Section III reiterates a number of fundamental human rights principles that are contained in most human rights documents and instruments. These overarching principles, as the chapeau of the Pinheiro Principles, extend to all of the principles in an intrinsic manner, but are also at several occasions specifically restated in some of the operational principles. These overarching principles are selective in the sense that any HLP restitution effort needs to be in compliance with all human rights principles and standards and not just those included in the Principles. In fact the Principles themselves are cognizant of this selectivity, as Principle 5 highlights the obligations of States to ensure that procedures, institutions, mechanisms and frameworks are fully compatible, not only with international human rights, but also with refugee and humanitarian law. The principles that are specifically spelled out among the overarching principles are those that are particularly relevant to the protection of HLP rights and that are very susceptible of being violated in the process. Section III thus echoes the right to non-discrimination (Principle 3), the right to equality between men and women (Principle 4), the right to be protected from displacement (Principle 5), the right to privacy and respect for home (Principle 6), the right to adequate housing (Principle 6) and the right to freedom of movement (Principle 7), and adapts these principles to the specific case of HLP restitution for refugees and displaced persons.

In spite of the obvious relevance of each of the overarching principles for the restitution of HLP rights for refugees and displaced persons, they generally constitute principles that are not only enshrined in many of the core international human rights instruments, including regional human rights treaties, but that will also be reiterated within the operational part of the Pinheiro Principles. At first sight, it is moreover surprising that the wording of the principles departs at times from the language used in other instruments. When looking in greater detail at the travaux préparatoires of the Principles, it becomes apparent that the initial intention of the drafters had been to articulate the HLP practice and the legal elements that are implicit in some of the overarching principles (for example, the right to be free from forced evictions). Hence the language of the principles had been adapted to the specific circumstances of HLP restitution. In the course of the drafting process towards the finalization of the Pinheiro Principles, many of these implicit
rights that were articulated in the first draft and some of the language that tailored the Principles to the issue to be specifically addressed, was deleted or significantly altered. What remained is language that is not entirely congruent with provisions in other instruments, but which had become more general in nature.