

INTERNALLY DISPLACED PEOPLE

QUESTIONS
&
ANSWERS





A family flees
renewed fighting
in Sri Lanka's
Jaffna Peninsula.

INTERNALLY DISPLACED PEOPLE

QUESTIONS & ANSWERS

Cover:

Millions of Congolese have been displaced inside their own country in recent years.



UNHCR/S. SCHULMAN/CCD-2006

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A photograph of a woman with dark hair, wearing a beige jacket, sitting under a blue tarp. She is holding a baby wrapped in a white blanket. The scene is outdoors, with green grass visible at the bottom. The text 'FORGOTTEN NO LONGER' is overlaid on the bottom of the image in large, bold, blue letters.

FORGOTTEN NO LONGER

For decades they tended to be forgotten or ignored, but nowadays they probably form the single largest group of vulnerable people in the world.

AT THE BEGINNING OF 2007, THERE were an estimated 24.5 million such people, hounded out of their homes by war or persecution, in at least 52 countries. As outcasts in their own lands, they often have very limited legal or physical protection and face an uncertain future.

In the soulless shorthand of bureaucracy, they are usually categorized as 'IDPs' – the acronym for 'internally displaced persons.' In real life, they are civilians – mostly women and children – who

have been forced to abandon their homes because of conflict or persecution. Millions more IDPs are placed in a separate category – these are the victims of natural disasters such as earthquakes and floods, or people have been impelled to leave their homes because of development projects.

When civilians cross an international frontier into another country in an effort to escape fighting or human rights violations, they are classified as 'refugees' and, as such,

A displaced
Colombian woman
in a park in the
capital, Bogota.

R

are protected by a strong body of international law. They are also often given food and shelter.

However those who remain *inside* their home countries – even if they have fled for similar or identical reasons – are instead classified as IDPs and are often unable to access the safeguards and assistance afforded to the refugees. Legally, they remain under the ‘protection’ of their own government – even though that same government may be the cause of their flight, or else has shown it is incapable of saving its citizens from marauding rebel groups or generalized violence.

UNHCR’s original mandate does not specifically cover IDPs (indeed no single agency has ever had a clear overarching mandate to protect them). Nevertheless, because of the agency’s expertise on displacement, UNHCR has for many years been actively helping a certain proportion of them – currently an estimated 12.8 million, or half the global total.

Recently, the international community has attempted to find a better balance between the sanctity of a state’s sovereignty and the human rights of its citizens, and to adopt a more practical approach to helping this huge and particularly vulnerable group. As part of that process,

a major effort was made to work out a clearer system for deciding which organizations should fulfil what roles. In 2005, a more coordinated and cohesive approach to tackle the problem – known as the ‘cluster approach’ – was finally agreed.

Usually acting under the general umbrella of the office of the UN emergency relief coordinator, UNHCR now has the ‘lead’ role in overseeing the protection and shelter needs of IDPs as well as the coordination and management of any camps which are established. Other UN agencies have been given similar roles in the areas of water, food, health, logistics and telecommunications.

In 2007, this approach was being applied in the Democratic Republic of the Congo, Uganda, Liberia, Somalia, Chad, Central African Republic, Côte d’Ivoire (protection cluster only), Ethiopia and Colombia. One of the remaining concerns for UNHCR is ensuring sufficient resources for both IDPs and refugees, given the overall sharp increase in the number of people for whom the agency is providing support – up from a total of 20.8 million in 2006 to 32.9 million in 2007, with the number of IDPs doubling as a result of the realignment of responsibilities brought about by the cluster approach.



A displaced Roma girl from Kosovo living in a camp in Serbia.

The effort to protect internally displaced people in Darfur, Sudan, has been one of the hardest challenges in recent years.



FORGOTTEN NO LONGER

■ Who are the world's internally displaced people?

They are individuals or groups of people who have been forced to flee their homes to escape armed conflict, generalized violence and human rights abuses. Millions of other civilians who have been made homeless by natural disasters are also classified as IDPs, but UNHCR is not normally involved with this second group (except in extraordinary circumstances, for example during the aftermath of the 2004 tsunami in Asia and 2005 earthquake in northern Pakistan).



