

International Legal Responsibilities to Internally Displaced Persons: The Assyrian Case in Iraq



Assyrian IDP Children in the Nineveh Plains, Iraq

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Assyria Council of Europe

The Assyria Council of Europe (ACE) is an independent body that has been formed to take responsibility for raising awareness of the plight of Iraq's Assyrians (also known as Chaldeans or Syriacs) after the fall of Saddam Hussein's regime within the institutions of the European Union (EU). ACE is concerned that if urgent action is not taken to alleviate the dire situation of the Assyrians in Iraq then in

the near future Iraq may be devoid of its native inhabitants. Furthermore, ACE believes that the EU, with its increasingly important role in Iraq, is in a good and important position to be able to contribute to the successful maintenance of Iraq's Assyrian community and that true democracy can only prosper in Iraq if it is based on plurality and the rule of law, principles the EU is itself built upon.

INTRODUCTION

Despite the fact that the number of internally displaced persons (IDPs) worldwide has far exceeded that of refugees, with the IDP figure in 2002 standing at between 20 to 25 million people, compared to that of 10.6 million refugees,¹ paradoxically, a legal framework and a special institution exist for refugees whereas none exist for IDPs.² In this context, Iraq too has seen its fair share of IDPs. As a result of Saddam Hussein's Arabization policies millions of Iraqis, particularly members of religious or ethnic minorities, over the years were forcibly displaced from their homes in furtherance of these policies. The recent Iraq war has been no exception in this regard and according to UNHCR figures approximately 2 million Iraqis are now outside the country with another 2.2 million internally displaced.³ This paper will concentrate on some of the problems faced by Assyrian IDPs within Iraq set against the backdrop of both Iraq's and the international community's legal obligations towards them. Naturally, this should in no way be construed as downplaying the problems faced by all Iraqi IDPs however.

¹ Phuong, C, *The International Protection of Internally Displaced Persons*, (Cambridge: Cambridge University Press, 2004), p. 1

² Weiss, T.G., 'Whither International Efforts for Internally Displaced Persons?', *Journal of Peace Research*, vol. 36, no. 3, 1999, p. 363

³ Amnesty International, 'Millions in Flight: The Iraqi Refugee Crisis', September 2007, p. 1. <http://www.assyriacouncil.eu/resources/Millions+in+Flight+The+Iraqi+Refugee+Crisis.pdf>. (Accessed: 6th June 2008)

THE GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT AND THE ASSYRIAN CASE IN IRAQ

The *Guiding Principles on Internal Displacement*, written by Francis M. Deng, U.N. Secretary-General's Special Representative on Internally Displaced Persons, define IDPs as:

“persons or groups of persons who have been forced or obliged to flee or 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 [...], and who have not crossed an internationally recognized State border.”

It would not be an exaggeration to state that in relation to their size, Iraq's minorities have suffered disproportionately in the current Iraq war, a fact observed by Amnesty International which states that ‘The number of Iraq's non-Muslim religious minorities, such as Christians and people belonging to the Sabeen/Mandean community, continues to be disproportionately high among the refugee population.’⁴ The Dora neighbourhood in Baghdad for example was estimated in 2003 to have had 20,000 Christian homes; now, however, current estimates put this at 3,000, many of them being broken homes. With regards to the Assyrians, one cannot fully understand the current plight and situation of Assyrian IDPs in Iraq without understanding their history. Prior to the forced Arabisation campaigns many Assyrians lived in their indigenous villages in the north of the country such as in the governorate of Dohuk and the Nineveh Plains, out of which they were forcibly displaced by the Ba'ath regime. As an example, the International Federation for Human Rights lists at least 196 Assyrian villages which were destroyed by Saddam.⁵ Therefore, as the persecution and attacks began after the downfall of the Saddam regime, it was a natural reaction for many displaced Assyrian families to try and return to their ancestral villages due to family and historical ties and hence these returnees have been termed a ‘returning Diaspora’ by the UNHCR. According to the Assyrian Aid Society, as of January 2008, the governorate of Dohuk had received 6,562 Assyrian IDP families, the governorate of Erbil had received 2,015 Assyrian IDP families, and the Nineveh Plains had received 6,238 Assyrian IDP families.

