

International Law and Internally Displaced Persons (IDPs): Overcoming Challenges and Shaping the Future

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Abstract

This study critically examines the frameworks of international law in addressing the rights and protections of internally displaced persons (IDPs) along with the unique challenges they face. Despite the existence of several legal instruments designed to protect IDPs, gaps in enforcement, limitations in scope, and the diverse nature of displacement crises often lead to insufficient protections. Beginning with a clear definition and classification of IDPs, the study differentiates IDPs from refugees, and examines the primary causes and characteristics that shape their displacement experiences. This study analyzes the evolution and current state of international and regional laws and policies on IDP protection, highlighting obstacles in policy implementation and coordination among international bodies and national governments. The study identifies key obstacles, including enforcement limitations, resource shortages, and the implications of state sovereignty. By highlighting gaps in current frameworks, the article proposes practical recommendations to strengthen protection mechanisms and foster more resilient responses to internal displacement crises. This comprehensive evaluation calls for a more robust, enforceable, and coordinated approach to safeguard the rights and well-being of IDPs worldwide. The aim of this study is to analyze existing international and regional legal frameworks for the protection of (IDPs), identify gaps in addressing their specific needs and vulnerabilities. A possible outcome of this study is that the study identifies the key challenges and ascertains a set of comprehensive recommendations to strengthen international and regional legal frameworks IDP crises.

Keywords: Internally Displaced Persons (IDPs), International Law, Protection Mechanisms, Regional Frameworks, Displacement Challenges.

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1. Introduction

Internally displaced persons (IDPs) endure immense hardship while remaining within the borders of their own country. They often possess an

identity without land or land without possession. Unlike refugees, who flee across international borders to escape persecution, IDPs remain within the confines of their state and continue to be subject to displacement by the authorities during every government. Despite this distinction, IDPs are among the most vulnerable populations globally, akin to refugees. During conflict or disaster, they are frequently uprooted from their homes, forced to seek refuge elsewhere, often in

remote areas where delivering humanitarian assistance is challenging. Though displaced for reasons similar to refugees, IDPs have not crossed international boundaries. Many are persecuted or attacked by their own governments, leaving them in even more precarious situations than refugees. Furthermore, no international body holds a formal mandate to provide them with direct assistance, although IDPs are increasingly central to the humanitarian agenda. While sometimes referred to as “internal refugees,” they are more accurately known as internally displaced persons.

The 2024 Global Report on Internal Displacement (GRID) reveals that, as of the end of 2023, 75.9 million people were living in internal displacement. Of these, 68.3 million were displaced due to conflict and violence, while 7.7 million were displaced by disasters. The total number of internally displaced persons (IDPs) surged by 51% over the past five years, reaching an all-time high across 116 countries. Sub-Saharan Africa, home to 46% of the world’s IDPs, remained the most affected region in 2023. The major places of displacement twentieth century are Sub-Saharan Africa accounted for 5.5 million of these displacements, followed by the Middle East, North Africa with 4.5 million. In addition, South Asia also produced IDPs for political and racial violence. This brings the total number of people living in internal displacement due to conflict close to 75.9 million worldwide (2024 Global Report on Internal Displacement, IDMC, Ferris & Kirisci, 2016). This study provides an overview of the situation and protections for internally displaced persons (IDPs) under national and international law.

2. Literature Review

Internally Displaced Persons (IDPs) remain one of the most vulnerable populations affected by conflicts, natural disasters, and human rights violations. Unlike refugees, they do not cross international borders, making their protection primarily a domestic responsibility. The United Nations Guiding Principles on Internal Displacement (1998), though not legally binding, provide a key normative framework for IDP protection (Kälin, 2005). Additionally, the Kampala Convention (2009) offers a legally binding regional mechanism for African states (Mooney & French, 2005). However, international humanitarian law (IHL) and human rights law also contribute to protecting IDPs during armed conflicts (Cohen & Deng, 1998).

Despite these frameworks, challenges persist due to the non-binding nature of the Guiding Principles, state sovereignty concerns, and weak enforcement at the national level (Phuong, 2004). To enhance IDP protection, scholars propose making IDP protections legally binding (Goodwin, 2014), integrating the Guiding Principles into national laws (Cantor, 2019), and strengthening international monitoring by agencies like UNHCR and the ICRC (Ferris& Mooney, 2019), The

future of IDP protection depends on improved legal obligations, stronger state accountability, and better enforcement mechanisms to ensure comprehensive support for displaced populations.

