary schools in Sadung town.
- Raise [awareness](#) among IDPs [on how to apply for documentation](#) including CSCs, household lists and relevant land use documents.
- Facilitate the [provision of information to and consultation with IDPs](#) about the planned solution, conditions at the site, and assistance/support potentially available from the Government, as well as humanitarian and development actors.

3. [Local integration: Hkat Cho village, Waingmaw Township](#)

Background

Since 2017, local authorities in Hkat Cho village, Waingmaw township, began searching for solutions for the 449 IDPs (92 household) living in Hkat Cho IDP camp located on public land slated for the construction of new village facilities. After consulting with the IDPs, the Hkat Cho GAD identified affordable land in the village, which the IDPs could purchase and establish themselves on. In May 2019, a solutions assessment was carried out by a multi-sectoral team of humanitarian agencies, with the facilitation of the local authorities. This assessment found that some 27 to 30 households (approx. 146 people) are planning to integrate locally by purchasing land plots in Hkat Cho village, with support from the GAD. Some families have already purchased the land or made a preliminary payment. Other families currently do not have the means to purchase the land, but with the appropriate support, their integration could also be facilitated.

Opportunities

Security and freedom of movement: IDPs have indicated that they feel safe at the proposed local integration site in Hkat Cho, which is located near the existing IDP camp and that they are able to move freely in and out of the village. The host community members have also accepted the idea of IDPs integrating locally in the village and expressed their readiness to help them with the move.

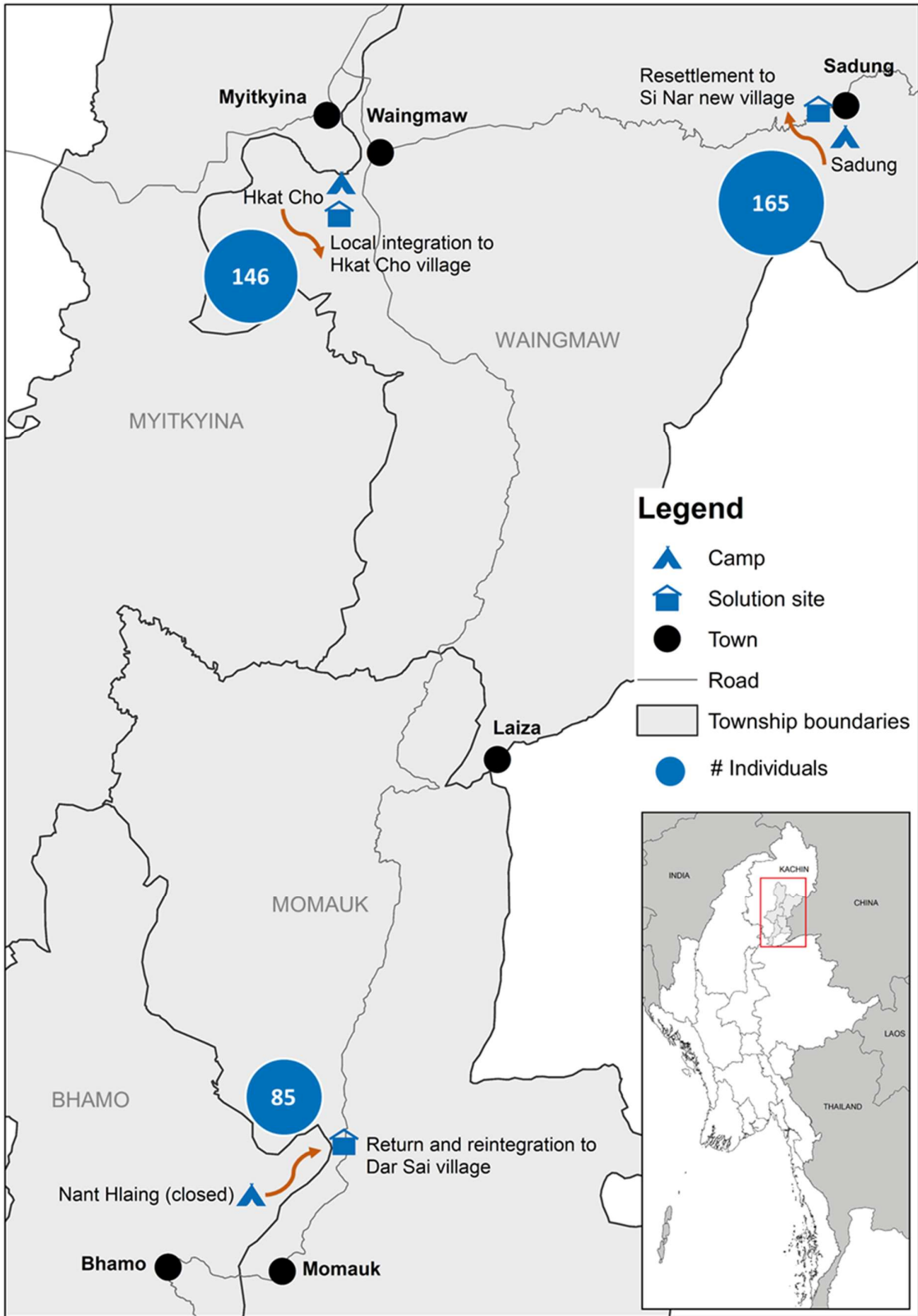
Access to land use documentation: IDPs already have access to civil documentation services. The village administrator is also supporting IDPs to acquire land and obtain documentation for their housing plots. Some IDPs have already bought housing plots in the new site and obtained land contracts or letters of purchase.