UNHCR/H. CAUX/SDN*2004

■ How many internally displaced people are there as a result of war or persecution?

The United Nations estimates that, in all, there are around 24.5 million IDPs in 52 countries, half of them in Africa. UNHCR currently helps care for 12.8 million people from this group, in addition to some 9.9 million refugees.

■ How do IDPs differ from refugees?

Often, both groups leave their homes for similar reasons. Civilians are recognized as 'refugees' when they cross an international frontier to seek sanctuary in another country. The internally displaced, for whatever reason, remain in their own states.

The World's Maj

Source: Internal Displacement Monitoring Center, September 2007

* UNHCR estimate, September 2007

Only countries with more than 300,000 IDPs are shown. All numbers are rounded to the nearest 10,000.




Colombia*
3,000,000




Côte d'Ivoire
710,000



Algeria
1,000,000

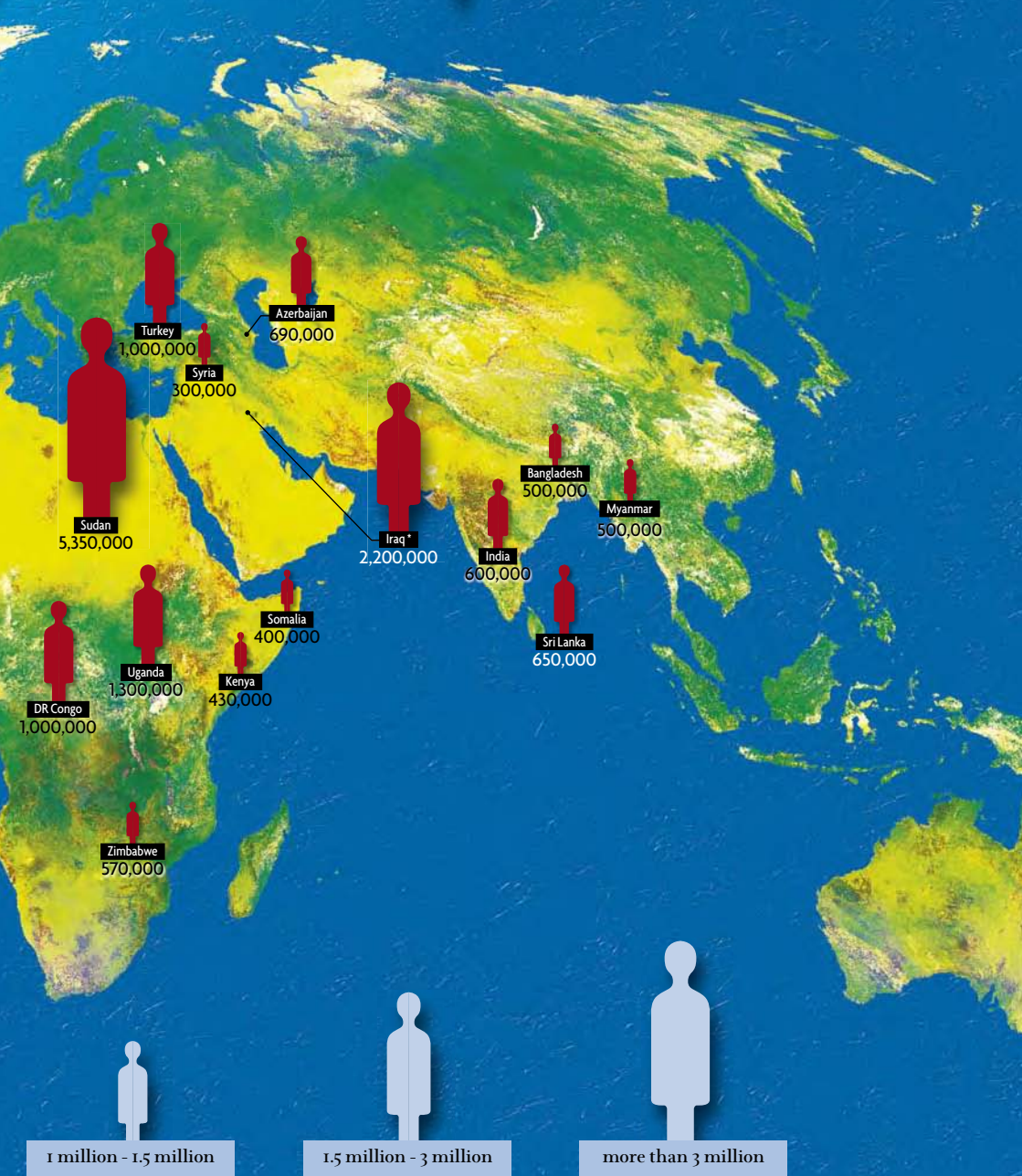


300,000 - 600,000



600,000 - 1 million

or IDP Populations



1 million - 1.5 million

1.5 million - 3 million

more than 3 million



An Iraqi who fled sectarian killings and kidnappings supports his family by working as a baker in another part of Iraq.

■ How are the two groups treated?

Newly arrived refugees normally receive food and shelter as well as a safe place to stay in their host country, with a well-defined body of international laws and conventions to protect them from abuse, exploitation or forced return to their home country. The UN refugee agency and other humanitarian organizations work within this legal framework to help refugees restart their lives in a new state or to return home if conditions improve sufficiently (for example, after a peace agreement).

■ And IDPs?

The internally displaced often face a more difficult situation. They may be trapped in an ongoing internal conflict. Their government, which may view them as 'enemies of the state,' retains ultimate control of their fate. There are no specific international legal instruments covering the internally displaced, and general agreements such as the Geneva Conventions are often difficult to apply. Donors are sometimes reluctant to intervene in internal conflicts or to offer sustained assistance.

■ The IDP problem recently became more widely debated. Why?

In the wake of World War II, the international community focused its attention principally on helping the most obvious victims of the conflict – refugees. In the immediate post-war years, UNHCR was established to further that goal and an international legal framework for refugees