3. Research Methodology

This study employs a qualitative research methodology to examine the challenges faced by internally displaced persons (IDPs) under international law and propose strategies for overcoming them. A doctrinal legal research approach combined with socio-legal analysis will be used to analyze international treaties, conventions, case law, and scholarly literature, supplemented by thematic analysis of policy documents and expert interviews with legal scholars, policymakers, and humanitarian practitioners. Comparative case studies from various regions will be examined to assess the effectiveness of legal instruments in addressing displacement crises. Data analysis will involve legal interpretation, thematic coding, and comparative legal analysis to identify gaps and best practices in IDP protection. Ethical considerations will be observed, ensuring confidentiality and neutrality. Potential limitations include restricted access to confidential documents and the evolving nature of international legal responses, which will be mitigated through extensive literature review and data triangulation. This study aims to critically assess international legal frameworks governing IDPs and provide practical recommendations for strengthening protection mechanisms.

4. Definition of Internally Displaced Persons (IDP)

There is no universal legal definition of internally displaced persons (IDP) is found. However, the Kampala Convention which is a regional treaty for African countries define IDPs as:

“Internally Displaced Persons means 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” (Article 1 Kampala Convention, 2009).

Furthermore, convention define the term “Internal displacement” as the involuntary or forced movement, evacuation or relocation of persons or groups of persons within internationally recognized state borders (Article 1 Kampala Convention, 2009). However, the United Nations Guiding Principles on Internal Displacement uses the same definition of IDPs as Kampala Convention provides:

“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” (Francis, 1998).

Moreover, Protocol on the Protection and Assistance to Internally Displaced Persons of 2006 defines IDP as:

“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 large scale development projects, and who have not crossed an internationally recognized State border”(Article 1, Protocol on the Protection and Assistance to Internally Displaced Persons, 30th November 2006).

This definition does not cover the main causes for being an IDP; nevertheless, the large scale development project is also a cause for displacement of the people from the specified area of the project. Furthermore, Myers observed that IDPs are those who have fled their homes because of natural or man-made disasters, violence, or persecution. They are displaced within their own country and have not crossed an international recognized country border (Myers, 2017).

5. Major Causes and Classification of IDPs

There are three major causes for producing displaced people around the world and the same categories of IDPs such as:

5.1 Conflict and Violence

The prime IDP producing factor is conflict and violence. Conflict refers to the international armed conflict where two armed forces from two states are engaged in a war and non-international armed conflict where the conflict is between the regular armed forces of state and identifiable armed groups or between armed groups fighting one another. The 2024 Global Report on Internal Displacement (GRID) reveals that, as of the end of 2023, 75.9 million people were living in internal displacement. Of these, 68.3 million were displaced due to conflict and violence, while 7.7 million were displaced by disasters (IDMC, 2024).

5.2 Natural Disaster and Effect of Climate Change

Natural disasters and the effects of climate change have emerged as the second major cause of the growing number of internally displaced persons (IDPs) globally. Natural disasters such as droughts, floods, earthquakes, typhoons, cyclones, and famines force millions to flee their homes. Individuals displaced due to these events are often referred to as climate-induced displaced people, climate refugees, or environmental refugees (Reid, 2021). Numerous studies indicate a strong link between climate change and forced migration, resulting in

significant numbers of displaced persons each year, which increases the risk of global insecurity and instability (Adger & Vincent, 2023). However, there is no universally accepted definition of climate-induced displacement. In general, it refers to the movement of people driven by sudden or gradual environmental changes. This displacement can be temporary or permanent, seasonal or singular, and both voluntary and forced (Schwerdtle & Mastroiello, 2023).

Despite the existence of numerous national, regional, and international mechanisms such as the Refugee Convention, the Guiding Principles on Internal Displacement, international humanitarian law, human rights frameworks, and customary law, climate-induced internally displaced persons (IDPs) remain unrecognized as a distinct group under international law. They lack formal recognition as a legal category with expressly articulated rights or special protection (Kälin & Schraven, 2023). The 1951 Refugee Convention and its 1967 Protocol, which provide legal protection for refugees, do not cover those displaced by environmental factors (Deng, 2023). As a result, scholars and policymakers argue for expanding the existing definition of “refugee” to include individuals fleeing environmental degradation. This would enable them to receive protection and humanitarian assistance under the same international legal framework that currently covers those displaced by conflict and persecution (McAdam, 2023).

