



City Montessori School Model United Nations  
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UNHRC

Rights of internally displaced persons

# **LETTER FROM THE EXECUTIVE BOARD**

Greetings ladies and gentlemen!

I write this letter on behalf of the Executive Board of the United Nations Human Rights Council (our Vice President being Swaraj Tiwari and Special Rapporteur, Ashima Srivastava). It is with great pleasure I welcome you to the UNHRC and look forward to two days of engaging discussions and deliberation. At this meeting of the UNHRC, we shall be discussing the rights of internally displaced persons. In an era wherein human rights violations are prevalent in every corner of the globe, the UNHRC stands as a watchdog and sentry, striving to protect victims and hold to account the abusers. Internally displaced persons are more in number than refugees, yet they receive disproportionate attention on international forums. Ironically, internally displaced persons are at a greater risk of abuse and rights violations, considering that the primary responsibility for their protection lies with their own governments, rather than the international community. IDPs are a group that have suffered for long and still continue to do so. These are people whose lives have been uprooted within their own borders and they are struggling to survive in the turbulent socio-political-economic situations of their own cities and states. There are real lives at stake here, which are quickly being lost to conflict, violence and natural disasters. It falls upon this committee to formulate feasible and durable solutions which protect and safeguard the rights of an extremely vulnerable class of people.

Perhaps the discussions done in this committee room wouldn't solve the global IDP crisis, but they may just promise us better leaders and a hopeful future. Having said this, I hope each one of you comes well prepared for this committee, as shall we. It is highly recommended that this guide is thoroughly read, though it is simply meant to be the starting point of research. A general standing of the agenda has been provided in this document, but different perspectives, opinions and understandings would be very much appreciated. Moreover, the rules of procedure must be clearly understood and adhered to so as to enable the smooth and proper functioning of the committee (the details thereof have been provided in Annexe I). To conclude, I wish you the very best of luck for this conference and hope to see better diplomats at the end of it. Quoting one of my favourites, "When the snows fall and the white winds blow, the lone wolf dies but the pack survives." Contact the members of the Executive Board at your earliest convenience for any assistance you might require. Cheers!

Amogh Narain Agarwal  
**President**

# OBJECTIVE OF THE COMMITTEE

The agenda of the committee is fairly vast, and to an extent, vague. While this may make it tough for debate to move in a particular direction, it offers a vast space for discussion and decision-making.

Our committee won't really aim to draft a solid, legal framework for the rights of internally displaced persons ("IDPs"), but would be tasked with making sure that the rights which are already granted to IDPs are *enjoyed* by them. Of course, this doesn't mean that delegates can't propose additional, special rights which they feel should be granted to IDPs. That will be appreciated, in fact.

## INTRODUCTION TO THE COMMITTEE

The United Nations Human Rights Council ("the Council") is an intergovernmental body of the United Nations, comprised of 47 member states, tasked with promoting and protecting human rights across the world. The Council was preceded by the United Nations Commission on Human Rights which had been under heavy and constant criticism, primarily for having member states with extremely poor human rights records. On 15 March 2006, the United Nations General Assembly (UNGA) replaced the Human Rights Commission with the Human Rights Council, via resolution 60/251.

One year after its establishment, the Council adopted its 'Institution-building package' via HRC resolution 5/1. The package describes the various mechanisms and bodies which were designed to help the Council in its working. Some of the mechanisms and bodies set up were:

- Universal Periodic Review
- Special Procedures
- Human Rights Council Advisory Committee
- Complaint Procedure

Over the years, the Human Rights Council has adopted over 1,500 resolutions, out of which nearly 80% have been adopted by consensus.<sup>1</sup> These resolutions cover about 120 themes and nearly half of them have been on country-specific situations.<sup>2</sup> As can be observed, the HRC has strived to safeguard human rights by holding violators to account.

Finally, another critical ability of the Council is to hold emergency sessions to address grave human rights violations. Till date, 27 such sessions have been held, many of which resulted in the setting-up of international commissions of inquiry

and fact-finding missions, which helped expose violators and bring them to justice.<sup>3</sup>

## INTRODUCTION TO THE TOPIC

The Guiding Principles on Internal Displacement state, “internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.”

