

Internal Displacement

The Internal Displacement Monitoring Centre (IDMC) determined that over 1.5 million people (about 5 percent of all Afghans) were living in a situation of internal displacement by the end of 2017.¹ Technically, refugees are IDPs until they cross an international border. Some refugees live for years as internally displaced people first. Some refugees return to their countries, live in relative peace, and then become internally displaced if local violence resumes. Unlike Protracted Refugee Situations, however, there is no clear rule defining the exact duration of time or the number of people involved in order to label internal displacement as “protracted.” *Many people remain internally displaced for years or even decades.² There is also no distance requirement in order to define a person as being internally displaced. “Whether someone flees a short distance to a neighbouring village and stays for a month, or lives in displacement at the opposite end of the country, they are considered an IDP based on the cause of their flight and their lack of a durable solution.”³*

As acknowledged by the New York Declaration, armed conflict, persecution and terrorism are root causes for mass displacement.⁴ Indeed, the IDMC found that armed conflict

¹ Matthew Willner-Reid. “Afghanistan Displacement Challenges in a Country on the Move,” *Migration Information Source* (November 16, 2017), para. 5, <https://www.migrationpolicy.org/article/afghanistan-displacement-challenges-country-move>.

² “Protracted Internal Displacement,” Internal Displacement Monitoring Centre, accessed April 1, 2018. <http://www.internal-displacement.org/internal-displacement/research-priorities/protracted-internal-displacement/>.

³ “Going ‘Home’ to Displacement: Afghanistan’s Returnee-IDPs,” Internal Displacement Monitoring Centre, last modified December 2017, 3. <http://www.internal-displacement.org/library/publications/2017/thematic-series-the-invisible-majority/>.

⁴ New York Declaration for Refugees and Migrants, A/RES/71/1, para. 64. <https://refugeesmigrants.un.org/new-york-declaration-refugees-and-migrants-ares711>.

was the main cause for displacement, that many returnees experience secondary displacement, that households tend to keep moving after their initial displacement, and that many IDPs fled from rural areas to regional centers or cities with the assumption that they would be safer there.⁵ The IDMC has noted significant difficulties in collecting accurate data, however, such as “the lack of access to areas not under government control,” the “time-lag between the moment displacement takes place...and its reporting,” and “a lack of coordination between sources...only present[ing] partial snapshots.”⁶

Afghan IDPs often have high levels of illiteracy, housing insecurity, indebtedness, unemployment, food insecurity, and mortality. Fifty-six percent (56%) of them are children, more than one million of whom are acutely malnourished. Almost one million IDPs live in informal settlements with extreme challenges of sanitation, clean water, and hygiene.⁷ Many have fled (selling or effectively abandoning) their homes and land.⁸ They suffer from numerous protection risks (especially for those living in non-government controlled areas), including greater susceptibility to exploitative labor conditions and human trafficking, forced early

⁵ “Escaping War: Where to Next?” Internal Displacement Monitoring Centre, Norwegian Refugee Council, 18-20, last modified January 31, 2018, 18-20. <http://www.internal-displacement.org/library/publications/2018/escaping-war-where-to-next>.

⁶ “Escaping War: Where to Next?” Internal Displacement Monitoring Centre, Norwegian Refugee Council, last modified January 31, 2018. <http://www.internal-displacement.org/library/publications/2018/escaping-war-where-to-next>.

⁷ “Afghanistan,” Internal Displacement Monitoring Centre, accessed February 21, 2018. <http://www.internal-displacement.org/countries/afghanistan>.

⁸ Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Afghanistan, para. 9, A/HRC/35/27/Add.3 (April 12, 2017). <https://reliefweb.int/report/afghanistan/report-special-rapporteur-human-rights-internally-displaced-persons-his-mission>.

marriage of girls, military recruitment of children, interrupted school attendance, and lack of civil documentation necessary for accessing services and asserting rights.⁹

[U]rban IDPs are more vulnerable than the non-displaced urban poor, as they are particularly affected by lack of access to social services and livelihood opportunities, with negative repercussions on food security and social protection mechanisms. The lack of adequate land in urban areas and a lack of affordable housing often forces new and protracted IDPs to reside in informal settlements without an adequate standard of living and limited access to water and sanitation.¹⁰

Especially vulnerable populations within the greater IDP population include single women without community support; people with disabilities or injuries; ill or older persons; people enduring trauma or distress from conflict and displacement; members of certain ethnic groups suffering discrimination and denial of services; IDPs in remote rural areas who are virtually inaccessible to humanitarian actors, as well as those living in areas of rapid, unchecked urbanization with inefficient policy and regulatory protection.¹¹

As previously mentioned, IHL protects the lives, mental and physical health, and dignity of all civilians (including IDPs) who are not actively participating in an armed conflict.

Repeated violations of basic IHL principles can be blamed as another root cause for significant

⁹ United Nations Office for the Coordination of Humanitarian Affairs, “2018 Humanitarian Needs Overview,” 8, last modified December 1, 2017. <https://reliefweb.int/report/afghanistan/2018-afghanistan-humanitarian-needs-overview>.