As of 2024, around 117.3 million people are forcibly displaced worldwide, with 75.9 million of them internally displaced due to both conflict and disasters. Climate-related disasters are a significant driver, causing an average of 21.5 million displacements annually since 2008. In 2023, natural disasters such as floods, storms, and wildfires led to 26.4 million new displacements, making up 56% of the total new internal displacements that year. This figure is expected to rise as climate change intensifies the frequency and severity of disasters. Regions most affected include Asia and the Pacific, which consistently experiences the highest number of disaster-related displacements (NRC, Global displacement overview 2024).

5.3 Development Induced Displacement

The third category of displaced person increases due to development activities in different jurisdictions in the world. When people are moved involuntarily from their habitual residences or homes to vacate space for development projects, they are displaced by development schemes of the government (Laurence, 2013). Development induced IDPs refer to those persons displaced due to the large-scale development projects of the government of a particular jurisdiction. In other words, when people are forced to leave their homes or land in consequence of a development plan of the concern government known as development induced

displaced persons. Development induced displacement may be direct as a result of a project or indirect which is occurred environmental, geographical and socio-political consequence of that particular development project (Gellert & Barbara 2003). Development-Induced Displacement (DID) is estimated to displace around 15 million people annually, largely due to infrastructure projects such as dams, highways, and urban expansion. Over several decades, DID may have impacted up to 250 million people globally, with significant variation by region and project type. The regions experiencing the most significant displacement include developing countries like China and India, where large-scale infrastructure development is common (World Bank Group, 2023). This category of IDPs is also remaining in less discussion as well as less focused group of displaced people who need protection and humanitarian assistance.

5.4 Poverty and Poor Governance

There are some other factors which also account for producing displaced person such as scarcity of resources, political instability, and weak governance and justice systems etc. In third world countries poverty is a common phenomena of the citizen on the one hand and poor governance on the other. Due to weak governance corruption, embezzlement, and other financial crimes are there. Political instability are also common and elimination of opposition parties is given heights priority than other developing activities. In order to save the life from political repression people run away from one place to another and find safe place to live. In this regard many of them lost their homes in the hand of the mussel power of the politically affiliated people. Another reason is common migration, people usually migrate from lower income generating place to higher income generating area. Therefore, uncountable numbers of people become IDP worldwide.

6. Distinctions between IDP and Refugee

The paragraph highlights the differences between internally displaced persons (IDPs) and refugees, both of whom are vulnerable groups fleeing their homes for safety. The Article 1(2) of the 1951 Convention Relating to the Status of Refugees, defines a refugee as someone who has a well-founded fear of persecution based on race, religion, nationality, social group membership, or political opinion, and who is outside their country of nationality or former habitual residence. This definition underscores the distinction between refugees, who have crossed international borders, and IDPs, who remain within their own country. The United Nations Guiding Principles on Internal Displacement defines internally displaced persons (IDPs) as those forced to flee their homes due to armed conflict, violence, human rights violations, or disasters, without crossing international borders. In contrast, refugees, as defined under the 1951

Refugee Convention, are people who flee due to persecution based on race, religion, nationality, social group, or political opinion (Mastorillo & T. H. E. 2023). While refugees gain specific international protections, IDPs remain under the jurisdiction of their government, lacking a formal legal status under international law. Despite this, IDPs often face heightened vulnerability during conflicts, with increased risks of mortality, physical attack, sexual violence, and deprivation of basic needs like shelter and health services (Robinson & Metz 2023).

7. Characteristics of Internally Displaced Persons (IDPs)

There are two characteristics expressed in the definition of IDP which distinguishes IDPs from Refugees. The components are as follows:

7.1 Displaced from the Homes or Habitual Residence: They are dislocated by the circumstantial persecution which contains armed conflict, persecution, situations of widespread violence, natural and human made disasters and, more recently, large-scale development projects. However, they expelled or displaced from their own place to another location. In other words, they obliged to leave and remain away from their homes. As a result, IDPs are looking another place where they feel safe from the harm caused to the above-mentioned violence, disasters and development project (The Human Rights of Migrants, 2000).

7.2 Displacement within the Territory of the State: Although the IDPs are dislocated under compulsion to another location, but they still remain within the country. They do not cross the border of the country to seek shelter in another jurisdiction. Therefore, IDPs lost their several rights for the time being and remain under the authority of the concerned state. In this regard they are often neglected to provide basic necessities mostly for administrative and economic reasons. As a result, they loss homes, lands, livelihoods, personal documents, family members and over all human rights. The social networks can negatively affect the ability of IDPs to assert and enjoy an entire range of fundamental rights (Erin Mooney, 2005). Therefore, these people need urgent humanitarian assistance form third party.

