

## State Responsibility and Accountability Mechanisms in the Protection of Internally Displaced Persons under Contemporary International Law: The case of Cameroon

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[Doi:10.19044/esj.2026.v22n2p31](https://doi.org/10.19044/esj.2026.v22n2p31)

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Submitted: 17 November 2025

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Accepted: 30 January 2026

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Published: 31 January 2026

OPEN ACCESS

*Cite As:*

Ngueumaga Kameni, G.T. (2026). *State Responsibility and Accountability Mechanisms in the Protection of Internally Displaced Persons under Contemporary International Law: The case of Cameroon*. European Scientific Journal, ESJ, 22 (2), 31.

<https://doi.org/10.19044/esj.2026.v22n2p31>

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### Abstract

Internally displaced persons (IDPs) represent a growing global challenge occurring within the borders of sovereign States. Contemporary international law establishes that States hold primary responsibility for their protection; however, significant gaps remain between legal norms and practice. This article reassesses State responsibility for IDPs through a doctrinal and normative lens, examining international frameworks such as the Guiding Principles on Internal Displacement, the Kampala Convention, and relevant human rights and humanitarian law obligations. Using Cameroon as a case study, the article highlights persistent challenges, including selective compliance, weak domestic implementation, and limited accountability mechanisms. It argues that bridging these gaps requires stronger national legal frameworks and clearer international enforcement measures to ensure that States fulfill their duties to prevent displacement, protect affected populations, and provide durable solutions. By integrating doctrinal analysis with illustrative examples, the study clarifies how contemporary international law can effectively strengthen the protection of IDPs.

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**Keywords:** Internally displaced persons - State responsibility - accountability mechanism - Humanitarian access- Normative compliance

## Introduction

Internal displacement has become one of the most pressing humanitarian, developmental, and legal challenges of the twenty-first century. The Internal Displacement Monitoring Centre (IDMC) reports that more than **60 million people** are currently displaced within their own national borders as a result of armed conflict, generalized violence, natural disasters, and climate-driven crises (Internal Displacement Monitoring Centre, 2024). Unlike refugees, internally displaced persons (IDPs) remain under the territorial jurisdiction of their own State. This distinction does not mitigate their vulnerability; rather, it places **the primary legal and moral responsibility** for their protection on the State itself, making domestic implementation of international standards indispensable (Lambert, 2017). This article asks: to what extent are States fulfilling their legal obligations to protect internally displaced persons under contemporary international law, and how can a doctrinal and normative analysis, illustrated through the case of Cameroon, enhance understanding of accountability mechanisms?

The international legal architecture governing the protection of IDPs draws from a combination of human rights law, international humanitarian law, and soft-law instruments. At the center of this framework are the UN Guiding Principles on Internal Displacement, which, despite their non-binding nature, codify core obligations concerning the prevention of arbitrary displacement, the protection of dignity during displacement, and guarantees for durable solutions (United Nations, 1998). Their influence extends to binding regional norms, most notably the African Union's Kampala Convention, the first treaty in the world dedicated exclusively to the protection and assistance of IDPs (African Union, 2009).

However, the existence of these norms has not translated into uniform or effective protection. Implementation remains uneven, with many States demonstrating selective compliance shaped by political priorities, security imperatives, and limited institutional capacity (Deng & Adeola, 2021). Persistent structural weaknesses - particularly the absence of strong enforcement and accountability mechanisms - further undermine the realization of IDP rights (African Union, IDMC, & Norwegian Refugee Council, 2010). Even the Kampala Convention, despite its binding character, faces substantial challenges in monitoring compliance across conflict-affected and institutionally fragile environments (Breathing Life into the Kampala Convention, n.d.). Moreover, research indicates that securing housing, land, and property restitution, a cornerstone of durable solutions, remains one of the most chronically deficient areas of State practice (Asplet & Bradley, 2012).

**This article argues that the central obstacle to effective IDP protection is not the lack of legal norms per se, but the persistent gap between international obligations and domestic implementation.**

While mechanisms for supervision and accountability can only function effectively when based on consistent and enforceable laws, the absence of a cohesive, binding international standard for IDP protection remains a significant challenge. Bridging this gap therefore requires both the consolidation of national legal frameworks and the development of credible international and regional oversight mechanisms. Without such reforms, the protection of IDPs will remain largely aspirational rather than operational (ICRC, n.d.).