Livelihoods: IDPs plan to continue their livelihood activities (amber polishing and casual labour) as the proposed local integration site is close to central Hkat Cho. From the new housing plots, IDPs can access the same local market they currently use.

Access to basic services: IDPs can access healthcare facilities, primary and secondary schools in Hkat Cho village, as well as the village tract hospital.

Support humanitarian and development actors can provide to the Government

- Raise [awareness](#) among IDPs [on how to apply for documentation](#) including updated household lists once they have moved to their new location, as well as relevant land use documents for their purchased housing plots. These documents will be key to ensure effective local integration.
- Provide assistance for the construction of individual [shelters](#) with accompanying [latrines](#), [bathing facilities](#), as well as [drainage and access to safe and clean water](#).
- Provide [transitional food assistance](#) for 12 months to enable IDPs to maintain income-generating capacity and livelihoods activities.
- Provide support to the families who are currently unable to purchase land, to enable them to [access livelihoods opportunities](#) and become self-reliant.
- Provide electricity connections for those doing amber polishing and those who have electric machinery to [ensure continued access to livelihoods at the local integration site](#).
- Facilitate the [provision of information to and consultation with IDPs](#) about the planned solution, conditions at the site, and assistance/support potentially available from the Government, as well as humanitarian and development actors.



Durable solutions for internally displaced persons in Kachin State
Possible areas of cooperation between the UN and the Government of Myanmar

Concept Note

20 September 2019

I. Introduction

Today, more than 97,000 people remain displaced across over 136 IDP sites in Kachin State. While the current security situation is not conducive for large-scale solutions to displacement, small-scale opportunities for return, local integration, and resettlement have emerged. The protection of displaced person, including providing them with a durable solution and ensuring effective recovery and reintegration into communities, is first and foremost the responsibility of the Government of Myanmar. The international humanitarian and development community has a complementary role to support the Government and other local actors in their efforts.

II. Purpose of the Note

The present note has been prepared by the expanded UN Core Group (UNDP, UNHCR, OCHA, RCO, UNICEF, WFP, UNFPA, WHO, FAO, ILO, IOM, UN-Habitat, UN Women), as a follow-up to the meeting held with the Working Group for the Implementation of IDP Resettlement in Kachin in Nay Pyi Taw on 2 August 2019. The note outlines contributions the United Nations (UN) can make to the Government-led efforts to identify and realize solutions to internal displacement in Kachin. Potential UN support is presented under headings that correspond to the building blocks for achieving durable solutions. Most of the activities outlined below would take place in the short-to-medium-term, provided certain benchmarks are met. If solutions are to be sustainable and allow for a transition from humanitarian to development, they require a long-term focus to reduce vulnerability and risks of reoccurrence. Experience shows that investment in early-recovery is crucial as it expedites the achievement of durable solutions, avoids protracted displacement, stimulates spontaneous recovery activities within the affected population - including host and receiving communities - and helps prevent renewed displacement. All interventions highlighted below are intended to complement the contributions of Government partners. The note includes an annex of possible pilot projects for the realization of solutions (return and reintegration, resettlement and local integration).

III. UN support to the realization of solutions for IDPs in Kachin

The Guiding Principles on Internal Displacement stipulate that displacement shall last no longer than required by the circumstances. Drawing on existing international law, the right of internally displaced persons (IDPs) to a durable solution is articulated in Guiding Principles 28-30. These Principles set out the rights of IDPs to durable solutions, the responsibilities of national authorities, and the role of humanitarian and development actors to assist durable solutions. Facilitating durable solutions requires that all stakeholders – having affected communities at the center - including national and local authorities as well as armed groups parties to conflicts, humanitarian and development actors, work together to identify the appropriate strategies and activities to assist IDPs in this process, and set criteria that will help determine to what extent a durable solution has been achieved.

1. Ensuring inclusive and meaningful consultations with the participation of IDPs

The Guiding Principles on Internal Displacement stipulate that *“Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavor to facilitate the reintegration of returned or resettled internally displaced persons.”*

Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration". (Guiding Principle 28)

UNHCR and its partners could extend support to the following activities:

- Raise IDPs' awareness on solutions;
- Coordinate the assessments of conditions in areas of return, resettlement or local integration and share information and compare findings with key actors (Government authorities, KHCC, JST, etc.);
- Provide an adequate mechanism of information to IDPs to allow them to make informed decisions;
- Collect information on IDPs' intention in terms of future solutions ensuring consultation with women, girls, men, boys as well including the elderly and disabled.

UNICEF in collaboration with child protection partners, could support the following activities:

- Ensure the participation of children, youth, and adolescents in planning and decision-making, including assessing conditions in proposed areas of return, resettlement or local integration; ensure they are part of the decision both at family and community level; ensure they are engaged in all consultations and ensure that their voices and concerns are heard and reflected throughout the process;
- Ensure prevention and response services are in place for children;
- One-time provision of recreational kits and establishment of Child Friendly Spaces with appropriate technical support where appropriate and feasible;
- Provision of mental health and psychosocial support and referral as needed, including pre-return voluntary counselling sessions for those in need.