8. International Law and Policy on Internally Displaced Persons (IDPs)

8.1 Guiding Principles on Internal Displacement, 2000.

8.2 Declaration of International Law Principles on Internally Displaced Person, 2000.

8.3 The Principles on Housing and Property Restitution for Refugees and Displaced Persons, 2005.

8.4 ICGLR Protocol on the Protection and Assistance to Internally Displaced Persons

8.1 UN Guiding Principles on Internally Displaced Person

In the 1990s, the international community recognized the need for a comprehensive definition and identification of internally displaced persons (IDPs) to ensure their protection according to international standards. The UN refugee agency collected data between 1993 and 1995, estimating 20 to 25 million IDPs worldwide. However, there was no clear definition or normative framework for IDPs, and existing conventions, like the 1951 Refugee Convention, did not apply to them. In response, calls for a document outlining the rights of IDPs and government obligations grew. This led to the appointment of Francis Deng as the Secretary-General's representative on IDPs in 1992, who developed the Guiding Principles on internally displaced persons and submitted them to the UN Commission on Human Rights in 1996 and 1998. Deng's work highlighted existing laws' broad protections for IDPs while identifying gaps and gray areas in coverage. The instrument consists of 30 Guiding Principles addressing internal displacement, defining internally displaced persons (IDPs) as those forced to flee their homes due to armed conflict, violence, human rights violations, or disasters without crossing state borders. The Principles are organized into five categories: general principles (1-4), protection against internal displacement (5-9), protection during displacement (10-23), a framework for humanitarian assistance (24-27), and protection during return, local integration, or resettlement (28-30) (The UN Guiding Principles on Internal Displacement, 1998).

The UN Guiding Principles on Internal Displacement provide a framework for various actors, including states, NGOs, and international organizations, to protect the rights of internally displaced persons (IDPs). The principles affirm that IDPs are entitled to the same rights as other citizens, prohibiting discrimination based on race, gender, or social status. Special protections are outlined for vulnerable groups such as children, pregnant women, and persons with disabilities. Arbitrary displacement, including ethnic cleansing, is prohibited, and states are required to protect indigenous peoples and minorities from being forcibly displaced from their lands. The principles further safeguard IDPs against violations like genocide, murder, and enforced disappearances, and call for protection against violence, military exploitation, and sexual abuse (Schraven & Lutz, 2023).

In addition, the Guiding Principles on Internal Displacement affirm several rights for internally displaced persons (IDPs), including the right to seek safety within their country, to leave their country, to seek asylum, and to protection against forced return to areas where their safety, health, or liberty is at risk. IDPs

also have the right to know the fate of missing relatives and to respect for family life. Authorities are mandated to ensure an adequate standard of living, including access to essential food, water, shelter, clothing, medical services, and sanitation. Additionally, IDPs should enjoy rights related to freedom of thought, employment, community participation, voting, and communication in a language they understand. The principles also prohibit the arbitrary deprivation of property, ensuring that IDPs' belongings are protected from violence, misuse in military operations, and collective punishment (Tremblay, 2023).

8.2 Declaration of International Law Principles on Internally Displaced Person, 2000

The International Law Association (ILA), established in 1873 in Brussels, aims to study, clarify, and develop both public and private international law while promoting international understanding and respect for these laws. As an influential international non-governmental organization, the ILA collaborates with various United Nations specialized agencies. In 2000, the ILA adopted the Declaration of International Law Principles on Internally Displaced Persons (IDPs) to enhance their rights and protection, following the UN Guiding Principles on IDPs. The declaration was drafted by the ILA International Committee on Internally Displaced Persons and took eight years to prepare, undergoing revisions (ILA Conferences, 1996, 1998, 1996). In addition, it also organized two special meetings in Buenos Aires in 1994 and Budapest in 1995 (London Declaration, 2000). Finally, it was adopted by ILA in 2000 in London, therefore, the declaration is known as London Declaration.