The contribution of this study is twofold. First, **it reframes the debate on internal displacement by situating State responsibility within the broader tensions between sovereignty, accountability, and international cooperation.** Second, it provides a doctrinal and normative analysis that highlights the divergence between normative commitments and actual State practice, using Cameroon as an illustrative case to offer a concrete lens on implementation challenges.

While there is a wealth of research on IDP protection, this study is distinctive in its combination of doctrinal evaluation and normative assessment, which allows for a practical illustration of the persistent gap between international obligations and domestic implementation.

To advance this inquiry, the article proceeds in two parts. **Part I** examines the normative foundations of State responsibility for IDPs, tracing the evolution of international obligations from soft-law instruments to binding regional frameworks, with particular emphasis on the UN Guiding Principles and the Kampala Convention. **Part II** analyzes persistent implementation challenges, including selective compliance, political and institutional barriers, and systemic difficulties in securing durable solutions, as illustrated by the case of Cameroon.

### **Normative foundations of state responsibility for IDPs**

The question of State responsibility for internally displaced persons (IDPs) has become a central concern of contemporary international law, reflecting evolving conceptions of sovereignty, human rights, and humanitarian obligations. While IDPs remain within the territorial boundaries of their own State, they occupy a legal and normative minimal space: inadequately addressed by refugee law, only partially encompassed by humanitarian law, and often reliant on non-binding norms for protection (Ferris & Petz, 2019). This tension between territorial sovereignty and the moral-legal obligation to protect vulnerable populations underscores the complexity of the contemporary legal landscape.

Understanding the normative foundations of State responsibility requires both historical perspective and careful analysis of current international and regional frameworks. This section examines the evolving

architecture defining State obligations toward IDPs, including international norms, the Guiding Principles on Internal Displacement (GPID), and the operationalization of these norms within regional and international frameworks.

### ***Evolution of international norms governing IDPs***

The recognition of State responsibility for internally displaced populations represents a gradual codification of what was once implicit in international law. Historically, protection for displaced populations was considered primarily through refugee law or general humanitarian obligations, leaving IDPs inadequately addressed despite their growing numbers and heightened vulnerabilities (Cernea, 2000).

### ***Historical development of state responsibility under international law***

International refugee law, codified through instruments such as the 1951 Refugee Convention and its 1967 Protocol, provides a framework for cross-border protection. By contrast, internal displacement remained largely unregulated until the 1990s, with only scattered references in international humanitarian law (IHL) (Sandoz, Swinarski, & Zimmermann, 1987).

**The Fourth Geneva Convention (1949) and its Additional Protocols (1977)** addressed forced displacement indirectly, establishing key limits on State and military conduct, though without creating comprehensive obligations for the protection of internally displaced persons (IDPs). Article 49 prohibits individual or mass forcible transfers and deportations of protected persons from occupied territory, except when imperative military reasons or civilian security require evacuation. Such evacuations must occur under conditions that respect hygiene, safety, nutrition, and family unity, and the persons evacuated must be returned to their homes once hostilities cease. Article 50 provides specific protections for children, requiring that occupying powers ensure the maintenance and education of orphaned or separated children and protect their personal status, identity, and well-being.

While these provisions constitute an important legal foundation, they focus primarily on limiting abuses rather than establishing a comprehensive framework for IDP protection within State borders. The Convention's emphasis on occupied territories and children's welfare highlights a partial protection approach, leaving broader issues such as systematic accountability, durable solutions, and State responsibility largely unaddressed. This gap underscores the need for subsequent instruments, including the UN Guiding Principles on Internal Displacement (1998) and the African Union's Kampala Convention (2009), which codify more explicit obligations and mechanisms for implementation. By examining these historical and legal developments, the study situates the evolution of IDP protection within a normative framework

while highlighting persistent challenges in translating international law into domestic practice.

**The Rome Statute of the International Criminal Court (1998)** marked a significant normative evolution by elevating forced displacement to the level of an international crime, encompassing both war crimes and crimes against humanity under Article 7(1)(d). While the Statute is primarily designed to establish individual criminal responsibility, **it nonetheless contributes to the normative framework governing the protection of internally displaced persons by crystallizing the prohibition of forced displacement as a peremptory international standard.** By defining deportation or forcible transfer of population as an international crime, the Rome Statute indirectly reinforces State obligations to prevent such conduct, to enact domestic criminal legislation in conformity with international standards, and to ensure accountability through effective investigation and prosecution. In this sense, the Statute functions not only as a mechanism of punishment but also as a normative benchmark against which State compliance with IDP protection obligations may be assessed, particularly where large-scale displacement results from State policy, acquiescence, or failure to exercise due diligence..