Such huge internal movements of people not only put a huge strain on local infrastructure, but they raise wider and more sensitive problems. According to Principle 21 of the *Guiding Principles on Internal Displacement*, ‘No one shall be arbitrarily deprived of property and possessions.’ Unfortunately, there have been increasing complaints over the past few years that many Christians in the north of the country have been unsuccessful in reclaiming their lands for which they have legal deeds. Christian Solidarity International (CSI) conducted a field mission to Iraq in November 2007, and a lawyer they interviewed summarised the situation thus:

⁴ *Ibid*, p. 8

⁵ International Federation for Human Rights, ‘Iraq: Continuous and Silent Ethnic Cleansing’, January 2003, pp. 40-42. <http://www.fidh.org/IMG/pdf/iq350a.pdf>. (Accessed: 6th June 2008)

"I am a lawyer and I have been dealing with Christian property claims for the past four years. In Kurdistan it is virtually unknown for Christians to receive back their land as a result of legal proceedings. The land of Christians has been confiscated by individuals and by the state. In the few cases where Christians receive something, it has been a small amount of money as compensation. The land is never returned. The rule of law simply does not apply here. As a result the Christians are losing their lands."⁶

Principle 21 of the *Guiding Principles* also makes it clear that 'Property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use. As the *Principles* are to be observed by 'all authorities, groups and persons irrespective of their legal status', this puts a legal onus on the Iraqi authorities to ensure that homes and possessions left behind by Assyrians are protected pending the return of their original owners. It is therefore hoped that steps are taken to protect, as an example, the thousands of Christian homes in the Dora neighbourhood of Baghdad until it is safe for their owners to return, if they wish to do so. With regards to the more general resolution of land disputes, it has been argued that international assistance can be provided to assist people in recovering their property through the provision of legal advice.⁷ UNHCR has actually engaged in such activities in Georgia where it offered advice to the government on the resolution of property disputes,⁸ and it is hoped that it and other international organisations such as the EU are willing to do the same in Iraq.

In addition to property disputes, another major problem faced by Assyrian IDPs is employment. Because Christianity doesn't forbid the selling or consumption of alcohol, most liquor stores in Iraq, together with CD or DVD shops, were owned by Assyrians. Due to the rise in fundamentalism however many of these shops have been forced to close. According to the Christian and other Religious Endowments Bureau in Iraq, approximately 95% of alcohol shops have been forced to close. This situation is exacerbated by the fact that in their new locations within the country, Assyrian IDPs are finding it difficult to secure employment. In its resolution of 12 July 2007 on 'The Humanitarian Situation of Iraqi Refugees', the European Parliament acknowledged that 'Jews, Mandaeans and Christians are increasingly experiencing discrimination with regard to access to the labour market.'⁹ This is in direct contravention of Principle 22 of the *Guiding Principles* which makes it clear that 'Internally Displaced Persons [...] shall not be discriminated against as a result of their displacement in the enjoyment of [...] The right to seek freely opportunities for employment and to participate in economic activities.' Rhetoric, however, in order to be effective has to be accompanied by action and for many Assyrian IDPs this has not yet been forthcoming. Mr. Bassam Ballo, Assyrian mayor of Tel Kaif, the largest city in the Nineveh Plain, has stated, "Many families leave after they have stayed here for a while and see there are no jobs and they give up hope."¹⁰ Kenneth Timmerman, a nominee for

⁶ Christian Solidarity International, 'The Plight of Christians in Iraq, Field Trip Report November 3-11, 2007', p. 12. [http://www.assyriacouncil.eu/resources/The+Plight+of+Christians+in+Iraq\\$2C+Field+Trip+Report.pdf](http://www.assyriacouncil.eu/resources/The+Plight+of+Christians+in+Iraq$2C+Field+Trip+Report.pdf). (Accessed: 6th June 2008)

⁷ Phuong, C, *The International Protection of Internally Displaced Persons*, (Cambridge: Cambridge University Press, 2004), p. 142

⁸ *Ibid*

⁹ P6_TA(2007)0357, 'The Humanitarian Situation of Iraqi Refugees', <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP/TEXT+TA+P6-TA-2007-0357+0+DOC+XML+V0//EN&language=EN>. (Accessed: 6th June 2008)

¹⁰ AINA, 'Christian Assyrians Face Extinction in Northern Iraq', <http://www.aina.org/news/20080425041302.htm>. (Accessed: 6th June 2008)

the 2006 Nobel Peace Prize, has even reported that in the north of the country there is a form of 'political patronage' whereby an Assyrian cannot find a job without becoming a member of one of the ruling parties.¹¹

