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After 15 days of flooding wiped out their homes, Fatima and Yaroun now shelter in Goz Amir camp, Chad.

Protection Field Coordination Toolkit

Chapter 3: Internal Displacement



Global Protection Cluster

Chapter 3: Internal Displacement

Overview

This chapter contains:

- Introduction to internal displacement and the unique needs of IDPs.
- Legal frameworks that guide IDP protection.
- Role of the Protection Cluster in addressing IDP protection and solutions.
- Global guidance and key resources.

Internal displacement occurs when individuals or groups are forced to flee their homes due to armed conflict, generalized violence, human rights violations, or natural or human-made disasters, but remain within their country's borders. Unlike refugees, internally displaced persons (IDPs) do not cross an international boundary and therefore do not acquire a special legal status under international law. The Protection Cluster plays a central role in ensuring that protection risks faced by IDPs are identified and addressed, and in promoting rights-based approaches that place the dignity and safety of displaced populations at the center of humanitarian action.

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3.1 Core Concepts and Principles

Internally displaced persons (also known as "IDPs") are "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 border." *Guiding Principles on Internal Displacement, 1998*.

Key Resource

- [Handbook for the Protection of Internally Displaced Persons](#) (2010) – in English, Spanish, French and Arabic

Understanding Who is an IDP

It is important to remember that an IDP is a description and not a legal definition. The *Handbook for the Protection of Internally Displaced Persons* reminds us that it is a description of a factual situation – that does not confer any specific legal status or rights (unlike refugee status). There are key elements to this description.

1. The movement is **involuntary** rather than by choice (this includes coercion).
2. The movement takes place **within national borders**.
3. A person can be displaced in a country where they are **not a citizen**, they can be **a citizen, habitual resident or stateless person**.

The Internal Displacement Monitoring Centre provides the following examples of internally displaced persons:

- Families caught between warring parties and having to flee their homes under relentless bombardments or the threat of armed attacks, whose own governments may be responsible for displacing them.
- Residents of poor neighbourhoods rendered unsafe and uninhabitable, at least temporarily, by the impacts of weather-related, geophysical or technological hazards.
- Indigenous communities forced from their ancestral lands to make way for the construction of dams and other infrastructure projects.
- Families pushed to leave their homes by constant harassment by local criminal gangs.
- Rural communities whose livelihoods are decimated by drought, leaving them unable to feed their families and forced to seek external help elsewhere.
- Communities from coastal, mountainous or arid areas whose land and livelihoods are irrevocably lost because of gradual environmental degradation linked to the impacts of climate change.

IDPs do not have a special status in international law with rights specific to their situation because IDPs remain entitled to all the rights and guarantees as citizens or habitual resident.

What is Statelessness?

A stateless person is someone who does not possess any nationality – the term nationality referring to the legal bond between a person and a state. The majority of stateless persons belong to in-situ stateless populations, meaning that they already consider themselves to be in their own country and are not necessarily displaced. Statelessness interacts with displacement – it can be a cause of displacement, a consequence of displacement and a challenge in displacement contexts. Read more [here](#).

The Basics of a Durable Solution

Achieving a durable solution to internal displacement means that IDPs no longer have any specific assistance and protection needs that are directly linked to their displacement and can enjoy their human rights without discrimination on account of their displacement. Attaining a durable solution to internal displacement is a process that can be achieved through sustainable integration:

- Back in the place of origin (return).
- In the area where IDPs have taken refuge (local integration).
- Elsewhere in the country (relocation).

See Toolkit Chapter 7: [Durable Solutions](#) for further information.

3.2 Legal Frameworks and IDP Protection

While being an IDP does not confer any specific legal status, IDPs do have legal protections under international and national law.

Legal Frameworks for IDP Protection

- **International Human Rights Law (IHRL)** protects the rights of all people, including IDPs, under all conditions without discrimination, covering civil, political, economic, social, and cultural rights. For example, the [International Covenant on Civil and Political Rights](#) elaborates further the civil and political rights and freedoms listed in the [Universal Declaration of Human Rights](#), such as Article 12 on the right to remain, leave or return.

- **International Humanitarian Law (IHL)** applicable in armed conflicts, it prohibits forced displacement unless for civilian security or military necessity, safeguarding civilians and ensuring humanitarian access. Key provisions are contained in the 1949 Fourth Geneva Convention (GC IV) and the 1977 Additional Protocols I and II (AP I and AP II), as well as in customary international humanitarian law (CIHL). (See [ICRC's Internally Displaced Persons and International Humanitarian Law – Factsheet, 2022](#))
- **International Criminal Law** governs accountability for severe crimes, including war crimes and crimes against humanity, which may occur during forced displacement.
- **International Disaster Law** is a growing field addressing preparedness, response, and recovery from natural and industrial disasters.
- **National laws or policies** that address internal displacement affirm the responsibility of the state to uphold the rights of displaced persons. These protections cover a wide range of issues, including access to basic services, protection from violence and discrimination, and the right to voluntary, safe, and dignified return, resettlement, or local integration.