The post-Cold War period marked a decisive shift in the international legal approach to internal displacement. In 1992, the United Nations Commission on Human Rights established the mandate of the Representative of the Secretary-General on internally displaced persons, reflecting growing recognition that displacement within State borders raised distinct protection concerns not adequately addressed by refugee law. This process culminated in the adoption of the Guiding Principles on Internal Displacement (GPID) in 1998, drafted under the leadership of Francis Deng (Deng, 1998). Rather than pursuing a binding convention, the Commission deliberately favored a soft-law instrument in order to overcome State resistance grounded in sovereignty concerns, preserve normative flexibility, and facilitate broader acceptance across diverse legal systems. The GPID thus function as a consolidation and clarification of existing obligations derived from international human rights law, international humanitarian law, and, where applicable, refugee law, without formally creating new treaty commitments.

Substantively, the GPID articulate concrete standards that operationalize State responsibility across the entire displacement cycle. Principles 5 to 9 impose obligations on States to prevent arbitrary displacement, including displacement resulting from armed conflict, generalized violence, or development projects. Principles 10 to 23 codify protection guarantees during displacement, such as the prohibition of discrimination, the right to life and dignity, freedom of movement, access to humanitarian assistance, and special protection for vulnerable groups,

including women and children. Finally, Principles 28 to 30 establish duties relating to durable solutions, requiring States to facilitate voluntary return, local integration, or resettlement in safety and dignity. By structuring State obligations in this manner, the GPID reconceptualize sovereignty not as an exclusive shield against external scrutiny, but as a responsibility grounded in the protection of populations (Deng, 1998).

However, the very soft-law nature that enabled the widespread acceptance of the GPID also constitutes a central limitation. While the Principles have been frequently invoked by international organizations and civil society actors—as illustrated during the Darfur crisis, where they served as a normative reference to pressure the Sudanese government to protect displaced populations—their non-binding status has resulted in uneven domestic incorporation and selective compliance (Ferris & Petz, 2019). This tension between normative clarity and weak enforceability lies at the heart of contemporary debates on State responsibility for IDPs and underscores the need for complementary regional instruments and accountability mechanisms, such as the African Union’s Kampala Convention.

### ***The guiding principles on internal displacement and their influence***

The **UN Guiding Principles on Internal Displacement (GPID)** (1998) represent the most widely accepted normative framework for the protection of internally displaced persons (IDPs). Although non-binding, they articulate a comprehensive set of State responsibilities that have significantly influenced international, regional, and national policy and legal frameworks (Deng, 1998; Ferris, 2014). The GPID do not constitute a treaty, but they consolidate existing obligations under international human rights law and humanitarian law, providing a coherent structure for understanding State obligations toward IDPs. For analytical clarity, this section discusses three core clusters of principles that are central to this study’s research question: **Prevention, Protection, and ( Durable Solutions**. This selective approach is guided by doctrinal relevance and the need to link normative commitments with practical accountability mechanisms.

#### ***Prevention:***

The first core obligation is encapsulated in **Principle 4** of the GPID, which emphasizes that States should “**respect and ensure respect for international law in any internal displacement situation**” and should **actively explore all feasible alternatives to displacement** (Deng, 1998). This principle places a direct legal and moral responsibility on States to anticipate displacement risks, mitigate harm, and adopt policies that prevent displacement whenever possible.

Prevention is rooted in international humanitarian law (IHL) protections against forced displacement during armed conflict and in human rights obligations to protect individuals from arbitrary interference with livelihood and security (ICCPR Art. 6–9; ICESCR Art. 11). The prevention cluster thus establishes a normative baseline against which State practice can be assessed (Crawford, 2013; Ferris, 2014).

