

WRITTEN BY ANNA DE COURCY WHEELER AND EDITED BY RICHARD MOYES

PROTECTION, WEAPONS AND DISPLACEMENT

WWW.ARTICLE36.ORG

INFO@ARTICLE36.ORG

@ARTICLE36

Article 36 is a specialist non-profit organisation, focused on reducing harm from weapons.

KEY RECOMMENDATION(S):

- ✗ We need to be attentive to how policy discourses around displacement and protection of civilians impose certain limits on analysis which in turn may perpetuate risks of harm.
- ✗ We should resist the 'normalisation' of displacement as an inevitable result of conflict, and remain attentive, more broadly, to what the international community treats as 'normal' during conflict.
- ✗ The displacement policy sector should be encouraged to analyse and document the specific risks and forms of harm that result in people making choices to move.
- ✗ Such attention may implicate patterns of conflict behaviour, and policy practitioners should be attentive to how military policy interests work to narrow or close off that space.
- ✗ Given the importance of prevention, work in the displacement policy sector should ensure that it is framing the specific drivers of movement as directly as possible. Even if these are not amenable to policy responses within that community of practice, such representations would have a powerful effect elsewhere.

© Emily Garthwaite/Article 36



INTRODUCTION

More than 20 years since the protection of civilians was first adopted as an item on the agenda of the UN Security Council, civilians continue to bear the brunt of conflict. The suffering of civilians in conflicts from Syria to Ukraine continues unabated, with deaths and injuries, destruction of vital civilian infrastructure, and the flight of millions of people from their homes. At the end of 2019, nearly 80 million people were forcibly displaced, seeking refuge within their countries or outside its borders due to war, violence, human rights violations, persecution, and instability. This marks the highest number on record, with violent conflict a major contributor: as both a trigger and driver of displacement (often multiple times and as a key impediment to the ability of displaced persons to return to their homes).

For many of the world's displaced, flight is a protection strategy used by civilians to escape the most deadly and destructive impacts of conflict by seeking safety and security elsewhere, whether within or outside their home country. Forcing displacement can be a deliberate tactic of war, but displacement is also often a symptom or result of the failure of warring parties to adequately shield civilian populations from the effects of conflict: displacement usually happens where other protection strategies fail¹. At the same time, the experience of displacement carries its own particular protection challenges: populations do not lose their status as civilians in need of protection just because they have been forcibly displaced, and in many cases their vulnerability to the effects of conflict – including longer-term and lesser-acknowledged effects, as well as the need to resort to negative coping strategies – increases as a result of their displacement.

In the context of a global refugee crisis as well as escalating numbers of internally displaced persons (IDPs) and migrants (many of whom originate from conflict-affected countries), states, NGOs and international organisations are emphasising the need to address the root causes of displacement. The violence that characterises conflict and the implications of this for people's lives and livelihoods remains the chief trigger of displacement from and within conflict-affected countries. Though the specific ways in which armed conflict contributes to displacement are multifaceted, overlapping and often difficult to distinguish, the failure to protect civilians from the detrimental effects of warfare plays a significant role in conflict-related displacement.

Thus, addressing the root causes of displacement *inter alia* requires a more nuanced understanding of how certain means and methods of warfare and military choices regarding tactics and weapons trigger, drive and perpetuate displacement and present barriers to the safe return of displaced persons. For, whilst armed conflict as a whole puts people at risk of displacement, there are particular weapons, tactics and choices – such as the widespread use of explosive weapons in populated areas or the deliberate targeting of certain groups – that are more likely to lead to displacement than others, and similarly that may prove to be greater barriers to return. This understanding is essential if the causes of conflict-induced displacement and the associated protection failures and challenges are to be avoided, addressed, and remedied in the future.

CONFLICT AND DISPLACEMENT

“Whatever the cause, I am concerned that displacement is accepted too readily as an inevitable consequence of conflict... [This] risks the condemnation of millions of people to lasting misery and degradation. Short of preventing conflict, more must be done to prevent the circumstances that lead to displacement.”

Report of the Secretary-General on the protection of civilians in armed conflict, May 2012

It is well established that conflict drives displacement, with many examples both current and historic. What is less clear, however, are the details of how particular weapons or dynamics of conflict shape specific patterns of displacement including how longer-term, knock-on or otherwise less immediately visible impacts of conflict-related violence relate to displacement.

People displaced by violent conflict are driven to flee by myriad and varying reasons: their individual experience of conflict is based on socio-economic, geographical, and political factors (and here, the causes of violence and the causes of displacement often converge), as well as their own particular perceptions of conflict-trajectories and personal risks, and the trauma they have already experienced. These complex and interconnected “triggers” and “drivers” of displacement² risk being overlooked in the immediate context of a conflict as local authorities, humanitarian, and other actors scramble to respond to (often-dire) situations of conflict-induced displacement in contexts where basic security and services are unreliable if not entirely lacking. The result is that too often displacement is seen as an inevitable corollary to conflict, rather than a harm and a danger that could in some cases be avoided or at least limited.

