

IDP definition

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Key points

- The internationally endorsed definition of an internally displaced person (IDP) is found in the UN Guiding Principles on Internal Displacement, the main international framework for IDP protection
- Being an IDP is not a legal status that may be granted, refused, or ceased
- IDPs remain citizens or habitual residents of their country
- The IDP definition included in legal and policy frameworks at the national, regional, and local levels must be consistent with, and should not be narrower than, what is provided for in the UN Guiding Principles on Internal Displacement
- The International Recommendations on IDP Statistics (IRIS) provide critical guidance on how to “translate” the IDP definition of the Guiding Principles into statistical terms

1. Overview

There is no legal definition of who constitutes an “internally displaced person” in international law. According to the United Nations Guiding Principles on Internal Displacement, Internally Displaced Persons (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 state border."

This definition is meant to be descriptive rather than normative, drawing attention to the characteristics of IDPs that make them inherently vulnerable. It does not confer a special legal status to IDPs because, being inside their country, they remain entitled to all the rights and

guarantees as citizens and other habitual residents of their country. As such, national authorities have the primary responsibility to prevent arbitrary displacement, protect IDPs and support durable solutions for them.

While the UN Guiding Principles on Internal Displacement are not legally binding, their authority has been recognized globally, particularly as they draw from international humanitarian and human rights law. The most significant normative advance since the Guiding Principles is the legally binding African Union 2009 Convention for the Protection and Assistance of Internally Displaced Persons in Africa ("Kampala Convention", which built on the 2006 Great Lakes Protocol on the Protection and Assistance to Internally Displaced Persons). The Guiding Principles are directly incorporated in many of the Kampala Convention's core provisions, such as the definition of IDPs. It should be noted that this international IDP definition has been altered in - at times - significant ways in (sub-)national legal and policy frameworks, hence the need to be familiar with the applicable frameworks in the country of operation.

2. Relevance for emergency operations

The IDP definition helps identify the category of persons whose needs should be the concern of an operation. It is important for staff to be familiar with any IDP definition included in (sub-)national legal and policy frameworks applicable in the country of operation, as well as with the international and regional standards on the topic. IDPs, due to their forced displacement, are inherently vulnerable to deprivation, further displacement, and other protection risks, such as lack of access to basic services, family separation, trafficking, discrimination, and harassment. In view of such vulnerabilities and special needs, the UN Guiding Principles on Internal Displacement seek to guarantee that IDPs, as citizens or habitual residents of their country, enjoy equally and without discrimination the same rights and freedoms under international and national law as do other persons in their country. This includes freedom of movement and the right to choose their place of residence. At the same time, IDPs retain the right, at all times, to seek safety in another part of their country; to seek asylum; and to be protected against forcible return to or resettlement in "any place where their life, safety, liberty and/or health would be at risk."

3. Main guidance

There are two important elements in the IDP definition: the movement is involuntary and takes place within national borders. IDPs are thus distinct from individuals who can remain safely in their place of residence but have opted to depart on their own free will, without coercion. For example, the IDP definition does not cover persons who move solely for economic reasons. IDPs are also distinct from refugees because they have not crossed an internationally recognized territorial border, and thus do not require a special legal status as a result of being outside their country and without its protection. As explained above, IDPs are entitled to all the rights and guarantees as citizens and other habitual residents of their country.

It is significant that the Guiding Principles do not refer to the notion of citizenship, thus indicating that foreigners may also qualify as internally displaced persons. As a result, the following

categories can also qualify as IDPs: displaced stateless persons who have their habitual residence in the country concerned; displaced nationals of another country who have lived there for a long time (maybe even generations) and have largely lost contact with their country of nationality; displaced nationals of another country who have their habitual residence in the country concerned because they have been admitted permanently or for prolonged periods of time.

The IDP definition references a non-exhaustive list of causes of internal displacement, such as armed conflict, generalized violence, human rights violations, and natural or human-made disasters (including slow-onset disasters in the context of climate change). The phrase "as a result of or in order to avoid the effect of" also recognizes that persons may be internally displaced after suffering the effects of coercion or in anticipation of such effects.

In accordance with the IDP definition and various other principles, specific groups such as indigenous communities or pastoralists can also be internally displaced. It should be noted that although in some contexts, certain people or groups (e.g., homeless or poor urban communities) residing in the same areas as the IDPs may live in very similar conditions and also suffer from marginalisation, lack of access to services and human rights violations, they should not automatically be considered as IDPs. Where non-displaced communities in the same area receive assistance from UNHCR, they are considered host communities.

An individual should be considered an IDP until s/he has achieved a durable solution, which occurs when her/his assistance and protection needs are no longer directly associated with her/his displacement and human rights are enjoyed by the individual without discrimination on account of her/his displacement. National authorities have the primary responsibility to provide durable solutions to IDPs, with international humanitarian and development actors playing a complementary role. A durable solution can be achieved through sustainable (re)integration in:

- an area where s/he has taken refuge (local integration);
- another area of her/his country (settlement elsewhere in the country); or
- her/his place of origin (sustainable return).

The International Recommendations on IDP Statistics, which were developed by the Expert Group on Refugee, IDP and Statelessness Statistics (EGRISS) and unanimously adopted at the UN Statistical Commission (UNSC) in 2020, provide critical guidance on how to develop a statistical framework for internal displacement in line with the Guiding Principles and other relevant international and regional standards.

Annexes

[UN, Guiding Principles on Internal Displacement, 1998](#)

[African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, 2009](#)

[International Conference on the Great Lakes Region, Protocol on the Protection and Assistance to Internally Displaced Persons, 2006](#)

[IASC, Framework on Durable Solutions for Internally Displaced Persons, 2010](#)

[Global Protection Cluster - Handbook for the Protection of Internally Displaced Persons, 2010](#)

[Expert Group on Refugee, IDP and Stateless Statistics, International Recommendations on Internally Displaced Persons Statistics \(IRIS\), 2020](#)

4. Links

[Global Protection Cluster Internal Displacement Monitoring Center Expert Group on Refugee, IDP and Statelessness Statistics UNHCR IDP Protection Workstreams \(accessible to UNHCR staff only\)](#)

5. Main contacts

As first port of call, the UNHCR Dep. Representative (Protection), UNHCR Asst. Rep. (Protection), and/or Snr Protection Officer in the country; or the UNHCR Regional Asst./Dep Rep (Protection) and/or Snr. Regional Protection Officer at the regional office (if applicable); or the Snr. Regional Legal Advisor in the respective UNHCR regional bureau, covering the respective country region, who in turn will liaise as required with the parent unit at UNHCR DIP.