Internally Displaced Persons and Human Security

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ABSTRACT

Internally Displaced persons and Human security. Homelessness is a phenomenon that totally diverse the life on individual. Experiencing highest level degree of fear and derogation together with suppression of various needs such as economic social, and so on, make displaced persons deeply vulnerable and face numerous problems. Increasing number of homeless people (more than one- third concentrated in Africa) attracted international concerns during last two decades. While introducing a definition for ‘Human security’ and drawing a framework for ‘Internal Displacement’ the essay analyzes the minutes of the problems of IDPs and durable solutions for their plight. At the same time it seeks to explain that, due to deep vulnerability, as a result of violation of their human rights the only solution of this dilemma is fulfillment of duties by states and international bodies. This should continue to receiving medical services, food, house and necessary equipment for gaining income. Relieving from all kinds of vulnerability they could enjoy their human rights without any discrimination with those living in their houses.

INTRODUCTION

Providing Human security (comparing state security) is a new doctrine emerging to International discourse since 1994 and from then the security of vulnerable groups including women children, elderly, disabled persons and migrants, turned to the subject of international dialogue conversation. Internally Displaced Persons are among these vulnerable groups which considering their condition and special necessities require special attention, since the number of these group by the end of 2011 estimated around 26 million living in the most difficult situation.

Providing human security for IDPs is a complicated issue and includes different aspects of human rights, humanitarian rights, peacemaking and development. Facing various difficulties in gathering information about this group worsens the situation. Consequently the sophisticated issue of IDPs for the time being requires planning, regulation obedience and filling the vacancies.

The reciprocal relationship between respecting human rights and creating a sense of security in individuals (e.g. IDPs) is the hypothesis of the present research, i.e. to guarantee Human Security for IDPs is possible through respecting human rights.

Following the path, the present article seeks to answer to two questions: Is it necessary to consider IDPs as a distinct group isolated from the others to be investigated and protected?

How it could be possible to guarantee human security for IDPs?

For surveying the ways to guarantee human security for IDPs the present article divided into seven chapters; the first to describe the concept of human security, the second to define the of IDP, the third legal status of the Guiding Principles regarding IDPs, the forth difference between Refugees and IDPs, the fifth violation of human rights in the state of being IDP, the seventh to put an end to Internal displacement.

I: Concept of Human security:

I. Definition:

Although two main elements of human security “freedom from fear” and “freedom from need” for the first time used by Roosevelt in his lecture in 1941 but its usage in international discourse often refers to 1994 and the report of the United Nation Development Program (UNDP) Since this report considered as the first step towards
a new discussion, its deficiencies would be justifiable. While referring to seven elements of human security (Economic security, food security, health security, environmental security, personal security, community security and political security).

The document enters to four characteristics of it:
(1) It is a global concern which would be materialized for all individuals and societies.
(2) Its bases are dependent to each other in an interchanging manner and any threat in any where will affect on the other part of the world.
(3) It has a preventive aspect and in order to reestablish the security, decreasing the reasons for insecurity is preferred.
(4) It is individual oriented rather than to be based on the relations between governments.

And consequently it exercises two important aspects of it:
(A) Security against traditional risk like hunger, disease and suppression and
(B) Protection against any sudden and devastating stop in the daily model of individuals’ life in home their work or society.

Undoubtedly, prior to surveying the characteristics and essential points a concept, describing it is required. Though at first stance the concept of human security will be elaborated.

Mary Kaldor, considers three elements in her definition of Human Security, as necessary elements:
1) Human Security is about the everyday security of individuals and communities in which they live, rather than the security of states and borders;
2) This definition is about different sorts of security not only protection from threat of foreign enemies;
3) This element is about the interrelation of security in different parts of the world, for example, violence, resentment, poverty and illness in places such as Africa, central Asia, or the Middle East travel across the world through terrorism, transnational crimes or pandemics and displacement. In the era of global interrelation and existence of insecurity in other parts of the world, nobody may feel safe.

Consequently she believes that reaching human security is merely possible by elimination of domestic and international differences and creating a global form of the kind of law based security, while confirming a law paradigm rather than a war paradigm. She reiterates that a law-based security only actualizes in well-ordered and law-based communities. She believes that employing security protection forces in its traditional concept which greatly designed for defense against foreign attacks are not suitable for providing human security and in some occasions (e.g. Afghan and Iraqi experiences) employing these forces aggravates the situation.