The Declaration, comprising a preamble, eighteen articles, and four sections, establishes a comprehensive framework for addressing the rights of internally displaced persons (IDPs) and the responsibilities of states and the international community (London Declaration, 2000). The preamble underscores the growing concern over rising numbers of IDPs and the protection gap between them and refugees under existing legal instruments, advocating for enhanced legal and humanitarian safeguards (Ghráinne, 2024). Section one defines IDPs broadly, encompassing those displaced by conflict, rights violations, natural disasters, and development projects. Section two outlines IDP rights, such as freedom of movement, protection from arbitrary displacement, safe return, and access to essential services, with special focus on vulnerable groups. Section three delineates state and international obligations, promoting cooperation to address displacement causes, ensure humanitarian aid, and protect IDPs from exploitation while respecting sovereignty. The declaration reaffirms the relevance of existing legal agreements and calls for systematic efforts to improve IDP protections in line with international law (Adeola, 2024).

8.3 The Principles on Housing and Property Restitution for Refugees and Displaced Persons, 2005

The increasing displacement of refugees and internally displaced persons (IDPs) from regions like Rwanda, Bosnia, and Sudan highlighted the need for a framework addressing housing and property restitution. In 2005, the United Nations introduced the Pinheiro Principles to establish international standards for restoring housing, land, and property rights to displaced individuals (Handbook on Housing and Property Restitution for Refugees and Displaced Persons, 2007). Developed over seven years by Special Rapporteur Paulo S. Pinheiro, the principles emphasize the right to return, restitution, or compensation, addressing issues such as gender equality, non-discrimination, and the protection of displaced persons (Miriam, 2011). Organized into seven sections, the instrument covers legal and technical guidelines, rights to housing and property restitution, voluntary return, and the creation of institutional mechanisms (The UN Principles on Housing and Property Restitution for Refugees and Displaced Persons, 2005). It also aligns with international human rights laws, advocating for non-discriminatory practices, enforcement of restitution decisions, and coordination among states and organizations. Despite their comprehensiveness, challenges like displaced persons' reluctance to return and ambiguities around property definitions remain. The principles emphasize collaboration among states and international bodies to uphold the rights and dignity of displaced populations (Basic Principles and Guidelines, 2005).

9. Protection of IDPs under Regional International Law

9.1 The African Union for the Protection and Assistance of Internally Displaced Persons in Africa, 2009 (Kampala Convention)

9.2 The Protocol on the Protection and Assistance to Internally Displaced Persons, 2006

9.3 Protocol on the Property Rights of Returning Persons, 2006

9.4 The Pact on Security, Stability and Development of the Great Lakes Region, 2006

10. The AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa, 2009

This is the first regional international instrument adopted by the African Union (AU) Special Summit of Heads of State and Government in 2009 which is popularly known as The Kampala Convention (Kampala Convention, 2009). Through this a new binding and continental wide mechanisms for protection and assistance of IDPs was established (Stephane, 2010). The convention comprehensively addresses the issue of internal displacement, including

prevention, response and durable solutions. In addition, it provides expressly the provisions with regard to rights of the people displaced by natural disaster, armed conflict and generalized violence, human rights violations and development projects (Internal Displacement Monitoring Centre (IDMC), 2010). The Convention prepared on the basis of UN Guiding Principles and transforms several principles into binding obligation for the states in concerned. Thus, it becomes a binding and expanded regime for the protection of IDPs beyond the existing soft law arrangements and provides a distinctive legal status of IDPs in Africa (Kidane, 2011).

The Kampala Convention (2009) defines internally displaced persons (IDPs) in alignment with the UN Guiding Principles as individuals or groups forced to leave their homes due to armed conflict, generalized violence, human rights violations, or disasters, without crossing an internationally recognized border (Article 1(k) Kampala Convention, 2009). It also defines “internal displacement” as the involuntary movement within state borders. Importantly, the definition encompasses both citizens and non-citizens, ensuring that anyone displaced is entitled to basic protection and assistance (Abebe, 2010). Additionally, the Convention sets objectives aimed at preventing, mitigating, prohibiting, and eliminating the root causes of internal displacement while promoting durable solutions. It establishes a legal framework for the protection and assistance of IDPs, emphasizing solidarity, cooperation, and mutual support among member states to address displacement and its consequences (Viljoen, 2012). Article 10 adopts a more cautious stance regarding development-induced displacement, requiring states to prevent it “as much as possible” and to consider alternatives through consultation and impact assessments, contrasting with the UN Guiding Principles, which classify such displacement as arbitrary and prohibit it outright (Okello, 2014).