In simple terms, internally-displaced persons (IDPs) are those people who’ve been compelled to leave their homes due to war, violence, human rights violations or natural disasters, and who haven’t left their country. On the other hand, refugees are the people who leave their homes for similar reasons but they cross international borders.

For this committee, our scope of discussion would be restricted to IDPs who leave their homes due to war, violence and human rights violations. These are the people who suffer the most and they are most relevant to international discussions.

## CAUSES OF INTERNAL DISPLACEMENT

The causes of internal displacement are complex and varied. The following are four major situations which contribute to internal displacement:<sup>4</sup>

- Natural Disasters
- Armed Conflict
- Development and Infrastructural Projects
- Man-made Disasters

However, it is evident that in most situations, internal displacement is triggered due to armed conflict and systematic human rights violations.<sup>5</sup> This occurs when homes become part of war zones, or are occupied by foreign forces. At this point, it is important to note that armed conflicts include civil wars as well. Although international humanitarian law protects civilians from wars, the reality is quite different. Civilian deaths often measure up in thousands, which is why entire cities are deserted as people seek refuge from conflict. The chaos and disorder of conflict also brings with it a myriad of human rights violations, most of which are not documented or reported. Such abuses include civilian killings, torture, forced imprisonment, sexual violence and human trafficking. Weak governance,

political instability, corruption, religious/ethnic intolerance and poverty add fuel to the fire, and worsen the already severe impacts of conflict.<sup>6</sup> In addition to this, armed conflict creates fragile economic situations wherein supplies are limited and livelihoods are uprooted. With no means to earn, people often leave their homes in search of work elsewhere.

Then, there are scenarios wherein violence persists despite the absence of an armed conflict. Ethnic cleansing, genocide and military occupation of territories are typical examples which cause large-scale internal displacement. These can be caused by the lack of, or the weak implementation of constitutional rights granted to minority groups. Further on, racial and ethnic intolerance also fuels violence, especially if it is supported by the government. The plight of the Rohingya Muslims in Myanmar is an excellent example. When violence occurs against children, whether politically motivated or not, it may amount to one of the six grave human rights violations against children.<sup>7</sup> In other cases, the violence may amount to a crime against humanity.<sup>8</sup>

Clearly, a number of situations which trigger internal displacement arise from the violation of human rights, directly and indirectly. Therefore, it is imperative to be well-versed with the causes of internal displacement, if delegates are to discuss human rights issues relevant to the topic.

## PROBLEMS FACED BY INTERNALLY DISPLACED PERSONS

Since IDPs remain within the borders of their own nations, the primarily responsibility for their protection **lies with government** of the respective nations. In addition, governments are also responsible for ensuring that IDP populations have easy access to food, clean water, shelter and medicinal supplies. However, in conflict-stricken areas, oftentimes governments fail to play their part, leaving IDPs dependent on local assistance and humanitarian aid from other nations or international organizations.<sup>9</sup> In the worst cases, governments themselves **persecute** or force people to leave, thus blocking all channels of government assistance. The following are some often-overlooked human rights which are extremely vulnerable among IDP populations:

### RIGHT TO ADEQUATE HOUSING

Since most IDPs move in large groups, their housing camps or temporary shelters are often **crowded** and congested. This leads to poor housing conditions, plagued by disease, poor sanitation and domestic violence. In some camps, some families don't have any access to toilet facilities, and **open defecation** causes disease outbreaks in IDP camps. Another feature of congested communities is gender-



based **violence** and drug black markets. Economically, IDPs face yet another challenge – **rising rent**. Some households are again forced to move in search of cheaper shelters, which is an aspect of life that often goes unnoticed. Government assistance, again, has a crucial part to play here.

