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CIDH PANEL

The Rights of Internally Displaced Persons: protection and provision of basic needs

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Protection and provision of basic needs to Refugees/the rights of IDPs during armed conflict

Who is an IDP?

According to the Guiding Principles on Internal Displacement, 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 conflicts."
Who is a refugee?

A refugee, generally speaking, is a displaced person who has been forced to cross national boundaries and who cannot return home safely (for more detail see legal definition).

Refugee or IDP—What's the difference?

Refugees and IDPs have each fled home to survive. Refugees have crossed an international border to find safety. Internally displaced persons (IDPs) have found safety somewhere within their own country.

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 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).

Protection – key message

Protection aims to ensure the full and equal respect for the rights of all individuals, regardless of age, gender or ethnic, social, religious or other background. This requires a common understanding of protection and the means by which it is achieved. This chapter
provides a definition of protection, explains who internally displaced persons are and why they need protection and assistance, and outlines the key approaches and core principles that should guide and underpin all protection efforts.

**What are the main causes of refugees?**

- Refugees as weapons.
- War and civil war.
- Human rights violations.
- Environment and climate.
- Economic hardship.
- Preventing the root causes of migration.

**What rights do refugees have?**

The following are universal human rights that are most relevant to refugees:

- the right to freedom from torture or degrading treatment.
- the right to freedom of opinion and expression.
- the right to freedom of thought, conscience, and religion.
- the right to life, liberty, and security.
- freedom from discrimination.

**How can we protect refugees?**

Here are eight other equally meaningful ways you can help:

1. Host refugees and asylum seekers in your home. ...
2. Volunteer your specific skill. ...
3. Help refugees to integrate into a new culture. ...
4. Encourage your university to offer refugee scholarships. ...

5. Employ refugees. ...

6. Offer opportunities for refugees to volunteer

**What is the meaning of humanitarian protection?**

Humanitarian protection is the reception and residence of refugees under international law or on humanitarian or political (DE only) grounds, and in FI, humanitarian protection is granted to foreign nationals who cannot return to their country of origin or country of former habitual residence.

**Whose responsibility is it to protect and assist internally displaced persons?**

As a crucial element of sovereignty, it is the Governments of the states where internally displaced persons are found that have the primary responsibility for their assistance and protection. The international community's role is complementary.

At the international level, no single agency or organization has been designated as the global lead on protection and assistance of internally displaced persons. Rather, all are called upon to cooperate with each other to help address these needs pursuant to the "collaborative approach".