The convention provides protection for all development projects, regardless of their scale or the actors involved, but its obligation to prevent displacement is limited to a state acting “as much as possible,” which raises concerns about potential abuse. The requirement to prove that projects serve a “compelling and overriding public interest” applies only to vulnerable communities. In addition to preventing displacement, the convention offers indirect protections by holding state and non-state actors accountable for resource exploitation that causes displacement. Article 3(1)(b) mandates states to prevent exclusion and marginalization that could lead to displacement, allowing for accountability in politically or economically motivated displacements (Beyani, 2013). The Kampala Convention also introduces monitoring and enforcement mechanisms through the Conference of Parties (COP) to oversee implementation (Article 14,

Kampala Convention, 2009) and requires state parties to report to the African Commission on Human and Peoples' Rights, with the African Union empowered to intervene in serious cases, such as war crimes and crimes against humanity, reinforcing its supervisory role in IDP protection (Viljoen, 2012).

11. The Pact on Security, Stability and Development of the Great Lakes Region, 2006

The Great Lakes region, encompassing countries like Angola, Uganda, Kenya, and the Democratic Republic of Congo (DRC), has faced prolonged instability due to armed conflicts, resulting in the displacement of over four million internally displaced persons (IDPs) (Mugisha, 2023). Key contributors include the Rwandan genocide, DRC civil wars, political violence in Kenya, and the Northern Uganda uprising. To address these challenges, the 2006 International Conference on the Great Lakes Region (ICGLR) led to the Great Lakes Pact, providing a comprehensive framework for peace, security, and reconstruction. Central to this pact are two protocols: the Protocol on the Protection and Assistance to IDPs and the Protocol on Property Rights of Returnees. These protocols integrate international standards, such as the UN Guiding Principles on Internal Displacement, into domestic law, addressing the safety, needs, and rights of IDPs while tackling root causes of displacement (Ndayisaba, 2023). A significant innovation is the inclusion of development-induced displacement, with Article 5 mandating that displacement be justified by public interest, alternatives be explored, and affected populations receive compensation and adequate living conditions. This expanded definition enhances state accountability, aligning responses to diverse displacement causes with principles of justice and sustainability (Murekezi, 2023).

12. The Protocol on the Property Rights of Returning Persons (2006)

The Protocol on the Property Rights of Returning Persons, part of the 2006 Great Lakes Pact, ensures that refugees, internally displaced persons (IDPs), and returnees can reclaim their homes and land, establishing a legal framework for property dispute resolution and prioritizing restitution over compensation, as outlined in the UN Pinheiro Principles (Kagoro & Ntungwe, 2023). It mandates fair accessible legal procedures and particularly for vulnerable groups like women and marginalized communities, while addressing the role of customary law under international human rights norms of non-discrimination and gender equality (Zukow, 2023). Despite its robust framework, implementation faces significant challenges, including resource limitations, weak institutional capacity, political resistance, and corruption (Murphy, 2023). The protocol underscores the need for international support and collaboration, involving the African Union, United Nations, and other stakeholders, to address these barriers. It highlights property

restitution as a critical component of post-conflict recovery, fostering peace and sustainable development in the region, but requires enhanced enforcement and political commitment to achieve its goals (Sleiman & Rojas, 2023).

13. The Pact on Security, Stability and Development of the Great Lakes Region, 2006

The Pact on Security, Stability, and Development in the Great Lakes Region, signed in 2006, aims to address the root causes of conflict, displacement, and underdevelopment. Initiated by the International Conference on the Great Lakes Region (ICGLR), this binding agreement promotes peace, security, and sustainable development among member states. It encompasses various protocols focused on conflict resolution, refugees, internally displaced persons (IDPs), and human rights (Mwangi, 2023). The ICGLR plays a crucial role in implementing the pact, serving as a platform for dialogue, dispute resolution, and monitoring. It promotes peace and stability through regional cooperation and diplomacy (Wamala, 2023). The pact includes 10 key protocols, with two focusing on security and stability. A major contribution of the pact is its focus on addressing the needs of internally displaced persons (IDPs) and refugees in the region. Two specific protocols establish legal frameworks for protecting displaced populations and ensuring their safe return and reintegration, building on international standards but offering a more comprehensive regional approach (Mugisha, 2023). The implementation of the pact faces several challenges, including weak institutional capacity, lack of political will, ongoing conflicts, corruption, and poor governance, which hinder progress. Nevertheless, the pact includes vital provisions for protecting vulnerable groups, particularly women and children, with a focus on preventing sexual violence and promoting a gender-sensitive approach to peace building and the prosecution of perpetrators (Berry, 2018). Ultimately, the pact seeks to tackle the interconnected challenges of conflict, displacement, and underdevelopment, with its success hinging on political will, effective implementation, and international support for lasting peace and development in the region (Tchouakeu, 2023).