The report of Study Group on Europe’s Security capabilities, defined Human Security as "Freedom of individual from insecurity caused from gross violation of human rights " and on this way bolds the relationship between human security and human rights. Since distinguishing between these two concepts and their relation seems complicated, it would be elaborated in the next part. The report, while following the method of changing the military security to other dimensions of security, reiterates that, "since none of threats and risks in the present world, are merely military; it cannot be conquered by more military tools".

Undoubtedly human security is a vast and complicated concept and presenting a coherent and general definition and ways to reach it seems difficult. Nevertheless this reality does not convey the weakness of it; since in “a world full of complex realities and problems, presenting a clear and easy solution should be a matter of doubt”.

Shortly it can be said that the concept of human security is a reaction to incapability in mere attention paid to state security as a result of a change in approach, from military security and protecting national borders against foreign risks to security of individuals in other eras of human lives. This a concentration on individuals in international affairs and looking at any event from the aspect of needs and their security affected from that happening so, that might be asserted that the core point of this concept is based on individual (and not states). Accordingly "Concentration on human individual as essential part of human security seeks special attention to interests and needs of individuals and from the ethical and analytic point of view gives priority to the benefits and needs of individuals in comparison with of states". Moreover, considering interdependence of bases of present world and passing from national borders, insecurity is not only serious challenge facing vulnerable
groups in less developed societies and weak states, but also is a threat for human beings all over the world. Thus the concept of human security is universality and egalitarianism and is seeking to provide security for all individuals including ordinary people, "this approach, reasonably results in a kind of common concern based on equal value. In this approach all human beings enjoy natural and equal ethical value and therefore their security gets equal and natural importance and in necessary case the security should be actualized through international cooperation."

At this stage a question could be raised as, which issues are under the concept of human security and requires special attention. Although at first stage avoiding to distinguish limits of related issues to human security seems deliberately and this is due to existence of an open path towards putting different situations in this regard, at a second stage we face numerous debates to find a criterion to distinguish, but the offered criterion by commission on human security could be pathfinder: the thing which causes that a risk to be included as one of the threats for human security would be its depth not its source or its cause. So that providing human security is considered as protection against those threats bearing a special limit of security. Therefore this does not necessarily mean that the threat should directly target at human being life but should be serious and aimed at essential benefits.”

At the end lines of this chapter it is noteworthy that considering continuous existence of poverty, epidemics, adverse effects of climate changes, conflicts, organized crimes, suppression, violence, etc…. (All of them causing need and fear) it is necessary to recognize threatening risks of human security and find the decreasing ways. At the same time paying attention to most of the described factors in human rights, the remaining vague point is the reason of proposing a new concept as human security and (relation between) the differences and its similarities we will explain a summary.

II: Human security and Human Rights:

Introducing the concept of human security dates back to 1994 [19] if with a degree of negligence we consider some sort of coincidence in the usage of human rights in International discourse with ratification of the Universal Declaration of Human Rights. undoubtedly in comparison with human security, human rights is a term in International Laws literature which is more frequent and well-rooted concept, in such a way that after post-cold-war developments human rights faced an upgrade; from low politics to high politics position. One of the major reasons of this condition is a change from human Right Rules to International custom and finally changing to jus cogens. Due to this reason reconstructing previous frames and entering a broad range of new issues in International law should be justifiable.

If we define human Rights compactly as: "A compound consisted of humanity oriented universally recognized minimums, which are beyond factors like culture, religion and ethnic and is based on humanity and dignity, solely belongs to human due to his humanity and necessarily confirms both aspects of it, privative and affirmative: affirmative in the sense of administrating and exercising rights, justice and actualization of human dignity; privative at the position to defend and prevention from invasion, aggression and aggravating it". Following to this, the interrelation between human security and human rights becomes more complex and complicated and introducing new issues and frames to protect individuals emerges as useless and unnecessary which not only adds anything to the present concepts but also creates ambiguity and vagueness. Even some scholars believe that introducing human security approach is a consequent of extreme bureaucracy and re-reflection of all rights provided in the two International covenants, on civil and political rights and economic, social and cultural rights through a different concept. In spite of all criticisms, existence of both concepts in international discourse and their interrelations are inevitable; as a consequent, it is said that "the rising emphasis on the concept of human rights that has emerged in recent decades is closely related to the growing emphasis on human security." Hence the differences and relations of these two concepts will be discussed in the following.