Due to the complexity and multiplicity of forces that trigger and drive flight, it can be difficult to attribute displacement directly to any particular means and methods of warfare. But some means and methods are more likely to lead to displacement than others; are more likely to compound the experience of displacement; and are more likely to deter or impede return. There appear to be two key aspects of conflict-related violence that drive displacement and impede return:

1. The use of explosive weapons in populated areas. The use of such weapons in towns, cities and other areas where civilians live and work has a high likelihood of indiscriminate effects. Civilians within an affected area – a village, neighbourhood or even entire city – lose a sense of security within their geographic location and so flee.
2. Identity-based violence and the deliberate targeting of certain group, usually with small arms and light weapons, and/or sexual and gender-based violence. A person belonging to a targeted group may lose their sense of security within their community whether within a particular area or an entire country) and so flee.

© Emily Garthwaite/Article 36



Suriya and her son Ibrahim fled Aleppo, Syria, as a result of the fighting there: “When we fled Aleppo the city was being attacked by mortars, airstrikes and artillery in Aleppo. My son Ibrahim was very young, around 6, and he was so afraid. At first we fled north to Hasakah which was not so affected by the fighting, but we didn’t have electricity or water where we were staying because the water station had been bombed. When we were there, if I heard about an airstrike somewhere else I felt so worried for my son Ibrahim – it really disturbed me hearing about airstrikes at all. In Hasakah, even though it was safe, I was afraid for him, because I just had him now, so I didn’t send him to school, I was scared to send him so I just kept him at home. In Aleppo there were cases of kidnapping of children so I was really afraid for my son. All this really affected me mentally and I just wanted him in front of me the whole time, so I didn’t send him to school.”

The use of explosive weapons in populated areas has been identified as a main trigger and driver of displacement³ with direct proximity to bombing and shelling is a primary factor that forces people to flee their homes.⁴ The use of explosive weapons in populated areas, as a mode of violence, severely constricts the protection strategies available to people: the level of harm and destruction caused by these weapons escalates the risk of civilian death or lifelong injury to such an extent that they are prepared to take on the insecurity and losses that displacement almost always entails. Alongside fear of death and injury, the longer-term impact of the damage and destruction of homes, essential infrastructure, of clinics, hospitals, schools, places of work and the resulting loss of access to healthcare, education, employment and community services, are equally compelling reasons to leave – and a barrier to future returns. In this way, explosive weapons use not only triggers and drives displacement, often multiple times, but also contributes to prolonged displacement. This is due not only to the widespread destruction of homes and infrastructure these weapons cause, but also because their use within an area in *itself* demonstrates a willingness from the responsible state to knowingly expose innocent bystanders to a high risk of death or injury. Whether individual incidents of such use prove to be legal or not, for people on the receiving end of explosive violence the message appears clear: the responsible state is, at best, unconcerned with their protection or, at worst, considers them to be part of an enemy population.

Violent persecution (whether state or community-led) and oppression of particular ethnic or minority groups, and inter-communal violence, where neighbours turn upon neighbours, have also been identified as key triggers and drivers of displacement, particularly in civil conflicts, and have been identified as significant barriers to return.⁵

Though infrastructure and services are not usually subject to the same levels of destruction seen when explosive weapons are used, this does not necessarily translate into more rapid returns: rebuilding community cohesion and trust can take just as long as rebuilding schools, hospitals and other services, and often the desire to return to their old lives is not as strong among populations who have been displaced by this kind of violence, many of whom cannot envisage returning to live alongside the very people who targeted them.

For the purposes of this paper, we will focus primarily on the causes of displacement – in particular, the impact on displacement of weapons with a high likelihood of indiscriminate effect, namely explosive weapons – rather than seek to cover comprehensively all means and methods of war. This is partly in recognition of the fact that the use of explosive weapons in populated areas is associated with a clear pattern of harm that includes longer term and less visible effects with clear links to displacement, but also partly due to our own expertise as a weapons-focused organisation, and our acknowledgement that there are others whose expertise on identity-based violence outstrips our own.

DISPLACEMENT AND CIVILIAN HARM

Displacement is a response to harms, feared or experienced, but also a source of harm in itself, exposing those affected to myriad risks and dangers. These include sexual and other forms of physical violence, and loss of access to such fundamentals as food, water and basic services, as well as shelter, healthcare, education and livelihoods. Their physical and mental health deteriorate while communities and the support structures they offer collapse. And with displacement becoming increasingly protracted, these associated harms often persist into the medium- and long-term.