## **ACCESS TO FOOD AND WATER**

In conflict-stricken regions wherein supplies are scarce, most IDPs still don't have access to food and water. In some cases, up to 70% people in IDP communities may face this situation. Even when food is provided, the majority of the populations report that the food was insufficient, and did not fulfill their dietary requirements. Some people are not even able to eat every day. In IDP camps and shelters, **scarcity of clean water** and food may lead to instances of violence and discord. This complicates the already fragile status quo in such communities. Lack of food and water may also fuel the spread of **disease** and cause **malnourishment** among children. In essence, in most cases, populations are forced to feed more people with less money, owing to scarcity of resources.

## **RIGHT TO WORK**

IDP communities are often faced with the problem of **underemployment**, or **no employment** at all. In most cases, the countries IDPs are displaced within are **politically unstable** and IDP populations rarely reside in urban towns. This causes unemployment to run high. Greater availability of labour also allows employers to drastically **reduce wages** and thus, most IDPs who are able to work, do so in extremely precarious situations. When persecution emerges as a cause of displacement, the risk of discrimination rises even in economic sectors. In fact, Article 27 of the **Fourth Geneva Convention**, concerning non-discrimination, legally protects displaced populations from discrimination in economic and social fields.<sup>10</sup> Yet, most IDPs have discriminatory experiences and are forced to engage in unstable work.

## **RIGHT TO VOLUNTARY RETURN**

As per **international humanitarian law** (the laws of war), IDPs are granted the right to return to their place of origin once any security issues concerning them have ceased.<sup>11</sup> In fact, countries cannot even **forcibly displace** populations unless it is justified by the security concerns of the population or imperative military necessity. Doing so would be in violation of the **Geneva Conventions**. The right to return to one's nation is further recognized in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Delegates must note that the rights listed above are merely the tip of the iceberg and are certainly not exhaustive. IDPs have many more rights which are vulnerable and not fully enjoyed by IDPs, in practice. It is hoped that substantial research is done on other issues, especially the rights which are unique to IDPs.

## GEOGRAPHICAL DISTRIBUTION

2017 saw **30.6 million new displacements** across 143 countries and territories across the globe, **11.8 million of which were caused by conflict** and violence alone.<sup>12</sup> This number almost doubled from 6.9 million in 2016. To put into perspective, that's **more than the entire population of Cuba**. Syria, Democratic Republic of the Congo (DRC) and Iraq make up for almost half this figure, and all three were categorized as **level three emergencies** by the end of 2017, which is the highest alert status within the UN system.<sup>13</sup> The following are some nations which had the highest, new, conflict-induced displacements in 2017:<sup>14</sup>

1. Syria – 2.9 million displaced
2. DRC – 2.2 million displaced
3. Iraq – 1.4 million displaced
4. South Sudan – 857,000 displaced
5. Ethiopia – 725,000 displaced

Evidently, most instances of displacements are reported from **African** and **Middle-Eastern** nations, which are the ones facing the severest of humanitarian crises around the world. Particularly, in case of African countries, **weak economic systems** worsen the displacement scenario.

## QUESTIONS TO CONSIDER

- Till what extent are individual States responsible for protecting the rights of their IDP populations?
- What challenges do individual States face in protecting IDP rights? How can they overcome these challenges?
- What is the role of the international community and intergovernmental organizations in protecting IDP rights and how can their participation be improved?
- Which rights are most vulnerable and which ones are frequently overlooked? How can these issues be brought into mainstream discussions?
- How can the role of IDPs themselves be improved so as to ensure for them a better lifestyle? How can IDP participation be improved in discussions of issues concerning them?

- How can international frameworks, such as the Guiding Principles on Internal Displacement and the Geneva Conventions be effectively implemented?

Successfully addressing these questions would lead to a well-rounded understanding of the agenda, which would consequently allow delegates to frame better solutions and foster meaningful debate.

## CONCLUDING REMARKS

It is evident that even though IDPs enjoy the same rights which are granted to other human beings, in their case, these rights are often violated and neglected. In order to effectively deliberate and debate the agenda, delegates must have a clear understanding of the causes and impacts of internal displacement. When dealing with a population of millions, our moral obligations to humanity, and our political ambitions must be perfectly balanced, as all things should be. The figures seen in reports and news are not just numbers, but lives at stake. Delegates are strongly encouraged to ensure that they deliver practical, feasible and meaningful solutions to the problem.

