



INTERNALLY DISPLACED

HUMANITARIAN RESPONSE TO INTERNALLY
DISPLACED PEOPLE IN ARMED CONFLICT



ICRC

IN BRIEF



ICRC

International Committee of the Red Cross
19, avenue de la Paix
1202 Geneva, Switzerland
T + 41 22 734 60 01 F + 41 22 733 20 57
E-mail: shop@icrc.org icrc.org
© ICRC, June 2010

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Philippe Fichard/ICRC

“ Respecting the rights of civilian populations in armed conflict and other situations of violence is the best prevention against displacement. ”



INTERNATIONAL HUMANITARIAN LAW

The four Geneva Conventions of 1949, which, since August 2006, have been ratified by every State in the world (194), constitute the foundations of international humanitarian law. They are supplemented by further agreements: the two Additional Protocols of 1977 and the Additional Protocol of 2006. Many provisions of international humanitarian law are now accepted as customary law – that is, as general rules by which all States are bound.



James Nachtwey/ICRC/VII

PROTECTING AND ASSISTING THE INTERNALLY DISPLACED

The displacement of people within their own countries owing to war or natural disaster is a matter of growing concern worldwide, especially among those involved in humanitarian work. This concern is amply justified: time and again, internally displaced people (IDPs) suffer extreme hardship that jeopardizes their very survival. A host of dangers threaten IDPs, whether during their flight, while they are displaced, or even upon their return home or their resettlement elsewhere. The death toll among IDPs – especially among children, the elderly and pregnant women – frequently reaches alarming proportions, and the difficulties experienced by those left behind and by

host communities further compound the problem. Internal displacement is often the consequence of violations of international humanitarian law (IHL) during armed conflict or failure to comply with other norms intended to protect people in situations of violence, such as human rights law. When civilians flee a conflict zone, this is a good indication that the warring parties are indifferent to their rights under IHL or, worse, are deliberately targeting them. IHL expressly prohibits any party to an armed conflict from compelling civilians to leave their homes and affords IDPs the same protection from the effects of hostilities and the same assistance as the rest of the civilian population.



Antonin Kratochvíl / CRC/VII

LEGAL FRAMEWORK

IHL expressly prohibits the displacement of civilians. In addition, the rules of IHL intended to spare civilians from the effects of

hostilities play an important role in preventing displacement, as it is often violations of these rules that cause civilians to flee their homes.

Of particular relevance are:

- the prohibition on attacking civilians or civilian property and on indiscriminate attacks;
- the prohibition on starving civilians as a method of warfare and on destroying objects indispensable to their survival;
- the prohibition on reprisals against civilians and civilian property;
- the prohibition on using civilians as “human shields”;
- the prohibition on collective punishment, which, in practice, often

consists in destroying homes and thus leads to displacement;

- the obligation for all States and all parties to a conflict to allow the unhindered passage of relief supplies and the provision of assistance necessary for the survival of civilians.

These basic rules protecting the civilian population apply in both international and non-international armed conflicts.

WHO ARE IDPS AND HOW DOES THE LAW PROTECT THEM?

The definition of IDPs most commonly used by the international community is the one found in the Guiding Principles on Internal Displacement issued by 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.”

(UN doc. E/CN.4/1998/53/Add.2 of 11 February 1998).

On 23 October 2009, African States adopted the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). The adoption of the first ever international treaty for the protection and assistance of IDPs across an entire continent

is a significant achievement. Although it has not yet entered into force, the new IDP convention contains numerous important provisions of IHL, which bind both State and non-State actors. It even goes further than IHL treaties in some aspects, for example in the rules it contains on safe and voluntary return and on access to compensation or other forms of reparation. In all cases, IDPs are protected – although not expressly referred to therein – by various bodies of law, including, most notably, national law and human rights law and, if they are in a State affected by armed conflict, IHL.

