



**FORUM:** The Third Committee of the General Assembly (SOCHUM)

**QUESTION OF:** “Ensuring the protection of and assistance to internally displaced persons”

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**POSITION:** Main Chair

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## **INTRODUCTION**

What challenges do internally displaced persons face? People forced to flee or leave their homes - particularly in situations of armed conflict - are generally subject to heightened vulnerability in a number of areas. Displaced persons suffer significantly higher rates of mortality than the general population. They also remain at high risk of physical attack, sexual assault and abduction, and frequently are deprived of adequate shelter, food and health services.

The overwhelming majority of internally displaced persons are women and children who are especially at risk of abuse of their basic rights. More often than refugees, the internally displaced tend to remain close to or become trapped in zones of conflict, caught in the cross-fire and at risk of being used as pawns, targets or human shields by the belligerents.

What is the difference between an internally displaced person and a refugee? According to the 1951 Convention on the Status of Refugees, a "refugee" is a person who, "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it." Subsequent international instruments (such as the Cartagena Declaration on Refugees and the Convention Governing the Specific Aspects of Refugee Problems in Africa) have expanded this definition for some states to persons fleeing the general effects of armed conflict and/or natural disaster.

A crucial requirement to be considered a "refugee" is crossing an international border. Persons forcibly displaced from their homes who cannot or choose not to cross a border, therefore, are not considered refugees, even if they share many of the same circumstances and challenges as those who do. Unlike refugees, these internally displaced persons do not have a special status in international law with rights specific to their situation. The term "internally displaced person" is merely descriptive.

What rights do internally displaced persons have? Like all human beings, internally displaced persons enjoy human rights that are articulated by international human rights instruments and customary law. In situations of armed conflict, moreover, they enjoy the same rights as other civilians to the various protections provided by international humanitarian law.

The Guiding Principles on Internal Displacement, created in 1998, restate and compile existing international human rights and humanitarian law germane to the internally displaced and also attempt to clarify grey areas and gaps in the various instruments with regard to situations of particular interest to the internally displaced.

The Guiding Principles note that arbitrary displacement in the first instance is prohibited (Principles 5-7). Once persons have been displaced, they retain a broad range of economic, social, cultural, civil and political rights, including the right to basic humanitarian assistance (such as food, medicine, shelter), the right to be protected from physical violence, the right to education, freedom of movement and residence, political rights such as the right to participate in public affairs and the right to participate in economic activities (Principles 10-23). Displaced persons also have the right to assistance from competent authorities in voluntary, dignified and safe return, resettlement or local integration, including help in recovering lost property and possessions. When restitution is not possible, the Guiding Principles call for compensation or just reparation (Principles 28-30).

## **BACKGROUND INFORMATION**

The problem of protecting and assisting IDPs is not a new issue. In international law it is the responsibility of the government concerned to provide assistance and protection for the IDPs in their country. However, as many of the displaced are a result of civil conflict and violence or where the authority of the central state is in doubt, there is no local authority willing to provide assistance and protection. (Goodwin-Gill, Guy S. (1996). *The refugee in international law*. Oxford: Clarendon Press. ISBN 0-19-826019-9.p. 264)

It has been estimated that some 5 million IDPs in 11 countries are "without any significant humanitarian assistance from their governments." IDMC (April 2006). *INTERNAL DISPLACEMENT Global Overview of Trends and Developments in 2006* (PDF). Geneva: Internal Displacement Monitoring Centre, Norwegian Refugee Council. p. 6

Under these circumstances rehabilitation policies on humanitarian grounds should be aimed at reducing inequality of opportunity among these vulnerable groups by integrating them into local social services and allowing them access to jobs, education, and healthcare opportunities; otherwise new conflicts might break out. (Das, Tuhin K.; Haldar, Sushil K.; Das Gupta, Ivy; Kundu, Sangeeta (August 2016). *Deprivation of Internally Displaced Persons: Case Studies in India* (First ed.). India: Power Publishers. p. 130. ISBN 978-93-85892-71-4.)

