

Analysing Disaster-induced Internal Displacement: Drivers, Vulnerabilities and Protection Framework

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Abstract

This paper examines disaster-induced internal displacement with an emphasis on its causes, consequences and protection mechanism. In doing so, it begins by exploring the concept of displacement and resettlement, thereby highlighting the difference between internally displaced persons and refugees. Then, it analyses the complex interrelation between natural disasters and climate change that shapes the forms of forced migration, frequently fading the distinction between voluntary and involuntary movement. It asserts that notwithstanding heightened global attention, the lack of a binding legal framework undermines the attempts to guarantee effective protection for IDPs. Drawing on international human rights and humanitarian law, the article highlights the need for a more coherent and comprehensive approach to addressing internal displacement.

Keywords: Internal Displacement, Disaster-Induced Migration, Climate Change, IDPs, Protection Framework.

Introduction

Approximately 70 million people are currently living outside their home or are forced to leave their homes in order to secure minimum safety from threats and subjugation (IDMC 2023). This large-scale movement of people is rarely voluntary and is often shaped by conditions that compel individuals to leave their habitual place of residence. Forced migration can take place because of various reasons such as human rights violations, political repression, civil war, natural and human-made disasters, and various development projects, particularly dams, drilling of oil, coal, and minerals, and often by militant groups (IOM 2019). Often the terms

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‘Migrants’, ‘Refugees’, and ‘Internally Displaced Persons’ are used synonymously. International organizations associated with migration crises are more concerned with the vulnerabilities of the victims rather than defining their status. One of the biggest obstacles is a generalised perspective among scholars and practitioners about migrants. In many cases, migrants are comprehended as an indiscriminate multitude. People displaced due to conflicts might have different impetuses based on socio-cultural, economic, political, and geographical considerations, which are often understudied and neglected. As it is not possible to focus broadly on ‘Migration’ as a whole, this effort is made to bring the issue of ‘Internal Displacement’ under scrutiny in order to have a detailed account on whether there is any existing legal framework for the protection of Internally Displaced Persons (IDPs) and, if yes, then what standards of protection it provides to them. In doing so, the first part of this paper deals with the notion of ‘Displacement’ and ‘Resettlement’. In the second part, it details disaster-induced displacement and its effects. In the last two parts, it deals with the conceptual understanding of ‘Internally Displaced Persons’ and the protection framework for IDPs, respectively.

Conceptualising ‘Displacement’ and ‘Resettlement’

Displacement of population is a consequence of various factors such as political and religious persecution, climate degradation, natural or human-made disasters and so on. People are displaced when a number of push and pull factors leave them in a position where there are more risks than opportunities. According to Hyndman, displacement is by definition forced and involuntary and involves some form of de-territorialisation. It can take place within and across internationally recognised borders. Crossing an international border designates them as ‘Refugees’, whereas fleeing within national boundaries recognises them as ‘Internally Displaced Persons’ (IDPs). These IDPs were not included in the international legal framework for the protection of displaced persons, as they fall under national jurisdiction and the UN Charter does not permit infringement upon states. Although, given the changing political situations, consequences of internal conflicts and the increasing effects of climate degradation, IDPs have gained importance in international discourses. This has raised genuine concerns over the practice of sovereign power and has also fanned the interest of the international community to intervene on their behalf. But a definitional problem remains: ‘Who constitutes IDPs?’ ‘The time frame of the displacement?’ ‘Where does the displacement take place and what are the solutions to these displacements?’ Resettlement of the IDPs has become central in migration studies (Cernea 2000). Yet, confusion persists between ‘Displacement’ and ‘Migration’ and

‘Voluntary’ and ‘Involuntary’ movement while discussing the resettlement issue of the IDPs. People move voluntarily because of new opportunities and prospects. While involuntary movements may also include new opportunities due to the subjective nature of ‘choice’, the ‘Choice of Movement’ remains central to this dichotomy. Whether displacement is caused by dam building, natural disaster, or conflict, resettlement often entails planned movement of population from one area to another. Nonetheless, resettlement is not a unified category. Different legal and normative guidelines govern different forms of displacement. But there remains very little interchange between them even after periodic solicitations by scholars and practitioners.

Relocating the concept of IDPs from the Refugee

The term “Internally Displaced Persons” (IDPs) gained its importance in the late twentieth century within the migration discourse. This shift calls for a certain delimitation between IDPs and refugees. Refugees fall under a well-defined legal regime whereas, IDPs are still in search of a binding legal status. The pioneering step to define IDPs emerged with the United Nations’ 1998 ‘Guiding Principles on Internal Displacement’ applicable to:

“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.” (United Nations 1998)

This definition broadly focuses on two key characteristics of the IDPs. Firstly, their displacement is forced and secondly, they stay within their own country. However, the definition remains descriptive rather than legally binding, thereby limiting its enforceability within international law (Kälin 2008; Cohen and Deng 1998).

