



CAPACITY BUILDING FOR LAW AND POLICY-MAKING ON INTERNAL DISPLACEMENT

# SESSION 2: A HUMAN RIGHTS-BASED APPROACH TO DISPLACEMENT

## PROTECTION FRAMEWORK FOR ADDRESSING IDPS' NEEDS<sup>1</sup>

(GP = GUIDING PRINCIPLE)

### Rights related to physical security and psychological wellbeing, such as protection from killings, rape, torture and arbitrary detention

- Genocide (GP10.1.a)
- Crimes against humanity (GP 10)
- War crimes (GP 10)
- Other violations of IHL against IDPs (GP 10)
- Arbitrary killing (GP 10.1.c)
- Summary execution (GP 10.1.c)
- Arbitrary detention (GP 12.1)
- Enforced disappearance (GP 10.1.d)
- Torture and other forms of cruel, inhuman or degrading treatment or punishment (GP 11.2.a)
- Civilian and humanitarian character of the places where IDPs are sheltered (GP 10.2.a and 10.2.d)
- Forced labour (GP 11.2.b)

### Rights related to basic necessities of life, such as food, shelter and drinking water

- Assistance by meeting IDPs' basic needs (GPs 7.2 and 18)
- Specific needs (GP 4.2)
- Right to live in satisfactory conditions of dignity, security, food, water, health and shelter (GP 18)
- Humanitarian assistance - food, water, shelter, medical care and other health services, sanitation, education and any other necessary social services (GPs 18 and 23)
- Reproductive and sexual health of internally displaced women and psychosocial support for victims of sexual and other related abuses (GP 19.2)

<sup>1</sup> Adapted from the table devised by the former UN secretary general's representative for IDPs' human rights Prof. Walter Kaelin in order to concretely operationalise the application of the Guiding Principles for IDP protection.

Starvation (GP 10.2.b)

Gender-based violence in all its forms, notably rape, enforced prostitution, sexual exploitation and harmful practices,

Slavery (GP 11.2.a and 11.2.b)

Forcible recruitment (GP 13)

Kidnapping (GP 10)

Abduction (GP 10)

Hostage-taking (GP 12.4)

Recruitment and participation/use of children in hostilities (GP 13)

Freedom of movement within or outside areas of residence (GP 14)

Right to seek safety in another part of the country (GP 15.a)

Protection against forcible return or resettlement in any place where life, safety, and/or health would be at risk (GP 15.d)

Measures to trace and reunify families separated during displacement and to facilitate the re-establishment of family ties (GPs 16 and 17)

**Rights related to economic, social and cultural rights such as health, education and property**

Protection of individual, collective and cultural property in areas of origin and displacement (GP 21)

Mechanisms that provide simplified procedures for resolving property disputes (GP 29.2)

**Rights related to civil and political rights such as documentation and voting rights**

Documents necessary for the exercising of rights (GP 20)

Civic and political rights, public participation, right to vote and to be elected to public office (GP 22)

Participation in decisions relating to protection and assistance (GP 3.d and 29)

**Cross-cutting rights**

Right to peacefully request or seek protection and assistance (GP 3.d)

Non-discrimination of any kind (GP four)

Non-discrimination in the exercising of any rights or freedoms on the grounds of displacement (GP 12.2)

Special protection and assistance for those with special needs (GP 4.2)