was created. As the cold war ended, the nature of conflict began to change, from superpower confrontation via client states to dozens of more localized, internal struggles. This type of conflict has helped produce far larger numbers of internally displaced victims.

■ How has the international community reacted?

In the past, people displaced inside their own countries received limited assistance, or sometimes none at all. The International Committee of the Red Cross – as the guardian of the Geneva Conventions which govern the conduct of war – has been active in this field for many decades. Other agencies

and governments began a wider debate in the late 1990s and in 2005 – acknowledging a widespread failure to adequately help internally displaced civilians – they adopted what is intended to be a more coordinated, expansive and ‘predictable’ method of tackling the problem: the so-called ‘cluster approach.’



UNHCR / H. CAUX / SDN+2005

Some Sudanese women have suffered assaults on their way to work in this brick factory, which is located close to their IDP camp in Darfur.

FORGOTTEN NO LONGER

■ **What is UNHCR's position vis-à-vis the internally displaced?**

The agency's mandate specifically covers refugees, but in the last 30 years it has assisted in more than 30 IDP operations around the world, in situations as varied as Colombia, Angola, the Balkans, Afghanistan, Sri Lanka and Iraq. The comprehensive agreement reached in 2005 clarified and reinforced the roles of the specialist agencies in helping internally displaced people. Under this agreement, UNHCR assumed lead responsibility for protection, emergency shelter and camp coordination and management as of 1 January 2006. In the process, it expanded its activities in several countries, including the Democratic Republic of the Congo and Uganda, where by the beginning of 2007, UNHCR was assisting and protecting 1.1 million and 1.6 million IDPs respectively.

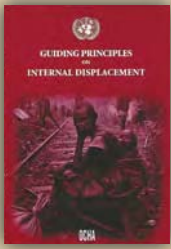
■ **With this extra attention, why is the number of IDPs not decreasing?**

The overall number of internally displaced has remained relatively stable at around 25 million since the beginning of the new millennium. However, by 2007, UNHCR was caring for 12.8 million IDPs in 24 countries, or double the number just one year earlier. There are three main reasons for this sharp increase: new waves of internal displacement in several countries – notably Colombia, Iraq, Lebanon, Sri Lanka and Timor-Leste; the development of UNHCR's activities in connection with its new responsibilities under the cluster approach; and the upward revision of IDP figures in countries such as Colombia (now 3 million) and Côte d'Ivoire (where the number of IDPs was raised from 38,000 in 2006 to 709,000 in the light of a new, more detailed survey of the situation).