Guiding Principles on Internal Displacement

The [Guiding Principles on Internal Displacement](#) (UN, 1998) sets out the rights of internally displaced persons (IDPs) and the obligations of governments towards them in accordance with international law. The document emphasises the primary responsibility of national authorities for protecting and assisting all IDPs, regardless of the cause of their displacement.

The Guiding Principles provide a comprehensive framework for IDP protection across all stages of displacement. They address:

- Prevention of displacement (Principles 5-9).
- Protection during displacement (Principles 10-23).
- Humanitarian assistance (Principles 24-27).
- Durable solutions like return, local integration, or resettlement (Principles 28-30).

The Guiding Principles have influenced national and regional policies, notably the African Union's legally binding [Kampala Convention](#). (African Union, Convention for the Protection and Assistance of Internally Displaced Persons in Africa, adopted 23 October 2009 and entered into force 6 December 2012)

Human Rights and Redress/Remedy

Under IHRL, IDPs retain their rights to freedom of movement, adequate housing, and access to justice. IHRL and IHL together offer complementary protections, with IHRL governing law enforcement and IHL providing civilian protections in conflict. Yet, this is not always the case.

The position of the Special Rapporteur on the human rights of internally displaced persons recognises that IDPs can face significant protection risks, and barriers to solutions including justice and legal remedy. The Special Rapporteur frequently releases reports and provides guidance and recommendations for UN member states, civil society organisations and other stakeholders. See more [here](#).

Victims of rights violations have access to international complaint mechanisms, such as the Human Rights Council and regional bodies, for redress.

Humanitarian Action and IDP Protection

International and regional mechanisms continue to enhance IDP protection, reflecting evolving needs in displacement situations worldwide. The [IASC Policy on Protection of Internally Displaced Persons, 2024](#), reaffirms the commitment to uphold the rights of IDPs as outlined in the Guiding Principles on Internal Displacement. It emphasizes the primary responsibility of national authorities for IDP protection, while advocating for coordinated humanitarian action to prevent and mitigate displacement risks and underscores the importance of involving IDPs in decision-making processes and supporting durable solutions that enable them to enjoy their rights without discrimination.

The [Handbook for the Protection of Internally Displaced Persons](#) can assist in operationalising the above principles and legal standards, improve understanding of the particular risks faced by IDPs, through an AGD lens, and provide guidance on how to prevent and respond to these risks.

Frameworks like the [United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons \(or Pinheiro Principles\)](#) provide guidance on housing, land, and property restitution, vital for IDP recovery and reintegration. The Pinheiro Principles stress gender equality in property rights and support displaced persons reclaiming their assets.

Government Responsibilities and Displacement

In addition to the protection afforded by national and international law, Governments and other authorities have a set of responsibilities, which are outlined in the [Framework for National Responsibility](#).

Addressing Internal Displacement: A Framework for National Responsibility

1. Preventing displacement and minimizing its adverse effects.
2. Raising national awareness about the problem.
3. Collecting data on the number and condition of IDPs.
4. Supporting training on the rights of IDPs.
5. Creating a legal framework upholding the rights of IDPs.
6. Developing a national policy on internal displacement.
7. Designating an institutional focal point on IDPs.
8. Encouraging national human rights institutions to address internal displacement.
9. Ensuring that IDPs participate in decision making.
10. Supporting durable solutions.
11. Allocating adequate resources to address internal displacement.
12. Cooperating with the international community when national capacity is insufficient

To be truly national, a government's response needs to be inclusive and non-discriminatory. It must embrace:

- All causes of displacement.
- All groups that have been displaced.
- All needs that arise in displacement.
- All phases of displacement.
- All relevant authorities.

3.3 Role of the Protection Cluster

The Protection Cluster leads efforts to uphold the rights, safety, and well-being of IDPs in crises, aiming to foster a sustainable protective environment through coordination, advocacy, and community involvement. Throughout this toolkit, you will read guidance, advice and tips on how Protection Cluster activities advance IDP protection and solutions.

This includes, but is not limited to:

- **Chapter 2:** The coordination of protection action through the **Humanitarian Programme Cycle**. Read [here](#).
- **Chapter 4:** Integrate **Protection of Civilians (PoC)** issues into the cluster's collective analysis, strategic planning, and advocacy, contributing to prevention of forced displacement and protection outcomes for IDPs. Read [here](#).
- **Chapter 5:** Promote the **Centrality of Protection** in overall humanitarian response to internal displacement and in the pursuit of solutions for IDPs. Read [here](#).
- **Chapter 6:** Strengthen **preparedness and response** in humanitarian action and emergencies, to prevent and minimise the adverse effects of displacement. Read [here](#).
- **Chapter 7:** Lead the cluster's **durable solutions** efforts for IDPs, including solutions from the start, inclusion in national systems and solutions processes, and engagement with development, peace, and security actors. Read [here](#).
- **Chapter 8:** Prepare **transition and exit strategies** and ensure that interagency transition efforts focus on protection of IDPs, risks and solutions. Read [here](#).
- **Chapter 9:** Support continuous **advocacy** on IDP protection. Read [here](#).
- **Chapter 12:** Promote **principled protection programming** that prioritises community-led approaches, and advance laws and policies for IDPs. Read [here](#).