At the national level, Cameroon's obligations regarding the protection of life and personal security are enshrined in the **Constitution of 18<sup>th</sup> January 1996**. The Preamble explicitly provides that: "Every person has the right to life and to physical and moral integrity," establishing the inviolability of life. In addition, it guarantees that: "Freedom and security are guaranteed to every individual with respect for the rights of others and the supreme interest of the State," affirming the constitutional protection of personal security and liberty. Together, these provisions create a dual constitutional obligation for the State to safeguard life and ensure personal security, providing the foundation for legal and preventive measures. This foundation is operationalized through emerging policies such as **Law No. 2024/015 of 23 December 2024 governing civil protection**, which establishes a national civil protection system, mandates disaster risk reduction and emergency preparedness measures, promotes institutional capacity building, and enforces compliance with safety and prevention regulations, thereby enhancing proactive protection of human life and personal security, in alignment with international human security guidelines (IDMC, 2024).

However, implementation remains uneven, with limited institutional capacity for risk mapping and early warning systems, demonstrating a persistent gap between normative commitments and practice.

### ***Protection of Rights During Displacement***

The second cluster of principles emphasizes protection throughout the displacement cycle. **Principles 7 and 10** state that IDPs must be protected from arbitrary detention, forced recruitment into armed groups, and violations of life, liberty, and property, while also guaranteeing **access to essential services** such as healthcare, education, and social assistance (Deng, 1998).

These protections build on existing human rights obligations - for example, the right to life and security (ICCPR Arts. 6–9) and non-discrimination (ICCPR Art. 26) - and integrate them into the context of displacement. Humanitarian law also prohibits attacks against civilians and displacement without military necessity (Geneva Conventions). Together, these norms reinforce that displacement protection is not merely a humanitarian concern but an enforceable dimension of State responsibility.

In Cameroon, recurrent threats to the physical security of internally displaced populations in the Northwest and Southwest regions have been

documented by the Internal Displacement Monitoring Centre (IDMC, 2024) and the UN Office for the Coordination of Humanitarian Affairs (OCHA, 2023). National responses, such as ad hoc protection committees and localized emergency interventions, reflect practical efforts to safeguard IDPs but remain constrained by logistical, institutional, and security challenges. These observations highlight the gap between the normative standards set by the UN Guiding Principles on Internal Displacement (GPID) and their implementation on the ground. For example, Nigeria's experience with conflict-induced displacement, particularly in the Northeast, is governed by the National Policy on Internally Displaced Persons (2012) and implemented through the National Emergency Management Agency (NEMA). These frameworks incorporate key elements of the GPID, including preventive measures, protection of fundamental rights, and pathways for durable solutions. Nevertheless, practical implementation faces significant challenges, such as bureaucratic delays, resource constraints, and ongoing security threats (IDMC, 2024; OCHA, 2023).

By centering the analysis on Cameroon while referencing Nigeria as a comparative example, the discussion maintains a clear methodological focus. This approach illustrates how normative frameworks guide State action in practice and underscores the persistent challenges in translating international commitments into effective protection for IDPs in African contexts.

### ***Durable Solutions***

The final cluster concerns durable solutions, articulated in Principles 28–30. These principles emphasize that IDPs should be offered the choice of voluntary return, local integration, or resettlement, with particular attention to social, economic, and political inclusion to ensure sustainable reintegration (Deng, 1998). Durable solutions require States to develop legal, institutional, and policy frameworks that enable displaced persons to rebuild their lives safely and with dignity. Durable solutions are closely linked to the broader doctrine of State responsibility in international law, which mandates that States provide full reparation for breaches of international obligations.

In Cameroon, the legal and institutional framework for durable solutions remains nascent, with limited mechanisms for property restitution, economic reintegration, or long-term social inclusion (IDMC, 2024; OCHA, 2023). Comparative experiences from other African contexts, such as Nigeria, suggest that while frameworks incorporating the UN Guiding Principles on Internal Displacement can guide policy, practical implementation is frequently constrained by resource limitations, bureaucratic hurdles, and ongoing security challenges. These observations, drawn from humanitarian reports and national policy documents, highlight the persistent gap between normative commitments and the realities of State practice.

### ***Regional and international legal frameworks***

While the GPID provides normative guidance, legally binding instruments operationalize State obligations more concretely. Regional treaties, soft-law instruments, and international jurisprudence collectively define obligations for prevention, protection, and assistance.

### ***African union: the Kampala convention***

The African Union Kampala Convention (2009) represents a landmark treaty as the first legally binding instrument dedicated exclusively to the protection and assistance of internally displaced persons. It explicitly obliges States to incorporate IDP protection into domestic legislation, establish effective coordination mechanisms for humanitarian responses, and submit periodic reports to the African Union to ensure compliance (African Union, 2009).