In light of these things, this session of the Human Rights Council shall begin, with a hope to achieve what others could not; with a hope to change what others could not. It is a far-fetched thought that a group of high school students in a room can impact the world, but we must try, because unless we do, we'll never know.

## SUGGESTIONS FOR FURTHER RESEARCH

1. "Briefing Note: U.N. HUMAN RIGHTS COUNCIL." *United Nations Human Rights Council*, United Nations, [www.ohchr.org/Documents/HRBodies/HRCouncil/HRC\\_briefingnote\\_En.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/HRC_briefingnote_En.pdf).
2. "Human Rights Council". *Office of the High Commissioner for Human Rights*, United Nations, [www.ohchr.org/Documents/HRBodies/HRCouncil/HRC\\_booklet\\_En.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/HRC_booklet_En.pdf).
3. Maru, Mehari Taddele. "Causes, Dynamics, and Consequences of Internal Displacement in Ethiopia." Academia.edu - Share Research, Stiftung Wissenschaft Und Politik German Institute for International and Security Affairs, Feb. 2017,



[www.academia.edu/35550486/Causes Dynamics and Consequences of Internal Displacement in Ethiopia](http://www.academia.edu/35550486/Causes_Dynamics_and_Consequences_of_Internal_Displacement_in_Ethiopia).

4. “Root Causes and Prevention of Internal Displacement: the ICRC Perspective.” ICRC, International Committee of the Red Cross, 23 Oct. 2009, [www.icrc.org/en/doc/resources/documents/statement/displacement-statement-231009.htm](http://www.icrc.org/en/doc/resources/documents/statement/displacement-statement-231009.htm).
5. “Crimes against Humanity.” United Nations, United Nations Office on Genocide Prevention and the Responsibility to Protect, [www.un.org/en/genocideprevention/crimes-against-humanity.shtml](http://www.un.org/en/genocideprevention/crimes-against-humanity.shtml).
6. “Report of the Special Rapporteur on the human rights of internally displaced persons.” A/HRC/32/35, United Nations, General Assembly, 29 Apr. 2016, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/088/80/PDF/G1608880.pdf?OpenElement>.
7. Hall, Samuel. “Challenges to IDPs’ Protection in Afghanistan.” Internal Displacement Monitoring Centre, Norwegian Refugee Council, 2018, [www.internal-displacement.org/sites/default/files/publications/documents/20180124-NRC-IDMC-SamuelHall-escaping-war-where-to-next.pdf](http://www.internal-displacement.org/sites/default/files/publications/documents/20180124-NRC-IDMC-SamuelHall-escaping-war-where-to-next.pdf).
8. “Internally Displaced Persons and International Humanitarian Law.” International Committee of the Red Cross, Mar. 2010, [www.icrc.org/en/doc/assets/files/other/en-internally-displaced-persons.pdf](http://www.icrc.org/en/doc/assets/files/other/en-internally-displaced-persons.pdf).
9. “Rule 132. Return of Displaced Persons.” International Committee of the Red Cross, [https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule132](https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule132).
10. “Global Report on Internal Displacement 2018.” Internal Displacement Monitoring Centre, May 2018, [http://www.internal-displacement.org/sites/default/files/publications/documents/201805-final-GRID-2018\\_0.pdf](http://www.internal-displacement.org/sites/default/files/publications/documents/201805-final-GRID-2018_0.pdf).

# A NOTE ON THE CREDIBILITY OF SOURCES

It has been a long-standing practice in many Model UN committees of designating certain sources of information as ‘credible’ and the others as unreliable or incredible. In such committees, information from only the so-called ‘credible’ sources is entertained and information from other sources is regarded as inadmissible.