Regarding the necessity of introducing a distinct concept, as human security, we may say that human rights is a legal concept and includes a group of rules, rights and obligations; but human security is not a legal concept, but a desirable condition and aim that reaching it requires continuous effort. In other words human security is a process for developing the circle of choices and chances for all individuals to enjoy a life together with dignity and value and through this direction will smooth the path for strengthening the sense of security in individuals. Through this view the first aspect of relation between human security and human rights will emerge: Human Rights and its requirements construct a normative frame and conceptual reference which should be used to develop and enforcement of human security in other words the distinguishing factor between human security and traditional approaches is the priority and significance of human rights in its enforcement. Bertrand Remcharan, Deputy of United Nations High Commissionaire on Human Rights, believes that the target of all human rights documents is to create a sense of security in an atmosphere full of freedom, dignity, equality and respecting human rights. All regulatory provision of the human rights documents follow one reason: If all individuals are to be secure, to upgrade their character and to live in an atmosphere full of freedom, these human rights should necessarily be respected and protected completely. Respecting human rights and the fundamental freedoms, is the essence of human security and to this end, article 27 of Universal Declaration of Human Rights
receives importance to provide: Everyone is entitled to a social and international order in which the right and freedoms set forth in this Declaration can be fully realized. There fore in the age of Universal interrelationship, merely through playing a role in observing human rights in any part of the world, may obtain security.

The second aspect in relation between the two concepts, lies in the point that, "a major part of the essential background of human security is derived from human rights approaches."

As cited, the essential background of human security is individual- oriented which is directly derived from human rights approach.

Some scholars believe; ratification of human rights documents at the regional or international levels turned some of the rules of this strategy into internationally accepted jus cogens and consequently the state-oriented approach in practice changed its place with the individual-oriented approach. In this progressing approach individuals receive attention not as a minority or nationals of a country but merely as a human being.

The last approach of relations between these two concepts is reciprocal effectiveness, in such a way that according to Report of Commission on Human Security they strengthen and complete each other effectively. Human Security, in a sense, helps the recognition of such rights which are facing risks in some special conditions and in another sense, the nature of rights and obligations in human rights facilitate recognition of ethical and political importance of human security and by following this process give more coherence to human security; since human rights due to its special nature always bears obligations.

Chapter II: Definition of Internal Displacement:

Vulnerable groups require special concern and guarantee in all communities. Internally Displaced Persons are among other vulnerable groups such as children, elderly, women, religious and ethnic minorities, migrants, disabled and people with less capabilities and training, as the present article concerns different approaches of providing human security for IDPs and its obstacles there fore the first step would be introducing a definition of this concept.

In early 1990, when the issue of Internal Displacement stated in international agenda, no clear definition was available.

But recognizing the population and their needs, gathering information rules and policy making in order to help them, required such a definition.

Generally, existence of two elements in the definition is vivid: Compulsory nature of moving and moving inside the borders of their national state (a criterion to distinguish IDPs from refugees, as Article 1 of the convention on Refugees provides, they cross their national borders).

The first step to define the IDPs was made in the report prepared by secretary General addressing the Human Rights Council. He defined IDPs as individuals and groups which suddenly and or unexpectedly and because of armed conflicts, civil war, systematic violation of human rights and or natural disasters in great numbers escaped from their houses and are homeless inside their borders, The definition introduced by secretary General was strict in several aspects; firstly the adverb “suddenly and or unexpectedly” neglect the state planned policies which has been executed for moving individuals during years and even decades like what happened Burma, Ethiopia and Iraq. Secondly the criterion of “escaping from home” did not include those people who had to flee their living places because of destruction of their houses.

Thirdly, the adverb "great numbers" did not cover a little number included in the concept. Therefore, in 1992, Francis Deng, the representative of the Secretary General had been appointed to clarify the conceptual framework of Internal Displacement. The presented definition by Francis Deng to Commission on Human Rights in 1998 was included in the Guiding Principles on Internal Displacement” published the same year by the Commission.

Paragraph 2 of introduction of the document provides Internally displaced persons or groups are those who, consequent to armed conflicts general and public violent situations, violation of human rights or natural or human disasters or for preventing the consequences of these catastrophes, are obliged or required to leave their houses or places residence or flee; but haven’t cross their internationally recognized national borders.