Nevertheless, despite these and other problems, it is a central fact that one of the factors which can in the long-run determine a community's survival is security and stability. This is embodied in the core human right found in Principle 11 of the *Guiding Principles* which makes it clear that, 'Every human being has the right to dignity and physical, mental and moral integrity.' Unfortunately for Iraq's minorities the current security situation is not conducive to their safety or stability and is exacerbated by the fact that they do not possess their own militias or security forces to protect them and this is no more so than in areas such as the Nineveh Plains which house both large local and IDP Assyrian populations. As Catherine Phuong has cogently argued, assistance in the form of emergency relief, i.e. the provision of food, etc. does not mean the same thing as protection, and that physical safety should be a priority.¹² This is absolutely crucial for minorities in Iraq's prevailing security situation and as it seems unlikely that international forces will specifically station military personnel to protect minority communities, the Iraqi government, possibly with international assistance, must make sure that its minorities are physically protected. In fact, the European Parliament's resolution of 13 March 2008 on the EU's Future Role in Iraq specifically calls upon the Council to take steps to support Iraq in protecting its minorities and strengthening the Iraqi police and criminal justice system.¹³ An effective way to ensure the protection of minorities, including IDPs, is to train and incorporate members of those communities into the Iraqi police force with a view to protecting their respective communities. Joel Voordewind, an MP from the Netherlands who visited the Assyrian community in Iraq in April, is convinced such a step is vital for this community's survival. In this sense it is encouraging that recently positive steps have been taken to recruit and train members of the Assyrian population in the Nineveh Plains to create a local police force which can adequately protect the community from attacks and it is hoped this will provide a precedent for future developments.

¹¹ *Ibid*

¹² Phuong, C, *The International Protection of Internally Displaced Persons*, (Cambridge: Cambridge University Press, 2004), p. 121

¹³ P6_TA(2008)0100, 'The European Union's Role in Iraq', <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0100+0+DOC+XML+V0//EN&language=EN>. (Accessed: 6th June 2008).

CONCLUSION

The *Guiding Principles on Internal Displacement* lay down universally recognised guidelines with regards to the protection of IDPs. In addition to the Principles already mentioned, it is obviously imperative that IDPs are provided by the competent authorities at the minimum essential food and potable water, basic shelter and housing, appropriate clothing, and essential medical services and sanitation, requirements laid down in Principle 18 of the *Guiding Principles*. To ensure the needs of Assyrian IDPs in Iraq are met, thus saving them from completely leaving the country as refugees, the required measures must be taken by all competent authorities in Iraq, with the assistance of international organisations. In addition, however, use must also be made of local humanitarian organisations with a good reputation of meeting humanitarian needs. It is precisely this thinking which has prompted MP Joel Voordewind to recommend to the Dutch Minister of Development that financial aid is also sent to organizations such as the Assyrian Aid Society, which provides humanitarian assistance to the Nineveh Plains and northern Iraq.¹⁴ It is perhaps fitting that we should end with Mr. Voordewind's following words:

“According to the UNHCR there are totally 348,000 displaced persons in Northern Iraq, a big part of those people are Assyrian Christians. This group should also, therefore, get more in the greater interest of the rest of the international community. Because when we do nothing, we can be sure that this number of refugees will knock on the door of Western Europe very soon.”¹⁵

¹⁴ AINA, 'Dutch MP Visits Assyrians in Iraq', <http://www.aina.org/news/2008049021629.htm>. (Accessed: 6th June 2008)

¹⁵ *Ibid*

ANNEX I – GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT

INTRODUCTION: SCOPE AND PURPOSE

1. These Guiding Principles address the specific needs of internally displaced persons worldwide. They identify rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement as well as during return or resettlement and reintegration.
2. For the purposes of these 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.
3. These Principles reflect and are consistent with international human rights law and international humanitarian law. They provide guidance to:
 - (a) The Representative of the Secretary-General on internally displaced persons in carrying out his mandate;
 - (b) States when faced with the phenomenon of internal displacement;
 - (c) All other authorities, groups and persons in their relations with internally displaced persons; and
 - (d) Intergovernmental and non-governmental organizations when addressing internal displacement.
4. These Guiding Principles should be disseminated and applied as widely as possible.

SECTION I - GENERAL PRINCIPLES

Principle 1

1. Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced.
2. These Principles are without prejudice to individual criminal responsibility under international law, in particular relating to genocide, crimes against humanity and war crimes.

