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DISPLACED PEOPLE

1.1 INTRODUCTION

As we all know, in the earlier days, people used to travel from one place to another in search of food, shelter and to hunt. Later on, people are traveling in search of employment opportunities, healthcare services and for many more reasons. Now, the forced movement of individuals within the borders of a country has become a critical and pressing issue and it demands our attention.

The purpose of this introduction is to explore the intricacies of internal displacement by looking at its sources, effects, and larger ramifications for people as a whole. We may better understand the urgency of meeting the needs of internally displaced people and strive towards long-term solutions that put human rights, social cohesion, and the welfare of those who have been uprooted from their homes first by examining the complex nature of this issue.

1.2 INTERNALLY DISPLACED PEOPLE

According to the 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

The movements caused in Nagaland and Assam after Independence the violence caused by the government and other forces led to the large displacement³. In the conflict between state forces and militants in Kashmir, the actions of fundamentalist secessionist groups have resulted in the killing of Kashmiri Pandits. The widespread chaos stemming from political instability and the consistent violation of fundamental human rights by both the state and militant factions has led to displacement to places like Delhi. The estimated number is around 2,50,000.

The actions of Bodos like plunder, arson, massacres, persecution targeting the non-Bodos have resulted in the fleeing from the regions like Bodoland, Punjab, Gorkhaland and Ladakh and they now live in camps⁴.

Caste disputes are one of the reasons for the internal displacement in the states like Bihar and Uttar Pradesh. Many situations were happening that were causing violence, riots that led to the displacement.

Due to the developmental projects, the government was vacating large areas for the construction of industries. So, people were traveling to other places in search of residence and employment opportunities. This happens normally from rural to urban areas.

The cause of disasters like cyclones are causing the people to travel to other places, specifically away from the sea-shore areas in search of their safety and livelihood.

³ Goswami, Uddipana. *Internal Displacement, Migration, and Policy in Northeastern India*. East-West Center, 2007. *JSTOR*, <<http://www.jstor.org/stable/resrep06479>>. Accessed 2 Dec. 2023.

⁴ Mahendra P Lama, *Internal Displacement in India: Causes, Protection and Dilemmas* <<https://www.fmreview.org/accountability-and-displacement/lama>> accessed on 3 December 2023.

1.3 OVERVIEW WITH STATISTICS

The Global Report on Internal Displacement 2023 (GRID-2023), released by the Internal Displacement Monitoring Centre, says that the displacement was enhanced by 40 percent in 2022. Pakistan stands at the top with the most displaced people with the number of 8.16 million. The Philippines stands at the second position with 5.44 million displacements.

A total of 60.9 million internal displacements happened in 151 countries and territories in which 28.3 million by conflict and violence from 46 countries and territories. Around 70.5 million got displaced by 110 countries and territories in which 61.5 million by conflict and violence from 65 countries and territories and 9 million by disasters from 88 countries and territories⁵.

India stands at the fourth position with a total 2.5 million displacements. Total of 18 states and union territories are identified in India that involve internally displaced people. As per the report released by the Internal Displacement Monitoring Centre, from 2008-2022, there were 18 million internal displacements and around 6,31,000 people have been displaced due to violence and conflict. Due to the armed conflict in Jammu and Kashmir, 3,21,000 people got displaced and 1,08,000 people got displaced due to intercommunal and political violence from the states of Assam, Mizoram and Tripura.

From 2008-2022, there were around 25,07,000 internal displacements due to floods and storms. Approximately 2 million people got displaced from floods due to

⁵ Global Internal Displacement Database, Internal Displacement Monitoring Centre (2023) <<https://www.internal-displacement.org/database/displacement-data>> accessed on 3 December 2023.

seasonal rainfall in 5 states. Cyclone Sitrang caused around 65,000 displacements. Based on the time series data and house destruction data, around 32,000 people got displaced due to specific disasters in 2022 as recorded by the government and other stakeholders⁶.

1.4 LEGAL FRAMEWORK

Guiding Principles on Internal Displacement was developed under Dr. Francis Deng and comes within the United Nations system. Even though these principles are not binding in nature, they recognise the rights and guarantees of the people who are internally displaced⁷. There is no universal treaty to address the problem but it got support from the international community where The Convention for the Protection and Assistance of Internally Displaced Persons, which is also known as Kampala Convention, is one of such treaties adopted in 2009.