UNFPA in collaboration with GBV and protection partners, could support the following activities:

- Engage with CSOs, women and youth organizations for consultations and to support awareness-raising and dissemination of key messages;
- Ensure women and girls are engaged in all consultations and their voices and concerns are heard and seriously considered and are well informed about the conditions in areas of return, resettlement or local integration and are part of the decision both at family and community level.

ILO with its mandate to eliminate forced labour and child labour (including child soldiers), could support the fulfilling of the following objectives:

- Provide training / awareness-raising and monitoring support on forced labour practices;
- Support child protection network in issues of child labour;
- Provide Technical and Vocational Education and Training (TVET) in support of IDP livelihoods and early recovery through ILO micro-small and medium enterprise program.

UN-Habitat, in coordination with other UN agencies working on IDP camps, could extend support with the following activities:

- Gather information (baseline information) on the status of housing, land and property left behind by the IDPs to recover, to the extent possible, their property and possessions (in compliance of Principle 29: Competent authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions which they left behind or were dispossessed of upon their displacement);
- Initiate social mobilization process with affected communities in collaboration with stakeholders in view of the return and restitution options, including community-driven approach to settlement planning

IOM in collaboration with CSO partners on safe migration and Psychosocial activities;

- Deliver key messages and PS activities addressing safe migration and the risks of trafficking within IDPs affected by increased human mobility in the context of return, resettlement and future camp closure.
- Facilitate the concerted information, counselling and advisory services to IDPs on options for return, resettlement or safe migration through CSO partners

- Enhance awareness of prevention and response measures specifically regarding trafficking, exploitation and abuse through capacity building for CSOs, protection and non-protection actors
- Build the capacity of CSOs in Kachin on provision of PS support to vulnerable migrants, including victims of trafficking from IDP camps, violence, or abuse and returnees to target areas

UN Women in collaboration with its partners, including women's CSOs and their networks could support the following activities:

- Provide leadership training for women and build the capacity of women, women CSOs and their networks across Kachin to meaningfully engage in consultation processes
- Support the participation and engagement of women, women CSOs and women's networks in consultation processes to ensure that durable solutions strategies at State and local level are informed by and respond to their needs in line with the *Common Charter of Demands by Women's Groups for Gender Equality and Women's Empowerment across the Peace-Humanitarian-Development Nexus in Kachin State*

2. Long-term safety and security

As highlighted above, the IDPs must be able to return to places of origin, integrate into local communities or resettle elsewhere without the threat of attacks, intimidation, or harassment, and their Housing, Land and Property rights must be honored. Competent authorities should also address threats presented by landmines and unexploded ordinance.

UNICEF, in collaboration with members of the Mine Risk Working Groups (MRWG), Child Protection Working Group (CPWG) and State Child Rights Committee (SCRC) could extend support to the Government for the following activities:

- Provide Explosive Ordnance Risk Education (EORE) sessions, information on other security concerns, information on available child protection services/service providers, and dissemination of key prevention messages on child protection, to IDPs communities prior to returning;
- Ensure children, adolescents and youth are provided awareness on EORE, Monitoring and Reporting on the Grave Violations against children in the Conflict setting), and Child Protection and Child Rights;
- Ensure regular monitoring and referral of specific cases to relevant actors (Department of Social Welfare case managers, police and judiciary as appropriate);
- Support radio broadcasting and other dissemination methods of EORE messages;
- Advocate with other actors such as DRC/DDG, NAG or Halo Trust, - for the removal of unexploded ordinance in schools and demining at other service provision areas (water points, health facilities, schools and roads/paths leading to schools and water points).

UNFPA, in collaboration with its partners could support the Government for the following activities:

- Conduct regular safety mapping and monitoring to identify protection risks, particularly for women and girls and other at-risk populations including the elderly and persons with disability;
- Ensure functional referral pathways for multi-sectoral GBV response services are in place including through short-term mobile arrangements as systems are strengthened to ensure longer-term service availability;
- Support with mobile units to provide private GBV case management and Mental Health and Psychological Support (MHPSS) as well as Sexual and Reproductive Health and Rights (SRHR) services where adequate infrastructure is not available
- One-time provision of Dignity Kits;
- Support awareness-raising on issues related to Prevention of Sexual Exploitation of Abuse and other forms of GBV, family planning, HIV/AIDS, pre-natal and ante-natal care including with relevant authorities.

UNHCR could support such efforts through the implementation of Quick Impact Projects in areas of return, resettlement or local integration that would benefit both IDP and host/neighborhood communities and would contribute to strengthen social cohesion.

UNDP could extend support to:

- Establish a complaints mechanism and dispute resolution mechanism that will be essential for places of integration, return or relocation to prevent and mitigate conflict and enable social cohesion through inclusive community dialogue.
- UNDP's rule of law programming supports institutional capacity of the formal justice sector to provide higher quality, more accessible and responsive legal services to the public. In this regard, support can be extended for the following activities:
 - ✓ Organize capacity development activities for state and township officials to increase awareness and capacity to adhere to rule of law, fair trial standards and administrative justice principles
 - ✓ Capacity development and technical support of the Myanmar National Commission of Human Rights to address human rights complaints raised by IDPs and promote the protection of displaced persons.
 - ✓ Legal needs assessment of IDPs in the camps and locations of return, resettlement and integration to promote the design of effective access to justice programs.
- Through UNDP's parliamentary strengthening programme that includes professional development of Members of Parliament (MPs), strengthening many aspects of the parliamentary administration, committee development and committee inquiries, and MP constituency relations, support can be extended for the following activities:
 - ✓ Strengthen Kachin MPs' understanding of displacement and the impacts on their constituencies through seminars and field trips to camps and host communities.
 - ✓ Arrange practical Masterclasses through which MPs are supported to develop ways to manage the impacts of displacement on their constituents and help ensure that the short-term needs of IDPs are responded to.

