

ICRC and IDPs

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ICRC Mission Statement

The ICRC is:

- ▶ an **impartial, neutral and independent** organization
- ▶ with an **exclusively humanitarian mission**
- ▶ aimed at **protecting** the lives and dignity of victims of armed conflict and other situations of violence; and
- ▶ to provide them with **assistance**.

ICRC also endeavors to prevent suffering by promoting and strengthening **international humanitarian law** and **universal humanitarian principles**.



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Protection Normative Frameworks

- ▶ Protection action is based on the rule of law referencing applicable frameworks and legal obligations

- ▶ Norms protecting people in situations of violence include:
 - ▶▶ International Humanitarian Law
 - ▶▶ International Human Rights Law
 - ▶▶ International Refugee Law
 - ▶▶ International Customary Law
 - ▶▶ Domestic Law
 - ▶▶ UN Guiding Principles on Internal Displacement



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Key Points

- IHL provides protection for all civilians equally. This is the basis for an ‘all-victims’ approach
- IHL expressly prohibits arbitrary displacement. If IHL was respected, displacement could be reduced
- The primary responsibility to protect and assist is with the Authorities (both State and non-State)



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IHL - protection from what

- ▶ Violations of norms that are designed to protect persons in situations of conflict
 - ▶▶ Limits on conduct of hostilities
 - ▶▶ Distinction, proportionality, precaution against the effects of the hostilities, prohibition of human shields, etc.
 - ▶▶ Ensures humane treatment of civilians
 - ▶▶ Right to life, physical and moral integrity, access to minimum living conditions and essential services, due process of law, family unity, freedom of movement, protection of property, access to education, exercise of religion, etc



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During armed conflicts

Compliance with IHL

IHL provides an overall framework of protection for civilians affected by armed conflict

Basic Assumption: If IHL was respected by all parties to a conflict, the majority of displacement could be prevented.

All parties to a conflict are bound by IHL – they are the primary duty bearers for protection and assistance

Protection action targets all parties to the conflict and aims to: prevent, stop, or avoid recurrences of violations that cause displacement

If displacement occurs, assistance aims to: help the affected population avoid, mitigate and overcome violations and their consequences



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- ▶ *IDPs are of primary concern to the ICRC. Ensuring their protection lies at the core of its mandate, operational concerns and priorities.*
- ▶ ICRC aims to be at the forefront of the international community's response to the humanitarian needs of the persons affected by conflict and other situations of violence – including IDPs, whatever the cause of their displacement.



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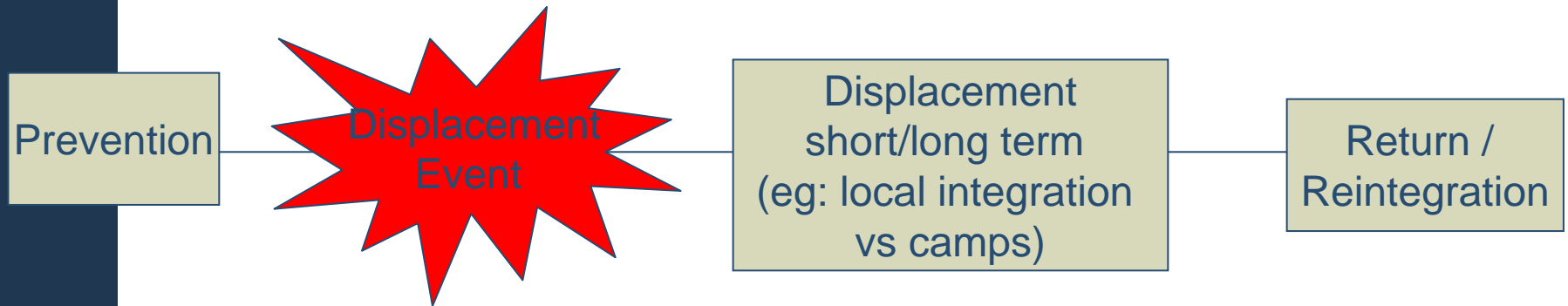
ICRC's approach to IDPs