Being a refugee enables greater access to international protection and facilities (Human Rights Committee 2011), which is largely absent in the case of IDPs. Such an impediment needs to be taken into consideration while making the legal protection framework exclusively for the IDPs, because the conditions, causes, and characteristics of both kinds of displacement are fundamentally different from each other. As E. Mooney argues that the concept of internal displacement encompasses a broader range of causes than refugee flows and that internally displaced persons are often incorrectly described as ‘internal refugees’. While both groups share certain characteristics, such as forced displacement and the experience of displacement,

IDPs remain within the borders of their state of origin. Importantly, the definition of IDPs is descriptive rather than legal, and therefore does not confer a distinct legal status comparable to that of refugees in the international legal system (Mooney 2005).

However, there are similarities as well between these two types of displacement. Both are uprooted from their own communities, cultural environment, and linguistic settings, resulting in deep socio-economic and psychological instability. This has led to a growing debate among scholars and practitioners over whether a common legal framework should be developed to protect the rights of refugees and IDPs. There is also increasing concern regarding the urgency of protecting IDPs. Nevertheless, some counterarguments emphasise the need to maintain a clear demarcation between refugees and IDPs, because immediately after crossing an internationally recognised border, refugees are protected by specific international legal norms, which is different in the case of IDPs. IDPs remain within the national territory and thus applying the same measures to protect their rights as refugees would not have the same value (Silka, 2014).

United Nations High Commissioner for Refugees (UNHCR) has increasingly been engaged in dealing with rights and the protection of IDPs. It recognises that IDPs are as vulnerable as refugees and therefore guarantees protective measures for IDPs aligned with the guiding norms of International Human Rights Law (IHRL), International Humanitarian Law (IHL), and the United Nation's Guiding Principles. Although, it is noteworthy that such engagement of UNHCR is confined to conflict-induced displacement and not yet stretched to disaster-induced IDPs. In such cases, UNHCR, instead of acting as a primary donor, shares its role with other UN bodies such as Office of the High Commissioner for Human Rights (OHCHR), United Nations Children's Fund (UNICEF), and International Organization for Migration (IOM). Therefore, despite having a clear conceptual distinction between refugees and IDPs, the absence of a binding legal framework remains a challenge. Such lacuna becomes even more prominent with the growing complexities and number of internal movements due to disaster-induced displacement.

There are a considerable number of factors that are responsible for the creation of internal displacement. In this article, among several categories, natural disasters are discussed below to examine how they influence migration and shape the lives of the displaced.

Natural Disasters and Displacement: Patterns and Dynamics

Among the various reasons and their different modes and categories, climate change is one of the most detrimental determinants of human mobilization (IPCC 2022). There is no single definition of disaster-induced migration, but roughly it refers to people's movement driven by sudden or progressive changes in the climate or weather. A disaster can be more precisely defined as an occurrence of widespread, severe damage, injury, or loss of life or property that exceeds a community's capacity to cope and results in severe social disruption (Perez et al. 1994). The United Nations has defined a disaster as:

“A serious disruption of the functioning of a society, causing widespread human, material, or environmental losses which exceed the ability of the affected society to cope using its own resources (UNDRO, 1992)”.

In the realm of migration literature, climate-induced or natural disaster-induced displacement has long been discussed, yet it still lacks a universally agreed precise definition (Black et al. 2011). This highlights the need for reconceptualisation of the interrelation between natural disasters and migration. As per the definition provided by the International Organization for Migration (IOM), environmentally displaced people are:

“Persons or groups of persons who, for reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are obliged to leave their habitual homes, or choose to do so, either temporarily or permanently, and who move either within their territory or abroad (IOM, 2007)”.

Environmental change often blurs the difference between voluntary and involuntary migration. However, in many instances, fear of physical harm, breakdown of livelihoods, and loss of life force people to relocate, situating such movements within the broader category of forced displacement. This shows the complex and contextual nature of disaster-induced migration (Adger et al. 2014). Globally, disasters triggered 45.8 million new internal displacements in 2024 alone, highlighting the scale and urgency of disaster-induced migration (Internal Displacement Monitoring Centre 2025).