ILO supports the Government to establish the national complaints mechanism on forced labour and will continue to support the government at the Union as well as state and regional levels to address forced labour, underage recruitment and end the practice, particularly the practice that involves land confiscation, human landmine sweeper, forced portering in conflict areas, including Kachin State.

UN-Habitat, in coordination with other UN agencies (e.g. UNDP and UNHCR), will support strengthening for a legal framework that recognizes and protects the right to land of IDPs in Myanmar.

IOM could extend support to:

- Support the Government to establish Migrant Resource Centers (MRCs) which provide one-stop information and referral services, including complaints from returnees on labour and sexual exploitation such as forced marriage.
- Provide life-saving direct assistance and reintegration services to vulnerable migrants, including victims of trafficking from IDP camps, violence, or abuse and returnees to target areas.
- Support the adjustment of state township disaster management plans with a special focus on areas of resettlement/return;

UN Women in collaboration with its partners, including IOM and women's CSOs could support the following activities:

- Support awareness for prevention and response to trafficking and support strengthening of linkages between VAW service providers and migration service providers with a specific focus on women migrant workers

3. Adequate standards of living

IDPs who have achieved a durable solution enjoy, without discrimination, an adequate standard of living, including at a minimum shelter, health care, food, water and other means of survival.

Food assistance

WFP already provides a six-month return package to IDP families. The family ration will be provided as a cash entitlement where appropriate, or in-kind in locations where markets may not be functioning optimally. Fuel-efficient stoves can be provided where necessary/appropriate.

Water, Sanitation and Hygiene (WASH)

UNICEF in collaboration with WASH partners, could support the following activities:

- Participate in Department of Rural Development/General Administration Department-led sector assessments to determine needs and gaps in community, health and education facilities;
- Repair/construction of WASH facilities at health centers and learning facilities;
- One-time provision of hygiene kits including menstrual hygiene kits as needed upon return or similar cash equivalent as part of a multipurpose cash grant;
- Establishing water and sanitation committees and conducting Community Approach Total Sanitation activities.

UN-Habitat, through its community-driven approach, “the People’s Process”, could support the following:

- Implement a resilient community-driven approach of construction of improved water supply and sanitation infrastructure at community and household level;
- Provide technical support, trainings, and capacity building initiatives to communities to manage and maintain WASH and allied small-scale infrastructure.

IOM could support the following:

- Provide direct reintegration/resettlement assistance through a community driven community transition assistance;
- Improve and/or develop community infrastructure based on community identified needs;
- Develop community resilience against natural disasters through community-based disaster risk reduction and risk management;
- Provide direct resettlement/return support through transport assistance.

Health and Nutrition

UNICEF in collaboration with health and nutrition partners, could support the following activities:

- Participate in State Health Department-led sector assessments,
- Capacity building in public health emergency preparedness and response, within the Health Cluster framework;
- One-time provision of health kits and nutrition supplies where needed;
- Through central and state health departments, routine and outreach immunization services, including microplanning, monitoring and catch-up campaigns;
- Quality of care improvement at community and facility levels, in partnership with central, state health departments and implementing partners;
- Screening of under five children where Integrated Management of Acute Malnutrition has been rolled out and support for Pregnant and Lactating Women (PLW);
- Promote Infant and Young Child Feeding (IYCF) practices by providing IYCF counselling to PLW;
- Provision of micronutrient supplementations to children (6-59 months) and PLW;
- Repair and rehabilitation of cold chain equipment.
- WFP in collaboration with relevant partners can provide services for the treatment of moderate acute malnutrition, as necessary/appropriate.

WHO understands that the Kachin State Health Department prepared a “Health Services Provision in Return and Resettlement” action plan in the Burmese language. WHO could support with the following activities:

- Provide support to operationalize this action plan in line with the existing national priorities towards achieving Universal Health Coverage; programmatic support in the expanded programme of immunization, HIV-AIDS, tuberculosis, malaria. In addition, a special initiative regarding viral hepatitis, through government health staff to beneficiaries, in a whole of Kachin state approach;
- Continue to provide coordination assistance to the national health authorities, including Kachin State Health Department, and other health partners, to help with the availability of, and access to, essential health services;
- Support two additional rounds of supplementary immunization campaign for polio, measles and Japanese encephalitis for children missed, during October-December 2019. These are based on national campaigns and a programmatic approach (hence not based on a separate project). WHO is mobilising additional resources for implementation of this campaign. WHO would assist in maximizing partnerships with local and international NGOs in order to help reach to every child. This campaign targets 96 priority townships in Myanmar, 17 of which are in Kachin State.

UN-Habitat, through community-driven participation, could support the following:

- Improve nutrition targeting of primarily pregnant women and young children (1,000 days), and overall population through Social and Behavior Change Communication (SBCC) to positively influence social dimensions of health and well-being and to empower communities to adopt improved hygiene practices as well as to embrace beneficial opportunities from access to good hygiene practices, better sanitation and water, in relation to nutrition.