International Humanitarian Law was concerned with prevention of displacement and protection of internally displaced persons. It contains significant provisions to limit the armed conflicts and prevent it, but many countries do not follow it⁸.

Kampala Convention was the world's first legally binding convention on internal displacement. It is based on International Humanitarian Law and international human rights law. It was to protect and assist the displaced people to ensure the basic

⁶ Internal Displacement Monitoring Centre, Displacement Data (2023) <<https://www.internal-displacement.org/countries/india#:>> accessed on 3 December 2023.

⁷ UN Guiding Principles on Internal Displacement (2001) <<https://www.docs.unocha.org/sites/dms/Documents/GuidingPrinciplesDispl.pdf>> accessed 5 December 2023.

⁸ ICRC, *Internally Displaced Persons and International Humanitarian Law*, <https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule131.> accessed 5 December 2023.

needs of the population. It lays down the duties of the states, obligations, effective protection and assistance to the. A total of 31 states are parties of this convention, in which Ethiopia was the last member which ratified in 2019.

The Great Lakes Pact was one of the laws where it provided protection and assistance to the internally displaced persons of 11 states of the Great Lake region, which held more than half Africa's displaced as hostage. It lays down the principles to follow the Guiding principles⁹.

1.5 PRINCIPLES OF DISPLACED PEOPLE¹⁰

Internally displaced people should be treated equally with the same rights and freedoms of the people living in the territory. There should be no biases in case of criminal accusations. The individuals should be protected from starvation, attacks, discrimination, rape, slavery, acts of violence.

The displaced people have the right to request and receive protection from the authorities and it is the duty of the authorities to provide protection and humanitarian assistance to them. Even the needs of the individuals who are specially abled should be considered. The displacements should not be more than the limited period.

During emergency situations, the displaced people should be provided with an alternative with proper accommodation including safety, nutrition, health and

⁹ International Refugee Rights Initiative, *The Great Lakes Pact and the rights of disabled people-A guide for civil society* 11, Norwegian Refugee Council, (2008) 11-13.

¹⁰ Deng, Francis M. "Guiding Principles on Internal Displacement." *The International Migration Review*, vol. 33, no. 2, 1999, pp. 484-93. *JSTOR*, <<https://doi.org/10.2307/2547706>> Accessed 3 Dec. 2023.

hygiene. Otherwise, free and informed consent should be taken from the individuals and the decisions taken by the authorities should be by the laws provided.

The displaced persons have the right to seek safety in another country, leave the country, seek asylum in another country or protection against forcible return where his safety, life, liberty or health are at risk. They have the right to know about their relatives, collect the remains of the deceased and to protect the grave sites as well. They have the right to education, freedom of thought, employment, vote, communication.

The individuals should be provided with essential food, portable water, basic shelter, appropriate clothing and essential medical services. Properties and possessions left behind by them should be protected against destruction.

1.6 REFUGEES, MIGRANTS AND DISPLACED PERSONS

As per the Geneva Convention, 1951, refugee is defined as “any person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to return to it”. In simple words, the individuals are forced to move to another country due to fear or violence. They have a special status in international law with specific rights and duties to be followed¹¹.

¹¹ United Nations Human Rights, about internally displaced persons <<https://www.ohchr.org/en/special-procedures/sr-internally-displaced-persons/about-internally-displaced-persons#:~:text=According%20to%20the%20Guiding%20Principles,avoid%20the%20effects%20of%20armed>>

For instance, the muslim Rohingyas from Myanmar have fled to India , Bangladesh, Malaysia, Indonesia and the Philippines in fear of persecution by the military of Myanmar. The Russia and Ukraine war was the recent issue which was causing the people to flee from their homes due to the ongoing crises.

According to the International Organisation for Migration, migrant refers to “any person who has resided away from his or her place of usual residence, whether within a country or across an international border, regardless of the person’s legal status; whether the movement is involuntary or voluntary; what the causes for the movement are;or, what the length of the stay is.¹²” In simple sentences, the person changes his permanent residence, which can be within a country or international in nature.

1.7 IMPACT ON THE SOCIETY

The people get displaced to another place due to the fear or injustice that is being caused against them. When they move to another place, these people may not be welcomed by the local ones due to ethical or religious or linguistic differences. So, this leads to communal violence, internal disturbances or ethnic tensions. Not only this, but the breakdown of families and communities will be scattered. Moreover, there can be strain on local services like health, education, livelihood and resources and it will be difficult to make them efficient for all.

