



CAPACITY BUILDING FOR LAW AND POLICY-MAKING ON INTERNAL DISPLACEMENT

SESSION 1: WHO ARE IDPS, AND WHAT ARE THEIR SPECIFIC NEEDS?

OVERVIEW

This session aims to show the scale of internal displacement and its main trends globally and in country X, and to unpack the definition of an IDP and its implications in law and policy-making.

Internal displacement is a phenomenon that has gained increasing attention over the last two decades, raising the question of IDPs' specific needs and protection concerns. The Guiding Principles and the Kampala Convention provide comprehensive definitions that highlight the salient characteristics of an IDP and a series of potential causes of displacement. Given that the definitions have operational relevance and are meant to assist state authorities, humanitarian organisations and other responders in identifying IDPs' specific vulnerabilities, a national instrument should be in line with them and not narrow their scope. A narrow definition of an IDP can lead to discrimination, especially when assistance and protection are at stake.

The rationale behind defining an IDP is linked to identifying the needs of people who flee their place of origin but remain in their country. Displacement generates specific issues and needs that should be taken into account and addressed.

"Assessments in Afghanistan have revealed that IDPs are generally more vulnerable than other poor people, especially in the first phases of displacement: 1. IDPs live in more precarious housing conditions; 2. IDPs show greater food insecurity in the initial years of displacement; and 3. IDPs live in poor hygiene and sanitation conditions, with few essential services, inadequate access to electricity, water and sanitation facilities. Yet, their needs are not fully met by current level of assistance. A 2013 evaluation of UNHCR's Shelter Assistance Programme shows that IDPs fare worse

than returning refugees in the reintegration process and are marginalized in their access to land and housing. Fighting, conflict and natural disasters may generate multiple displacements including in areas where humanitarian agencies may not have full access, therefore resulting in exacerbated vulnerabilities for IDPs.”¹

OBJECTIVES

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

- Define the basic elements of the definition of an IDP and internal displacement
- Apply the definitions in specific scenarios
- Describe how the definition of an IDP can affect responses their protection and assistance needs
- Categorise IDPs’ protection and assistance needs

KEY MESSAGES

- Citizens or foreign nationals in a given country may become IDPs as a result of conflict, human rights violations, disasters, situations of generalised violence and development projects
- Defining IDPs correctly has clear practical implications
- The Guiding Principles offer definitions of an IDP and internal displacement that aim to identify vulnerabilities, but do not establish a legal status
- National instruments should define an IDP in accordance with international standards such as the Guiding Principles

DOCUMENTATION

- Guiding Principles on Internal Displacement, 1998
- Kampala Convention, 2009
- Displacement figures in Ukraine fail to reflect a complex reality, IDMC briefing paper, September 2015
- National Instruments on Internal Displacement: A Guide to their Development, IDMC/Brookings, 2013

HANDOUT

IDP Definition and Policy making.

¹ Samuel Hall Consulting, From Policy to Implementation: Engaging with national procedures, national and international stakeholders in 2015, available at <http://goo.gl/JJbVSD>