

AG/RES. 2417 (XXXVIII-O/08)

INTERNALLY DISPLACED PERSONS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1971 (XXXIII-O/03), “The Protection of Refugees, Returnees, and Stateless and Internally Displaced Persons in the Americas,” AG/RES. 774 (XV-O/85), AG/RES. 838 (XVI-O/86), AG/RES. 951 (XVIII-O/88), AG/RES. 1021 (XIX-O/89), AG/RES. 1039 (XX-O/90), AG/RES. 1040 (XX-O/90), AG/RES. 1103 (XXI-O/91), AG/RES. 1170 (XXII-O/92), AG/RES. 1214 (XXIII-O/93), AG/RES. 1273 (XXIV-O/94), AG/RES. 1336 (XXV-O/95), AG/RES. 1416 (XXVI-O/96), AG/RES. 1504 (XXVII-O/97), AG/RES. 1602 (XXVIII-O/98), AG/RES. 1892 (XXXII-O/02), AG/RES. 2055 (XXXIV-O/04), AG/RES. 2140 (XXXV-O/05), AG/RES. 2229 (XXXVI-O/06), and, especially, resolution AG/RES. 2277 (XXXVII-O/07), “Internally Displaced Persons”;

REITERATING the principles established in the Charter of the Organization of American States (OAS) and in the Inter-American Democratic Charter, especially those referred to in its Chapter III, “Democracy, Integral Development, and Combating Poverty”;

RECALLING the pertinent rules of international human rights, humanitarian, and refugee law; and recognizing that the protection of internally displaced persons has been reinforced by the definition and consolidation of specific protection standards, in particular the Guiding Principles on Internal Displacement, prepared by the Special Representative of the United Nations Secretary-General on Internally Displaced Persons;

RECALLING ALSO that, according to those guiding principles, 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”;

EMPHASIZING that the states have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address, as appropriate, the causes of the internal displacement problem and to do so, when so required, in cooperation with the international community;

NOTING that several countries in the Hemisphere are using the Guiding Principles on Internal Displacement and including them in the development of national policies and strategies;

TAKING INTO ACCOUNT that internal displacement affects a large number of persons, and that the needs of internally displaced persons, particularly with regard to protection and assistance, must be addressed immediately and comprehensively;

EMPHASIZING the importance of implementing effective policies for preventing and averting forced internal displacement and for protecting and assisting displaced persons during displacement and during return or resettlement and reintegration, including through the implementation of applicable international law; and

UNDERSCORING that to promote enhanced protection for internally displaced persons, comprehensive strategies and lasting solutions are needed, which include, among other aspects, a free and informed decision by internally displaced persons as to whether to return to their place of origin, to integrate locally in the place where they were displaced, or to resettle elsewhere in the country,

RESOLVES:

1. To urge member states to include, as appropriate, in their sectoral plans, policies, and programs, the special needs of internally displaced persons, especially in the preparation of programs to foster development and fight poverty.

2. To urge member states to consider using the Guiding Principles on Internal Displacement, prepared by the Special Representative of the United Nations Secretary-General on Internally Displaced Persons, as a basis for their plans, policies, and programs in support of such persons, and, in accordance with international law, in support of, *inter alia*, indigenous communities and communities of African descent, and the specific needs of children, women, the elderly, and persons with disabilities.

3. To urge member states, to continue considering the implementation in their domestic law or in their policies referring to all stages of displacement the Guiding Principles on Internal Displacement, which reflect certain aspects of international human rights law and international humanitarian law.

4. In order to avert the internal displacement of persons, to encourage member states to address the factors that cause it and to establish preventive policies, such as early warning, bearing in mind that dialogue with all the actors involved is essential to the achievement of lasting solutions.

5. To call upon member states to comply with their obligations under applicable international humanitarian law, international human rights law, and refugee law in dealing with internally displaced people, including in the possible prevention of internal displacement.

6. To urge member states, in keeping with their responsibility to internally displaced persons, based on comprehensive strategies and from a human rights perspective, to commit to providing them with protection and assistance during displacement, through competent national institutions; and to invite member states to commit to seeking lasting solutions, including the safe and voluntary return of internally displaced persons and their resettlement and reintegration, whether in their place of origin or in the receiving community.

7. To call upon states, in the care they provide to internally displaced persons in natural and man-made disasters, to protect their human rights through a comprehensive approach to disaster relief and reconstruction, consistent with international human rights law and domestic law, taking into account the Guiding Principles on Internal Displacement.

8. To urge states to work together by fostering the exchange of good practices for the effective protection of the human rights of internally displaced persons as well as in the development and implementation of public policy to prevent displacement.

9. To encourage member states, in dealing with internally displaced people, to consider the Framework on Lasting Solutions for Internal Displacement and the Operational

Guidelines on Human Rights and Natural Disasters prepared by the Special Representative of the United Nations Secretary General on Internal Displacement.

10. To appeal to the appropriate agencies of the United Nations and the inter-American system, and to other humanitarian organizations and the international community, to provide support and/or assistance, as requested by states, in addressing the various factors that cause internal displacement, and in assisting persons affected by internal displacement at all stages, where account should be taken of the Guiding Principles on strengthening of the coordination of humanitarian emergency assistance (United Nations General Assembly resolution 46/182).

11. To instruct the Permanent Council to follow up on this resolution as it sees fit.