Though it is easy to assume that displaced people settle, at least temporarily, within refugee and IDP camps, a significant proportion of those displaced instead find shelter outside of a camp setting. Displacement is an increasingly urban phenomenon: some 99% of IDPs are in low- and middle-income countries (LMICs)⁶, and around half of these live in urban settings, often in the more run-down or under-developed areas of towns and cities where living conditions are precarious,⁷ services are poor and employment opportunities scarce. There, adequate water and sanitation provision is a significant challenge as conflict-triggered influxes causes population density to outstrip infrastructure capable of serving the community. This is true also of health, education, and other social services, which are often already overstretched struggling to adequately serve the local host community and ill-prepared to take the additional strain. Even within camps where access to assistance from the local authorities or humanitarian organisations is usually easier and more straightforward, access to vital infrastructure and services is often compromised, with displacement status itself often proving a barrier to access for services such as education and healthcare.

As well as the challenges displacement poses to physical security and well-being, housing, health (including access to healthcare) and education, the experience of displacement is also often one of socio-economic insecurity, which inevitably influences the ability of people to access other services. An individual's economic means and ability to re-establish a livelihood, as well as other factors such as their broader social networks and their ability to access key services such as healthcare and education are important factors in their choice of destination⁸ as well as their experience once there.⁹ Having usually endured a loss of assets and income, people who have been forcibly displaced by conflict may also find themselves locked out of formal labour markets, where these exist, because of legal barriers (the need for local residency or identity documents, for example) or due to labour discrimination.¹⁰

The community and support structures upon which people rely can be stretched or torn apart by the experiences of conflict and of displacement as people's lives and communities are disrupted, social and economic structures break down, and populations become traumatised, impoverished and marginalised.

Displacement, and the experience of it, can – for better or worse – also upend traditional socioeconomic and cultural structures and norms.

BOX A: DISPLACEMENT AND CHILDREN'S EDUCATION

Children who are displaced by conflict risk being deprived access to education, which is not only a right but serves a vital protective role for children and young people in situations of violence. The example of Iraq is illustrative: by June 2017, towards the end of three years of conflict between Iraqi and coalition forces and the 'Islamic State' (ISIS), UNICEF reported that some 90% of children in conflict areas were out of school, with displacement a major factor. UN OCHA estimated that, as of November 2020, some 1.3 million IDP and returnee children in Iraq still faced obstacles to accessing education: 45 per cent of school-aged IDP children in camps, 40 per cent of school-aged IDP children out of camps, and 26 per cent of school-aged returnee children were assessed to have acute education needs.¹¹ For IDPs the costs of education were the most frequently reported barrier to access, whereas school dysfunction or closure due to damage was the most frequently reported barrier for returnees.¹² COVID-19 has exacerbated challenges to education access as IDPs in camps and out-of-camp locations struggle to access the internet and online devices needed to follow online classes. Around 25% of all households in IDP camps reported having at least one child not attending formal or informal education regularly even before COVID-19 restrictions.

For children who suffer displacement due to conflict, the loss of education services, and of an education, can be devastating. Education and a school setting has a positive, transformative effects for students in both the immediate and long-term. For younger children, those in primary and secondary education, it can be a psychological anchor, offering a sense of normality and provide structure during times of crisis, trauma, and upheaval. Education also delivers the mental stimulation needed for healthy cognitive, social and emotional development in children and young people. Without a sufficient primary and secondary education, children's development and learning potential is compromised, and they risk not only suffering higher levels of trauma, stress and anxiety but also having lower levels of literacy, or even being illiterate, when they reach adulthood. Where education services are not available, being out of school places children and young people at higher risk of recruitment into armed groups or exploitative work including child labour, or to negative coping strategies such as forced or early marriage – a particular risk for girls.

In conflict and situations of displacement, education has often factored low in the hierarchy of rights attended to in humanitarian response. Too often both the quantity and quality of education at all levels – for children as well as young people in higher education – has been accepted as an inevitable casualty of war and low down the list of needs for displaced communities. This is despite increasing evidence that access to education is a high priority for those affected by conflict¹³ and can determine a family's willingness to return home if they are displaced. Fortunately, many responsible for humanitarian response are course-correcting: education is increasingly recognised as a priority for displaced children, particularly within IDP or refugee camps, partly in recognition of education's role in broader humanitarian response and of its future effects.