UNFPA in collaboration with partners could support the following activities:

- Coordination with the State Health Department (SHD)/Ministry of Health and Sports (MOHS) to ensure the availability of sexual and reproductive health services including short-term provision of required commodities and supplies to meet acute needs. This includes priority for ensuring access to pre and postnatal care, safe delivery, Emergency Obstetric and Newborn Care, voluntary family planning, diagnosis and treatment of sexually transmitted infections, and HIV testing, counselling and treatment and prevention and response to GBV;
- Capacity building in partnership with MOHS to ensure that clinical care for GBV survivors is available;
- Engagement with youth and adolescents, including outreach to young key affected populations, on comprehensive sexuality education to promote healthy lifestyles and promote health-seeking behavior;
- Support to expand access to quality MHPSS services.

Shelter

UNHCR and shelter partners could support with the construction of individual shelters in areas of return, resettlement or local integration.

UN-Habitat with affected communities at the center and identified partners can support settlement planning and reconstruction in communities of return, resettlement, or integration by:

- Promote the community-led, owner-built approach to construction of resilient and disaster resistant housing. Community-led, owner-built housing is demonstrated to be the most resilient and durable paradigm of settlement reconstruction/rebuilding and facilitates early recovery;
- Engage the community in the construction of communal spaces including community halls, religious spaces, and other spaces of a public and communal character.

IOM in close cooperation with communities, individuals and local CSOs proposes to support:

- Provide transitional shelter assistance;

- Training of construction related worker to ensure adequate and safe shelter construction;
- Provide cash for shelter assistance.

Education

UNICEF could engage with the following activities:

- Participate in State Education Department-led sector assessments;
- Support analysis and sharing of data from assessments and ensure relevant multisector activities are well coordinated;
- Engage with parents and SED to ensure that disruption in learning is minimized in the return process,
- One-time provision of Essential Learning Packages and school in a box/recreation kits if needed;
- Repair of education facilities including the provision of adequate sanitation facilities and quantities of safe drinking water and handwashing for personal hygiene at the learning site;
- Where facilities are non-existent or destroyed, provision of school tents, education and recreation materials to establish safe spaces/learning environments for children from different age groups assuming SED has a plan for long-term learning opportunities in these locations;
- Provide and support capacity-building for teachers.

WFP is ready to support primary school students in schools in places of return/resettlement through its school meal programme – either through the provision of a snack (High-Energy Biscuits) or on-site hot meals.

ILO could provide community-consultation based labour intensive program to support the return of IDPs to their place of origin. The program will provide local resource based labour intensive technology that will provide fundamental needs for returnees such as gravitation water supply for consumption and agricultural purposes, road links with markets, school and clinic. Labour intensive program is also capable of training local CBOs / or groups of villagers with training to become contractors for other neighboring areas.

Others

UNFPA, UNHCR and UNICEF could also support with the identification of vulnerable IDPs to inform interventions tailored to their specific needs before, during and upon the realization of solutions.

4. Access to employment and livelihood opportunities

Access to employment and livelihoods opportunities to allow IDPs to fulfill their core socio-economic needs is critical to ensure that solutions are sustainable.

Facilitating access to land and property

UNDP could undertake the following activities to address some of the barriers faced by IDPs to access land justice:

- Support land mapping in pilot locations identified for durable solutions;
- Conduct awareness sessions with IDPs on land registration processes;
- Support legal aid service providers to assist IDPs with Housing, Land and Property rights seeking remedies where their land rights are infringed;
- Support CSOs including legal aid service providers to monitor notification of land claims and assist IDPs to file objections to the claims where it encroaches on their land.

FAO could undertake the following activities:

- Support Township land administrations (DALMS, Farmland Management Bodies and GAD) to identify available land for (re)settlement as part of Participatory Land Use Planning and taking the necessary steps to secure tenure over these lands under existing legislation. This involves methodology development and capacity building and must look at the needs of neighboring communities to secure tenure in case this is not yet achieved (hence dealing with the host community needs);

- Support local administration and CSOs through Alternative Dispute Resolution mechanisms between local communities and new settlers;
- Support awareness-raising targeting local communities and administrations on (re)settlement needs and issues.

Support income-generating activities (IGA):

FAO could undertake the following activities:

- Support participatory land use planning to identify opportunities for (re)settled IDPs to engage in economic activities in the agricultural sector on land that is earmarked for (re)settlement;
- Improve diversification of activities and incomes through creation of vegetable gardens, aquaculture through pond construction/renovation using cash for work and poultry raising to allow egg production (improve nutrition, surplus sold in the market), noticeably improving the living conditions of the beneficiaries, mostly women, who will rapidly increase their incomes.

UNDP could undertake the following activities:

- Support micro and small businesses to explore opportunities and government permissions to set up businesses, through capacity building, training and micro grants.
- Support sustainable livelihoods skills training to explore markets for semi-skilled labour.
- Support implementation of Quick Impact Projects (QIPs).

UN-Habitat, through a community-driven approach, could support with the following:

- Support income generation through cash-for-work activities that can support settlements and provide access to markets, schools, health centers, and others through community-driven rebuilding or renovating of small-scale infrastructure such as roads, bridges, drainage and embankments.