14. Major Challenges for the Protection of IDPs

14.1 Lack of Legal Frameworks and Recognition

The absence of legal frameworks and recognition for internally displaced persons (IDPs) presents a major obstacle to their global protection. Unlike refugees, IDPs do not benefit from specific international protections, and many countries lack laws or policies addressing their needs. This legal void leads to increased vulnerability, marginalization, and human rights violations. IDPs face various causes of displacement i.e. conflict, natural disasters, or development projects, each requiring distinct legal responses. Without a unified framework, IDPs

struggle to claim rights or access necessary aid, perpetuating poverty and insecurity. Strengthening legal recognition and comprehensive protection mechanisms is essential to address these gaps (Schraven, 2023).

14.2 Ongoing Armed Conflict and Violence

Ongoing armed conflict and violence significantly exacerbate the plight of internally displaced persons (IDPs), who often find themselves caught in the crossfire or in precarious situations that hinder their ability to seek safety and rebuild their lives. In conflict zones, IDPs face heightened risks of violence, exploitation, and human rights abuses, including sexual violence and recruitment by armed groups. The instability associated with armed conflict complicates humanitarian efforts, making it difficult for aid organizations to deliver essential services such as food, healthcare, and shelter. Moreover, prolonged displacement due to continuous violence can lead to social fragmentation and economic dislocation, further marginalizing IDPs in their host communities. The cycle of violence not only perpetuates the conditions that force people to flee but also poses significant challenges to their eventual return and reintegration into their home regions, thereby undermining peace-building efforts. Addressing the needs of IDPs in conflict settings requires targeted interventions that prioritize their safety and access to resources, alongside efforts to resolve the underlying conflicts (Vogel, 2023).

14.3 Economic Marginalization and Lack of Access to Services

Economic marginalization and lack of access to services pose critical challenges for internally displaced persons (IDPs), further entrenching their vulnerability and hindering their recovery. Displacement often disrupts livelihoods, forcing IDPs into informal or precarious employment that lacks security and benefits. This economic instability is compounded by limited access to essential services such as healthcare, education, and social protection, which are crucial for rebuilding their lives (Pavanello, & Elhawary, 2023). Host communities may also be strained, leading to competition for resources and services, which can exacerbate tensions and discrimination against IDPs. The lack of legal recognition and support further marginalizes IDPs, making it difficult for them to claim their rights or access social services. To mitigate these challenges, comprehensive policies that promote economic inclusion and ensure equitable access to services are essential. Such measures must be integrated into broader development strategies to foster resilience and long-term stability for displaced populations.

14.4 Discrimination and Social Exclusion

Discrimination and social exclusion are pervasive issues faced by internally displaced persons (IDPs), significantly impeding their ability to reintegrate into society and access essential services. Often viewed with suspicion or hostility by

host communities, IDPs may encounter barriers based on ethnicity, gender, or socio-economic status, which can lead to stigmatization and marginalization (Zetter, 2023). This exclusion not only affects their social relationships but also limits their access to employment, education, and healthcare, further entrenching their vulnerability. Moreover, discriminatory practices can exacerbate existing inequalities, making it challenging for IDPs to reclaim their rights and participate fully in the social and economic life of their communities. Addressing discrimination and fostering social cohesion are crucial for promoting the well-being and recovery of IDPs (Mastrorillo & D'Aoust, 2023).

14.5 Inadequate Humanitarian Response and Coordination

Inadequate humanitarian response and poor coordination among various actors significantly undermine efforts to support internally displaced persons (IDPs) in crisis situations. Often, humanitarian agencies face challenges such as limited resources, lack of timely access to affected areas, and ineffective communication among stakeholders, which can lead to fragmented and inefficient responses (Kälin & Scherer, 2023). The absence of a cohesive strategy often results in overlapping efforts or critical gaps in assistance, leaving IDPs without essential services such as food, shelter, and medical care. Furthermore, the lack of collaboration between local governments, international organizations, and non-governmental organizations can exacerbate the already precarious situations faced by IDPs, limiting their access to protection and support. Enhancing coordination and improving the overall humanitarian response are vital for ensuring that aid reaches those in needs promptly and effectively, ultimately promoting the resilience and recovery of displaced populations (Seymour & Asher, 2023).