The definition was more comprehensive in three aspects from Secretary General’s definition; firstly, in addition to homeless people as a consequence of mentioned reason, included those people who had left their residences to prevent the grave consequences of it, secondly; the criterion 'moving inside their national borders changed to not crossing the internationally recognized borders to consider the sudden probable changes in borders (like what happened during the collapse of USSR and ex Yugoslavia).

Enlightening the definition of Internal Displacement requires more explanation regarding two groups (1) Displaced persons due to construction Projects and (2) Displaced Persons due to grave poverty and economic difficulties. Regarding the first group, it is noteworthy that although displacement due to construction projects is not among the causes of displacement, but The Guiding principles make a discrepancy. Afterwards explicit reference in the sixth principle removes any doubt. A Global overview on Internal displacement by Overview Center of the Phenomenon in 2005, states that the number of IDPs due to construction projects is more than those IDPs of armed conflicts and declares that
comparing other IDPs, these persons receive less aids from their national governments or humanitarian organs, the second group are IDPs as a result of poverty which are not included in the definition. Furthermore lack of clarity in the “compulsion” in that condition is considered as its cause. As Robert Goldman one of the members of legal team preparing Guiding Principles states: "These principles do not create a new group with new needs, but seek to involve the difficulties of a group which as a consequence of compulsory displacement requires special protection and facilitation. Developing the definition will culminate at the risk of deconcentration on internal displacement and the group". Undoubtedly the mentioned points, in no way does mean lack of importance in the problems of the poor people.

As previously stated, the last definition provided for Internal Displacement is the one included in the Guiding principles, but based on non obligatory legal nature of the document, its legal status and authenticity is the issue that to be discussed in coming chapter.

Chapter III: Legal status of Guiding principles on Internal Displacement:

As cited in previous chapter, the most important efforts on IDPs situation, gathering information and norms, and composing related rules had been done by UN secretary General Representative on IDPs (Francis Deng 1992-2004 and then Walter Kalin).

Considering non enforceable nature of Guiding Principles in spite Refugees Rights, there is no enforceable legal documents in relation to IDPs and these people are subject to one or several following cases:

1- Civil Laws of the national state of IDPs
2- International system of Human Rights and Humanitarian Rights.
3- Special Legal and institutional Regulation on IDPs stated in some peace convention such as Bosnia Herzegovina, Kosovo and East Timor Peace Conventions and correlates the bases of civil and International law.

By the means, Guiding Principles is the only document which considers three stages of Displacement (Preventive stage or the right to avoidance from Displacement, the stage of enjoyment of aids and protections during displacement and the stage of problem solving through returning home and re-entering to community or rehabilitation). These stages has been frequently used and referred by governments, International Agencies and NGOs.

There are different approaches towards value and usages of Guiding Principles. Some believe that “the principles are merely re-stating the existing rights and some believe it is a more important progress in constructing and applying legal rules”. It seems that a view closer to reality would be acceptable which states, "Guiding Principles try to gather rules related to IDPs rights in the form of a document, reveal grey and vague points and fill the existing vacancies. Actually entering these principles into the domestic laws of some countries (for the first time in Angola) some countries’ cooperation and agreements with United Nations organ/s (Burundi, Sudan and Uganda) and domestic courts considerations to challenge the government activities, all these caused that these principles gain value from ethical point of view. Francis Deng believes; although these principles are not legally binging and states are not obliged to obey them but since they are based on Hard Law, increasingly are considered as customary binding law. It should be noted that, a noticeable part of the IDPs rights are now recognized rarely because of being human and similar rights could be found in Human or humanitarian rights.

For example as to the right to return home, there is not binding document explicitly referred to this right but due to, ownership, freedom of moving, protecting family life and to have suitable house, this right is justifiable. As previously discussed fundamental human rights have been turned to international customs, therefore the guiding Principles based on such rules bear the same value.

Consequent to the points above; it is noteworthy to state that experiences gained from the facts in Columbia and Angola shows that adding the Guiding principles in domestic law does not necessarily culminate at better policymaking by the states or automatic progress in the rights of IDPs but at least there is a law that the government has to give answers towards.

Chapter IV: the Difference between Refugees and IDPs:

Considering the imposed problems and difficulties, the most similar group to IDPs are Refugees. The similarity between these two groups is nature of their state to provide them full protection of their right and personal security.”

