

The Development of the United Nations IDP Framework

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Introduction

Internally Displaced Persons (IDPs) are individuals who have been forced to flee their homes due to armed conflict, generalized violence, human rights violations, or natural disasters, but who remain within the borders of their home country. Unlike refugees, who cross international borders to escape persecution or danger, IDPs do not have the legal protections afforded by the 1951 Refugee Convention. As such, the plight of IDPs has garnered increasing attention from the international community, and the United Nations (UN) has been at the forefront of the effort to provide a comprehensive framework for their protection and assistance.

In this context, the development of a structured IDP framework by the UN represents a critical aspect of contemporary humanitarian and human rights law. The UN's approach to internal displacement has evolved in response to the growing recognition that internal displacement is often a long-term phenomenon that cannot be addressed with temporary humanitarian assistance alone. The international community, including the UN and its specialized agencies, has made significant strides in creating an effective response to internal displacement, driven by legal instruments, institutional frameworks, and coordinated international efforts.

The Historical Context of IDP Issues

Before the 1990s, the international legal framework largely focused on refugees who crossed international borders. The 1951 Refugee Convention, which provides the legal definition of a refugee and lays out the legal protections for refugees, was the central document concerning forced migration. However, there was little to no international legal framework or specialized response for the protection of IDPs. This gap in protection became evident as global conflicts, including the disintegration of the Soviet Union and the Yugoslav wars in the 1990s, caused millions of people to flee their homes but remain within their countries.

The 1990s marked a significant turning point in the international community's approach to internal displacement. Disasters, civil wars, and ethnic conflicts displaced large populations, and the international community began to recognize that internal displacement was not a temporary or exceptional event but rather a persistent and growing issue. It became clear that

the scale of displacement within countries, especially in conflict zones, required a dedicated response. This led to the development of a new conceptual framework aimed at responding to the needs and rights of IDPs.

The Guiding Principles on Internal Displacement (1998)

In response to this emerging challenge, the UN took significant steps toward creating a framework for the protection of IDPs. The Guiding Principles on Internal Displacement, drafted in 1998 by the UN's Representative of the Secretary-General on Internally Displaced Persons, Francis Deng, were a landmark development in the international legal and normative framework for internal displacement.

The Guiding Principles are not legally binding but are recognized as a key framework to guide the actions of governments, the UN, and humanitarian organizations in addressing IDP situations. The principles are rooted in international human rights and humanitarian law and are based on the premise that the rights of IDPs should be protected, and their needs should be addressed through coordinated international efforts.

The Guiding Principles consist of 30 principles that cover a broad spectrum of issues related to the rights of IDPs, including:

Prevention of Displacement: States have an obligation to prevent displacement through measures such as protecting populations from armed conflict, generalized violence, and human rights violations.

Protection: IDPs must be protected from further violations of their rights, including physical violence, discrimination, and exploitation. This includes the provision of humanitarian assistance in accordance with international standards.

Assistance: IDPs have the right to receive assistance to meet their basic needs, including food, shelter, and healthcare, until they can achieve a durable solution to their displacement.

Durable Solutions: The Guiding Principles emphasize that IDPs should be able to return voluntarily to their homes, integrate into their host communities, or resettle in new locations. The solution should be chosen freely by the displaced individuals themselves.

International Cooperation: States and international organizations must collaborate to address the challenges posed by internal displacement. This includes offering financial resources, technical expertise, and coordination for responses to IDP crises.

Though non-binding, the Guiding Principles became an authoritative document that shaped how the UN and other international actors responded to internal displacement in subsequent years. They provided a common framework for humanitarian actors, international law, and national governments to address displacement effectively and in a way that respects the rights of IDPs.

Institutional Development of IDP Response Mechanisms

With the adoption of the Guiding Principles, the United Nations and other international organizations began to develop institutional mechanisms to support IDPs. Several key entities were established or had their mandates adjusted to include a focus on IDPs. This process was part of a broader effort to create a coordinated and comprehensive response to the challenges posed by internal displacement.

Office for the Coordination of Humanitarian Affairs (OCHA)

The creation of the Office for the Coordination of Humanitarian Affairs (OCHA) in 1991 was one of the most significant steps in improving the UN's response to emergencies, including the needs of IDPs. OCHA coordinates humanitarian relief efforts by various UN agencies, non-governmental organizations (NGOs), and other international organizations. Its role in IDP response includes ensuring that humanitarian aid is provided effectively and that international standards are adhered to.

OCHA also plays a key role in ensuring that humanitarian responses are coordinated across agencies and that there is no duplication of efforts. It acts as the central hub for managing international humanitarian relief in crisis situations.