Due to the displacement, the person loses his land, which is the main foundation where the livelihood depends. They lose economic power, employment

¹² UNESCO, Migrants, Refugees or displaced persons <<https://www.unesco.org/en/articles/migrants-refugees-or-displaced-persons>>.

opportunities which in turn reduces the per capita income of the country as well as economic instability¹³.

Social stress and trauma leads to increased vulnerability of the weaker sections of the society. Mental health issues have become more prevalent in the contemporary world. Here, due to loss and uncertainty, people experience psychological distress among them.

Displacement may lead to loss of cultural identity because they flee from their traditional lands. And also, the displaced people need to depend on the help and assistance of the government or other persons.

It carries a risk on the state authorities as there may be human right violations because arbitrary displacement can lead to violations of civil and political rights and the loss of one's political voice. It will become difficult for the government to prevent the spread of diseases because the camps and settlements will be crowded. The place they fled become overpopulated as well, which drains the natural resources available in that region.

1.8 ISSUES AND CHALLENGES

The displaced people are subjected to vulnerability as they were forced to flee from their lands. They suffer from a higher rate of mortality than the normal ones because they moved from one place to another. The place will be overcrowded. The persons

¹³ Displacement of People Due to Construction of Development Projects: Who Pays the Price?", [2015] 5.1 NULJ 77

<<https://www.scconline.com/Members/NoteView.aspx?enc=SIRYVC0wMDAyOTgwNzU4JiYmJiY0MCMYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVuJiYmJiZ0cnVlJiYmJiZpbXBhY3Qgb2YgaW50ZXJlYmJlZGZlcGxhY2VtZW50JiYmJiZBbGxXb3JkcyYmJiYmZlNlYXJjaCYmJiYmZmFsc2U=>> accessed 5 December 2023.

remain at the higher risk of sexual assault, sexual assault and abduction¹⁴. Moreover, there will be no sufficient amount of food, healthcare and shelter as well.

Specially abled people, women and children are more vulnerable because their basic rights are more prone to violation. They all live in the same camps and settlements, where they are more prone to spread deadly diseases. Those persons are more likely to become trapped and caught in the crossfire and are at risk of being used as pawns. They even be forced into slavery, human trafficking or prostitution.

Rates of poverty increase, differentiation in climate change will be more from one area to another area.

1.9 RECOMMENDATIONS

Disaster management, climate resilience, food security, conflict resolution, and poverty reduction should be strengthened. The people should be made independent so that they need not depend on protection and assistance. The rights of the displaced should be protected and the resources should be distributed equally and efficiently among them. Economic security needs to be provided to them.

When the people get displaced due to developmental projects, they should be provided with suitable conditions for their livelihood, lands and habitual residence. They should be provided with employment opportunities, educational and health facilities.

¹⁴ United Nations Human Rights, about internally displaced persons <<https://www.ohchr.org/en/special-procedures/sr-internally-displaced-persons/about-internally-displaced-persons#:~:text=According%20to%20the%20Guiding%20Principles,avoid%20the%20effects%20of%20armed>>

The government needs to deal with potential and ongoing ethnic conflicts and minimize them. It should ensure rapid resettlement and rehabilitation and reduce the level of violence and conflicts. It should implement the laws and enact the policies to deal with the multi dimensional character of the internally displaced people groups.

International laws and agendas need to be made so that it recognises the internally displaced persons and the conventions should be made legally binding, so that the protection and assistance will be provided to them without fail.

1.10 CONCLUSION

In summary, internal displacement is a complicated issue with many facets that affects people on a personal, social, and cultural level. The extensive effects alter the social, cultural, psychological, and economic landscape of the impacted places. Access to basic amenities, social cohesiveness, and economic stability are all being disrupted, which emphasizes how urgently comprehensive and focused actions are needed. Prioritizing the preservation of human rights, addressing the underlying causes of displacement, and fostering sustainable solutions that support the resilience and well-being of impacted communities are crucial as we negotiate the complexity of internal displacement. By working together on a local, national, and international scale, we can lessen the negative consequences of internal displacement and create conditions that help communities and lives be rebuilt.