Under IHL, the displacement of civilians is prohibited. Should it nevertheless occur, IDPs are entitled to the same protection as any other civilians. The party in control of the territory to which they have fled must spare them from the effects of hostilities and ensure that their basic needs are met in terms of food, water and shelter.



Dominic Sansoni / IRC

WHAT ARE THE NEEDS OF IDPS?

Persons affected by armed conflict and other situations of violence experience a wide variety of needs in the short, medium and long term. These include food, water, shelter and other essential items, security, physical and psychological well-being, assistance in restoring family links, health care, education and economic and social rehabilitation.

People are especially vulnerable when they are displaced, whatever the cause of the displacement. They are deprived, often brutally, of their ordinary environment, and this directly threatens their ability to meet

their most basic needs, especially when families are torn apart or when relatives are killed or go missing.

For humanitarian action to be effective, it is of paramount importance to take into account all the needs of IDPs at every stage of their displacement. Only a comprehensive approach can ensure that assistance and protection – two interlocking aspects of effective humanitarian operations – are provided simultaneously. The needs of IDPs cannot be strictly divided into categories or sectors.

COMMON THREATS TO THE SECURITY OF IDPS

- direct attacks and ill-treatment
- increased risk that families will be torn apart and that children, in particular, will be separated from their parents or other relatives
- increased risk of rape or sexual violence against women and girls
- increased exposure to health hazards
- deprivation of property
- restricted access to essential goods and services, including health care
- exposure to collateral risks in attempting to meet essential needs
- risk of tension between host communities and displaced people
- presence of weapon bearers in camps
- forced recruitment
- settlement in unsafe or unfit locations
- forced return to unsafe areas



PHASES OF DISPLACEMENT

- flight (wherever efforts to avoid displacement were non-existent or have failed)
- arrival in host community or emergency shelter in temporary location, possibly a camp
- longer-term accommodation in host community, camp or urban structure
- return to and reintegration in place of origin
- final relocation (in place other than original home)

The primary responsibility for protecting IDPs and meeting their basic needs lies unequivocally with the States or the authorities that control the territory where the IDPs find themselves. Those in charge must refrain from displacing the population and, if displacement occurs, they must ensure that the IDPs are spared and protected, and that their needs are met. They can do this by guaranteeing conditions (access to food, water, hygiene, clothing, shelter, medical care, etc.) that allow people to remain in their homes, by protecting those who are uprooted, and by promoting return whenever this is safe and material conditions are satisfactory. The return of IDPs very often presents a formidable challenge to the authorities and resident communities. All too often, the authorities are unable or unwilling to meet their obligations to protect and assist IDPs. When this happens, humanitarian organizations have a role to play in ensuring their survival.



Pedram Yazdi/ICRC

THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT

The International Red Cross and Red Crescent Movement (Movement) comprises the National Red Cross and Red Crescent Societies (National Societies), the International Federation of Red Cross and Red Crescent Societies (International Federation) and the International Committee of the Red Cross (ICRC). The Council of Delegates is the body where representatives of the ICRC, the International Federation and the National Societies meet to discuss matters of common concern.

HUMANITARIAN RESPONSE

The problem of internal displacement is of such magnitude that no single organization can meet the needs of those affected.

The ICRC works closely with National Societies whose roots are in their communities, and who often have a keen understanding of local crises and long-standing access to authorities. The components of the Movement have the same emblems and are guided by the same principles. These advantages enable the Movement to take impartial and coherent humanitarian action in order to alleviate the suffering of people.

During armed conflict and other episodes of violence, the ICRC leads the humanitarian response of the Movement. This includes coordinating efforts to restore contact between members of families separated by armed conflict. The well-being of people and

their capacity to cope with crises depend largely on their being able to stay in touch with loved ones.

The ICRC and its partners within the Movement always seek to strike a balance between their response to the specific needs of displaced persons and that to the needs of host communities, who not only take in displaced persons but also often share their meagre resources with them. These host communities can be as vulnerable as those who have been displaced.