Unlike the case of refugees, there is no international humanitarian institution which has the overall responsibility of protecting and assisting the refugees as well as the internally displaced. A number of organizations have stepped into the breach in specific circumstances.

## **DEFINITION OF KEY TERMS**

**Internally Displaced Person (IDP):** An internally displaced person is someone who is forced to flee his or her home but who remains within his or her country's borders. They are often referred to as refugees, although they do not fall within the legal definitions of a refugee.

"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." (Deng, Francis. "The guiding principles on internal displacement". *E/CN.4/1998/53/Add.1, February 11. New York, NY: United Nations*. New York: United Nations.)

**Refugee:** A refugee, generally speaking, is a displaced person who has been forced to cross national boundaries and who cannot return home safely. Such a person may be called an asylum seeker until granted refugee status by the contracting state or the UNHCR if they formally make a claim for asylum. The lead international agency coordinating refugee protection is the United Nations Office of the United Nations High Commissioner for Refugees (UNHCR).

**Forced displacement/ Forced immigration:** Forced displacement or forced immigration is the coerced movement of a person or people away from their home or home region and it often connotes violent coercion. Someone who has experienced forced displacement is a "forced immi-

grant", a "displaced person" (DP), rarely also a "displacee", or if it is within the same country, an internally displaced person (IDP). In some cases the forced immigrant can also become a refugee, as that term has a specific legal definition. A specific form of forced displacement is population transfer, which is a coherent policy to move unwanted groups, for example, as an attempt at ethnic cleansing. Another form is deportation. ("Internally Displaced Persons". *UNHCR*. Retrieved 10 July 2017.)

## **ISSUES THAT MIGHT ARISE**

There are few administration issues that IDP have no rights to get in many countries such as: birth certificate, marriage certificate, death certificate, citizenship certificate, work booklet, ID card, IDP card.

Another issue arising is registering residence. *“Every IDP has the right to liberty of movement and freedom to choose his or her residence.”* Principle 14, Paragraph 1, UN Guiding Principles on Internal Displacement

Thousands of IDPs continue to live in very difficult conditions in collective centres and informal-illegal settlements without a permanent housing solution, among them many vulnerable individuals and families, so as another issue is accommodation.

The basic care we all need is health care. Regarding the documentary issue, IDPs has a hard access to basic healthcare and social services, even though Principle 19 of the UN Guiding Principle on Internal Displacement is recommending something clearly different.

Education, in addition, the problem of missing documentation of school children is frequently resolved. Most primary schools are willing to enrol children without proper documentation if parents show evidence that a request to obtain birth certification is submitted.

IDPs whose working booklets are missing must undergo a lengthy procedure for the issuance of a new working booklet. Due to the lack of other working-related documentation (diplomas or M4 forms), they are often not in a position to prove the necessary facts in this procedure. So the employment issue is arising as well.

*“National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to IDPs within their jurisdiction.”*

Principle 3, Paragraph 1, UN Guiding Principles on Internal Displacement (6/8/19, [refworld.org](http://refworld.org))