This complicated relationship between natural disasters and migration is central to the present discussion. Recent years have witnessed an increased number of cyclones, heavy rainfall, and droughts. Densely populated areas are more vulnerable to climate change, with the poorest communities facing the most severe impacts on their livelihoods. Sudden onset events like cyclones and floods are the key determinants of forced migration, as they damage the means of life of the affected communities and leave them with no alternatives but to relocate. For instance, Cyclone Amphan (2020) in India and Bangladesh triggered approximately 2.4 million new displacements, making it one of the largest disaster-induced displacement events in South Asia (Internal Displacement Monitoring Centre 2021).

On the other hand, slow onset events, such as droughts, result in gradual and complex patterns of displacement and are often responsible for economic or voluntary migration. For example, recurrent flooding and riverine hazards in Bangladesh continue to drive large-scale internal displacement, with disasters displacing an average of around one million people annually, particularly during the monsoon season (IDMC 2026). However, a sudden drought can also result in forced migration when survival becomes impossible. This depicts a varying pattern of disaster-induced displacement that is shaped by the intensity of destruction, duration of the disaster, and socio-economic context of the affected communities (McLeman 2014).

This intricate interrelation between climate change and migration makes it even more challenging to address disaster-induced displacement within the existing legal and policy framework. A key limitation is the absence of a developed model to study these different patterns, thereby exposing the lacunae of existing mechanisms to protect IDPs and complicating the understanding of actual ‘push’ and ‘pull’ factors behind migration.

Gauging the Framework of Protection for the IDPs

The preceding discussion demonstrates the absence of a binding legal framework dedicated to the protection of IDPs. Although, in situations such as natural or man-made disasters and armed conflict, IHRL and IHL are applicable to IDPs, they remain insufficient in addressing their specific needs. Consequently, existing protection measures are often characterised as ‘soft law’, which is not legally binding upon states (Cohen and Deng 1998). Instead of addressing the gaps in the current arrangements and developing an exclusive legal structure, the UN has relied heavily on established legal frameworks and guiding principles to address the unique needs of IDPs. As these principles are not legally binding upon states, their implementation

and effectiveness vary across contexts. This reflects the limitations of existing protection frameworks for IDPs. Although the application of human rights law to situations of displacement is broadly acknowledged, it remains limited in scope. In this view, the United Nations Human Rights Committee (UNHRC) observed that:

“The ICCPR applies also in situations of armed conflict to which the rules of IHL are applicable. While, in respect of certain rights of ICCPR, more specific rules of IHL may be especially relevant for the purposes of the interpretation of ICCPR rights, both spheres of law are complementary, not mutually exclusive (UNHRC, 2004)”.

The protection mechanism cannot be wholly understood without referring to its relation with International Human Rights Law (IHRL), which is reflected in the 1992 resolution of UNHCR that recognised ‘Human Rights’ as a fundamental element in the protection framework of IDPs (UNHCR, 1992). Such an approach was further strengthened in UNHCR’s 2004 resolution that introduced an amendment to include the reference of Human Rights in the existing mandate for IDPs. Nevertheless, IHRL has drawn criticism due to its ‘lex specialis’ approach in this context. As the protection of the rights of internally displaced persons and International Human Rights Law operate in different contexts, there is a need for context-sensitive mechanisms, which are largely absent in the existing protection framework.

There is a consensus that IHRL is not fully capable of providing adequate protection of human rights, as it might derogate at the time of national emergency and strife. However, there are areas where such derogation is not applicable. For instance, the prohibition of torture, cruel and inhuman treatment, arbitrary detention, forced deportation, and genocide, as mentioned in Article 4 of the ICCPR. Along with that, the ICCPR also identifies Articles 6, 7, 8, 11, 15, 16, and 18 as fundamental rights that cannot be derogated from, even at the time of crisis or situations that threaten national life (Silska 2014). It is important to note that the degree of derogation varies across regimes. As L. T. Lee observed that:

“To the extent that their basic human rights have been violated, all human beings are entitled to protection and assistance whether as refugees abroad or as IDPs within their own countries. Equal rights for all individuals, be they nationals or aliens, refugees or IDPs is implied in all universal and regional human rights instruments through the use of such expressions as ‘all human beings’, ‘everyone’, ‘no one’ or ‘all’. Hence, not a

single 'right' in the UDHR, for example, is specified or implied as belonging only to 'refugees', and not to 'internally displaced persons' (Lee, 1996).

