



HURRICANE KATRINA

SUMMARY OF THE GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT

The evacuation of New Orleans and the displacement of over 500,000 people, places this situation firmly within the context of Humanitarian Law regarding Internally Displaced People (IDP).

Below is a summary of the U.N Guiding Principles on Internal Displacement.

Summary of the Guiding Principles on Internal Displacement

The Guiding Principles on Internal Displacement identify rights and guarantees of persons who have been forcibly displaced from their homes to due a number of factors, including natural disaster. Those who have been displaced from their homes but not crossed international borders are not refugees, but rather “internally displaced persons.”

National authorities are primarily responsible for ensuring the human rights of internally displaced persons; however the guidelines are relevant to intergovernmental agencies, non-governmental agencies and local authorities as well. The following is a summary of the guiding principles that are particularly relevant to the disaster in the gulf region, but does not include all the principles contained in the guidelines:

- Internally displaced persons shall enjoy equally all the rights and freedoms as other persons in their country.
- Every human being has the right to dignity and physical, mental and moral integrity.
- Internally displaced persons have the right to request and to receive protection and humanitarian assistance from national authorities.
- Certain internally displaced persons, such as children, especially unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, shall be entitled to any necessary special protection and assistance. Children, in particular, have a right to education that must be protected while they are internally displaced.
- All internally displaced persons have the right to an adequate standard of living. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to: (a) Essential food and potable water; (b) Basic shelter and housing; (c) Appropriate clothing; and (d) Essential medical services and sanitation. Special efforts should be made to ensure the full participation of women in the planning and distribution of these basic supplies.
- All wounded and sick internally displaced persons as well as those with disabilities shall receive to the fullest extent possible and with the least possible delay, the medical care and attention they require, without distinction on any grounds other than medical ones. When necessary, internally displaced persons shall have access to psychological and social services. Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counseling for victims of sexual and other abuses. Special attention should also be given to the prevention of contagious and infectious diseases, including AIDS, among internally displaced persons.

- Every human being has the right to respect of his or her family life. To give effect to this right for internally displaced persons, family members who wish to remain together shall be allowed to do so. Families which are separated by displacement should be reunited as quickly as possible.
- All internally displaced persons have the right to know the fate and whereabouts of missing relatives, and authorities shall make efforts to obtain and provide this information. Authorities shall inform the next of kin on the progress of investigations on missing relatives and notify them of any result.
- The authorities concerned shall endeavor to collect and identify the mortal remains of those deceased, prevent their despoliation or mutilation, and facilitate the return of those remains to the next of kin or dispose of them respectfully.
- Grave sites of internally displaced persons should be protected and respected in all circumstances. Internally displaced persons should have the right of access to the grave sites of their deceased relatives.
- Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall make efforts to facilitate the reintegration of returned or resettled internally displaced persons.
- Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration.
- Every human being has the right to recognition everywhere as a person before the law. To give effect to this right for internally displaced persons, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. In particular, the authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions.
- Authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions which they left behind or were dispossessed of upon their displacement. When recovery of such property and possessions is not possible, authorities shall provide or assist these persons in obtaining appropriate compensation.

The Guiding Principles shall be applied without discrimination of any kind, such as race, color, sex, language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth, or on any other similar criteria.

Full document can be found at
<http://www.unhcr.ch/html/menu2/7/b/principles.htm>

www.ushrnetwork.org
404 588 9761
katrina@ushrnetwork.org