The Inter-Agency Standing Committee (IASC)

The Inter-Agency Standing Committee (IASC), established in 1992, plays a crucial role in coordinating humanitarian efforts, including those related to IDPs. The IASC comprises key UN humanitarian agencies such as UNHCR, UNICEF, the World Food Programme (WFP), and OCHA, as well as other humanitarian partners. The IASC sets policies, provides technical advice, and coordinates actions among humanitarian actors during emergencies.

For IDPs, the IASC plays a critical role in ensuring that the rights and needs of displaced populations are addressed across all sectors, including protection, shelter, food, and health.

United Nations High Commissioner for Refugees (UNHCR)

While UNHCR's primary mandate has traditionally been to protect refugees, the agency has increasingly become involved in the protection and assistance of IDPs, particularly in situations where displacement is protracted or there is a complex mix of refugees and IDPs.

UNHCR's role is especially prominent in situations where displacement is caused by conflict. The agency provides protection to IDPs, facilitates their return or resettlement, and provides humanitarian aid, including shelter and food. In some countries, UNHCR is a lead agency for coordinating the response to internal displacement. However, UNHCR's engagement with IDPs is always subject to the approval and coordination of the national government.

International Organization for Migration (IOM)

The International Organization for Migration (IOM) has also played an increasingly important role in responding to IDPs. IOM's mandate includes providing humanitarian assistance to migrants and displaced populations, including IDPs. The organization works on a range of issues related to internal displacement, including the provision of shelter, psychosocial support, and livelihood assistance. It also helps communities achieve durable solutions through reintegration and local development projects.

5. The Global Response to Internal Displacement

Over the years, the UN has strengthened its focus on internal displacement, with key developments taking place within the broader international framework.

The 2005 World Summit Outcome Document

In 2005, the UN World Summit brought together leaders from across the globe to discuss a wide range of issues. One of the outcomes was the formal acknowledgment that the international community has a responsibility to protect civilians from mass atrocities, including the displacement of populations. The Responsibility to Protect (R2P) principle, which was adopted by the UN General Assembly, emphasized that the international community has an obligation to intervene when states fail to protect their own citizens from mass displacement, violence, or persecution.

The application of R2P to internal displacement was a key development, as it reinforced the idea that international actors can play an important role in ensuring the protection of IDPs when national governments are unable or unwilling to do so.

The 2010 IASC Framework on Durable Solutions for IDPs

In 2010, the Inter-Agency Standing Committee (IASC) issued its Framework on Durable Solutions for IDPs. This document aimed to define and guide the international community in assisting IDPs to achieve durable solutions. The framework emphasizes that any solution must be voluntary and meet the needs of IDPs, including return, local integration, or relocation. It also highlights the importance of addressing the root causes of displacement, ensuring IDPs' rights are respected, and promoting their reintegration into society.

The IASC framework remains a vital tool for the international community to ensure that IDPs are not only provided with immediate humanitarian assistance but also given opportunities to rebuild their lives and achieve long-term stability.

The Cluster Approach (2005)

The Cluster Approach introduced in 2005 was another important institutional development aimed at improving the UN's response to IDP crises. This system divides humanitarian responses into sectors or “clusters,” such as protection, shelter, health, and nutrition. Each cluster is led by a designated UN agency, and this approach ensures that all aspects of a humanitarian crisis are addressed in a coordinated manner.

For IDPs, the cluster approach has proven effective in ensuring that various needs—ranging from protection and shelter to food and livelihood support—are met in an integrated way.

6. Challenges in Responding to Internal Displacement

Despite the progress made, significant challenges remain in addressing the needs of IDPs.

National Sovereignty and Political Will: Many governments are reluctant to allow international intervention in cases of internal displacement, particularly when the causes of displacement are linked to internal conflict or human rights abuses. Securing political will and cooperation from national governments remains a significant challenge.

Protracted Displacement: Many IDPs remain displaced for extended periods—sometimes for decades—creating protracted humanitarian situations. This long-term displacement poses complex challenges related to livelihood, access to services, and social reintegration.

Climate Change and Natural Disasters: Increasingly, IDPs are displaced due to climate change and natural disasters, which pose new challenges in terms of prevention, protection, and durable solutions. The international community must adapt its framework to address these evolving causes of displacement.

Coordination and Funding: Effective coordination and sufficient funding remain critical for addressing the needs of IDPs. Humanitarian aid often relies on voluntary contributions, and the resources available to respond to IDP crises may be insufficient to meet all needs.

The UN's Evolving Role in Addressing Internal Displacement

As the number of internally displaced persons continues to rise globally, the role of the United Nations and its agencies in addressing IDP crises has evolved. The **United Nations High Commissioner for Refugees (UNHCR)** and the **Office for the Coordination of Humanitarian Affairs (OCHA)**, along with other key actors, have played a significant role in developing strategies and frameworks for responding to internal displacement. These institutional mechanisms and operational responses have been critical in shaping the UN's framework for IDPs.