IOM based on its community stabilization approach could support individual livelihood recovery through the provision of livelihood assets and infrastructure.

UN Women in collaboration with its partners, including women's CSOs could support the following activities:

- Support livelihood skills training and livelihood activities for women
- Support women to fully engage in the development of livelihood activities at local level and support the mainstreaming of gender in all livelihood activities supported by development partners

Targeted local economic recovery interventions

ILO could provide the following:

- Labour market assessment to identify Technical Vocational Education and Training (TVET) needs in specific locations and to ensure that local resilience could be enhanced to support longer-term sustainable livelihoods.
- Community consultation-based labour intensive program to support building of confidence, introduction of post conflict community livelihood building, market connectivity, integrated rural accessibility program;
- Introduce conflict-sensitive micro, small, medium enterprise with view to generate market-oriented activities to support the communities to regain confidence through income generation and ability to interact with local government as well as armed groups;
- Youth employment programme that would focus on knowledge and skills for employability and credit provision for starting up enterprise, and job fairs.

IOM proposes to support:

- Small and Medium Enterprise development and support to revitalize community-based service provision and market revitalization;
- Improve value change and supply chain support;
- Support the development of business cluster to enhance value chain activities.

- Support enhanced access amongst IDPs, returnees and households to market-driven skills development opportunities, job matching support and micro-enterprise start-up services.

Rebuilding agricultural livelihood:

FAO could rebuild agricultural livelihoods as part of income generating activities such as:

- Livestock capitalization through the supply of small ruminants (sheep or goat), village poultry and pigs to vulnerable returnees' households;
- Planting material such as rice seeds (provided land available) and vegetable seeds (home gardening and commercial) complemented with bio fertilizers, small tools provided to affected households.

WFP can support rebuilding livelihoods through Asset Creation activities, including:

- Irrigation canals, terracing and contouring of agricultural land;
- Ponds/wells, rainwater collection tanks, gravity-flow water systems;
- Road construction and rehabilitation to support access to markets & services;
- Nutrition-sensitive agriculture (home gardens/school gardens).

FAO/UNDP could provide training on Good Agricultural Practices, such as livestock rearing in order to support IDPs' skills, speed up IDPs' recovery and strengthen IDPs' food security and resilience to potential future natural hazards.

UNDP could also undertake the following activities:

- Support the state government to develop the Kachin State Environmental Action Plan and mainstream protected areas values into local development plans;
- Stakeholder consultations and need assessment can be carried out to understand the needs of vulnerable population amongst the IDPs and the host communities for taking an integrated approach and building resilience to natural disasters and helping communities to adapt to extreme weather and climate change linked events.

UN Women could support the following activities:

- Integration and mainstreaming of gender in agricultural livelihood programming
- Support women centered livelihood programming

5. Restoration of Housing, Land and Property (HLP)

The loss of land rights without the right to restitution or compensation has an adverse impact on the ability of IDPs to engage in livelihood activities and maintain self-reliance. Addressing housing, land and property rights issues therefore requires a comprehensive perspective. This includes the ability of the land administration body to administer land matters fairly, effectively and efficiently, and the ability of IDPs to protect their HLP rights.

Technical support to local government on restoring HLP rights:

UNDP could provide support by:

- Conducting capacity development activities and training of Village Tract/Township Farmland Management Committee Members on rule of law, collaborative dispute resolution, administrative justice, land laws and procedures;
- Capacity development and training of the Forestry Department on rule of law, collaborative dispute resolution, land laws and procedures.
- Support GAD in reviewing good practices and challenges in implementation of land laws and land administration policies (including existing case management systems);
- Support GAD to include provision of land documentation support as part of one-stop-shop/mobile documentation efforts.

UN-Habitat could support the strengthening of HLP restitution by:

- Conduct capacity building exercises with the Department of Rural Development and the Department of Disaster Management on the framework of HLP rights, international best practices from post-conflict resettlement scenarios, and practices for guarding of HLP rights while communities remain displaced;
- Building capacity with key Kachin stakeholders for community-driven, owner-led paradigm to rebuilding of settlements after return;
- Conducting trainings on DRR in settlement planning in coordination with the Department of Rural Development or/and Department of Disaster Management.

ILO could provide support through its work with the Government on a complaints mechanism to continue advocating for HLP rights.

6. Access to documentation

During displacement, people often lose documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates, marriage certificates, voter identification cards, title deeds, school records and professional or academic certificates or social security cards. In other cases, IDPs may have never had documents or their documents were not recognized, and this becomes a particular problem during their search for durable solutions. Access to personal and other documentation necessary to access public services, reclaim property and possessions, vote or pursue other purposes is key to the realization of sustainable solutions.

UNHCR could provide support on the following activities:

- Information-sharing and awareness-raising for IDPs on access to civil documentation;
- Legal aid to support civil documentation related requests;
- Technical support to local government.

7. Voluntary reunification with family members separated during displacement

IDPs who wish to reunite with family members from whom they were separated should be able to do so and allowed to seek a durable solution together. Families separated by displacement should be reunited as quickly as possible, particularly when children, older persons or other vulnerable persons are involved. Where control over territory is divided, national and de facto authorities should cooperate pragmatically (e.g. through humanitarian actors or other impartial intermediaries) to allow for family reunification despite obstacles such as closed boundary lines.