**MAJOR COUNTRIES AND ORGANISATIONS INVOLVED**

<b>Country/ territory</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>	<b>2010</b>	<b>2009</b>	<b>2008</b>	<b>2007</b>
<b>Afghanistan</b>	<b>631,30 0</b>	<b>486,30 0</b>	<b>447,50 0</b>	<b>351,90 0</b>	<b>297,10 0</b>	<b>230,70 0</b>	<b>153,70 0</b>	<b>129,30 0</b>
<b>Azerbaijan</b>	<b>609,00 0</b>	<b>600,30 0</b>	<b>599,20 0</b>	<b>592,90 0</b>	<b>586,00 0</b>	<b>603,30 0</b>	<b>686,60 0</b>	<b>686,60 0</b>
<b>Bosnia and Herzegovina</b>	<b>84,500</b>	<b>103,40 0</b>	<b>113,00 0</b>	<b>113,40 0</b>	<b>113,60 0</b>	<b>124,50 0</b>	<b>131,00 0</b>	<b>135,50 0</b>
<b>Burundi</b>	<b>78,900</b>	<b>78,900</b>	<b>78,800</b>	<b>157,20 0</b>	<b>100,00 0</b>	<b>100,00 0</b>	<b>100,00 0</b>	<b>13,900</b>
<b>CAR</b>	<b>894,40 0</b>	<b>51,700</b>	<b>106,20 0</b>	<b>192,50 0</b>	<b>197,00 0</b>	<b>197,00 0</b>	<b>197,00 0</b>	<b>147,00 0</b>
<b>Chad</b>	<b>19,800</b>	<b>90,000</b>	<b>124,00 0</b>	<b>231,00 0</b>	<b>170,50 0</b>	<b>166,70 0</b>	<b>178,90 0</b>	<b>112,70 0</b>
<b>Colombia</b>	<b>5,368,1 00</b>	<b>3,943,5 00</b>	<b>3,888,3 00</b>	<b>3,672,1 00</b>	<b>3,304,0 00</b>	<b>3,000,0 00</b>	<b>3,000,0 00</b>	<b>3,000,0 00</b>
<b>Congo</b>								<b>3,500</b>
<b>Côte d'Ivoire</b>	<b>24,000</b>	<b>45,000</b>	<b>126,70 0</b>	<b>517,10 0</b>	<b>519,10 0</b>	<b>686,00 0</b>	<b>709,00 0</b>	<b>709,20 0</b>
<b>Croatia</b>				<b>2,100</b>	<b>2,300</b>	<b>2,500</b>	<b>2,900</b>	<b>4,000</b>

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<b>DRC</b>	<b>2,963,800</b>	<b>2,669,100</b>	<b>1,709,300</b>	<b>1,721,400</b>	<b>2,050,700</b>	<b>1,460,100</b>	<b>1,317,900</b>	<b>1,075,300</b>
<b>Georgia</b>	<b>257,600</b>	<b>279,800</b>	<b>274,000</b>	<b>360,000</b>	<b>352,600</b>	<b>329,800</b>	<b>271,300</b>	<b>246,000</b>
<b>Iraq</b>	<b>954,100</b>	<b>1,131,800</b>	<b>1,332,400</b>	<b>1,343,600</b>	<b>1,552,000</b>	<b>2,647,300</b>	<b>2,481,000</b>	<b>1,834,400</b>
<b>Kenya</b>			<b>300,000</b>	<b>300,000</b>	<b>399,000</b>	<b>404,000</b>	<b>250,000</b>	
<b>Kyrgyzstan</b>			<b>163,900</b>	<b>80,000</b>				
<b>Lebanon</b>							<b>70,000</b>	<b>200,000</b>
<b>Libya</b>	<b>53,600</b>	<b>59,400</b>	<b>93,600</b>					
<b>Mali</b>	<b>254,800</b>	<b>227,900</b>						
<b>Montenegro</b>							<b>16,200</b>	<b>16,200</b>
<b>Myanmar</b>	<b>372,000</b>	<b>430,400</b>	<b>339,200</b>	<b>239,200</b>	<b>62,000</b>	<b>67,300</b>	<b>67,300</b>	<b>58,500</b>
<b>Nepal</b>							<b>50,000</b>	<b>100,000</b>
<b>Nigeria</b>	<b>360,000</b>							