But the question arouse regarding two different legal approaches toward these two groups is that; in spite of suffering from similar insecurities why refugees are included convention 1951 and protocol 1967 but IDPs are outside this circle. The answer implies at the triple differences between the two concepts, Refuge and Internal Displacement:

1-Basically, existing inside territory of a state and outside it, from protective point of views has different consequences. The purpose to provide a legal frame work for refugees, is to present a unique form of protection for the persons who may not rely on their states for this reason, IDPs have not cross the borders but should be the subject of the protective commitments regarding the rights of refugees.
2-The definition of Internal Displacement, contrary to Refugees’ is merely descriptive and not legal; the words just describes the situation of the displaced persons inside their countries and does not provide a specific legal situation. As Walter Kalins states; to consider a specific legal situation is unnecessary, since "the right ad guarantees that IDPs are entitled to is enrooted from the fact that they are human beings, are considered as citizens or domiciles of a specific state. Guiding Principles by including the definition in the preface (and not body) tries to imply descriptive and non legal nature of it. By the way it does not mean that the executive measures (e.g. to register the name of IDPs seeking internal protection), should be put aside.

3-In spite of refuge, all situations of Internal Displacement does not necessarily cause international concerns. If the national state of IDPs effectively fulfills their needs, there is no need to international intervention, but only upon the request by the national state.

Upon explaining the differences, it requires to explain the necessity of paying attention to IDPs as a distinct group needing special concerns.

Unique needs and their grave vulnerability make the IDPs different from the other vulnerable. Undoubtedly IDPs are among a bigger needful group (e.g. Civilians or people affected from natural disasters); but displacement makes them to face a double risk. Roberta Cohen, a human rights expert believes; "Actually IDPs face some needs that are distinct from other parts of the society" Dennis McNamara also believes that. IDPs undoubtedly have been among those individuals with the highest degree of vulnerability and receive the least aids."

The noteworthy point is that recognizing IDPs as a specific group does but mean to allocate rights for them more than the other but to guarantee to pay attention to them alongside the others. Following the issue the first principle of the Guiding Principles while emphasizing on the principle of equality and nondiscrimination, provides that IDPs due to their displacement should not be deprived from those rights and freedoms which the other people enjoy inside their national states.

Walter Kalin in his interpretation of the principles states that; although in human rights documents there is no explicit prohibition regarding any discrimination on IDPs but as Article 7. of Universal Declaration on Human Rights, paragraph 2 of Article 2 of Economic, Social and Cultural Rights Covenant and paragraph 1 of Article 2 and Article 26, of Civil and Political Rights Covenant along with prohibition of discrimination based on race, sex and language refers to "other reasons", it might be said that exercising discrimination due to Displacement is among the said causes and consequently due to this reason it is prohibited. It must be kept in mind that equality principle does not prohibit taking specific measures for specific group; since equal behavior does not necessarily mean, “Totally identical behavior.” Upon more explanation “equality before law”, prohibits any kind of discrimination; but in a real world it may culminate at necessity of taking different behavior and methods in order to reach a result exercising a kind of balance among different situations. It does not necessarily mean that we give priority to the needs of IDPs blindly but the impartiality principle which requires distribution of aids according to the needs, should be considered as a criterion in humanitarian aids and protecting IDPs also should be exercised as a part of general approach towards all people in need.

Finally at the end lines of the chapter we may say that IDPs due to leaving their houses, losing their tools and equipment together with capabilities of earning money, social protection networks, feeling of belonging to a special place, possibility of continuing education and emerging their talents and capabilities are most often among the most vulnerable groups of their society; thus it is reasonable that the cause for allocating humanitarian aids should be upon vulnerability and not only upon definition of some specific concepts; to this end too much concentration should not be rendered on a specific group because other groups experience the same or even worse condition.

Concentration on a specific group is not justifiable from ethics view points and also from a broader approach it seems useless. Therefore most of the IDPs due to their highly shaking situations are entitled to enjoy priority comparing the others.

Chapter IV: Human Rights Violation in Displacement:

Basically the concept of displacement is considered as a human rights issue.