By codifying these responsibilities, the Kampala Convention operationalizes the principle that sovereignty entails responsibility by expressly affirming that States bear the primary obligation to protect and assist internally displaced persons within their territory (Art. 4(1)). It further requires States to adopt preventive measures aimed at averting arbitrary displacement, including displacement caused by armed conflict, natural disasters, and development-related activities, notably by regulating development projects and ensuring prior consultation and compensation where relocation is unavoidable (Art. 4(4); Art. 10). Beyond its normative articulation, the Convention establishes accountability mechanisms by mandating State reporting to the African Union and by recognizing the role of civil society organizations and other relevant actors in monitoring implementation (Arts. 3(2), 7, and 8). Together, these provisions enhance transparency and reinforce compliance in the governance of internal displacement.

In practice, the Kampala Convention has had a measurable impact on national legislation and administrative responses to internal displacement. Cameroon provides a particularly relevant case study, given the scale of displacement resulting from both the Boko Haram insurgency in the Far North and the ongoing Anglophone crisis in the North-West and South-West regions. Following its ratification of the Kampala Convention, Cameroon has adopted policy measures aimed at coordinating State authorities, humanitarian actors, and security institutions in the protection and assistance of internally displaced persons, notably through inter-ministerial coordination mechanisms and collaboration with international partners. While the absence of a comprehensive domestic IDP statute reveals implementation gaps, existing practices reflect an emerging alignment with the Convention's core principles on protection, assistance, and durable solutions. This illustrates how the Kampala Convention functions as an operational and normative framework,

influencing State practice even where domestic incorporation remains partial, and reinforcing international standards such as the UN Guiding Principles on Internal Displacement.

### ***Comparative perspectives from the Americas and Europe***

In the Americas, the Inter-American Court of Human Rights and Commission have clarified State duties through jurisprudence, requiring protection from displacement caused by violence and ensuring access to justice and reparations, as illustrated by *Yean and Bosico v. Dominican Republic* (2005), where the Court emphasized the State's obligation to protect children affected by internal displacement, operationalizing international principles directly within domestic contexts. In Europe, although there is no dedicated treaty on IDPs, soft-law instruments and the European Court of Human Rights (ECtHR) reinforce State accountability, exemplified by *Budina v. Russia* (2009), in which the Court affirmed that the European Convention on Human Rights imposes obligations on States to protect life, property, and family integrity, effectively extending these protections to internally displaced persons.

### ***Synthesis and implications***

The evolution of international norms and regional frameworks has established a robust legal foundation for State responsibility toward internally displaced persons. Sovereignty is increasingly framed not as absolute authority but as a form of responsibility, obliging States to protect vulnerable populations within their borders. Regional treaties, particularly the African Union Kampala Convention, operationalize this principle by providing concrete mechanisms for monitoring, reporting, and enforcement, ensuring that States cannot merely pay lip service to normative obligations. Moreover, judicial decisions and soft-law instruments, including the UN Guiding Principles on Internal Displacement, help translate non-binding norms into enforceable expectations, creating a layered framework of accountability that spans international, regional, and domestic levels.

In practice, the incorporation of international and regional norms into domestic governance can be assessed through a focused case-study approach. Cameroon is selected as a representative case due to its ratification of the Kampala Convention and the scale of internal displacement arising from armed conflict in the Far North and the Anglophone regions. While Cameroon has not yet adopted a comprehensive IDP-specific statute, its policy and administrative responses—developed with reference to the UN Guiding Principles on Internal Displacement and the Kampala Convention—reflect partial normative internalization. These include the recognition of internally displaced persons as rights-holders within national humanitarian response

frameworks, inter-ministerial coordination mechanisms, and collaboration with international actors to facilitate access to basic services and protection. However, the absence of explicit legislative incorporation and enforceable remedies reveals significant implementation gaps. This case demonstrates that, although international and regional instruments shape State practice normatively, their effectiveness ultimately depends on domestic legal codification and institutional capacity, highlighting both the potential and limits of normative diffusion in the protection of internally displaced persons.