© Emily Garthwaite/Article 36

This can be seen, for example, in changes to the gendered division of labour: according to the Overseas Development Institute (ODI), “violence, flight and disruption provide spaces and opportunities for the reversal of conventional economic roles, with women taking on increased economic responsibilities and often becoming the primary earners, while men may find themselves unable to fulfil their most fundamental gendered role as provider.”¹⁴

But just as some women take on a greater economic role, others find that displacement has exacerbated their pre-existing insecurity. The heightened vulnerability that displacement causes largely exacerbates existing gendered threats and patterns of exclusion: widows, divorced women and female-headed households have all reported barriers to finding work, heightened uncertainty, and stigma.¹⁵ At the same time, women are frequently expected to continue to shoulder the majority of domestic work within a household, and the experience of displacement – where food may be scarce, amenities and services more difficult to access, and the health of family members more fragile – can result in an increased burden on women that both leaves them struggling to cope and reduces their ability to take part in broader decision-making processes. Displaced women and girls in particular, but by no means exclusively, are also rendered more vulnerable to sexual and domestic violence and harassment because of displacement, with a systematic review indicating that around one in five refugee or displaced women in humanitarian emergencies experiences sexual violence – likely an underestimate given widespread underreporting of such crimes.¹⁶

Gulstan, her husband and children as well as relatives and neighbours fled the city of Ras al Ain in northern Syria when Turkish airstrikes began in autumn 2019. They first stayed within Syria in the town of Hasakah, where they slept on the street and in schools for over two weeks, before crossing the border into Iraq. At the time of interview they were living in a refugee camp in northern Iraq and had no plans to return to Syria.

“They burned our homes and destroyed everything. I fled with nothing. To come to Iraq I had to sell all my gold to pay the smuggler. I was a teacher and had a certificate – I want to work and applied to get a new certificate but I don’t have the money to do it. My son went on an English course that I paid for, but I don’t have the money for the certification. I just want the men to be able to work. We have our certificates, we are educated people, and we want to leave. But it is not safe to go back to Syria, we want to go abroad or live here outside the camp – we just want to start working. The children are going to the school in the camp, but we don’t want this life – what is their future? They are the future, and if they don’t have their basic education, when they grow up what will they be?”

Her neighbour **Amena** echoed these frustrations:

“To pay the smuggler to get us out, we borrowed money – and these people keep calling us to pay them, but we can’t work here, and if they saw us how we are here I am sure they wouldn’t ask. We left Ras al Ain with nothing. My daughter is in school in the camp, but she comes back crying because she wants to read and learn but she doesn’t have any paper to do her work. The children need everything and we don’t have it. As women we don’t have underwear or anything for when we have our period – we don’t have anything to use. They don’t give us money, and when children are over one year old they don’t give us diapers, so what do we do?”

Right now we have to forget about Syria, we just want a place to work and live. If we aren’t given land that is fine, but we just want to live a proper life. And forget us, we just want our children to have a future. The children aren’t guilty. Even for our children we think there is no future.”



BOX B: DISPLACEMENT AND HEALTH

Conflict remains a fundamental global health challenge, with its impact on health both long-term and wide ranging. Displacement compounds many of the health challenges that result from conflict, and amplifies the difficulties affected populations face in accessing healthcare. Lack of access to, or the need for, healthcare can prompt flight while flight itself can induce stress, trauma and other mental health conditions as well as be physically dangerous. Once displaced, people face additional health challenges, including heightened risk of communicable and other diseases and lack of access to emergency and other healthcare.

Where violence creates situations of mass displacement, the lack of access to healthcare as well as to clean water and sanitation combined with poor nutrition and overcrowding, allows infectious diseases – particularly upper respiratory tract infections and waterborne diseases – to thrive. Displacement also severely compromises key preventative health measures, notable the ability to conduct widespread immunisation and early detection, which in turn can allow infectious diseases to gain a foothold in new or already vulnerable populations. Outbreaks can prove more difficult to contain as flows of displaced people introduce infectious diseases to other regions or countries.

Displacement also disrupts the healthcare provisions for existing and ongoing health needs, complicating and constraining the delivery of both care and medication. Such interruptions in medications and in continuity of care have proven life-threatening – the World Health Organisation has noted that “people suffering from noncommunicable diseases are now one of the biggest at-risk groups during emergencies, with many dying of complications that are easily controlled in normal circumstances”.¹⁷

Displacement can also create and compound existing socio-economic deprivation, with several impacts on the health of affected communities: deepening poverty and inequality, including gender-based disparities, are significant barriers to accessing healthcare for displaced people. Little or no income can also mean an inability to buy adequate amounts of nutritious food or to purchase essential medicines, with significant immediate and lasting negative health consequences.

PROTRACTED DISPLACEMENT AND BARRIERS TO RETURN

Displacement is not a short-term phenomenon: displacement now lasts twenty years on average for refugees and more than ten years for most IDPs.¹⁸ Displacement is also becoming increasingly protracted: cycles of violence and a lack of political solutions to conflicts prevent many from returning to their home countries. But the ways in which wars are fought too, and the nature of the violence, also have a significant impact on the ability and willingness of displaced people to return home after a conflict has ended.