 Doubtless, mere existence of displaced people inside the territory of their own national state indicates the violation of Human Rights; since violation of a number of rights like right to ownership could be the reason of displacement and also during the Internal Displacement, due to any cause, violation of several kinds of rights are being experienced. Adding the phrase "Human Rights" to the organizational title of the UN secretary General Representative in 2004 (and changing it from secretary General Representative on IDPs affairs” to “Secretary General Representative on IDPs Human Rights”) indicates this joint. Therefore following those human rights which are violated during Displacement would be explained:

1-Right to house: the right to have a place for residence which has been recognized in Art. 25 of Universal Declaration of Human Rights and Article 11 of Economic, Social and Cultural Rights Covenant is of those important rights which are under invasion from the very first point in the displacement circle. Leaving home is
the most significant factor regarding vulnerability of IDPs and returning to it is the most difficult task, since their houses either had been destroyed or occupied by other people. Other troubleshooting problem is the customary rules governing ownership in some of these countries. For instance, in most of the African countries only one percent of the lands have been registered in the name of individuals and substantially ownership will be materialized through possession therefore to take back the new possessed lands from new possessors would be very difficult. On the other hand due to IDPs obligation to leave their houses, providing a shelter is of the most important needs of these people which are neglected at deepest degree. Contrary to UN blue camps in the Refugees camps (easily recognizable all over the world) there is not such protection towards IDPs and for this reason they live in destroyed train wagons, destructed buildings and totally poor suburban areas.

2- Right to food and drinking water:
Due to consequences of displacement, displaced people are more vulnerable in the condition of food insecurity; according to estimations malnutrition is one of the major causes of death in this group. Therefore IDPs are the greatest group who are the target of “World Food Program.”
In no way it should be neglected that the problem will not be removed through food distribution since psychological shocks rooted from homelessness will result in problems in eating and digestion of food, furthermore because of living in far reaching areas rendering aids is not an easy task too.

4- Right to Health and Medical Services:
Although most of diseases which IDPs are exposed to (e.g. tuberculosis, malaria, diarrhea, cholera, meningitis and measles) could be prevented due to the same reasons like; collapse in the providing medical services in the affected countries, lack of financial resources, housing in improper location, limitation in movement because of ethnic and racial conflicts or lack of Identification documents.
The rights of IDPs to medical services (provided in Article 12 Covenant of Economic, Social and Cultural Rights are often violated. In spite the possibility to prevent most of the diseases attacking IDPs the most fatal problem facing IDPs is infection by HIV virus/AIDS which is an outcome of prevalence of obscene acts together with girls and women sexual exploitation turned to an uncontrollable issue.
In addition to physical health of IDPs, mental health of them is highly threatened; since during the displacement process they experience the highest level of fear and derogation. These persons due to inability and shortcomings are not able to claim their rights and this makes them feel disgraced more and more.
Consequent to put controls on mental health in humanitarian efforts and to plan directions for acting organs in the field, a special Task Force had been established in 2005 Inter- Agency Standing Committee.

4- Right to Personal Security:
Right to personal security against physical violence is among those rights permanently emphasized in human rights measures. One group of Most significant defecting factors of personal security is sexual and gender-based violence in form of rape, sexual trafficking, sexual slavery, compulsory pregnancy and compulsory abortion which girls and women are generally the victims (though during the process of displacement men could be victims of same forms of violation). Poverty, lack of any earning activity, inequality between men and women in aid services and committing rape by displaced men in the displaced camps are the causes of these kinds of violence and even sometimes women voluntarily accept transactional sex to gain money and necessary goods or survival sex for food. That’s why the Guiding Principles while emphasizing protection of women and girls against gender-based violence and guarantee equal access to services and aids (provided in principles 11, 19, 23) put the duty of protection of displaced women and girls on the shoulders of the governments.

5- Right to education and Right to vote:
One of the frequent events in the process of displacement is missing the identification documents and deeds which happens due to being lost, destroyed or possessed by the invaders. This facts cause burdens in the path of compensation of losses, education and access to state services. More over exercising the right to vote requires documents identifying nationality, and domicile and loosing these documents often deprives IDPs from voting and consequently nonparticipation in significant choice making which effect economic, social and political life of IDPs.
According to the mentioned points, insecurity in the IDPs’ livings and separation from their material, financial, social and cultural capitals cause their vulnerability in the deepest levels and violation of all their human rights; thus equity, necessarily requires protection of the part of society which are pushed to sidelines (often receive trivial domestic or international aids).
VI: States Responsibility in Protecting IDPs:

Protecting IDPs is not subject to a legal order. While refugees need a unique form of protection by other states, this does not apply to IDPs. Third principle of Guiding Principles in Paragraph 1 provides that the national state of the territory where IDPs live, bears the primary responsibility of protecting IDPs. Walter kalin believes; principle 3 based on sovereignty as long-lasting and mature principles of International law (provided in paragraph 7 of Article 2 of The United Nations Charter); this principle prohibits any intervention in the affairs which are naturally inside the sovereignty of states. Fulfillment of the obligations includes guarantee and observing civil, political, economic, social and cultural rights and taking necessary legal and executive measures for recognizing IDPs rights and proceeding specific situation.