### **Implementation Gaps and Accountability Mechanisms**

Despite the existence of robust normative and regional frameworks discussed in Part I, the implementation of State responsibility for internally displaced persons remains uneven within African States parties to the Kampala Convention, particularly in conflict-affected and institutionally fragile contexts. This unevenness is primarily attributable to factors such as constrained administrative capacity, security challenges, gaps in domestic legal incorporation, and the limited justiciability of soft-law standards when not translated into binding national legislation. This Part therefore adopts a regionally bounded approach, examining implementation challenges as they arise in selected African States—using Cameroon as a focal case—rather than treating such challenges as universal. By doing so, the analysis avoids generalization and instead evaluates how State responsibility is operationalized within specific legal, political, and institutional settings, while distinguishing these contexts from regions where displacement governance is shaped by different legal regimes and resource capacities.

#### ***Gaps in national implementation***

States frequently face difficulties translating international norms into domestic law, resulting in fragmented protection for IDPs. These gaps manifest in areas such as legal recognition, access to basic services, and coordination among agencies. For example, although Cameroon adopted policies reflecting the Guiding Principles on Internal Displacement, enforcement has been inconsistent, and IDPs in conflict-affected regions often face limited access to healthcare, education, and legal recourse (Internal Displacement Monitoring Centre [IDMC], 2024). Similarly, in Nigeria, compliance with the Kampala Convention has been uneven, with Boko Haram-affected states struggling to coordinate assistance between national and local authorities, highlighting structural and capacity constraints (African Union, 2009).

### ***Legal recognition and status of IDPs***

A fundamental challenge in the protection of internally displaced persons (IDPs) lies in the absence of comprehensive domestic legal recognition, which directly affects access to rights, public services, and durable solutions. In this context, legal invisibility does not denote the formal denial of citizenship or legal personality, but rather the absence of a specific legal status or enforceable rights framework tailored to the situation of internal displacement.

Cameroon provides a pertinent illustration. Although Cameroon is a State Party to the African Union Kampala Convention, it has not adopted a dedicated national law formally recognizing IDPs as a distinct category of rights-holders. As a result, internally displaced persons are primarily addressed through ad hoc humanitarian responses and general social welfare frameworks, rather than through binding legal entitlements. This absence of statutory recognition limits access to protection mechanisms, hinders claims to assistance, and restricts the availability of legal remedies, particularly in conflict-affected regions such as the North-West, South-West, and Far North.

The legal gap identified in this case lies in the failure to translate regional obligations into enforceable domestic legislation, producing a disconnect between Cameroon's international commitments and the practical protection afforded to IDPs. This demonstrates how legal invisibility may persist even where international norms exist, underscoring the centrality of domestic incorporation for the effective realization of State responsibility toward internally displaced persons.

Similarly, in Sudan, IDPs in regions affected by conflict and natural disasters face barriers to registration and recognition, which restricts their access to basic services, humanitarian aid, and land restitution programs (Internal Displacement Monitoring Centre, 2024). These cases illustrate that formal legal recognition is a prerequisite for State accountability, and that the absence of clear legal status perpetuates the gap between international normative obligations and domestic implementation.

### ***Coordination and institutional capacity***

Effective protection of internally displaced persons (IDPs) requires not only formal legal recognition, but also clearly defined institutional responsibilities and efficient inter-agency coordination. States must establish administrative mechanisms that can operationalize legal norms, allocate resources, and ensure timely delivery of humanitarian assistance. Without these structures, even well-designed legal frameworks fail to translate into meaningful protection for displaced populations.

The 2010 Haiti earthquake provides a stark illustration of this challenge. The absence of a centralized framework for IDPs led to duplication of services, gaps in aid delivery, and heightened vulnerability, leaving many displaced persons without adequate shelter, healthcare, or basic necessities (Kelley et al., 2011). This example underscores that legal recognition alone is insufficient; effective institutional capacity is essential to fulfill State obligations.

Similarly, in Nigeria, the displacement of populations due to Boko Haram insurgency revealed weaknesses in coordination between federal, state, and local authorities. Multiple humanitarian agencies operated with overlapping mandates, while some affected communities were overlooked entirely, resulting in delayed access to food, medical care, and psychosocial support (IDMC, 2024). This demonstrates that both legal and institutional gaps contribute to the persistent implementation deficits in IDP protection, highlighting the need for clear administrative frameworks, dedicated agencies, and accountability mechanisms to ensure that obligations under international law are met.

### ***Accountability mechanisms***

To address implementation gaps, both international and regional systems have sought to establish accountability mechanisms, ensuring that States uphold their responsibilities toward IDPs.