This was the case in Baiji city and district, in Iraq (see Box C), where the widespread use of explosive weapons by the Islamic State and the international coalition resulted in the almost complete destruction of the city, including housing, infrastructure and services, severely hampering returns and endangering those who chose to do so. The experience of Baiji is common in current and urban conflicts, especially where explosive weapons have been widely used.¹⁹

Among those who have been displaced, it appears common remain within IDP or refugee camps, or host communities, whilst weighing the environment and services against the conditions in the areas to which they would return. But for many displaced people, there is not much to return to: the use of explosive weapons can result in widespread damage to or destruction of houses, rendering them uninhabitable. Even where they remain intact, those homes may have been illegally occupied by others or ownership rights under dispute.

At the same time, many people face financial barriers to return.²⁰ The decision to flee in itself often means leaving behind employment, land or other sources of work and livelihoods – this loss contributes, then, to the often-deep financial insecurity of displaced populations, whose ability to contribute to and benefit from a host economy is often severely circumscribed.²¹ For many the depletion in their savings and assets may mean they are unable to cover the costs of returning home. Even if they have the funds to make the journey, the ability to access livelihoods is essential to the ability return in a safe and sustainable way, and the very limited employment opportunities returnees are likely to face represents a significant barrier to returning home. Loss of livelihoods has long-term repercussions, not only affecting the ability of displaced people to meet their basic needs, damaging their health and wellbeing, whilst also compounding the difficulties displaced populations often experience in accessing services such as healthcare and education.

Difficulties in accessing these services – whether due to conflict-related destruction of infrastructure or financial difficulties – can significantly deter returns, as can a lack of basic services such as water, sanitation and electricity. There are huge challenges to rebuilding the physical structures that make up a town or city’s wider infrastructure, and additional challenges to re-establishing the ability to provide services – quality healthcare, for example, relies not only on proper sanitation, electricity, expert staff, equipment and steady reliable drug and other medical supplies.²² Explosive remnants not only pose a consistent

danger to returnees, but also delay or complicate reconstruction efforts. The loss of a sense of safety and security is a fundamental cause of displacement. Unsurprisingly, then, perceived insecurity in areas of origin – whether because of continued explosive ordnance contamination, or, for example the presence of militias or armed groups, or the presence (or lack thereof) of other security actors – remains a barrier to return for many.

Linked to this, a changed social landscape as a result of deliberate tactics to forcibly displace a population can present a barrier to return for displaced populations even where the physical landscape – the buildings, infrastructure etc – would allow them to. Trauma from their experience of persecution, frayed communal ties, and enduring political pressures or hostilities in their areas of origins that make it clear they are unwelcome can weigh heavily against return.²³ The rebuilding of intercommunal trust can be every bit the herculean task the reconstruction of infrastructure is.

While these external factors undoubtedly have a strong influence over the willingness and ability of people to return to their places of origin, the personal experience of people and families, as well as the make-up of households (for example, if they are child-headed or female-headed, whether they contain very elderly or very young members, or any members with a disability) also has a huge impact on rates of return. The harm done to individuals, families and communities caused by the immediate flight and during the increasingly-lengthy period of displacement can itself become a barrier to return. Nowhere is this clearer than a person's health, mental and physical, where for many it is too difficult to recover to a degree that allows them to return home. Together, these individual and social barriers to return can persist long after a conflict has ended and contribute to the increasingly protracted nature of exile at a time when a return to home regions and communities in safety and dignity is often the preferred solution for those displaced.

BOX C: BAIJI – A CASE STUDY ON DESTRUCTION AND BARRIERS TO RETURN (2014-19)

The experience of Baiji, a small city and district in northern Iraq's Salah al-Din province, illustrates many of the challenges faced by populations seeking to return home. In 2014, ISIS launched an offensive on the city and its oil refinery (at that time Iraq's largest refinery, accounting for around a third of domestic production), seizing the city in June that year, and the refinery in April 2015. In October 2015 government-backed forces succeeded in regaining Baiji and the refinery. Both ISIS and the international coalition relied heavily on explosive weapons in their campaigns, resulting in widespread destruction in Baiji city and its surrounding areas as well as the refinery and its chemical factories. It also left the city and surrounding areas heavily contaminated by ERW, including by a huge number of abandoned weapons, improvised mines and booby traps left by ISIS.²⁴

When the government regained control of the district, 85% of the population were reportedly displaced and the World Bank estimated that 94% of housing in Baiji city was damaged or completely destroyed. 90% of Baiji's infrastructure was destroyed, with water, sanitation and electricity networks practically non-functional. Baiji city was rendered largely unliveable which, alongside ongoing insecurity, proved to be a major barrier to return. More than five years after the end of hostilities, the destruction caused by the conduct of military operations and its knock-on or reverberating effects, remain considerable and continue to influence the thinking of displaced persons and their choices around returning.

