

IDP definition

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Key points

- National laws, policies and strategies (or regional instrument, when applicable) on internal displacement need to be consistent with the UN Guiding Principles on Internal Displacement.
- The IDP definition adopted locally, nationally and regionally must be consistent with, and should not be narrower than, what is provided for in the UN Guiding Principles on Internal Displacement.
- Being an IDP is not a legal status that may be granted, refused or ceased.
- IDPs may include individuals who are citizens or habitual residents.

1. Overview

Internally displaced persons (IDPs), according to the **United Nations Guiding Principles on Internal Displacement**, 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, however, is a descriptive definition, which does not confer a special legal status because IDPs, being inside their country, 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 forced displacement and to protect IDPs.

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 Africa Union in particular has codified the **UN Guiding Principles on Internal Displacement** with the 2009 **Convention for the Protection and Assistance of Internally Displaced Persons in Africa** (the so-called "Kampala Convention," preceded by the 2006 **Great Lakes Protocol on the Protection and Assistance to Internally Displaced**

Persons).

2. Relevance for emergency operations

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, [sexual and gender based violence](#), 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

Description and 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. 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 already explained above, IDPs are entitled to all the rights and guarantees as citizens and other habitual residents of their country.

The IDP definition references the triggers for internal displacement, such as an armed conflict, generalized violence, human rights violations, and natural or human-made disasters. This is, however, not an exhaustive list, as indicated by the words "in particular". 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, specific groups, such as indigenous communities or pastoralists displaced because their routes of migration have been blocked by conflict, landmines or insecurity, may be considered IDPs. The homeless and poor urban communities, however, are not automatically considered to be IDPs even though they often suffer marginalization, impoverishment and human rights violations in their areas of residence. In the same vein, the IDP definition does not cover persons who move for economic reasons.

Irregular migrants or [third country nationals](#) who find themselves in situations similar to that of IDPs are entitled to protection and assistance under international humanitarian and human rights law. Refugees, as already explained, have a special legal status owing to their being outside their

country of origin and thus without their country's protection.

Absence of a legal status notwithstanding, an individual can 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 is furthermore achieved when an individual is sustainably (re)integrated in:

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

Annexes

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

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

4. Links

[Guiding Principles on Internal Displacement African Union, Convention for the Protection and Assistance of Internally Displ... The Great Lakes Protocol on the Protection and Assistance to Internally Displac...](#)

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.