



ADDRESSING INTERNAL DISPLACEMENT

IN TIMES OF ARMED CONFLICT
AND OTHER VIOLENCE



PROTECTING AND ASSISTING INTERNALLY DISPLACED PEOPLE

In the past decade, armed conflict and other violence have forced more and more people to flee their homes and seek refuge elsewhere in their own countries.

This happens, for instance, when parties to a conflict breach their duty to protect civilians and not to attack them, when they fail to mitigate suffering and instead cause harm or – in the worst cases – commit deliberate atrocities. Displacement causes extreme hardship, disrupting people’s lives and livelihoods, endangering communities and countries, and destabilizing entire regions. At the end of 2016 there were more than 40 million such internally displaced people worldwide.

Under international law, States have the primary responsibility to protect and assist internally displaced people under their jurisdiction. And in armed conflicts, all parties to the conflict (including

non-State armed groups) must provide assistance and protection to internally displaced people in the territories they control. All too often, however, States lack properly resourced and funded laws, policies and systems to address these people’s needs. As a result, people struggle to rebuild their lives in a new location. They face threats to their mental and physical well-being. And the difficulties experienced by the people they leave behind, and their new host communities, further compound the problem.

The failure to tackle the problem and find lasting solutions is alarming. Humanitarian and other organizations – in helping the authorities meet their obligations and in intervening directly to provide much-needed support – therefore have a vital role to play.

WHO IS AN INTERNALLY DISPLACED PERSON?

The globally accepted definition of an internally displaced person comes from the United Nations:

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.

— *United Nations Guiding Principles on Internal Displacement,*
11 February 1998

The definition makes two important points. First, an internally displaced person is someone that has been “forced or obliged to flee”. In other words, displacement is always the result of compelling external circumstances – the person concerned would otherwise have chosen to remain at home. Second, the person has not crossed “an internationally recognized State border”, meaning that their movement takes place within their country.

This is a descriptive and non-legal definition as becoming internally displaced confers no special legal status. Internally displaced people are citizens or habitual residents of the State where they find themselves and, as such, should enjoy the same rights and freedoms – without discrimination – as anyone else in that country.







A. Simen/ICRC

OUR APPROACH

The International Committee of the Red Cross (ICRC) sees internal displacement as a process consisting of different phases whose impact reaches well beyond the displaced people themselves.

Our work addressing internal displacement is guided by our mandate to protect the lives and dignity of people affected by armed conflict and other violence. Our focus is on helping internally displaced people meet their specific needs at all phases of their displacement, and supporting the host families and communities who share scarce resources

and overstretched services with them. We try to prevent people from becoming displaced by addressing the causes of displacement in the context in question – promoting and strengthening international humanitarian law in times of armed conflict, making sure the parties to the conflict protect civilians, and keeping basic services running. We work in tandem with the authorities, reminding them of their responsibility to protect and assist internally displaced people and providing additional expertise and support where it is needed.



We seek to complement the efforts of other actors involved in the response. For instance, we help displaced people living outside camps – in host communities or remote locations that other humanitarian agencies cannot reach.

We are also involved in shaping policy and decisions that affect displaced people. We take part in regional and global forums on internal displacement, where we present our opinions and recommendations based on our first-hand experience in the field.

THE PHASES OF DISPLACEMENT

- **Pre-displacement:** the circumstances leading up to displacement and the event that causes people to flee
- **Acute displacement:** including both flight and arrival in the new location, where people may face life-threatening circumstances and need emergency assistance
- **Stable displacement (which may become protracted displacement):** longer-term stays in host families, private housing or camps
- **Durable solutions:** return and reintegration, local integration in the locations where people have been displaced, or resettlement in another part of the country

MEETING PEOPLE'S NEEDS

Displacement tends to make people vulnerable. They are torn away from their familiar surroundings and social support networks, leaving them unable to meet even their most basic needs. And when families are ripped apart or relatives killed or go missing, they endure even greater hardship.

Everyone experiences displacement differently. Some people find it harder to cope with displacement because of their gender, age or disability. Women and girls are at heightened risk of sexual violence and exploitation. Many children are forcibly recruited into armed groups or deprived of an education. What's more, people's experience of displacement changes over time. Newly displaced people face physical

threats and lack basic necessities. Those who have been displaced for longer need health care, education, adequate housing and the means to make a living so they can recover their independence and regain some normality in their lives.

We factor these changing circumstances into how we respond, combining emergency assistance and initial recovery efforts, balancing short-term with longer-term action. Because we understand that every displaced person and host community has different needs, and that such needs are often multifaceted and interrelated, our work is guided by both assistance and protection – both of which are vital to an effective humanitarian response. Sometimes, displaced people take desperate measures – such as child labour or prostitution – to survive. So we run microeconomic initiatives to help them, and urge the authorities to





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improve people's livelihoods. In doing so, we seek to keep people out of harm's way.