UNICEF could provide support to ensure the availability of family-based care arrangements, family tracing and reunification, and/or “best interest” determination of unaccompanied or separated children,

8. Participation in public affairs without discrimination

IDPs should exercise the right to participate in public affairs on the same basis as the resident population and without discrimination owing to their displacement. This includes the right to associate freely and participate equally in community affairs, election processes, as well as the right to work in all sectors of public service.

Ordinary people in Myanmar have little knowledge and information about (local) governance principles, how the public sector is managed - i.e. roles and responsibilities of different technical departments for delivery of public services, annual planning and budgeting processes at the local (state and township) level and how to meaningfully participate in public affairs. Involvement of people in public affairs has positive effects on building trust in government and building social cohesion amongst people.

Technical support to improved awareness on good local governance and public service delivery:

UNDP could support through:

- Capacity development and training for state/township/village tract officials and CSO/CBOs on democratic principles, good local governance and Agenda 2030/SDGs;
- Capacity development and trainings for wards/village tracks administrators, CSOs and CBOs and host communities on participation in public service delivery, planning and budgeting at local level;
- Conflict sensitivity trainings for state/township officials.

UN Women could support through:

- Strengthen the capacity of the gender equality machinery at state and township level to mainstream gender into governance in alignment with NSPAW and MSDP
- Support the capacity of state/township officials on gender responsive planning
- Support the inclusion of women’s CSOs in governance processes at state and township level

9. Access to effective remedies and restorative justice

Lack of knowledge of the law, poverty, lack of trust in the formal justice system among others are some of the barriers hindering IDPs from accessing effective remedies for violations. Provision of effective legal aid to IDPs is an opportunity to address some of these barriers and improve access to justice.

Legal aid

UNDP could undertake the following activities:

- Support legal aid service providers to provide legal aid services to IDPs on pertinent legal issues such as HLP, Gender Based Violence etc. Legal aid services shall include legal advice, legal representation and access to legal documentation.
- Support the establishment of paralegal networks in locations to support legal aid service delivery and referrals of cases to legal aid service providers.
- Support legal awareness campaigns in IDP camps and durable solutions pilot locations as well as host communities.

ILO could support and work in partnership with the government in the national complaints mechanism to promote access to justice and promotion of local reconciliation.

IV. Other areas of support:

The UN system can support the development of targets, in collaboration with displaced and host communities and government, and a system to monitor and report on progress.

This may be linked to the Myanmar Sustainable Development Plan (MSDP) and SDG monitoring. The approach will allow for joint understanding of needs and targets and build trust through an ongoing partnership and transparent system for monitoring progress jointly as well as for overcoming obstacles and adjusting along the way to end displacement

Support and assistance should not focus exclusively on IDPs or returnees. Instead, an area-based approach should be pursued in which assistance is provided to IDPs/returnees, the host communities as well as to other affected people with an emphasis on conflict-sensitive programming, broader recovery and social cohesion.

V. Annex

Durable solutions for internally displaced persons in Kachin State Exploring solutions to displacement through pilot projects

13 September 2019

Purpose of the note: Acknowledging the several initiatives undertaken by the Government of Myanmar around the issue of durable solutions to internal displacement, including the drafting of a national strategy on closure of IDP camps and the recent establishment of a working group on resettling internally displaced persons (IDPs) in Kachin State, the present note puts forward some suggestions for further discussion with the Government on some possible pilot projects for the realization of solutions for some groups of IDPs in Kachin State.

1. Return and reintegration of IDPs in Dar Sai village, Momauk Township

Background

Since 2014, some IDPs started returning from IDP camps in Bhamo to their village of origin, Dar Sai in Momauk township, on the Myitkyina-Bhamo road. Some of these returns have been facilitated by local churches and local authorities, the latest of which took place in May 2019. The return process was gradual in nature and has often involved temporary visits to the village of origin before IDPs finally returned permanently. These returns have resulted in the closure of one IDP camp, Nant Hlaing RC camp in Bhamo township. However, the reintegration of these IDP returnees in Dar Sai is still an ongoing process and further support and improvement in the conditions of the village are needed to ensure the sustainability of the return. A successful return and reintegration would not only benefit the IDP returnees from Dar Sai but would also increase IDPs' confidence in any future return process in Kachin.

Opportunities

Security and freedom of movement: IDPs have not reported any serious security concerns in Dar Sai village. While travel north towards Myo Thit village is restricted at night, IDP returnees are able to travel between Dar Sai and Bhamo town.

Access to basic services: access roads, schools and a health center are available in the village tract (Go Kahtawng) that includes Dar Sai.

Livelihoods: Villagers are engaging in agriculture as the main livelihood activity.

Support humanitarian and development actors can provide to the Government

- Conduct a comprehensive assessment of the remaining **shelter** needs and provide some support to the returnees with shelter construction.
- Provide further support and assistance with **strengthening livelihoods opportunities** for both returnees and residents of the village.
- Given the distance some children need to travel for schooling (around 3 miles every day), the provision of **transportation for village or communal use** would assist with the re-integration of IDPs, allow them to resume normal lives and promote social cohesion.
- Raise **awareness** among returnees and villagers in Dar Sai **on how to apply for land use documents**.
- **Facilitate provision of information to and consult with IDPs** about assistance/support potentially available from the Government, as well as humanitarian and development actors.