UNHCR's Expanding Role

The **United Nations High Commissioner for Refugees (UNHCR)**, originally created to address the needs of refugees fleeing persecution across international borders, has gradually extended its mandate to include support for internally displaced persons. This shift became necessary because of the increasingly complex nature of displacement crises that often involve both cross-border refugees and IDPs.

UNHCR's role with IDPs is most pronounced when displacement is protracted or when refugees and IDPs share similar challenges. For example, the agency has been involved in long-term displacement situations in countries like Sudan, Colombia, and Afghanistan, where conflict-induced displacement persists for years or decades.

Over time, UNHCR's engagement with IDPs has come to encompass:

- **Protection and Assistance:** Providing essential humanitarian support such as food, water, shelter, and healthcare to IDPs.
- **Capacity Building:** Working to strengthen the capacity of national governments and local authorities to respond to displacement, ensuring that long-term solutions are found.

- **Durable Solutions:** Supporting initiatives that lead to voluntary repatriation, local integration, or resettlement of displaced populations in other parts of the country.

UNHCR's involvement with IDPs has proven critical when national governments are either unwilling or unable to provide protection, or when there are persistent or emerging gaps in response mechanisms. The **Durable Solutions Initiative** and the **Global Protection Cluster** are examples of how UNHCR has become central to IDP-related operations.

The Office for the Coordination of Humanitarian Affairs (OCHA)

The establishment of **OCHA** in 1991 was a key development in improving the UN's capacity to coordinate humanitarian responses to crises, including those involving IDPs. OCHA provides leadership for humanitarian response efforts and ensures that these responses are coordinated across various UN agencies and non-governmental organizations (NGOs).

In the context of IDPs, OCHA is responsible for ensuring that all actors—UN agencies, donors, host governments, and NGOs—work together to provide comprehensive assistance. This coordination is crucial because IDPs often face complex and multifaceted challenges. For example, an IDP crisis might involve food insecurity, lack of shelter, medical needs, legal protection, and psychosocial support.

Key functions of OCHA include:

- **Coordination of Humanitarian Action:** OCHA convenes the **Humanitarian Country Teams (HCTs)** and **Clusters**, ensuring that each sector of assistance, such as health, shelter, food, and protection, is properly managed.
- **Advocacy:** OCHA advocates for international attention and funding for IDPs, pushing for policies and programs that respect the rights and dignity of the displaced.
- **Information Management:** OCHA provides critical data collection, analysis, and sharing through platforms like the **Humanitarian Response Plans (HRPs)**, which include details on the needs of IDPs and how they should be met.

OCHA's role in coordinating global humanitarian responses has been critical in providing a unified approach to IDP crises. However, the complexity of modern conflicts and the increasing frequency of natural disasters have placed new demands on OCHA's coordination efforts.

The Legal Framework and Institutional Responses to Internal Displacement

While the **Guiding Principles on Internal Displacement** (1998) remain the cornerstone of international response to IDPs, there are several legal instruments and frameworks that have evolved to bolster these principles and provide a stronger basis for action.

International Humanitarian Law (IHL) and International Human Rights Law (IHRL)

The **Guiding Principles** draw upon the existing body of **international human rights law** and **international humanitarian law (IHL)**. IHL, which governs the conduct of armed conflict, contains provisions related to the protection of civilians, including IDPs, during war. These provisions obligate parties to a conflict to respect the rights of civilians, prevent forced displacement, and facilitate the provision of humanitarian assistance.

For instance, **Common Article 3 of the Geneva Conventions** (1949), which applies in non-international armed conflicts, establishes minimum standards of treatment for persons who are not taking part in the hostilities, including IDPs. Furthermore, **Additional Protocol II** to the Geneva Conventions (1977) strengthens protections for civilians and specifically addresses forced displacement.

In parallel, **international human rights law** provides an overarching legal framework for the protection of all individuals, including IDPs. Documents like the **Universal Declaration of Human Rights (UDHR)** and the **International Covenant on Civil and Political Rights (ICCPR)** protect basic human rights such as the right to life, liberty, and security of person—rights that are often violated during internal displacement.

The combination of **IHL** and **IHRL** underpins the UN's responsibility to advocate for the protection of IDPs and to ensure that displaced populations are treated with dignity and respect. However, one of the key challenges is that these instruments are often not enforced by national governments or the international community.

The Role of the United Nations Security Council (UNSC)

The **United Nations Security Council (UNSC)** has increasingly recognized the security implications of internal displacement. When displacement results from armed conflict, the UNSC has the authority to mandate peacekeeping operations, authorize sanctions, or establish specialized commissions to address displacement issues.