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<b>Pakistan</b>	<b>747,50</b> <b>0</b>	<b>758,00</b> <b>0</b>	<b>452,90</b> <b>0</b>	<b>952,00</b> <b>0</b>	<b>1,894,6</b> <b>00</b>	<b>155,80</b> <b>0</b>	<b>155,80</b> <b>0</b>	
<b>Philippines</b>	<b>117,40</b> <b>0</b>	<b>1,200</b>	<b>159,50</b> <b>0</b>	<b>139,50</b> <b>0</b>				
<b>Russia</b>				<b>75,400</b>	<b>79,900</b>	<b>91,500</b>	<b>263,70</b> <b>0</b>	<b>158,90</b> <b>0</b>
<b>Serbia</b>	<b>227,50</b> <b>0</b>	<b>227,80</b> <b>0</b>	<b>228,20</b> <b>0</b>	<b>228,40</b> <b>0</b>	<b>224,90</b> <b>0</b>	<b>225,90</b> <b>0</b>	<b>226,40</b> <b>0</b>	<b>227,60</b> <b>0</b>
<b>Somalia</b>	<b>1,133,0</b> <b>00</b>	<b>1,133,0</b> <b>00</b>	<b>1,356,8</b> <b>00</b>	<b>1,463,8</b> <b>00</b>	<b>1,392,3</b> <b>00</b>	<b>1,277,2</b> <b>00</b>	<b>1,000,0</b> <b>00</b>	<b>400,00</b> <b>0</b>
<b>South Sudan</b>	<b>331,10</b> <b>0</b>	<b>345,70</b> <b>0</b>	<b>209,70</b> <b>0</b>	<b>223,70</b> <b>0</b>				
<b>Sri Lanka</b>	<b>42,200</b>	<b>93,500</b>	<b>138,40</b> <b>0</b>	<b>273,80</b> <b>0</b>	<b>434,90</b> <b>0</b>	<b>504,80</b> <b>0</b>	<b>459,60</b> <b>0</b>	<b>469,00</b> <b>0</b>
<b>Sudan</b>	<b>1,873,3</b> <b>00</b>	<b>1,873,3</b> <b>00</b>	<b>2,033,1</b> <b>00</b>	<b>1,602,2</b> <b>00</b>	<b>1,079,1</b> <b>00</b>	<b>1,201,0</b> <b>00</b>	<b>1,225,0</b> <b>00</b>	<b>1,325,2</b> <b>00</b>
<b>Syria</b>	<b>6,520,8</b> <b>00</b>	<b>2,016,5</b> <b>00</b>						
<b>East Timor</b>						<b>15,900</b>	<b>62,600</b>	<b>155,20</b> <b>0</b>
<b>Uganda</b>				<b>125,60</b> <b>0</b>	<b>428,60</b> <b>0</b>	<b>853,00</b> <b>0</b>	<b>1,236,0</b> <b>00</b>	<b>1,814,9</b> <b>00</b>

<b>Yemen</b>	<b>306,600</b>	<b>385,300</b>	<b>347,300</b>	<b>193,700</b>	<b>250,000</b>	<b>100,000</b>	<b>77,000</b>	
<b>Zimbabwe</b>	<b>60,100</b>	<b>57,900</b>	<b>54,300</b>					

### QUESTIONS DELEGATES SHOULD CONSIDER

- Whose responsibility is it to protect and assist internally displaced persons?
- What measures can be applied for registration IDPs to the country?
- What rights do internally displaced persons should have?

### USEFUL LINKS/SOURCES:

<http://reporting.unhcr.org/population>

<http://www.unhcr.org/en-us/internally-displaced-people.html>

<http://unhcr.org/556725e69.html>

[http://www.reliefweb.int/ocha\\_ol/pub/idp\\_gp/idp.html](http://www.reliefweb.int/ocha_ol/pub/idp_gp/idp.html)

<http://www.internal-displacement.org/assets/publications/2007/2007-global-overview2006-global-en.pdf>

<http://www.odi.org.uk/publications/7533-sanctuary-city-responses-protracted-urban-displacement>

[http://www.brookings.edu/~media/Files/rc/articles/2006/winter\\_humanrights\\_cohen/Cohen\\_2006\\_GJIA.pdf](http://www.brookings.edu/~media/Files/rc/articles/2006/winter_humanrights_cohen/Cohen_2006_GJIA.pdf)

[https://web.archive.org/web/20071029221242/http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/9251510E3E5B6FC3C12572BF0029C267/\\$file/Global\\_Overview\\_2006.pdf](https://web.archive.org/web/20071029221242/http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/9251510E3E5B6FC3C12572BF0029C267/$file/Global_Overview_2006.pdf)

<https://www.unhcr.org/basics/BASICS/405ef8c64.pdf>