The Movement has developed humanitarian responses to meet the essential needs of affected groups, especially during acute crises. In 2009, the Movement established policy guidelines in order to harmonize and strengthen its capacity to meet the needs and vulnerabilities of displaced people.



THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT'S POLICY ON INTERNAL DISPLACEMENT

"... The Movement sees displacement as a dynamic and often recurrent process with several phases. Displacement has serious consequences for many different groups. It is covered by the legal framework (national law, international humanitarian law where applicable, and international human rights law) protecting the displaced themselves, those left behind and the host communities who share their resources with the displaced group.

The Movement's primary goal is to protect people against arbitrary displacement and to reduce the risk of displacement caused by natural and man-made hazards. If people are nevertheless displaced, the Movement takes action – particularly during acute crises when essential needs are no longer

met, regardless of the duration – to alleviate the suffering of individuals. When – as in chronic crises – basic needs are covered by existing services and infrastructure, but inadequately, the Movement's aim is to facilitate progress towards a durable response to the plight of victims.

In its approach to internal displacement, the Movement takes advantage of its deep roots in the community and privileged access to the authorities. It takes impartial, humanitarian action to directly meet the urgent needs of people at risk, while supporting authorities in an auxiliary capacity and, if necessary, reminding them of their obligation to care for the affected population ..."

Resolution 5 – Council of Delegates of the Movement
Nairobi, 23-25 November 2009



Jeroen Oerlemans/Dutch-BC

During a crisis, a number of organizations will usually set up operations for alleviating suffering. The activities of each organization must complement those of others; they must be based on the capacities of the organization; and they must be pertinent to the situation. Although it is not part of the UN's 'cluster approach', the ICRC participates in coordination and cooperation initiatives with the UN, without sacrificing its independence and impartiality. The ICRC's aim – like that of the UN's 'cluster approach' – is to respond effectively to crises without any duplication of effort.

TAKING ACTION TO MEET NEEDS

The ICRC draws on its long and varied experience to meet the urgent needs of the entire civilian population.

The ICRC carries out an extensive range of specialized activities, which are evaluated

by experts on its staff. Because the ICRC has a specific response to each phase of displacement, it has to be able to deploy and operate rapidly and to meet long-term commitments.

The ICRC seeks to restore acceptable living conditions and enable people to maintain an environment that is as close as possible to what they are accustomed to until they can become self-reliant again.

Encouraging self-reliance among affected communities is one of the main aims of ICRC assistance programmes. By ensuring that people can meet their basic needs, these programmes help to prevent displacement and, where necessary, to improve the community's capacity to host IDPs or IDP camps, whose presence is an additional strain on the resident population.



James Nachtwey/ICRC/VII

ICRC ACTIVITIES FOR IDPS

- interventions to persuade authorities and armed groups to fulfil their obligations to protect civilian populations
- efforts to restore family links
- distribution of relief material, such as food, water, essential household items, shelter, seed and farming tools
- first aid and surgery, hygiene and health-care programmes
- livelihood support programmes such as microeconomic initiatives, agricultural and livestock support
- mine-action programmes, including prevention
- provision of artificial limbs

At the same time, the ICRC attempts to preserve the coping mechanisms already in use among residents or IDPs, while avoiding any action that might increase the disparities between different groups and create or exacerbate tensions. It also facilitates reintegration where the circumstances allow. Long-term displacement requires a different approach and raises difficult questions about the type of response needed and its duration.

The ICRC has repeatedly expressed its concern over the growing tendency within the humanitarian and donor communities to consider the needs of IDPs and those of the resident population separately. To compartmentalize the humanitarian response and split beneficiaries into categories – such as IDPs – is to risk neglecting certain affected groups, possibly those in greatest need.

MISSION

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of armed conflict and other situations of violence and to provide them with assistance. The ICRC also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the Geneva Conventions and the International Red Cross and Red Crescent Movement. It directs and coordinates the international relief activities conducted by the Movement in armed conflicts and other situations of violence.



ICRC