Along with IHRL, International Humanitarian Law (IHL) also guarantees protection during emergency situations, which is applicable to IDPs as well. However, IHL is primarily developed to regulate activities during armed conflict and thus does not encompass the wider needs and conditions of IDPs. Though International Humanitarian Law, primarily derived from the four Geneva Conventions and their two Protocols, as well as the Hague Conventions of 1899 and 1907, mainly focuses on the protection of victims of armed conflict and hardly addresses the specific needs of IDPs, who are often a result of internal conflicts (ICRC, 2010). Given the non-international nature of most contemporary armed conflicts, Article 3 of the Geneva Convention (1949) and its Protocol II (1977), which provide assistance and protection to victims of non-international conflicts, could to some extent be applied to the protection of IDPs (ICRC, 2010). However, these legal provisions become applicable only after the outbreak of armed conflict. Therefore, they neglect the deterioration of human rights and livelihoods prior to conflict. The legal structure of IHL has very limited provisions addressing IDPs specifically, although it provides protection to civilians during armed conflict. Thus, IHL offers humanitarian legal support to IDPs not on the basis of their specific status as IDPs but as civilians involved in conflict situations.

Having the understanding that there are many aspects of the internal displacement crisis that are not covered or addressed by the existing frameworks related to the protection of IDPs, a brief discussion of International Refugee Law (IRL) becomes necessary. Though not applied directly, an account of IRL is indispensable for developing a standard for the protection of IDPs. IRL is applicable to those displaced people who have crossed an internationally recognised border due to a well-founded fear of persecution and thus cannot be applied directly to IDPs, as they, by definition, are those who have fled due to conflict, disasters, or other threats within their country of origin. The issue is that the focus of the international community in developing legal protection frameworks has been more on the typification of displacement rather than on 'forced displacement' as a whole. The absence of such a comprehensive approach prevents policymakers from uncovering the real interplay between the two types of migration, namely 'Refugee' and 'Internally Displaced Person'. Being a refugee entitles individuals to specific rights and protections under international refugee law, which are largely absent in the case of IDPs, as there is no cross-border movement involved and they remain

under the jurisdiction of national governments. In this context, an analogous protection framework for IDPs may risk undermining their existing rights as citizens of their state of origin. However, even if a fully analogous structure is not adopted, guidelines could be drawn from IRL, as the conditions of internally displaced persons are often similar to those of refugees, particularly in terms of their sense of displacement and marginalisation, and their frequent characterisation as potential refugees.

Closing Thoughts

This paper aims to uncover the existing legal protection framework for IDPs and demonstrates the absence of a binding legal framework that exclusively addresses their protection. This analysis highlights the growing need for an international legal structure that is obligatory upon states, as the legal provisions that are currently available are often not respected by states. One of the reasons behind this absence is the unwillingness of the international community, as IDPs fall under the jurisdiction of national governments and the UN Charter mandates non-interference in state sovereignty.

However, the failure of national regimes to adequately address the needs and demands of IDPs has prompted growing concern within the international community regarding their protection. Unfortunately, the current reality shows little progress towards the development of comprehensive standards for the protection of IDPs. People often remain trapped in conflict situations involuntarily due to their inability to flee their state of origin, thereby becoming IDPs without adequate protection under existing refugee law.

This reflects a failure to adopt clear and effective standards for the protection of IDPs, leaving them insufficiently protected under national and regional frameworks. A precise and universally accepted definition of IDPs is crucial for achieving a durable solution to the internal displacement crisis, especially considering the growing number of displaced persons. In this context, a more holistic approach to understanding forced migration is essential.

It can be argued that despite the different causes of internal displacement, whether conflict-induced, disaster-induced, or voluntary and involuntary migration, there are significant similarities in the conditions experienced by displaced populations. IDPs represent a distinct category of displaced persons who, while remaining within their country, are still entitled to protection from their state of origin. The challenge lies in identifying and addressing the needs of those most vulnerable, which exposes a visible gap in the existing protection framework.

What distinguishes IDPs from other categories of displaced persons is both the factors driving their displacement and the continued violation of their rights despite remaining within national borders. Although there is an increasing theoretical consensus on their protection, this has not translated into effective policy implementation. This gap between normative frameworks and practical application remains a central challenge.

International legal frameworks have historically focused more on refugees than on IDPs, thereby reinforcing the gap between theory and practice. Unlike refugees, IDPs are still not recognised through a specific and binding set of international laws. Although regional arrangements exist through various conventions and treaties, these remain limited in scope and geographically confined, allowing for variations in protection standards. As a result, the rights enshrined in major human rights conventions are not always guaranteed to internally displaced persons, particularly in cases where the state itself is responsible for displacement.

The UN Guiding Principles on Internal Displacement recognise the protection of IDPs as the primary responsibility of national authorities. However, due to their non-binding nature, it remains difficult to ensure effective protection under state responsibility. Therefore, the development of a dedicated international legal framework for IDPs, similar to that for refugees, could significantly improve the current situation. Such a framework would provide protection to those who fall within the gaps of existing legal and institutional arrangements, thereby contributing to a more durable and comprehensive solution to the internal displacement crisis.

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