Some families started returning to areas in Baiji district from April 2015.²⁵ In early 2017, all services and almost every building in the city were reported to still have some degree of damage. Access to water remained a critical problem while civilians were at high risk from ERW.²⁶ In fact, civilian infrastructure across the district remained in major need of rehabilitation even five years after the end of the conflict, with continuing

challenges around water, electricity and healthcare, particularly for women and girls.²⁷ Though the pace of return increased from mid 2017 – when UNDP began 'stabilisation' work to restore key services and infrastructure²⁸ and returns to the east were permitted²⁹ – many returnees cited the high financial costs of displacement³⁰, rather than increased security, stability or access to services, as a key reason for their return. The reopening of some schools in the second half of 2017 was also assessed by UNDP to have led to an increase in returns to the district (which were mostly to areas surrounding Baiji rather than the city itself), suggesting that access to education factored strongly in families' choices.³¹

A series of surveys of displaced people living in both formal camps and other sites across Iraq from 2018 undertaken by the Reach Initiative³² and the Camp Coordination and Camp Management (CCCM) Cluster in Iraq revealed a range of factors that influenced what displaced people were able to or chose to do in terms of returning to Baiji, including safety and security, fear and trauma, livelihood opportunities, financial considerations and the availability of basic services. In April 2021, a lack of basic services, the destruction of houses, and a lack of livelihood opportunities were the three most commonly reported barriers to return for people who had fled Baiji district.³³ For those who did return, many did so to very poor living and economic conditions. An early 2018 survey of returnees living in two neighbourhoods of Baiji found that most were living in houses that required varying degrees of rehabilitation or reconstruction work, with only half of the occupied houses having 'essential features' such as a door.³⁴ The premises of most small businesses were also damaged or destroyed during the conflict, with some business owners returning but requiring significant financing to restart their businesses, and many operating on smaller premises as a result.³⁵

REFLECTIONS ON DISPLACEMENT AS A POLICY ENTRY POINT

In this paper we have thus far approached displacement very much in the familiar mode of the policy space. In doing so, however, we have become aware of how easy it is to coalesce around common labels and generalised language within a wider discourse, and how just the fact of doing so can obscure the wide range of experiences, choices and harms that people are faced with. These identity labels – ‘refugee’ or ‘displaced people’ – are, of course *applied to* people, rather being the way in which people who have fled their homes might initially choose to describe themselves. And the process of labelling is, in itself, often a dehumanising and depersonalising one. It is essential for us to remember that the language used, and the policy structures that spring up around this language – need to be tools for critical engagement through which we contest and demand more for our fellow humans, rather than a means by which their experiences and identity are flattened into one impersonal mass.

It is also worth noting here that there is a wide range of policy prescriptions aimed at providing safe and durable solutions to displacement, developed by humanitarian practitioners and experts in the field of displacement. We do not propose to detail that here. Instead, our focus is on the policy-discursive space, where we hope that some initial suggestions for alternative viewpoints might reveal openings for better approaches to the prevention and remedy of harms caused by particular means and methods of conflict.

First, it is essential to consistently remember that displacement is not an inevitable side effect of conflict. We should reject the normalisation of conflict-related displacement, which can all too easily accompany the huge movements of people out of conflict-affected areas. Given patterns of displacement from recent conflicts, it is easy to slip into a mode of thinking that sees displacement as a ‘normal’ part of conflict, even as we seek to prevent it or mitigate its worst effects. Instead, it should be an active entry point for critical engagement on how conflict behaviours lead people to the choice to flee. It should cause us to question how conflict harms are created and propagated – if displacement occurs from a particular location, what can that tell us about the specific means and methods of warfare deployed there and the harms (direct, indirect and reverberating) that were caused?

This speaks to the differing perspectives brought by the community of practice specifically concerned with displacement, on the one hand, and that of the disarmament community on the other. For people working on weapons-related issues, displacement can too easily become just another form of harm to be added to a long list of harms that forms the basis of appeals for action on specific weapons issues. This habit also obscures the interplay of factors that people have to balance in deciding to flee, as well as the agency of those people who are the ‘victims’ of displacement. It can also result in missed opportunities for more substantive engagement within the displacement policy space.