However, in this committee, this practice shall not be followed and delegates will have full liberty to use information from any kind of source they wish to. The simple reason for this is that the Bureau (or the Executive Board) does not have the authority to determine credibility of sources and classify them accordingly. As a matter of fact, there exists no such practice at the actual, real-life United Nations and therefore, there isn’t any reason to follow this here. The members of the United Nations (and the Human Rights Council) are sovereign and equal in their rights, thus each member has the prerogative of speaking whatever they want and from wherever they want. Further on, credibility of sources isn’t absolute but rather relative. What may be regarded as ‘credible’ by one nation might not be credible for another nation. This is precisely why the Bureau cannot determine whose information is correct.

A concern might arise that if there’s no classification of sources based on their credibility, then how are points of order to be ruled upon. Only the points of order which deal with universally established and accepted facts shall be ruled upon. All points of order raised on matters subjective to individual nations or interpretations shall be inadmissible and disregarded.

## ANNEXE I

### **Modifications to (HMUN) Rules of Procedure**

The United Nations Human Rights Council (“the Council”) shall be governed by **Harvard Model United Nations (HMUN) Rules of Procedure**. This annexe contains modifications thereto, as deemed fit by the Executive Board of the Council.

While interpreting this annexe, please refer to the document entitled ‘**Guide to Delegate Preparation**’, published by Harvard Model United Nations as it contains the HMUN Rules of Procedure. The contents of this annexe are to be taken in reference to the same. Furthermore, the modifications contained within this annexe have been formulated for the sole purpose of the UNHRC being simulated at CMSMUN Aliganj 2019 in Lucknow (while keeping in mind the

unique nature of the Council) and thus, use of these modifications for other committees being simulated at other Model UN conferences is highly discouraged.

Please note that neither the organizers of the CMSMUN Aliganj 2019 nor the Executive Board of the UNHRC are to be accredited for HMUN's 'Guide to Delegate Preparation' and the 'Rules of Procedure' contained within. These works have been prepared by the HMUN Team who should be given due acclaim for their efforts.

Link for the Guide to Delegate Preparation -

<http://www.harvardmun.org/assets/pdfs/HMUN-2018-Guide-to-Delegate-Preparation.pdf>

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- \* The terms "Director" and "Moderator" as contained in the Rules of Procedure shall be considered as referring to the President, and either the Vice President or the Special Rapporteur of the Committee respectively.
- **'7. General Powers of the Committee Staff'**  
[...] Committee staff members may also advise delegations on the course of debate. *Since the committee staff members are also elected representatives from delegations, they may take part in debate as they deem fit. However, they do not reserve the right to vote.* [...]
- **'11. Electronic Devices'**  
*The use of electronic devices shall be allowed in the committee room, unless specifically prohibited by the dais staff. However, the use of internet in the committee room is prohibited, except during unmoderated caucuses.*
- **'16. Closure of Debate'**  
[...] If the speakers' list is exhausted and no delegations wish to add their name to the list, debate on the topic at hand is immediately closed, *subject to the approval of the Director.*
- **'21. Speaking Time'**  
When any speakers' list is opened, the speaking time is automatically set to *ninety seconds.* [...]
- **'24. Right of Reply'**  
A delegate whose personal or national integrity has been impugned by another delegate may request in writing *or verbally (if and when the floor is open)* a Right of Reply. [...]
- **'26. Point of Order'**
- During the discussion of any matter, a delegate may rise to a point of order to indicate an instance of improper use of parliamentary procedure, *or a factual*

*inaccuracy in the speech of another delegate. The point of order will be immediately ruled upon by the Moderator in accordance with these Rules of Procedure and in case a factual inaccuracy is indicated, the Moderator would ask for the correct fact(s), supported by evidence. After examining the evidence(s) provided by both delegates for their claims, the Moderator would declare whether the point of order raised is admissible or not. [...]*

- **‘29. Resolutions’**

A resolution may be introduced when it receives the approval of the Director and is signed by *one-fifth of the members present in the Committee*. [...] Resolutions require a simple majority to pass *or may be adopted by consensus, without a recorded vote*. [...]

- **‘31. Amendments’**

[...] An amendment must have the approval of the Director and the signatures of *one-tenth of the members present in the Committee*. [...]