Principle 2

1. These Principles shall be observed by all authorities, groups and persons irrespective of their legal status and applied without any adverse distinction. The observance of these Principles shall not affect the legal status of any authorities, groups or persons involved.
2. These Principles shall not be interpreted as restricting, modifying or impairing the provisions of any international human rights or international humanitarian law instrument or rights granted to persons under domestic law. In particular, these Principles are without prejudice to the right to seek and enjoy asylum in other countries.

Principle 3

1. National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.
2. Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request.

Principle 4

1. These Principles shall be applied without discrimination of any kind, such as race, colour, 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.
2. 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 protection and assistance required by their condition and to treatment which takes into account their special needs.

SECTION II - PRINCIPLES RELATING TO PROTECTION FROM DISPLACEMENT

Principle 5

All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons.

Principle 6

1. Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence.
2. The prohibition of arbitrary displacement includes displacement:
 - (a) When it is based on policies of apartheid, "ethnic cleansing" or similar practices aimed at/or resulting in altering the ethnic, religious or racial composition of the affected population;
 - (b) In situations of armed conflict, unless the security of the civilians involved or imperative military reasons so demand;
 - (c) In cases of large-scale development projects, which are not justified by compelling and overriding public interests;
 - (d) In cases of disasters, unless the safety and health of those affected requires their evacuation; and
 - (e) When it is used as a collective punishment.
3. Displacement shall last no longer than required by the circumstances.

Principle 7

1. Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether. Where no alternatives exist, all measures shall be taken to minimize displacement and its adverse effects.

2. The authorities undertaking such displacement shall ensure, to the greatest practicable extent, that proper accommodation is provided to the displaced persons, that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, and that members of the same family are not separated.

3. If displacement occurs in situations other than during the emergency stages of armed conflicts and disasters, the following guarantees shall be complied with:

(a) A specific decision shall be taken by a State authority empowered by law to order such measures;

(b) Adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation;

(c) The free and informed consent of those to be displaced shall be sought;

(d) The authorities concerned shall endeavour to involve those affected, particularly women, in the planning and management of their relocation;

(e) Law enforcement measures, where required, shall be carried out by competent legal authorities; and

(f) The right to an effective remedy, including the review of such decisions by appropriate judicial authorities, shall be respected.

Principle 8

Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected.

Principle 9

States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands.

SECTION III - PRINCIPLES RELATING TO PROTECTION DURING DISPLACEMENT

Principle 10

1. Every human being has the inherent right to life which shall be protected by law. No one shall be arbitrarily deprived of his or her life. Internally displaced persons shall be protected in particular against:

(a) Genocide;

(b) Murder;

(c) Summary or arbitrary executions; and

(d) Enforced disappearances, including abduction or unacknowledged detention, threatening or resulting in death.

Threats and incitement to commit any of the foregoing acts shall be prohibited.

2. Attacks or other acts of violence against internally displaced persons who do not or no longer participate in hostilities are prohibited in all circumstances. Internally displaced persons shall be protected, in particular, against:

- (a) Direct or indiscriminate attacks or other acts of violence, including the creation of areas wherein attacks on civilians are permitted;
- (b) Starvation as a method of combat;
- (c) Their use to shield military objectives from attack or to shield, favour or impede military operations;
- (d) Attacks against their camps or settlements; and
- (e) The use of anti-personnel landmines.

Principle 11

1. Every human being has the right to dignity and physical, mental and moral integrity.

2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:

- (a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution and any form of indecent assault;
- (b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labour of children; and
- (c) Acts of violence intended to spread terror among internally displaced persons.

Threats and incitement to commit any of the foregoing acts shall be prohibited.

Principle 12

1. Every human being has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.

2. To give effect to this right for internally displaced persons, they shall not be interned in or confined to a camp. If in exceptional circumstances such internment or confinement is absolutely necessary, it shall not last longer than required by the circumstances.

3. Internally displaced persons shall be protected from discriminatory arrest and detention as a result of their displacement.

4. In no case shall internally displaced persons be taken hostage.

Principle 13

1. In no circumstances shall displaced children be recruited nor be required or permitted to take part in hostilities.

2. Internally displaced persons shall be protected against discriminatory practices of recruitment into any armed forces or groups as a result of their displacement. In particular any cruel, inhuman or degrading practices that compel compliance or punish non-compliance with recruitment are prohibited in all circumstances.