### ***Monitoring and reporting obligations***

International and regional treaties, such as the African Union's Kampala Convention (2009), impose monitoring and reporting obligations on States, requiring periodic submission of reports to regional bodies. These mechanisms are designed to assess compliance, provide guidance on implementation, and identify gaps in protection, thereby reinforcing State accountability for the rights of internally displaced persons (IDPs). By establishing formal reporting requirements, treaties seek to move beyond aspirational norms and create structured oversight of domestic actions.

In practice, these obligations have proven instrumental for advocacy and accountability. For example, in Nigeria, civil society organizations and international agencies analyzed reporting data to highlight deficiencies in IDP camp conditions, subsequently pressuring local and state governments to improve access to shelter, food, and healthcare (African Union, 2009; IDMC, 2024). Similarly, in Kenya, reporting under the Kampala Convention enabled regional actors to identify persistent gaps in land restitution and reintegration programs for IDPs affected by post-election violence, leading to targeted interventions and policy adjustments at the national level (IDMC, 2024).

These examples illustrate that monitoring and reporting obligations are crucial tools for bridging the gap between legal norms and practical implementation, providing evidence that can be used to hold States accountable while guiding improvements in institutional practices. However, their effectiveness depends on the quality of reports, the responsiveness of authorities, and the engagement of civil society, highlighting that legal obligations alone do not guarantee protection without active oversight and follow-up measures.

### ***Judicial and quasi-judicial oversight***

Courts and quasi-judicial bodies play a critical role in operationalizing the rights of internally displaced persons (IDPs), particularly in contexts where legislative or executive measures are insufficient or inconsistently applied. By interpreting existing legal frameworks and international obligations, these bodies can hold States accountable for failures in protection and establish binding precedents that reinforce the normative framework.

For example, the Inter-American Court of Human Rights in *Yean and Bosico v. Dominican Republic* (2005) affirmed the State's duty to protect children affected by internal displacement, including their rights to nationality, education, and social services. Although the UN Guiding Principles on Internal Displacement are non-binding, this decision demonstrated how judicial mechanisms can transform soft-law standards into enforceable obligations, creating practical remedies for vulnerable populations.

Similarly, the European Court of Human Rights in *Budina v. Russia* (2009) extended protection under the European Convention on Human Rights to displaced persons, recognizing the State's responsibility to provide adequate housing and social support. This case illustrates that judicial oversight can fill critical enforcement gaps, particularly where States have failed to implement domestic legislation or comply fully with international norms.

Beyond individual cases, quasi-judicial bodies and commissions—such as the African Commission on Human and Peoples' Rights—can also provide guidance, review compliance, and issue recommendations that pressure States to uphold their obligations, even when enforcement mechanisms are limited. These examples collectively underscore that judicial and quasi-judicial oversight is essential for bridging the persistent gap between normative commitments and actual State practice, reinforcing accountability, and ensuring that IDPs' rights are realized in practice.

### ***Role of non-state actors and international agencies***

Non-state actors, including international organizations and non-governmental organizations (NGOs), play a critical role in monitoring State

compliance with IDP protection obligations and reinforcing accountability, particularly in contexts where domestic institutions are weak or ineffective. These actors not only provide technical, financial, and operational support to States but also act as independent oversight mechanisms, documenting violations, highlighting gaps, and advocating for remedial measures.

For instance, during the 2006 Darfur crisis, UN agencies utilized the UN Guiding Principles on Internal Displacement (GPID) to press the Sudanese government to improve protection for IDPs, ensuring better access to humanitarian assistance, shelter, and healthcare (Ferris & Petz, 2019). Similarly, in South Sudan, NGOs and international agencies have leveraged GPID and regional human rights instruments to monitor displacement caused by ongoing conflict, advocating for the creation of safe corridors, access to essential services, and the inclusion of IDPs in national recovery programs (IDMC, 2024).

These examples illustrate that non-state actors can partially compensate for State inaction, using both normative frameworks and on-the-ground data to exert pressure and promote compliance. However, their effectiveness depends on State cooperation, security conditions, and resource availability, emphasizing that the primary responsibility still rests with the State. Without robust engagement from both domestic authorities and international actors, persistent implementation gaps continue to undermine the realization of IDPs' rights, highlighting the importance of multi-level accountability mechanisms.