In some cases, the UNSC has explicitly addressed the issue of internal displacement in its resolutions. For example, **Resolution 1674 (2006)** called for the protection of civilians in armed conflict, including IDPs, and emphasized the need for peacekeeping missions to integrate protection for IDPs into their mandates.

Furthermore, the UNSC's **attention to the issue of responsibility to protect (R2P)** has extended to ensuring the safety of IDPs in situations where states fail to protect their populations from mass violence. The UNSC's involvement is critical because it brings the issue of IDPs into the realm of international peace and security, not just humanitarian assistance.

Challenges in Addressing IDP Needs and Protection

Despite the significant progress made in developing a framework to address IDP protection and assistance, several key challenges remain:

Protracted Displacement

One of the most significant challenges in addressing internal displacement is the phenomenon of **protracted displacement**—where IDPs remain displaced for long periods, often for decades. Protracted displacement often occurs when there is no immediate resolution to the conflict or disaster that caused displacement, or when national authorities are unable or unwilling to facilitate return or integration.

In protracted displacement situations, IDPs may face long-term deprivation, lack of access to basic services, and economic hardship. They often live in temporary camps or settlements, and their livelihoods, health, education, and legal rights are severely compromised. The UN's response to protracted displacement has included efforts to implement **durable solutions**—such as facilitating return, integration, or relocation—but the absence of political solutions to the underlying causes of displacement complicates this task.

Political Will and Sovereignty Concerns

A recurring challenge in addressing internal displacement is the **political will** of governments to engage with the international community in resolving displacement crises. Many governments are unwilling to accept external involvement, particularly if the displacement is caused by their actions or if they fear losing control over internally displaced populations.

This lack of political will often results in the **invisibility of IDPs** on the global stage, as governments prefer to downplay the scale of the problem. In some cases, governments may even resist allowing humanitarian agencies access to IDP populations. The issue of sovereignty, while enshrined in international law, often complicates the international community's efforts to protect IDPs.

Urban Displacement and New Forms of Displacement

Traditional displacement scenarios typically involve rural populations fleeing conflict or disaster to camps or temporary settlements. However, the nature of displacement is changing, with an increasing number of IDPs now residing in **urban areas**. This shift has created new challenges, as urban environments often lack the infrastructure and resources to provide for displaced populations.

Urban displacement requires tailored responses that go beyond traditional humanitarian aid, including access to housing, employment, and integration into the urban economy. Additionally, **climate change-induced displacement** has emerged as a new form of displacement, with many IDPs being forced to move due to environmental factors such as flooding, droughts, and storms.

The Financing Challenge

The ability of the international community to respond effectively to IDP crises often hinges on the availability of **funding**. Humanitarian assistance is heavily reliant on voluntary contributions from donor countries, and in times of financial constraints or competing global crises, funds for IDP assistance may be insufficient. The financial shortfall can severely affect the quality and timeliness of assistance provided to IDPs. Adequate funding is crucial to provide food, shelter, healthcare, and educational services, as well as to support efforts

Conclusion

The development of the UN's IDP framework has been a response to the growing global recognition of the challenges posed by internal displacement. From the Guiding Principles on Internal Displacement in 1998 to the creation of institutions like OCHA and the IASC, significant strides have been made in creating a coordinated and comprehensive approach to addressing the needs and rights of IDPs. While substantial progress has been achieved,

challenges remain, including securing political will, providing long-term solutions for protracted displacement, and adapting to new causes of displacement such as climate change. The international community must continue to work together to address these challenges, ensuring that IDPs receive the protection and assistance they need, and that durable solutions are found for displaced populations around the world. As the number of displaced persons continues to grow globally, the UN's framework for IDPs will remain a critical tool in responding to one of the world's most pressing humanitarian crises.

References :-

Kälin, W. (2015). "The United Nations Guiding Principles on Internal Displacement: A Commentary." *Oxford University Press*.

Mooney, E. (2009). "The United Nations and Internal Displacement: The Politics of Protecting IDPs." *Journal of Refugee Studies*, 22(3), 307–330.

Kemp, S. (2012). "The Role of Regional and International Organizations in Protecting IDPs." *International Journal of Refugee Law*, 24(1), 49–74.

Cohen, R., & Deng, F. M. (2013). "The Durable Solutions Framework: An Overview and Global Review." *Brookings Institution*

United Nations Guiding Principles on Internal Displacement (1998): UN Guiding Principles

UNHCR's Role in Internal Displacement: UNHCR and IDPs

Cluster Approach Overview: Cluster Approach

IASC Durable Solutions Framework: IASC Framework