Within that displacement policy space, the language of ‘forced displacement’, whilst recognising that people experience curtailed choices, can also unfortunately point us away from the disaggregation of specific harms, experiences and choices that people are exposed to in any given conflict situation. This can lead us away from a more nuanced or granular perspective of the causes of people’s movement. Here, the causes of displacement risk being confused with the root causes of conflict as a whole. Those charged with developing policy responses to displacement – in particular, to preventing displacement – should consider how their analysis, and the depth of their engagement in the specifics of conflict practice, is circumscribed by military considerations. States’ desire to preserve all options for applying force can stymie more genuine dialogue about behaviours and practices in conflict that cause or contribute to displacement. With a more detailed, honest critique and focus on what specifically within the conflict violence leads to choices to move, further entry points for preventative action could potentially be identified and more authoritatively asserted.

Strengthening the protection of civilians requires improved understanding and recognition of how different weapons and different modes of violence produce harms and commitments to develop appropriate policy responses. For example, the prevention of infrastructure destruction and the maintenance of civilian ability to access these key services – through avoiding the use of heavy explosive weapons in populated areas, and by knowing the location of and avoiding damage to essential infrastructure – is key to preventing displacement and the myriad harms associated with it, as well as broader humanitarian costs.³⁶ In the context of displacement, most pressing in this area is the need for preventative attention to the patterns of harm caused by the use of explosive weapons in populated areas, and to the prevention of identity-based mass violence that drives so many from their homes and communities during conflict. Stepping back to consider how policy-makers might talk in more open, honest and constructive terms about the ways in which wars are waged and how this causes displacement would help us to get there.