### ***Persistent challenges and lessons learned***

Despite the existence of international and regional mechanisms, several structural challenges continue to undermine the effective protection of internally displaced persons. Political resistance remains one of the most significant obstacles, as some States invoke sovereignty to reject external scrutiny or monitoring. This pattern has been evident in Myanmar, where authorities resisted international oversight concerning the displacement of Rohingya communities, thereby limiting avenues for accountability and protection (International Crisis Group, 2018). Even when political will exists, resource constraints often hinder implementation: humanitarian structures frequently suffer from chronic underfunding, leaving IDPs without adequate shelter, healthcare, or legal support, as observed in parts of South Sudan despite the presence of legal frameworks designed to protect displaced populations (IDMC, 2024). Further compounding these issues are legal-policy gaps, particularly the non-binding nature of soft-law instruments such as the Guiding Principles on Internal Displacement, which are not consistently translated into enforceable national legislation, thereby weakening their practical effect and limiting mechanisms for redress (Cernea, 2000).

Nonetheless, experiences from various regions demonstrate that integrated strategies combining normative guidance, binding legal instruments, judicial oversight, and strong civil society advocacy can significantly improve protection outcomes. Colombia provides a prominent example: by aligning national policies with the GPID while simultaneously implementing comprehensive reparations and judicial monitoring frameworks, the State has strengthened the legal recognition and social protection of IDPs even amid ongoing internal conflict (Kritz, 2001). This approach illustrates that when States join normative commitments with operational structures - supported by courts, independent monitoring bodies, and community organizations - international standards can be effectively translated into domestic practice. Together, these developments highlight not only the obstacles that persist but also the pathways through which State responsibility toward IDPs can be meaningfully advanced.

## Conclusion

In conclusion, the international framework governing the protection of internally displaced persons (IDPs) has evolved significantly, reflecting a growing consensus that internal displacement is not merely a humanitarian concern but a core matter of State responsibility grounded in international human rights law, humanitarian law, and regional legal commitments. Instruments such as the Guiding Principles on Internal Displacement and the Kampala Convention articulate comprehensive obligations of prevention, protection, and assistance, emphasizing the primacy of State responsibility throughout all phases of displacement. However, as demonstrated both normatively and through the case study of Cameroon, the persistence of internal displacement reveals a structural gap between legal sophistication and effective implementation.

The Cameroonian experience illustrates how robust normative commitments—rooted in constitutional guarantees of the right to life and personal security and reinforced by recent legislative developments such as the Civil Protection Law of 2024—do not automatically translate into effective protection on the ground. While the legal framework increasingly reflects preventive and human-security-oriented approaches consistent with international standards, implementation remains constrained by institutional fragmentation, limited resources, protracted insecurity, and weak enforcement mechanisms. These challenges are further compounded by obstacles to durable solutions, including land tenure disputes, insufficient restitution and compensation frameworks, and the prolonged vulnerability of displaced communities in conflict-affected regions. The result is a persistent disconnect between formal legal guarantees and the lived realities of IDPs, who continue to face exposure to violence, precarious living conditions, and systemic rights

violations. Bridging this gap requires strengthening accountability at both domestic and international levels. Effective domestic incorporation of international displacement norms—through coherent institutional coordination, adequate budgetary allocations, and enforceable judicial and administrative remedies—is essential to transforming IDP protection from a declaratory obligation into an operational reality. National courts, human rights institutions, and oversight bodies play a critical role in scrutinizing State action and ensuring compliance with constitutional and statutory duties. At the regional and international levels, the African Union, United Nations agencies, and specialized non-governmental organizations contribute through monitoring, technical assistance, and normative pressure, partially compensating for the absence of a universally binding global treaty on internal displacement.

Ultimately, the protection of internally displaced persons depends not only on the continued refinement of legal norms but on sustained political will, institutional capacity, and a genuine commitment to addressing the structural drivers of displacement. The Cameroonian case underscores a broader lesson: meaningful protection for IDPs is achieved when States move beyond formal adherence to international standards and actively operationalize them, recognizing internally displaced persons not merely as recipients of humanitarian aid but as rights-holders entitled to effective, enforceable, and durable protection.

**Conflict of Interest:** The author reported no conflict of interest.

**Data Availability:** All data are included in the content of the paper.

**Funding Statement:** The author did not obtain any funding for this research.

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