2. [Resettlement of IDPs to Si Nar New Village, Sadung, Waingmaw Township](#)

Background

Since 2017, 474 IDPs (85 households) have been sheltering in the General Administration Department (GAD) compound in Sadung town, Waingmaw township. In June 2019, a durable solutions assessment was carried out by a multi-sector team of humanitarian agencies, with the facilitation of the authorities, specifically the Sadung GAD and the Department of Disaster Management (DDM). This assessment found that 33 households (about 160 to 200 people) have plans to move to Si Nar New village, a village on the Waingmaw road, outside Sadung town. Some of these IDPs have already purchased land plots in Si Nar New village. The assessment also indicated that, with the appropriate support, this group of IDPs, representing a substantial proportion of those IDPs currently in Sadung, could resettle in a voluntary, safe and dignified manner.

Opportunities

Security and freedom of movement: IDPs have expressed that they feel safe at the proposed resettlement site in Si Nar New village. To date, there have been no reports of landmine contamination in that location. IDP families who have already purchased land in Si Nar New Village have reported that they are able to move freely to and from the site and many have begun the process of clearing the land.

Access to land use documentation: The landowner in Si Nar New village whom some IDPs have bought land from has committed to help IDPs in obtaining land use documentation once they have completed the payment for the purchase of the land.

Housing: Many IDP families have cleared their land for shelter construction and are waiting for the ground to settle to build.

Water and Sanitation: There are two water sources, both mountain streams, available at some distance from the proposed site.

Livelihoods: Si Nar New village is located just outside Sadung town, located thirty minutes walking distance, with easy access to the daily market, schools, and health services available in town. In addition, some IDP families are already accessing livelihood activities, which they could pursue in the resettlement site (raising pigs, running small shops, etc.).

Support humanitarian and development actors can provide to the Government

- Gather up-to-date [information regarding landmine contamination risks](#) at the site (due to presence of former military installations), through consultations with local leaders, GAD officials, and host community members.
- Provide assistance for the construction of individual [shelters](#) with accompanying [latrines](#), [bathing facilities](#), and [access to safe and clean water](#).
- Provide [transitional food assistance](#) for an initial 12 months along with livelihoods support to individual families resettling to the site.
- Depending on the size of the total population that resettles, support the [establishment of a primary school](#) in Si Nar New village, or provide community-based transport arrangements to ensure the safe transport of students to primary schools in Sadung town.
- Raise [awareness](#) among IDPs [on how to apply for documentation](#) including CSCs, household lists and relevant land use documents.
- Facilitate the [provision of information to and consultation with IDPs](#) about the planned solution, conditions at the site, and assistance/support potentially available from the Government, as well as humanitarian and development actors.

3. [Local integration: Hkat Cho village, Waingmaw Township](#)

Background

Since 2017, local authorities in Hkat Cho village, Waingmaw township, began searching for solutions for the 449 IDPs (92 household) living in Hkat Cho IDP camp located on public land slated for the construction of new village facilities. After consulting with the IDPs, the Hkat Cho GAD identified affordable land in the village, which the IDPs could purchase and establish themselves on. In May 2019, a solutions assessment was carried out by a multi-sectoral team of humanitarian agencies, with the facilitation of the local authorities. This assessment found that some 27 to 30 households (approx. 146 people) are planning to integrate locally by purchasing land plots in Hkat Cho village, with support from the GAD. Some families have already purchased the land or made a preliminary payment. Other families currently do not have the means to purchase the land, but with the appropriate support, their integration could also be facilitated.

Opportunities

Security and freedom of movement: IDPs have indicated that they feel safe at the proposed local integration site in Hkat Cho, which is located near the existing IDP camp and that they are able to move freely in and out of the village. The host community members have also accepted the idea of IDPs integrating locally in the village and expressed their readiness to help them with the move.

Access to land use documentation: IDPs already have access to civil documentation services. The village administrator is also supporting IDPs to acquire land and obtain documentation for their housing plots. Some IDPs have already bought housing plots in the new site and obtained land contracts or letters of purchase.

Livelihoods: IDPs plan to continue their livelihood activities (amber polishing and casual labour) as the proposed local integration site is close to central Hkat Cho. From the new housing plots, IDPs can access the same local market they currently use.

Access to basic services: IDPs can access healthcare facilities, primary and secondary schools in Hkat Cho village, as well as the village tract hospital.

Support humanitarian and development actors can provide to the Government

- Raise [awareness](#) among IDPs [on how to apply for documentation](#) including updated household lists once they have moved to their new location, as well as relevant land use documents for their purchased housing plots. These documents will be key to ensure effective local integration.
- Provide assistance for the construction of individual [shelters](#) with accompanying [latrines](#), [bathing facilities](#), as well as [drainage and access to safe and clean water](#).
- Provide [transitional food assistance](#) for 12 months to enable IDPs to maintain income-generating capacity and livelihoods activities.
- Provide support to the families who are currently unable to purchase land, to enable them to [access livelihoods opportunities](#) and become self-reliant.
- Provide electricity connections for those doing amber polishing and those who have electric machinery to [ensure continued access to livelihoods at the local integration site](#).
- Facilitate the [provision of information to and consultation with IDPs](#) about the planned solution, conditions at the site, and assistance/support potentially available from the Government, as well as humanitarian and development actors.