Consequent to those points, the fifth principle in order to prevent conditions causing Internal Displacement explains undertakings of all officials and activists in international fields following their obligations due to International law (e.g. Human Rights and Humanitarian rights); since "Acts and policies of other states and international organizations, in addition to contribution in creating or aggravating armed conflicts might have effects in movements targeted in development." Thus recognizing those bases in most cases will considerably minimize the probability of Internal Displacement.

Therefore, mere concerns on the third and fifth principles would not remove ambiguity towards responsibility of national and international authorities. Hence, the twenty fifth principle while reemphasizing on primary responsibility of national authorities in protecting IDPs (in the first paragraph) in its second paragraph refers to the right of humanitarian bodies and other actors to render services to IDPs in an international level and acknowledges bona fide reactions of the states and that the states should not consider the offers for aids as unfriendly or as intervention in their domestic affairs. Also they should not avoid acceptance and receiving the aids, particularly when they are not able to provide necessary and or not willing to render services. Moreover the trend of transferring the aids should be facilitated and also relief forces should have immediate and constant access to IDPs.

As Walter kalins believes there is no need to obtain the consent of the state receiving services and this does not necessarily means that decision making should be upon that states discretion. If the situation endanger the lives of IDPs and a humanitarian organ would be able to improve the condition neutrally and without any discrimination; then it should render the aids and services to IDPs. In those conditions the state which is unable or unwilling to provide humanitarian aids should not reject the aids without any justified reason. Nevertheless, refusal by the state from declaring its consent is considered as violation of surviving individuals present in its territory and according to international system of human rights and humanitarian rights will result in violation of rights of IDPs.

Here we face a subjective conflict between sovereign state and IDPs in its territory from one side and international protection on the other side. But considering the explanations in the principles 3, 5 and 25, it can be stated that "Other states intervene as a deviation from sovereignty and not as denial to sovereignty," i.e. national state bears the basic responsibly and the other states are responsible for: rendering aids in crisis and or guarantee not to cause movements by their acts or policies or not cause threats for those who moved inside the territory." Consequently the basic responsibility of the host state and of the other states could be compound.

The mentioned points are theoretical and the legal aspect of responsibility of states; the situation in fact, is somehow different. The problem begins when a state refrain from protecting IDPs or even itself is the cause of displacement by ratification of preventive laws, and puts obstacles in rendering services by other states or humanitarian organizations. During the displacement crisis in Indonesia, as had been provided by law, all Non Governmental Organizations had to obtain permission for any kind of activities and the government, to follow its objectives, refrained from issuing required permission for the NGOs active in human rights and humanitarian rights. Also it is noteworthy that in case the national authorities have no tendency to solve the IDPs problems and since NGOs have limited political power and influence, if they expand their activities beyond the limitations of national states they would be omitted as an unnecessary body easily.

Finally and in short, it could be stated that; national authorities bear the primary responsibility to protect IDPs within their territory and also to present their consent to receive international aids in case they are not able to solve the problem and other states and International organization have supplementary responsibility to protect IDPs and to follow the human rights and humanitarian rights standards to prevent occurrence of conditions resulting in Internal Displacement. These protection should be presented together with cooperation of IDPs and at the same time upon Principle 28 minimize vulnerability of these group regarding present and future violations. While respecting their dignity all these should be executed to provide conditions to smooth the path to have the possibility to return to their houses or settling in other parts of their country voluntarily. Also it should be considered that in practice, the states enjoying all necessary means to execute their authorities are able to refrain from fulfillment of their obligations to protect IDPs in their territory.
III: An end to Internal Displacement

As the Guiding Principles only presents descriptions to IDPs (and not applying a special legal status to them) in non of its paragraphs it expresses the ending condition to the phenomenon and merely provides two possible solutions: 1) Returning home or domicile, 2) Settling in other parts of the country. These principles do not indicate the process of executing this obligation and merely express some conditions to it: Returning home or resettling voluntarily, enjoying security, having the possibility to manage their affairs, participating in public affairs, respecting the dignity of IDPs and non-discrimination.