UNHCR provides some IDPs, such as this Sri Lankan boy, with shelter, income generation projects or other forms of assistance.

UNHCR/G. AMARASINGHE/LKA-2007



GUIDING PRINCIPLES

The 14-page booklet, *Guiding Principles on Internal Displacement* contains 30 pointers for governments and humanitarian organizations to help the displaced.

The definition of the internally displaced describes them “as persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.”

The 30 principles include:

■ **Principle 2 (2):** These Principles shall not be interpreted as restricting, modifying or impairing the provisions of any international human rights or international humanitarian law instrument or rights granted to persons under domestic law. In particular, these Principles are without prejudice to the right to seek and enjoy asylum in other countries.

■ **Principle 5:** All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons.

■ **Principle 6 (1):** Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence.

■ **Principle 15: Internally displaced persons have:**

- a. The right to seek safety in another part of the country;
- b. The right to leave their country;
- c. The right to seek asylum in another country; and
- d. The right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

■ **Principle 28 (1):** 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.

■ Guiding Principles

The *Guiding Principles on Internal Displacement* are a set of 30 recommendations, which define who IDPs are; outline the large body of existing international law protecting people’s basic rights; and describe the responsibility of states. Although not legally binding, they constitute a comprehensive minimum standard for the treatment of IDPs and are being applied by a growing number of states and institutions. They may also help empower IDPs themselves by providing them with information about their rights as citizens of their own country.

■ Operationally, how does UNHCR respond?

The plight of refugees and IDPs often overlaps and, as a result, a single coordinated operation is often the most sensible solution, especially during repatriation operations when IDPs are frequently located in or returning to the same geographical locations as refugees. Under the new approach, UNHCR is taking a specific ‘lead’ role in the areas where it can bring widespread expertise to bear – protection, shelter, camp management and coordination. Other agencies are undertaking similar roles in water, sanitation, health, food and logistics. One crucial and unresolved question mark concerns whether or not donors will provide the necessary funding to enable UNHCR and its partners to fulfil their responsibilities for both IDPs and refugees.



A displaced child facing an uncertain future in the Democratic Republic of the Congo.

UNHCR/S. SCHULMAN/COD-2006

■ Is there any tension between UNHCR's involvement with refugees and IDPs?

The organization's Statute has been interpreted flexibly to allow it to work with IDPs and the cluster approach further validates its role. However, there have been physical restraints in the past including a lack of security, and refusal of access to the displaced by governments or rebels. Difficulties have also arisen at times when UNHCR is aiding refugees and IDPs from the same

country simultaneously and in close proximity. Programs designed to help IDPs can complicate asylum procedures for those who have fled to neighbouring countries, particularly if the latter use them to justify closing their borders, or cite the 'internal flight alternative' as a reason for rejecting an asylum claim without examining its merits.

■ Have there been other problem areas in the past?

In Timor, and more recently during the crisis in Lebanon, UNHCR decided to provide protection and assistance to all uprooted peoples on the basis of humanitarian needs rather than refugee status. Refugees are sometimes a relatively small component in a displacement that is largely contained inside a country's borders – Colombia and DR Congo being

current examples. Effective reintegration of returning refugees may also require assistance to be extended to the internally displaced – as is the case in countries such as Liberia, the Democratic Republic of the Congo and Afghanistan – in order not to create provocative disparities between equally disadvantaged groups living next to each other.

UNHCR/P. SMITH/COD-2007

Many of Colombia's 3 million IDPs eke out a difficult existence in shanty towns on the fringes of the main cities.



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Back cover:

A rebel group set fire to 700 houses in this village in the Central African Republic, displacing thousands of people.

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