

M3.HO:

Overview of the legal normative frameworks for humanitarian actors

International normative frameworks for protection

Every **state is responsible for protecting people** on its territory. International standards should be reflected in national law and implemented through the public administration, judiciary, police, and armed forces.

Refugee Law

The 1951 **Refugee Convention** sets the **standard** for the protection of refugees .

The **Cartagena Declaration on Refugees** and the **OAU Refugee Convention** provide **enhanced protection** to refugees in Latin America and Africa respectively .

The **UN Guiding Principles on Internal Displacement** provide non-binding but authoritative guidance on assistance to and protection of internally displaced people during displacement, return, and resettlement

International Humanitarian Law

The **Geneva Conventions and Additional Protocols** protect people not (or no longer) taking an active part in the hostilities.

Hague Law is made up of treaties that restrict the means and methods of warfare to prevent unnecessary losses or suffering.

The **International Criminal Court** has **jurisdiction over** genocide , crimes against humanity , and war crimes .

The **Genocide Convention** demands that **states** prevent and punish the crime of genocide .
The **Torture Convention** bans the use of torture in all circumstances .

The **United Nations Charter** bans the **use of force** between states except in self-defence or when authorised by the Security Council.

The **2005 UN World Summit** **reasserted state** responsibility for protecting its population, and also responsibility of the international community to help protect people from genocide, war crimes, ethnic cleansing, and crimes against humanity.

UN Peacekeeping or Peace-Enforcement Missions are often mandated to protect civilians , and to promote human rights .

The International Bill of Human Rights

- Universal Declaration of Human Rights
 - International Covenant of Civil and Political Rights
 - International Covenant of Economic , Social and Cultural Rights
- Regional human- rights laws include:** the **European** Convention on Human Rights, the **African Charter** on Human and People' s Rights, and the **Inter-American Convention** on Human Rights .

The **Convention on the Rights of the Child** provides special protection and rights for children .

The **Optional Protocol on Children in Armed Conflict** adds standards for protecting children in armed conflict.
The **Convention on the Elimination of all forms of Discrimination Against Women** established **minimum** standards to end discrimination against women.

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