3.4 Key Resources and Tools

Title	Type	Language	Year
UNHCR: Guiding Principles on Internal Displacement	Guiding Principles	ENG	2004
The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)	Regional Treaty	ENG, FRA, ARA, POR	2009
ICGLR Protocol on the Protection and Assistance of IDPs	Regional Protocol	ENG	2006
The Pinheiro Principles on Housing, Land, and Property Restitution	Framework	ENG	2005
Internally Displaced Persons and International Humanitarian Law – Factsheet - ICRC	Factsheet	ENG	2022
International Covenant on Civil and Political Rights	Treaty	ENG	1996
Universal Declaration of Human Rights	Declaration	ENG / Multiple	1995
IASC Policy on Protection of Internally Displaced Persons 2024	Policy	ENG	2024

Handbook for the Protection of Internally Displaced Persons	Handbook	<u>ENG, ESP,</u> <u>ARA, FRA</u>	2010
Handbook on Internal Displacement for National Human Rights Institutions	Handbook	<u>ENG, FRA,</u> <u>ESP</u>	2022
Durable Solutions Preliminary Operational Guide	Guidance	<u>ENG</u>	2016
IASC Policy on Protection in Humanitarian Action, 2016	Policy	<u>ENG, FRA,</u> <u>ARA</u>	2016
IASC Framework for Durable Solutions for Internally Displaced Persons	Framework	<u>ENG</u>	2010
Handbook on Internal Displacement for Parliamentarians	Handbook	<u>ENG, FRA,</u> <u>POR, ESP,</u> <u>GOR</u>	2013

Protection Field Coordination Toolkit – Overview of Chapters

Visit the [main toolkit landing page](#) or navigate directly to the chapters below to access more resources and information on the Protection Cluster's role in the following areas:

Protection Field Coordination Toolkit – Overview of Chapters

Chapter 1: <u>Humanitarian Coordination Overview</u>	<ul style="list-style-type: none"> • Coordination models for internal displacement, refugee response and mixed situations • Cluster Activation Criteria and Processes
Chapter 2: <u>Humanitarian Programme Cycle</u>	<ul style="list-style-type: none"> • Elements / Principles of the HPC and the Role of the Cluster • Flash Appeals and Pooled Funds • Integration cross-cutting issues and the Centrality of Protection into the HPC
Chapter 3: <u>Internal Displacement</u>	<ul style="list-style-type: none"> • Internal displacement and the needs of IDPs. • Legal frameworks and displacement
Chapter 4: <u>Protection in Armed Conflict</u>	<ul style="list-style-type: none"> • International Law/Principles • Humanitarian protection and Protection of Civilians (PoC). • Humanitarian Civil-Military Coordination
Chapter 5: <u>Centrality of Protection</u>	<ul style="list-style-type: none"> • The Protection Cluster's responsibilities in CoP • The difference between mainstreaming, integration and the centrality of protection. • IASC processes and HCT benchmarks
Chapter 6: <u>Climate, Disaster, and Sudden Onset Emergencies</u>	<ul style="list-style-type: none"> • Terminology and definitions in climate and disasters. • Responding to sudden onset emergencies • Actions that can be taken after a sudden onset shock (day 1-5) • Climate and disaster preparedness and response.
Chapter 7: <u>Durable Solutions</u>	<ul style="list-style-type: none"> • Global frameworks guiding Durable Solutions • Supporting durable solutions at strategic and operational levels. • The GPC Durable Solutions Guidance for Protection Clusters
Chapter 8: <u>Cluster Transition, Deactivation and Reform</u>	<ul style="list-style-type: none"> • Criteria for cluster deactivation and transition • Transition processes • Humanitarian reform initiatives • Area-based coordination
Chapter 9: <u>Advocacy and Communication</u>	<ul style="list-style-type: none"> • Developing advocacy strategies and action plans • Preparing briefings to ICCG/HCT and engaging donors • Leveraging human rights mechanisms • Communication products and media engagement
Chapter 10: <u>Data Responsibility and Safe Information Management</u>	<ul style="list-style-type: none"> • Principles of data safeguarding, management and sharing • Data responsibility in humanitarian action • Safe and effective data handling
Chapter 11: <u>Cross-Cutting Issues</u>	<ul style="list-style-type: none"> • Age, Gender, Diversity and Disability Inclusion • MHPSS • AAP • PSEA • Protection Mainstreaming
Chapter 12: <u>Understanding Protection Programmatic Approaches and Interventions</u>	<ul style="list-style-type: none"> • Locally Led Responses • Community Based Protection • Case Management • Service Mapping and Referrals • Legal Aid, Law and Policy • Cash and Protection • Humanitarian Negotiations • Anti-Trafficking • Mobile and Rapid Protection Responses