END NOTES

- 1 Note that this is not always the case: IHL allows for the displacement of civilians if military necessity requires it and in order to protect the civilian population: "As stipulated by international humanitarian law, displacement may be resorted to only in situations where the security of the civilian population or imperative military reasons so demand. Even then, the law stipulates that displacement must last no longer than necessary and that the affected population must be provided with shelter and assistance and be transferred back to their homes as soon as hostilities in the area have ceased." Report of the Secretary-General on the protection of civilians in armed conflict, 22 May 2012, S/2012/376.
- 2 The Internal Displacement Monitoring Centre (IDMC) has suggested distinguishing between drivers and triggers of population displacement. Based on the IDMC analysis, triggers are "the more visible events in the wider environment that threaten people's security" whilst drivers are "the less visible factors that pre-date and contribute to the immediate and more visible trigger".
- 3 Humanity and Inclusion (2016), 'Qasef: Escaping the bombing – The use of explosive weapons in populated areas and forced displacement: perspectives from Syrian refugees'; Human Rights Watch (2014), 'Deadly cargo: explosive weapons in populated areas'.
- 4 It is no coincidence that of those displaced globally, a significant majority come from states where explosive weapons have been extensively used, most notably the Syrian Arab Republic. UNHCR (2021), 'Global Trends: Forced Displacement in 2020', p. 7.
- 5 Article 36 interview with Syrian refugees, Kurdistan region in northern Iraq, November 2019.
- 6 For refugees, around 86% are hosted by low- and middle-income countries. UNHCR (2021), 'Global Trends: Forced Displacement in 2020', p. 2.
- 7 "Urban IDPs living in slum areas that are poorly constructed and situated in hazard-prone locations, such as low-lying areas and landfill sites, are likely to be vulnerable to physical safety risks, damage or destruction of housing, and secondary displacement." Brookings-LSE (2013), 'Under the Radar: Internally Displaced Persons in Non-Camp Settings', p. 6.
- 8 The notion of choice in this context is very relative: most often the choice of destinations are limited by proximity of safe areas, while many do not have the financial means to cross a border in a context where safe and legal routes for forcibly displaced people are increasingly blocked and the payment of significant smuggler fees is required.
- 9 The nature of violence may also determine the choice of destination: initial research suggests that civil wars generally result in higher numbers of IDPs, while state-sponsored violence tends to result in higher numbers of displaced people seeking safety abroad. See: Moore, W. H., & Shellman, S. M. (2006), 'Refugee or internally displaced person? To where should one flee?', *Comparative political studies*, 39(5), 599-622.
- 10 Brookings-LSE (2013), 'Under the Radar: Internally Displaced Persons in Non-Camp Settings', p. 18.
- 11 OCHA (2021), 'Humanitarian Needs Overview: Iraq', p. 65.
- 12 OCHA (2021), 'Humanitarian Needs Overview: Iraq', p. 65.
- 13 See, for example, Save the Children (2015), 'What do children want in times of emergency and crisis? They want an education'. The report analysed 16 studies reflecting the voices of 8,749 children, and also took account of the voices of parent, caregivers and communities, and found that "99% of children in crisis situations see education as a priority".
- 14 Overseas Development Institute, (2019), 'Gender in displacement: The state of play', p. 10.
- 15 Overseas Development Institute, (2019), 'Gender in displacement: The state of play', p. 11. Also, Article 36 interviews with Iraqi IDPs, Kurdistan region in northern Iraq, November 2019.
- 16 Vu, A., Adam, A., Wirtz, A., et al. (2014) 'The prevalence of sexual violence among female refugees in complex humanitarian emergencies: a systematic review and meta-analysis', *PLoS Currents Disasters* 18(6)
- 17 World Health Organisation – Regional Office for the Eastern Mediterranean (2017) 'Beyond the bullets and bombs: Saving the lives of chronic disease patients living in conflict settings'.
- 18 European Civil Protection and Humanitarian Aid Operations (ECHO) (2021), 'Forced displacement: refugees, asylum-seekers and internally displaced people (IDPs)'.
- 19 Even where explosive weapons are not used, gunfire and other conflict-related violence can cause the destruction of or damage to homes, disruption to education and healthcare, and loss of livelihoods.
- 20 Internal Displacement Monitoring Centre (IDMC) (2019), 'Unveiling the cost of internal displacement': "In all countries, the highest financial burdens come from the impacts of internal displacement on livelihoods, housing and health. The costs and losses associated with security and education are generally secondary to these burdens, but are still significant. Crises that displace the highest number of people for the longest time result in the highest economic impacts", p. 5.
- 21 Center for Global Development, Cindy Huang & Jimmy Graham (2019), 'Where Do Internally Displaced People Live and What Does that Mean for Their Economic Integration', p. 2.
- 22 See, for example, UNIDIR, C. Wille (2016), 'The implications of the Reverberating Effects of Explosive Weapons Use in Populated Areas for Implementing the Sustainable Development Goals'.
- 23 Stefanovic, Djordje and Loizides, Neophytos G. (2017) 'Peaceful Returns: Reversing Ethnic Cleansing after the Bosnian War', *International Migration*, 55 (5). pp. 217-234.
- 24 Sources for this introduction include: Erica Gaston and András Derzi-Horváth (2018), 'Iraq after ISIL: Sub-State Actors, Local Forces, and the Micro-Politics of Control'; Global Public Policy Institute, Wim Zwijsburg and Foeke Postma (2017), 'Living under a black sky: Conflict pollution and environmental health concerns in Iraq', PAX; and Proximity International for the Cash Consortium for Iraq (CCI) (2019), 'The Impact of Cash Transfers on Local Economies in Iraq: Lessons from Baiji and Rawa'; World Bank Group (2018), 'Iraq Reconstruction and Investment. Part 2: Damage and Needs Assessment of Affected Governorates'; UNDP (2019), 'Funding Facility for Stabilisation: 2018 Q3 report'.
- 25 IOM Iraq mission Displacement tracking matrix archive: <http://iraqdtm.iom.int/archive/Downloads.aspx>, last accessed Jan 2021.
- 26 *ibid.*
- 27 INTERSOS (2019), 'Gender Based Violence Assessment, Salah Al-Din Governorate, Baiji and Balad districts'; INTERSOS (2018), 'Rapid assessment of primary health care centres (out of camps): Baiji district – Salah al-Din Governorate, Iraq'.
- 28 UNDP (2017), 'Funding Facility for Stabilization Quarter I Report 2017'.
- 29 *Ibid.*
- 30 Many displaced people from Baiji were reportedly not living in internal displacement camps at this point so may have had less access to aid, Iraq Protection Cluster (2017), 'Salah Al Din Returnee Profile - March 2017'.
- 31 UNDP (2017), 'Funding Facility for Stabilization Quarter III Report 2017'.
- 32 REACH: Informing more effective humanitarian action, <https://www.reach-initiative.org/where-we-work/iraq/>, last accessed May 2021.
- 33 REACH (2021), 'In-camp Internally Displaced Person (IDP) Intentions Survey: Preliminary Findings', p. 15.
- 34 Danish Refugee Council (2018), 'Baiji Community-Based Shelter Need Assessment'.
- 35 Proximity International for the Cash Consortium for Iraq (CCI) (2019), 'The Impact of Cash Transfers on Local Economies in Iraq: Lessons from Baiji and Rawa'.
- 36 States should also recognise that damage to critical civilian infrastructure has wide-ranging and long-lasting effects, including in the context of displacement, and that even if such effects are not immediately foreseeable in a specific circumstance, the well-documented patterns of harm should be taken as indicative, and taken into account. Here, the strengthening of data gathering and the identification of patterns of harm that might be produced over harm are essential.

Acknowledgements:

Research and publication funded by the
Norwegian Ministry of Foreign Affairs
Design: bb-studio.co.uk

Article 36 is grateful to the hosting and
logistical support provided by the Mines
Advisory Group team in Iraq, without which
we would have been unable to undertake
the field research for this project. Our
utmost thanks to those refugees and IDPs
in Northern Iraq, as well as civil society c
olleagues, who generously agreed to speak
with us and share their experiences.