Doubtless, to conclude a peace treaty between conflicting parties or to settle down the destructions of natural disasters is not merely enough to put an end to Displacement. Even after returning home or resettlement the problem still exists; since from then various challenges appear: human rights (right to security, ownership, house, education and livelihood) some issues related to humanitarian rights (food quota, emergency medical services), development (reconstruction of economic infrastructures and political mechanisms for government of laws) and peacemaking (establishing political, economic and social stability consequent to end of conflicts or prevailing violence).

For the time being as some scholars believe, regarding the issue of finishing Internal Displacement the treatment differed from case to case and various results reached.

Basically three criteria exist in this regard:
1) Based on cause (end of the cause of displacement such as conflicts, natural disasters, ethnic and racial discriminations)
2) Based on solution (availability of condition for returning home or resettlement).
3) Based on needs (end of needs and displacement vulnerabilities);

Thus reaching a coherent and harmonized approach requires a combination of these criteria. The outcome of combination of the three criteria would be the fact that end of displacement and exit of displaced persons from the circle of needful people will coincide the time that these people "do not need any more aids or protection to solve their problems and will enjoy their human rights without any discrimination. Finally up to the time of continuance of mentioned needs of these persons, Internal Displacement should be recognized as a vulnerability case.

Conclusion:
Surveying the issue of “Human security for Internally Displaced Persons” requires description of two concepts: “Human security” and “Internal Displacement”: Human security is the development of choices and chances for enjoying a life together with value and dignity and creation of a sense of security during various activities in livelihood via concentrating on individuals in all affairs.

According to the definition provided in the introduction of Guiding Principles; IDPs, individually or in groups, are those who are obliged to leave or escape from their houses or residentials as a consequent of armed conflicts, public and general violent situations, violation of human rights, natural or human disasters and or to prevent the consequences of these catastrophes: but they had not crossed the internationally recognized borders.

Defining the concept of IDPs elaborates the answer to the first question of the research: In spite of bearing difficulties and problems similar to the refugees, IDPs are not subject to the legal order governing the refugees and are recognized as a distinct group due to the following reasons:
1) They do not exit their national territory,
2) Descriptive (and non-legal) nature of their situation, and
3) Un-necessity of intervention by International community in case of their national state ability to protect them.

It must be noted that paying attention to this group does not convey recognition of their special legal situation, but is paying attention to a group in need in a real world. If they do not receive special concern, their problems will continue, since by leaving their residential they have lost their means of earning money, social protection, sense of belonging to a special place, possibility to continue their education and revealing their talents and are among the most vulnerable groups of a society and due to these vulnerabilities and specific needs (and not only being included in a descriptive concept) receive special attention.

Answering the second question indicated requires special attention to three points.
(A) Basically Displacement is a human rights challenge; since violation of rights is the result of Displacement.
(B) According to provision of principles 3,5,25 and 28 of the Guiding Principles, national authorities have primary responsibility to protect displaced persons inside their territory and expressing their consent to receive international aids in case of being disable to solve the problems, and other states and international organizations have supplementary responsibility to protect displaced persons and to consider human rights and humanitarian rights standards to prevent occurrence of conditions resulting in Internal Displacement (In spite of the non-legal nature of the document it has the same value due to reiterating standards of Human rights and humanitarian rights in International system):
(c) The end of Displacement is the end of specific vulnerabilities of these persons and enjoying human rights equal to other members of the society without any discrimination because of Displacement. Consequently as the first and the last point of Displacement is vulnerability and its remedy is to observe human rights, so that the two concepts, "vulnerability" and "enjoying Human Rights" are considered as two main factors of providing Human security for IDPs.

Finally is noteworthy that in the era of Global Interdependence, in which insecurity through migration, terrorism, transnational organized crimes, epidemics, displacement and environmental devastating effects penetrates to all other regions, merely by means of observing human rights (including respecting human rights of IDPs) security could be obtained and experienced a sense of security in the atmosphere full of freedom, dignity equality and observing human rights.

REFERENCES


