

# DEFINITIONS

## WHAT IS A REFUGEE? WHAT IS AN IDP? WHAT IS THE ROLE OF LARGE INTERNATIONAL AGENCIES?

### 1. **What does the word *refugee* mean?**

A **refugee** is a person who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country...” (The 1951 Convention relating to the Status of Refugee) The term **refugee** covers only those people who have fled their homeland and sought sanctuary in a second country.

### 2. **How are refugees protected?**

Governments normally guarantee basic human rights and the physical security of their citizens. But when civilians become refugees this safety net disappears.

UNHCR’s role in international protection is to ensure that states are aware of, and act on, their obligations to protect refugees and persons seeking asylum. However, it cannot be considered as a substitute for government responsibility. Countries may not forcibly return refugees to a territory where they face danger.

### 3. **What rights does a refugee have?**

A refugee has the right to safe asylum. However, international protection comprises more than physical safety. Refugees should receive at least the same rights and basic help as any other foreigner who is a legal resident, including freedom of thought, of movement and freedom from torture and degrading treatment. Economic and social rights are equally applicable. Refugees should have access to medical care, schooling and the right to work.

In certain circumstances when adequate government resources are not immediately available or if there is sudden arrival of large numbers of uprooted persons, UNHCR and other international organizations provide assistance such as financial grants, food, tools and shelter, schools and clinics.

### 4. **Who decides who is a refugee?**

Governments establish status determination procedures to decide a person’s legal standing and rights in accordance with their own legal systems. UNHCR may offer advice as part of its mandate to promote refugee law, protect refugees and supervise the implementation of the 1951 Refugee Convention.

### 5. **Are persons fleeing war or war-related conditions such as famine and ethnic violence refugees?**

The 1951 Geneva Convention, the main international instrument of refugee law, does not specifically address the issue of civilians fleeing conflict, though in recent years major refugee movements have resulted from civil wars, ethnic, tribal and religious violence.

The UNHCR considers that people fleeing such conditions, and whose state is unwilling or unable to protect them, should be considered refugees. Regional instruments such as Africa’s OAU Convention and the Cartagena Declaration in Latin America support this view.

### 6. **Must every refugee undergo individual status determination?**

People who apply for refugee status normally need to establish that their fear of persecution is well founded. However, during a mass exodus particularly when civilians are fleeing for similar reasons, it may be appropriate to declare ‘group’ determination of refugee status, whereby each civilian is considered as a refugee, *prima facie* – in other words, in the absence of evidence to the contrary.

### **7. What does the term IDP mean?**

**Internally displaced people (IDPs):** IDPs refer to people who have had to flee their home during a civil war but have stayed in their home countries rather than seeking refuge abroad. There are an estimated 20 – 25 million internally displaced people in the world today.

### **8. Who helps internally displaced people?**

Because IDPs remain in their own country they are subject to the laws of that state. In some cases governments do provide some short term emergency assistance.

Though it does not have a specific mandate for IDPs, UNHCR assists several million in various crises. These operations are initiated at the request of the U.N. Secretary-General or the General Assembly, with the consent of the country involved. The International Committee of the Red Cross also provides emergency relief services to civilian populations caught in conflict and traces displaced persons. This is part of the ICRC mandate even though IDPs have no standing in international humanitarian law.

### **9. What are the main UN Agencies that support civilians living in conflicts?**

**UNICEF:** UNICEF stands for United Nations Children's Fund. It was established in 1946 by the United Nations General Assembly to help children after World War II. UNICEF was first known as the United Nations International Children's Emergency Fund. In 1953, UNICEF became a permanent part of the United Nations system.

UNICEF works to protect children and their rights by providing services and supplies and by helping shape policy agendas and budgets in the best interests of children. UNICEF helps children get the care and stimulation they need in the early years of life and encourages families to educate girls as well as boys. It strives to reduce childhood death and illness and to protect children in the midst of war and natural disaster. UNICEF supports young people, wherever they are, in making informed decisions about their own lives, and strives to build a world in which all children live in dignity and security.

Source: UNICEF's web site: [www.unicef.org](http://www.unicef.org)

**The Office of the United Nations High Commissioner for Refugees** was established on December 14, 1950 by the United Nations General Assembly. The agency leads and co-ordinates international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. In more than five decades, the UNHCR has helped an estimated 50 million people restart their lives.

As a humanitarian, non-political organization, UNHCR has two basic and closely related aims – to protect refugees and to seek ways to help them restart their lives in a normal environment. International protection is the cornerstone of the agency's work. In practice that means ensuring respect for a refugee's basic human rights and ensuring that no person will be returned involuntarily to a country where he or she has reason to fear persecution – a process known as *refoulement*.

UNHCR promotes international refugee agreements and monitors government compliance with international refugee law. Its staff work in a variety of locations ranging from capital cities to remote camps and border areas, attempting to provide the above mentioned protection and to minimize the threat of violence, including sexual assault, which many refugees are subject to, even in countries of asylum.

Source: UNHCR web site: [www.unhcr.org](http://www.unhcr.org)

**The International Committee of the Red Cross (ICRC)** was founded in 1863 to help both military and civilian victims of war and civil violence and to promote compliance with international humanitarian laws restricting the use of force.

ICRC acts as a neutral intermediary in armed conflicts, endeavouring to ensure that its victims receive appropriate protection and assistance as outlined in the 1949 Geneva Conventions and the 1977 Protocols.

The organization protects both prisoners of war and civilian populations in war zones. One of its major roles is visiting prisoners and attempting, through confidential contacts, to ensure their protection and well being as outlined in the Geneva Convention and its Protocols.

Source: [www.icrc.org](http://www.icrc.org)

It also supervises prisoner releases and exchanges. In addition, ICRC provides emergency relief services to civilian populations caught in conflict and traces displaced persons, organises family contacts and reunions, and promotes and develops international humanitarian law.

The ICRC mandate covers internal disturbances and tensions even though they are not part of international humanitarian law.

**The International Office for Migration (IOM)** is an inter-governmental body whose guiding principle is that humane and orderly migration benefits not only the people directly affected but also society as a whole.

It works closely with UNHCR in dealing with uprooted peoples and the two agencies signed a Memorandum of Understanding in May 1997 outlining the areas of co-operation including monitoring and preventing crisis situations, participating in UN emergency contingency planning and developing the capacity to respond to such emergencies.

Other areas of co-operation include assisting internally displaced persons, helping governments to respond to a crisis, and aiding persons whose request for asylum has been rejected.

They help the departures of persons with a well founded fear of persecution but who cannot leave their country and seek protection elsewhere and refugees who want to return to their country of

origin by arranging transportation, taking care of travel documents, and at times providing language training and cultural orientation.

**The World Food Programme (WFP)** is the United Nations specialised agency responsible for distributing food to millions of needy people, including refugees.

It works closely with UNHCR during emergencies and longer-term crises to provide food to uprooted peoples around the world, especially vulnerable groups such as women and children. It supports food-related activities aimed at building refugee self-reliance by developing food production or generating other employment. The agency assists refugees going home (returnees) and so-called internally displaced people.

The World Food Programme provides food assistance whenever the beneficiaries number at least 5,000 people, but for smaller populations where the local government cannot meet the need, UNHCR normally steps in.