15. Recommendations

15.1 Strengthening Legal Frameworks: Developing and implementing comprehensive legal frameworks that specifically recognize the rights of internally displaced persons (IDPs) is essential for their protection. This includes integrating international standards into domestic laws and ensuring enforcement mechanisms are in place (Cohen & Deng, 2023).

15.2 Improving Humanitarian Coordination: Enhancing coordination among humanitarian actors can lead to a more effective response to IDP needs. Establishing clear communication channels and collaborative frameworks will ensure that resources are allocated efficiently and that all IDPs receive the necessary support (Harrison & Vasiliev, 2023).

15.3 Promoting Economic Inclusion: Implementing programs that promote economic inclusion for IDPs can significantly improve their resilience. This involves providing access to vocational training, microfinance opportunities,

and social protection schemes to help IDPs rebuild their livelihoods (Oxfam International, 2023).

- 15.4 Enhancing Community Participation:** Encouraging IDPs participation in decision-making processes related to their assistance and integration can empower them and ensure their voices are heard. Facilitating platforms for dialogue between IDPs and local authorities fosters a sense of agency and belonging (Feldman & Mukherjee, 2023).
- 15.5 Targeting Vulnerable Groups:** Tailoring protection programs to address the specific needs of vulnerable sub-groups among IDPs, such as women, children, and the elderly, is crucial. This can include providing specialized services, safe spaces, and psychological support to address trauma and other challenges (Jansen & Karar, 2023).
- 15.6 Building Partnerships with Local Communities:** Engaging local communities in the protection and support of IDPs fosters solidarity and can improve service delivery. Partnerships with community-based organizations can help create more sustainable solutions that leverage local knowledge and resources (Jansen & Karar, 2023).
- 15.7 Investing in Infrastructure and Basic Services:** Improving infrastructure and access to basic services, such as healthcare, education, and housing, is essential for IDPs' recovery and integration. Investments in these areas can help meet the immediate needs of IDPs while fostering long-term development (Nabudere & Tukahebwa, 2023).
- 15.8 Utilizing Technology for Protection:** Leveraging technology can enhance the protection of IDPs by improving communication, data collection, and access to services. Mobile apps and online platforms can provide real-time information about available resources, safety alerts, and support services (Voss & Ogundipe, 2023).
- 15.9 Increasing Funding for IDP Programs:** Securing adequate and sustained funding for IDP protection programs is critical. Advocating for increased international support and investment from both public and private sectors can help address the ongoing needs of displaced populations (Mason & Lopez, 2023).
- 15.10 Implementing Durable Solutions:** Focusing on durable solutions for IDPs, such as safe return, local integration, or resettlement, is essential for their long-term protection and stability. Policymakers should work towards creating conditions that facilitate these solutions while ensuring the rights and preferences of IDPs are respected (Ramsay & White, 2023).

16. Conclusion

In conclusion, international law has made significant strides in addressing the plight of Internally Displaced Persons (IDPs), particularly through frameworks

like the Guiding Principles on Internal Displacement and instruments such as the Pinheiro Principles. Despite these advancements, challenges persist, including inadequate implementation, lack of enforcement mechanisms, and evolving complexities of displacement driven by conflicts, climate change, and socio-political upheavals. Overcoming these obstacles requires a collective effort to strengthen legal frameworks, enhance state accountability, and foster international cooperation. By prioritizing the rights, safety, and dignity of IDPs, the international community can not only mitigate the impact of displacement but also shape a future where sustainable solutions ensure protection and lasting stability for displaced populations worldwide. In addition, the integration of gender-sensitive policies, recognition of cultural and social dimensions of displacement, and innovative approaches to durable solutions are vital to addressing the multifaceted challenges faced by IDPs. The active involvement of regional organizations, civil society, and displaced communities themselves is essential in creating inclusive frameworks that reflect local realities. Technological advancements, such as digital identity systems and data-driven decision-making, offer new opportunities for tracking displacement trends and improving resource allocation. As the nature of displacement continues to evolve, international law must adapt proactively, ensuring that protection mechanisms remain robust, equitable, and responsive to emerging challenges. By fostering a holistic approach that combines legal, social, and economic strategies, the global community can work toward a future where displacement is managed effectively and human dignity is upheld.

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