We understand that internally displaced people often come up with their own ways to cope with displacement and rebuild their lives. Harnessing initiatives like these can build people' resilience – and make a lasting impact. That's why we aim to involve displaced people and host communities in all our programmes and activities, from situation analysis right through to response design and implementation. We engage with them in a variety of different ways to discuss their concerns, understand their priorities

and receive feedback on activities implemented to support them. We make sure we reach as many people as possible with life-saving messages and information on available services. And we also recognize the important role that local service providers and civil society organizations can play in addressing the challenges of internal displacement.



HOW WE HELP

We:

- talk to authorities and organized armed groups involved in the conflict about their duty to prevent displacement, protect internally displaced people, and ensure they get the assistance they need;
- help armed forces and organized armed groups comply with international humanitarian law and other bodies of law;
- advise governments on the technical aspects of laws and policies to protect and assist internally displaced people;
- work with authorities to introduce procedures so that internally displaced people can get identity documents or other official papers;
- help communities at risk of displacement strengthen local early warning systems and prepare to flee (protecting their belongings, identifying safe escape routes, making sure they keep track of family members and personal documents);
- help family members stay in touch and reunite relatives who have become separated due to displacement;



- distribute relief such as food, water, essential household items, shelter, seed and farming tools to newly arrived or returning displaced people;
- run first aid, surgery, hygiene and health-care programmes to make life easier for internally displaced people in their new location;
- provide livelihood support through microeconomic, agriculture and livestock initiatives to help internally displaced people recover their independence and rebuild their lives;
- fund health centres, keep water-supply networks running and maintain other essential public services in host communities;
- run mine awareness campaigns to keep internally displaced people safe on their return;
- organize information sessions (or use other means of communication, e.g. social media) so internally displaced people can understand their rights and find out about local services.





WHAT THE LAW SAYS

Internally displaced people are protected by international human rights law and domestic law in all situations. And international humanitarian law offers additional protections to internally displaced people in conflict-affected States. Forced displacement is banned under both treaty and customary international humanitarian law, unless displacement is exceptionally and temporarily justified for the security of the civilians involved or imperative military reasons (such as clearing a combat zone). The law also makes clear that civilians and civilian objects should be protected from the effects of armed conflict. Often it is violations of these rules that causes people to flee their homes.

If people do become displaced, they are treated as civilians and are entitled to the same protections as all those who are not, or no longer, taking a direct part in hostilities under international humanitarian law. Just like civilians, they must be protected from the effects of armed conflict. Moreover, the parties to the conflict have a duty to protect displaced people and meet their essential needs in the territories they control.

Once the reasons for their displacement cease to exist, internally displaced people are entitled to return safely to their home, or normal place of residence, if they so wish. The parties to the conflict should take measures to support return to, and reintegration into, their home communities.





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The following rules of international humanitarian law are particularly relevant to the situation of displaced people:

- the prohibition on direct attacks against civilians or civilian objects and indiscriminate attacks;
- the prohibition on the use of starvation of the civilian population as a method of warfare;
- the prohibition on attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population (such as crops and water supplies);
- the prohibition on reprisals against persons and objects protected by the Geneva Conventions;
- the prohibition on using civilians as human shields;
- the prohibition on collective punishment, such as destroying homes, which may lead to displacement;
- the obligations of all parties to a conflict related to humanitarian assistance and access.

There is no universal, legally binding instrument that specifically addresses the plight of internally displaced people. Yet the UN's Guiding Principles on Internal Displacement have broad support from the international community, and many States have incorporated them into domestic law. Moreover, many of the rules contained in the Guiding Principles are part and parcel of international human rights law and international

humanitarian law. For example, the principles make clear that States have a duty to provide displaced people with lasting return, resettlement and reintegration solutions, and that displaced people must be involved in planning and managing measures that concern them.



KAMPALA CONVENTION

On 23 October 2009 African States adopted the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention). The Kampala Convention, which came into force in 2012 and was inspired by the Guiding Principles on Internal Displacement, is the world's first legally binding regional instrument on the protection and assistance of internally displaced people. It marks a major milestone in efforts to address internal displacement across Africa and serves as a model for other regions.

The Kampala Convention provides detailed guidance on how African States should deal with internal displacement. It also stresses that States should cooperate and support each other to address challenges around displacement. Some of the rules in the convention – such as those on safe and voluntary return, and access to compensation and other forms of reparation – go even further than existing treaties.