¹⁰ United Nations High Commissioner for Refugees, “UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan,” last modified April 19, 2016. <http://www.refworld.org/docid/570f96564.html>.

¹¹ Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Afghanistan, paras. 26-27, 41, A/HRC/35/27/Add.3 (April 12, 2017). <https://reliefweb.int/report/afghanistan/report-special-rapporteur-human-rights-internally-displaced-persons-his-mission>.

human displacement.¹² Where there are large movements of IDPs, and where States are unable or unwilling to assume their duty as the primary caretaker of them, impartial organizations may provide humanitarian assistance.

The Taliban recently indicated greater willingness to allow humanitarians to work in the territory it controls, but its highly decentralised structure allows regional and local affiliates to decide for themselves whether or not they are willing to do so. Other parties to the conflict, such as the Islamic State in Iraq and the Levant (ISIL) have demonstrated their flagrant disregard for IHL.¹³

Returnee-IDPs

Although armed conflict continues to push Afghans out of their country, States are increasingly pushing them back into it. From 2015-2017, Iran returned 1,356,922 documented and undocumented Afghans, Pakistan returned 944,693, and European countries returned 14,943.¹⁴ These massive returns, regardless of force or assistance, have prompted concerns by UN agencies and NGOs about secondary displacement – either by returnees moving within Afghanistan’s borders or risking a dangerous trek back across them. Indeed, many returnees risk being swept up in the existing mass internal displacement of other Afghans fleeing. Thus, in the first ten months of 2017, over 250,000 Afghans were recorded as newly internally displaced.¹⁵

¹² Conference Report from “Forced to Flee: A Multi-Disciplinary Conference on Internal Displacement, Migration and Refugee Crises,” *International Review of the Red Cross*, last modified August 21, 2017. <https://www.icrc.org/en/international-review/article/forced-flee-multi-disciplinary-conference-internal-displacement>.

¹³ “Escaping War: Where to Next?” Internal Displacement Monitoring Centre, Norwegian Refugee Council, 13, last modified January 31, 2018. <http://www.internal-displacement.org/library/publications/2018/escaping-war-where-to-next>.

¹⁴ Oxfam, “Returning to Fragility: Exploring the Link between Conflict and Returnees in Afghanistan,” 10, last modified January 31, 2018. <https://www.oxfam.org/en/research/returning-fragility-exploring-link-between-conflict-and-returnees-afghanistan>.

¹⁵ Human Rights Watch, *World Report 2018: Events of 2017* (Human Rights Watch: 2017), 18, <https://www.hrw.org/world-report/2018>.

Presumably, that number included some of the 59,000 returned refugees counted by the UNHCR and 474,000 undocumented returnees recorded by the IOM during that same period.¹⁶

According to the UNHCR, “returnees reportedly experience severe difficulties in rebuilding their lives in Afghanistan with on-going insecurity in their areas of origin; loss of livelihoods and assets; lack of access to health care and education; and difficulties in reclaiming land and property.”¹⁷ Thus, in many ways, the struggles of returnee-IDPs are similar to those of other IDPs. Returnees usually not perceived as outsiders or feared as a source of conflict, but instead regarded as members of a local family. However, for those without family networks, particularly unaccompanied minors or single women, vulnerability to extreme poverty, exploitation and physical violence increases.¹⁸

Some returnee-IDPs experience tension with other IDPs, who incorrectly assume that all returnees are better off financially and receive more aid. Some returnees also feel judged for

¹⁶ “Going ‘Home’ to Displacement: Afghanistan’s Returnee-IDPs,” Internal Displacement Monitoring Centre, 2, last modified December 2017. <http://www.internal-displacement.org/library/publications/2017/thematic-series-the-invisible-majority/>.

¹⁷ United Nations High Commissioner for Refugees, “UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan,” 31-32, last modified April 19, 2016. <http://www.refworld.org/docid/570f96564.html>. *But see*: Matthew Willner-Reid. “Afghanistan Displacement Challenges in a Country on the Move,” *Migration Information Source* (November 16, 2017), para. 23, <https://www.migrationpolicy.org/article/afghanistan-displacement-challenges-country-move>. Despite this, several studies have also shown that, returning Afghans might not be worse off than the Afghan population as a whole due to higher rates of education, savings accumulated while in exile, possible UNHCR reintegration, and the increased likelihood of returning to urban areas where employment opportunities exist.

¹⁸ Oxfam, “Returning to Fragility: Exploring the Link between Conflict and Returnees in Afghanistan,” 16-17, last modified January 31, 2018. <https://www.oxfam.org/en/research/returning-fragility-exploring-link-between-conflict-and-returnees-afghanistan>.

“their lifestyle, the fact that they speak differently or because they have joined the ranks of other displaced people on their return.”¹⁹ Some return to areas of recent fighting in search of their old homes, risking exposure to landmines, improvised explosive devices, unexploded ordnance, and explosive remnants of war.

¹⁹ Going ‘Home’ to Displacement: Afghanistan’s Returnee-IDPs,” Internal Displacement Monitoring Centre, 7, last modified December 2017. <http://www.internal-displacement.org/library/publications/2017/thematic-series-the-invisible-majority/>.