- **‘35. Roll Call Voting’**

[...] Such a motion may be made from the floor and *requires a simple majority to pass*. [...]

- \* **Addition to the Rules of Procedure (under the section entitled “Points”)**

*Point of Information: During moderated caucuses when the floor is open, a point of information may be raised after another delegate’s speech so as to ask the delegate a question on the substantive content of the speech given. A point of information once granted may be repealed by the Moderator if the question does not pertain to the substantive content of the speech given; this is not subject to appeal. Follow-up questions shall only be allowed at the discretion of the Moderator.*

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Keeping in mind that HMUN Rules of Procedure and the modifications thereto might be difficult to understand, it is highly recommended that delegates go through the Rules of Procedure multiple times, and try to understand one point at a time. Also, interpreting the Rules of Procedure might be easier if each point is related to other relevant points (and the Rules of Procedure in whole), and not just tried to be understood individually. Rest assured, prior to the beginning of the meeting, a brief explanation of the Rules of Procedure shall be provided.

In case any clarifications and/or elaborations are required, kindly contact the undersigned at your earliest convenience.

**Amogh Narain Agarwal**

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# ANNEXE II

## Judging and Awards Policy

The judging and awards policy for this committee has been adapted keeping in mind the importance of diplomatic conduct, negotiation and compromise in international relations.

Delegates should ensure that all their activities in the committee, including speeches and caucusing, are as realistic as possible and that they suit the character of a diplomat.

Taking into account that this simulation of the UNHRC is not a competition, rather a platform for development of skills, it is important to say that the awards for this committee are merely meant to recognize the exemplary efforts of delegates. *If well-deserved*, then the following awards shall be conferred upon the delegates of the committee (ordered from most meritorious to the least):

1. Best Delegate
2. High Commendation
3. Special Mention
4. Verbal Mention

Delegates shall be evaluated on the basis of the following criteria:

- Adherence to the Rules of Procedure;
- Exhibition of an in-depth understanding of the agenda;
- Exhibition of a desire to compromise, while adhering to the assigned country's policies and interests;
- Ability to work with and persuade other delegates through in-depth explanations and convincing arguments;
- Ability of develop actionable and pragmatic solutions;
- Originality of ideas and perspectives to the agenda;
- Skills and effectiveness in caucusing, debate and documentation.

## Endnotes

“Briefing Note: U.N. HUMAN RIGHTS COUNCIL.” *United Nations Human Rights Council*, United Nations,

[www.ohchr.org/Documents/HRBodies/HRCouncil/HRC\\_briefingnote\\_En.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/HRC_briefingnote_En.pdf).

Ibid.

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Maru, Mehari Taddele. "Causes, Dynamics, and Consequences of Internal Displacement in Ethiopia." Academia.edu - Share Research, Stiftung Wissenschaft Und Politik German Institute for International and Security Affairs, Feb. 2017,

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"The Six Grave Violations - United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict | To Promote and Protect the Rights of All Children Affected by Armed Conflict." United Nations, United Nations, <https://childrenandarmedconflict.un.org/six-grave-violations/>.

"Crimes Against Humanity." United Nations, United Nations Office on Genocide Prevention and the Responsibility to Protect,

[www.un.org/en/genocideprevention/crimes-against-humanity.shtml](http://www.un.org/en/genocideprevention/crimes-against-humanity.shtml).

"Report of the Special Rapporteur on the human rights of internally displaced persons." A/HRC/32/35, United Nations, General Assembly, 29 Apr. 2016,

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/088/80/PDF/G1608880.pdf?OpenElement>.

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Ibid.

"Global Report on Internal Displacement 2018." Internal Displacement Monitoring Centre, May 2018, [http://www.internal-](http://www.internal-displacement.org/sites/default/files/publications/documents/201805-final-GRID-2018_0.pdf)

[displacement.org/sites/default/files/publications/documents/201805-final-GRID-2018\\_0.pdf](http://www.internal-displacement.org/sites/default/files/publications/documents/201805-final-GRID-2018_0.pdf).

Ibid.

Ibid.

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