- ▶ **All-victims approach**
 - ▶ concern for IDPs, those left behind, **hosts**, others affected
 - ▶ impartial response based on assessed needs of affected population
- ▶ **Full spectrum of displacement:**
 - ▶ Prevention of displacement
 - ▶ Displacement event (violation)
 - ▶ **During displacement** (prot & assist eg: **local integration**)
 - ▶ **Safe, voluntary, dignified return and reintegration**
- ▶ Community-based **auto-protection**
- ▶ **Operational approach**
 - ▶ Holistic, multidisciplinary, independently comprehensive approach (not a gap filler), '**integrated approach**'.
 - ▶ Flexible, adaptable, situation-driven, rapid deployment, **longer-term**
- ▶ **Complementarity**
 - ▶ Reality-based, action-oriented



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The Displacement Continuum



- ▶ ICRC role / added value / comparative advantage in each phase?
- ▶ Do we have an IDP strategy in each context? Does it consider the whole spectrum? Does it anticipate trends?
- ▶ Complementarities
 - ▶▶ (opportunities, risks, challenges)
 - ▶▶ what to do when our approach is in contradiction of others



Needs Assessment and Analysis

Risk = vulnerability X threat

Vulnerability – the current state of coping capacity

- ▶ Deprivation of livelihoods, assets, productive capacity
- ▶ Erosion of social support networks, family separation, separated children, woman-headed house holds
- ▶ Inadequate access to essential goods and services
- ▶ Exclusion due to lack of documentation, influence, voice

Threats – violence, coercion, deprivation

- ▶ Direct attacks on civilians, retaliation, extortion, violence, abuse, restricted movement, etc
- ▶ Forced recruitment (especially of children)
- ▶ Increased prevalence of sexual violence and exploitation
- ▶ Exposure to explosive remnants of war
- ▶ Increased tensions with host communities

What is their auto-protection capacity



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Humanitarian debate: *too much* IDP focused ?

- ▶ Creates an IDP preference, disadvantaging others
 - ▶▶ Sick, wounded, elderly, those trapped and unable to displace, hosts
- ▶ Assumption that those not displaced:
 - ▶▶ chose to stay at home; are safe at home
- ▶ Undermines displacement as an auto-protection option
 - ▶▶ Some displaced do not want to be identified or found
- ▶ Is focused on post displacement:
 - ▶▶ implies displacement is inevitable;
 - ▶▶ pushes prevention off the agenda
- ▶ May in fact disadvantage the displaced:
 - ▶▶ Creates a stigma, an identity, a status that may further marginalise IDPs
 - ▶▶ May put IDPs at risk by:
 - ▶▶▶ Exacerbating host/displaced tensions
 - ▶▶▶ Making IDPs a target for looting, harassment, etc
 - ▶▶▶ Creating an identity difficult to overcome post-crisis (eg: Columbia, Georgia IDPs legally required to be registered)



	Refugees	IDPs
Source of definition	1951 Convention on Refugees and 1967 Protocol	Guiding Principles on Internal Displacement
Reasons for being considered as a refugee/IDP	Persecution or well-founded fear of persecution on the basis of race, religion, nationality, membership of a particular social group and outside country of origin	People who have fled their homes but have not crossed an internationally-recognized border (in armed conflict, situations of generalized violence, violations of human rights, or natural or human-made disasters, Distinguishing characteristics: the movement is coercive or involuntary, and that the movement takes place within national borders
How status/category is applied	Refugee Status Determination procedures by competent authorities.	IDP is a descriptive term, not a legal status.
Registration/counting	Essential for determining legality of continued presence and eligibility for assistance. Host governments want to know.	Important when assistance is tied to registration.
Primary responsibility	Host governments and UNHCR	National authorities
Number	9+ million refugees	24.5 million (12/06) 23.7 million (12/05)
Living situations	Camps Urban areas	Urban areas, settlements, dispersed in communities, camps
Concerns in host communities / countries	Economic/social impact; political/ethnic/cultural impact; security concerns; May complicate relations with country of origin	Economic/social impact; political/ethnic/cultural impact; security concerns; relations with host hh/communities