The ICRC has supported the Kampala Convention from the outset. We were involved in the drafting of the convention, providing legal advice on issues relating to international humanitarian law and

supporting the negotiation process that led to its adoption. And we have since been encouraging States to ratify the convention and helping them implement its provisions in full. In 2016, we published a report that takes stock of States' progress towards, and experiences of, implementation, building on lessons learned and promoting best practice. The report stresses the importance of giving displaced people a meaningful say in decisions that affect them, ensuring access to essential services, and the vital role of the African Union and regional stakeholders in promoting the convention across the continent. It also contains a series of recommendations, for States and other actors, on a broad range of issues such as preventing displacement, managing and coordinating the national and local response, better protecting and assisting displaced people, and delivering lasting solutions.





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TOWNS AND CITIES

As the world's population becomes ever more urbanized, people fleeing armed conflict and other violence are increasingly displaced to, between or within towns and cities. Here, they tend to live in private accommodation or with host families, rather than in camps. In these settings, internally displaced people and residents face similar challenges in their daily lives – poor housing standards, limited access to services and economic insecurity.

Yet internally displaced people are often much poorer and more vulnerable than their non-displaced neighbours. After experiencing hardship both before and during their journeys, they typically arrive with few or no possessions. They find it hard to get a job because they have no family or social ties, know little about their new location and lack the skills they need, especially if they have fled from the countryside. They have no official documents, meaning they



struggle to access basic services like education and health care – and discrimination makes matters worse. Internally displaced people in towns and cities are harder to reach because they tend to be dispersed among host communities. And, especially in places affected by urban violence, fear can push people into concealing their true situation or even into hiding.

Getting vital support to internally displaced people and host communities in towns and cities therefore comes with its

own set of challenges. And these unique challenges demand unique solutions. It is not enough to simply replicate what works in rural settings. As well as providing targeted support to internally displaced people – in terms of shelter, documents and lasting solutions – humanitarian and development agencies also have to work with the local authorities to improve infrastructure and public services for the benefit not just of internally displaced people, but also of the community as a whole.



INTERNAL DISPLACEMENT AND MIGRATION

Internal displacement and migration often pose interrelated challenges. Many refugees come from conflict-affected countries where internal displacement is already rife. And for some people, internal displacement is merely the first step in an arduous journey, moving to another country, in search of safety and a better life, after failing to find protection and lasting solutions in their country. Similarly, some returning migrants and refugees end up becoming displaced in their home country because going back home would be unsafe, or would leave them without access to basic services and livelihood opportunities. So as well as being driven by the same or similar circumstances, internally displaced people, refugees and other vulnerable migrants have to deal with the same problems that face anyone who is torn from familiar surroundings.

The ICRC has repeatedly called on States, donors and other humanitarian organizations to acknowledge the possible connection between internal displacement and migration. We believe that when such connection exists, it demands holistic responses – taking steps to protect and help refugees and other vulnerable migrants in transit and on arrival, doing more to protect and help all people affected by armed conflict and other violence, including those internally displaced, and strengthening respect for international humanitarian law and international human rights law in countries of origin to address the causes of forced displacement.

But internal displacement should not be seen as necessarily a precursor to migration. These days, most people who are uprooted because of violence end up dis-



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placed in their own country. We believe that the international community should treat their plight as a matter of concern in its own right, not just as a way of reducing or containing migration. By labelling internally displaced people as tomorrow's refugees or migrants, we fail to take account of their wishes and priorities. Not every internally displaced person ends up crossing an international border, and

many have no desire to do so. Instead, we should focus on protecting and assisting these people, and coming up with lasting solutions, so that they can rebuild their lives in their own countries.



THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT

The International Red Cross and Red Crescent Movement (the Movement) comprises National Red Cross and Red Crescent Societies (National Societies), the International Federation of Red Cross and Red Crescent Societies (IFRC) and the ICRC. The three different parts of the Movement use the same emblems and are guided by the same principles. It is a neutral, impartial network that alleviates the suffering of people affected by disasters, armed conflicts and other violence. National Societies support the public authorities in their own countries. Their local knowledge and expertise, access to communities and network enable the Movement to get the right kind of help where it's needed, fast.




The Movement has long been active in addressing the needs of individuals and communities affected by internal displacement. The Movement Policy on Internal Displacement, adopted by the Council of Delegates in November 2009, reaffirmed the Movement's engagement with this issue and its work to help internally displaced people and host communities. It also recognized the value of a coordinated response by the whole Movement. In line with this policy, whenever possible, the ICRC prioritizes partnerships with National Societies in designing and implementing activities for internally displaced and host communities worldwide.



We help people around the world affected by armed conflict and other violence, doing everything we can to protect their dignity and relieve their suffering, often with our Red Cross and Red Crescent partners. We also seek to prevent hardship by promoting and strengthening humanitarian law and championing universal humanitarian principles.



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