Principle 14

1. Every internally displaced person has the right to liberty of movement and freedom to choose his or her residence.

2. In particular, internally displaced persons have the right to move freely in and out of camps or other settlements.

Principle 15

Internally displaced persons have:

(a) The right to seek safety in another part of the country;

(b) The right to leave their country;

(c) The right to seek asylum in another country; and

(d) The right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

Principle 16

1. All internally displaced persons have the right to know the fate and whereabouts of missing relatives.

2. The authorities concerned shall endeavour to establish the fate and whereabouts of internally displaced persons reported missing, and cooperate with relevant international organizations engaged in this task. They shall inform the next of kin on the progress of the investigation and notify them of any result.

3. The authorities concerned shall endeavour 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.

4. 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.

Principle 17

1. Every human being has the right to respect of his or her family life.

2. To give effect to this right for internally displaced persons, family members who wish to remain together shall be allowed to do so.

3. Families which are separated by displacement should be reunited as quickly as possible. All appropriate steps shall be taken to expedite the reunion of such families, particularly when children are involved. The responsible authorities shall facilitate inquiries made by family members and encourage and cooperate with the work of humanitarian organizations engaged in the task of family reunification.

4. Members of internally displaced families whose personal liberty has been restricted by internment or confinement in camps shall have the right to remain together.

Principle 18

1. All internally displaced persons have the right to an adequate standard of living.
2. 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.
3. Special efforts should be made to ensure the full participation of women in the planning and distribution of these basic supplies.

Principle 19

1. All wounded and sick internally displaced persons as well as those with disabilities shall receive to the fullest extent practicable 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.
2. 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 counselling for victims of sexual and other abuses.
3. Special attention should also be given to the prevention of contagious and infectious diseases, including AIDS, among internally displaced persons.

Principle 20

1. Every human being has the right to recognition everywhere as a person before the law.
2. 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, such as requiring the return to one's area of habitual residence in order to obtain these or other required documents.
3. Women and men shall have equal rights to obtain such necessary documents and shall have the right to have such documentation issued in their own names.

Principle 21

1. No one shall be arbitrarily deprived of property and possessions.

2. The property and possessions of internally displaced persons shall in all circumstances be protected, in particular, against the following acts:

- (a) Pillage;
- (b) Direct or indiscriminate attacks or other acts of violence;
- (c) Being used to shield military operations or objectives;
- (d) Being made the object of reprisal; and
- (e) Being destroyed or appropriated as a form of collective punishment.

3. Property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use.

Principle 22

1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights:

- (a) The rights to freedom of thought, conscience, religion or belief, opinion and expression;
- (b) The right to seek freely opportunities for employment and to participate in economic activities;
- (c) The right to associate freely and participate equally in community affairs;
- (d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right; and
- (e) The right to communicate in a language they understand.

Principle 23

1. Every human being has the right to education.

2. To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and compulsory at the primary level. Education should respect their cultural identity, language and religion.

3. Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.

4. Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

SECTION IV - PRINCIPLES RELATING TO HUMANITARIAN ASSISTANCE

Principle 24

1. All humanitarian assistance shall be carried out in accordance with the principles of humanity and impartiality and without discrimination.

2. Humanitarian assistance to internally displaced persons shall not be diverted, in particular for political or military reasons.

Principle 25

1. The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities.

2. International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or an interference in a State's internal affairs and shall be considered in good faith. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.

3. All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced.

Principle 26

Persons engaged in humanitarian assistance, their transport and supplies shall be respected and protected. They shall not be the object of attack or other acts of violence.

Principle 27

1. International humanitarian organizations and other appropriate actors when providing assistance should give due regard to the protection needs and human rights of internally displaced persons and take appropriate measures in this regard. In so doing, these organizations and actors should respect relevant international standards and codes of conduct.

2. The preceding paragraph is without prejudice to the protection responsibilities of international organizations mandated for this purpose, whose services may be offered or requested by States.

SECTION V - PRINCIPLES RELATING TO RETURN, RESETTLEMENT AND REINTEGRATION

Principle 28

1. 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 endeavour to facilitate the reintegration of returned or resettled internally displaced persons.

2. 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.

Principle 29

1. Internally displaced persons who have returned to their homes or places of habitual residence or who have resettled in another part of the country shall not be discriminated against as a result of their having

been displaced. They shall have the right to participate fully and equally in public affairs at all levels and have equal access to public services.

2. Competent 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, competent authorities shall provide or assist these persons in obtaining appropriate compensation or another form of just reparation.

Principle 30

All authorities concerned shall grant and facilitate for international humanitarian organizations and other appropriate actors, in the exercise of their respective mandates, rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration.