

I. Introduction

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Since 2013, the world has been experiencing an upward trend in the number of displaced persons, including refugees. The global number of refugees under the United Nations mandate was estimated to be 21.3 million at the end of 2015—the largest recorded number of refugees in the past two decades and approximately 1.7 million more than the total reported 12 months earlier. In addition to the 21.3 million refugees, the UN High Commissioner for Refugees (UNHCR) reported 40.8 million internally displaced persons (IDPs) and 3.2 million asylum seekers at the end of 2015.¹ This upward trend is explained partly by new displacement and partly by protracted crises that have resulted in relatively few returnees.² One of the key characteristics of the ongoing displacement crises, both new and protracted, is a causal relation between displacement and conflict, giving rise to large-scale displacement in fragile, violent contexts. Given these characteristics, it is necessary to understand and better address the issue of forced displacement in fragile contexts in order to prevent local and regional conflicts, increase security and build sustainable peace.

Large-scale, vulnerable mobility, as seen in both new displacement and protracted crises, is typically distinguished on the basis of the international legal status of the displaced (see box 7.1). A refugee has a special status in international law and is defined as a person who:

Owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, or political opinion, is outside

¹ The global number of refugees under United Nations High Commissioner for Refugees (UNHCR) mandate was estimated to be 16.1 million at the end of 2015. In addition, 5.2 million Palestinian refugees were registered by the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). For various reasons, the figures for refugees and displaced populations are estimates. These include the inability of the UN and other international agencies to reach some conflict zones, the difficulties of assessing repeat population movements, as well as concerns that numbers may be over- or understated depending on political interests, and that national systems of data collection for entry and exit into neighbouring countries are not always reliable. However, reasonable estimates are possible using figures produced by UNHCR of the total number of individuals and families displaced by ongoing conflicts, which are based on the registration of individuals and families with the agency. However, these figures do not include unregistered individuals who may have entered a country through informal networks or those who do not need UNHCR support. Other figures used include those of national organizations managing asylum seekers. United Nations General Assembly, Resolution adopted by the General Assembly on 19 Sep. 2016, New York Declaration for Refugees and Migrants, A/RES/71/1, 3 Oct. 2016, <http://www.un.org/en/development/desa/population/migration/generalassembly/docs/A_RES_71_1_E.pdf>, p. 1.

² United Nations High Commissioner for Refugees (UNHCR), *Global Trends: Forced Displacement in 2015* (UNHCR: Geneva, 20 June 2016), pp. 6, 13.

Box 7.1. United Nations High Commissioner for Refugees (UNHCR) populations of concern

Refugees: individuals recognized under the 1951 Convention relating to the Status of Refugees, its 1967 Protocol and several related regional statutes and specific interpretations.

Asylum seekers: individuals who have sought international protection and whose claims for refugee status have not yet been determined.

Internally displaced persons (IDPs): people or groups of individuals who have been forced to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or man-made disasters, and who have not crossed an international border.

Returned refugees: former refugees who have returned to their country of origin spontaneously or in an organized fashion but are yet to be fully integrated. Such returns would normally only take place in conditions of safety and dignity.

Returned IDPs: those IDPs who were the beneficiaries of UNHCR protection and assistance activities and who have returned to their areas of origin or habitual residence.

Source: Adapted by the author from the UNHCR Population Statistics Database.

the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.³

A 'refugee crisis' is the forced displacement of people crossing at least one recognized international border, creating extraordinary pressures on local resources and exceeding the coping mechanisms of the hosting state. Due to the specific legal status of refugees and their protection under international law, it is important to maintain the distinction between refugees and other displaced persons. Under the 1951 UN Convention relating to the Status of Refugees and the 1967 Protocol, refugees are entitled to specific kinds of assistance by states other than their own, including the right to seek asylum and to find refuge within the territory of those states. For that reason, states may avoid classifying or refuse to classify people as refugees.⁴ Significantly, states not party to the convention and the protocol may refuse to acknowledge any definitions or obligations under the UN framework. Of the states most affected by displacement crises, only Turkey has ratified one of the agreements (see table 7.1). A refugee crisis can therefore also be understood in terms of an 'asylum crisis', or the failure by states to meet their obligations

³ United Nations, General Assembly, 1951 Convention and 1967 Protocol Relating to the Status of Refugees, <<http://www.unhcr.org/3b66c2aa10>>; and United Nations, Economic and Social Council, Protocol Relating to the Status of Refugees, 1967, <<http://www.ohchr.org/Documents/ProfessionalInterest/protocolrefugees.pdf>>.

⁴ E.g. Iran has reported that it is hosting around 900 registered refugees and anywhere between 1.4 and 3 million undocumented Afghan migrants. Schmeidl, S., 'Deconstructing Afghan displacement data: acknowledging the elephant in the dark', *Migration Policy Practice*, vol. 6, no. 3 (2016), p. 12.

Table 7.1. Ratification or accession to the 1951 Convention and the 1967 Protocol by major displacement-affected states

Country	1951 Convention	1967 Protocol
Afghanistan	Accession	Accession
Iran	Accession	Accession
Iraq	–	–
Jordan	–	–
Lebanon	–	–
Nigeria	Accession	Accession
Pakistan	–	–
South Sudan	–	–
Sudan	Accession	Accession
Syria	–	–
Turkey	Ratification	Accession
Uganda	Accession	Accession
Yemen	Accession	Accession

– = non-signatory.

Source: United Nations High Commissioner for Refugees (UNHCR), States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, pp. 3–4.

towards refugees under international law, or the refusal to acknowledge that a refugee crisis exists. Finally, refugee crises could be seen to include failures to prevent conflicts and humanitarian emergencies causing mass displacement of civilians in the first place.

IDPs, on the other hand, can generate a humanitarian or displacement crisis without leaving their home state. Unlike refugees, IDPs are formally the responsibility of their national government. Protection of IDPs in conflict locations is at the discretion of the warring parties unless there is an external intervention force to create safe zones or provide protection. This makes IDPs caused by intrastate conflict particularly vulnerable, given that the government could be a cause of insecurity rather than a security provider.

From a peace research perspective, the gaps in the application of the international legal framework and current empirical evidence suggest that the challenges of displacement extend beyond refugee and asylum crises. Besides the growing scale of displacement, several new characteristics defined displacement crises in 2016. This chapter argues that central among these is the recurring and protracted forced displacement in fragile, violent contexts, in particular but not limited to states in the greater Middle East (in and around Syria, Iraq and Afghanistan) and the greater Horn of Africa (including Somalia, South Sudan and Yemen). Parts of these displacement crises have spilled over into comparatively wealthier states, and to a greater extent than seen previously. Armed violence and insecurity in countries generating refugees and IDPs, as well as political decisions by other states and a lack of options for the displaced, have resulted in an unequal distribu-

Table 7.2. Global spread of displaced persons by hosting region, 2016

Hosting region	Displaced persons (%)
Middle East and North Africa	39
Africa	29
Asia	14
Americas	12
Europe	6

Source: United Nations High Commissioner for Refugees (UNHCR), 'Figures at a glance', June 2016, <<http://www.unhcr.org/figures-at-a-glance.html>>.

tion of refugees and displaced persons in narrow geographical spaces, with relatively few states and urban centres ending up hosting the vast majority of refugees and IDPs (see table 7.2). Recent challenges are also associated with the fact that a multitude of simultaneous, and often interrelated, crises are ongoing in different locations.

This chapter contextualizes displacement crises, partly by building on the framework of 'dangerous places', and then discusses the development of refugee crises in some key states during 2016, with examples from Afghanistan, Iraq, Nigeria, South Sudan, Syria and Yemen.⁵ Finally, it describes key developments in international responses.

The concept of forced displacement in fragile contexts

In addition to displacement on a massive scale, a common feature of the displacement crises that unfolded in 2016 is forced displacement in fragile, and often violent, contexts. Fragility refers to societies' heightened exposure to risks combined with a low capacity to mitigate or absorb them.⁶ The concept of 'forced displacement in fragile contexts' has become increasingly evident in recent years. Violent conflict and forced displacement are intimately connected. Whereas violent conflict is one reason behind forced displacement, forced displacement in fragile contexts can also increase tensions. Large influxes of people to a limited geographical area, such as a city, can impose humanitarian, economic, environmental and security stresses on both the displaced and the host community, and this is especially so in already fragile contexts.

To capture the relation or overlap between violent conflict and forced displacement, among other things, SIPRI uses the term 'dangerous places'. The idea includes displacement, along with violent death, as core indicators of a dangerous place: that is, a place where violence is more likely to occur and

⁵ Jang, S. and Milante, G., 'Development in dangerous places', *SIPRI Yearbook 2016*, pp. 353–63.

⁶ Organisation for Economic Co-operation and Development (OECD), *Towards a Multidimensional Concept of Fragility: Working Paper Describing a New Way to Frame Fragility for The OECD* (OECD: Jan. 2016), p. 9.

development is more likely to fall behind targets. Furthermore, a dangerous place is not locked into state categories but could refer to local, subnational or regional settings. In 2016 the 90 countries considered to encompass the most dangerous places constituted less than one-third of the world's population yet accounted for 78 per cent of global violent deaths and were the source of 98 per cent of global refugees and displaced persons.⁷ The Global Peace Index (GPI) also lists displacement as an indicator that has a negative impact on peace, which is one reason why the index of the least peaceful countries overlaps with the countries experiencing major displacement crises. The countries ranked least peaceful in the 2016 GPI were Syria, South Sudan, Iraq, Afghanistan, Somalia and Yemen.⁸

While displacement patterns and crises are dynamic and may include sudden-onset developments, they may also become protracted and last for many years. A crisis can continue to exist even if it appears to have become 'normalized', with outside acceptance of the dire situation, including of higher levels of humanitarian distress. In fact, ongoing forced displacement crises in fragile, violent contexts seem to be increasingly linked to previously ill-resolved displacement problems. The concept of 'complex humanitarian emergencies' covers such long-term emergencies in that it typically refers to man-made, political (institutional) humanitarian crises, including conflict-generated emergencies, in need of a system-wide response:

By the often used concept complex humanitarian emergencies (CHEs) we mean here serious multidimensional crises (including the 'black hole' syndrome and 'failed states'), which not only imply physical destruction but also social exclusion, depletion of 'social capital', erosion of civil society, decay of institutions and decline of civility. It is a destruction of the social and moral substance of society and the issue of coercive intervention from outside naturally arises, at least as an option.⁹

Complex humanitarian emergencies are generating forced displacement in fragile contexts, for example, within and from Somalia. Such displacement dynamics, if sustained over time or continuously reoccurring, could also in themselves be defined as complex humanitarian emergencies in need of system-wide solutions, such as in Afghanistan.

In terms of policy-relevant concepts, the emergency definition of the UN-led Inter-Agency Standing Committee (IASC) is relevant although somewhat limited in scope. The IASC serves as the primary mechanism for inter-agency coordination relating to humanitarian assistance in response to complex and major emergencies, under the leadership of the UN Emer-

⁷ Milante, G., 'Dangerous places revisited', chapter 6 in this volume.

⁸ Institute for Economics and Peace (IEP), *Global Peace Index 2016* (IEP: June 2016), p. 11.

⁹ Hettne, B. and Söderbaum, F., 'Intervening in complex humanitarian emergencies: the role of regional cooperation', *European Journal of Development Research*, vol. 17, no. 3 (2005), p. 451.

gency Relief Coordinator.¹⁰ It has agreed on a series of principles to recognize and address exceptional and major humanitarian crises triggered by natural disasters or conflict that require system-wide mobilization (Level 3 Emergencies). A Level 3 Emergency activates a broad response by UN and non-UN humanitarian providers to ensure a more effective response to the needs of affected populations. Activation of such a response is exceptional and based on five criteria: (a) scale, (b) complexity, (c) urgency, (d) capacity and (e) reputational risk.¹¹ These criteria are by necessity narrow in scope and not limited in application to displacement crises, but the outcome of their application does nonetheless overlap with the world's large displacement crises: in 2016 Iraq, South Sudan, Syria and Yemen were all classified as Level 3 Emergencies.¹²

Although neither the concept of complex humanitarian emergencies nor the concept of Level 3 Emergencies is specific to forced displacement in fragile contexts, both may certainly include such scenarios. However, politicians, the media and the public seldom use either one of the two terms. Rather, they refer to such scenarios as refugee crises, which are distinct from displacement in fragile, violent contexts in both legal and political terms.

¹⁰ See the Inter-Agency Standing Committee (IASC) website, <<https://interagencystandingcommittee.org/>>.

¹¹ Reputational risk refers to risks to the humanitarian system from e.g. donors, the public and national stakeholders. Inter-Agency Standing Committee (IASC), Transformative agenda reference document, 'Humanitarian System-Wide Emergency Activation: definition and procedures', PR/1204/4078/7, 13 Apr. 2012.

¹² Inter-Agency Standing Committee (IASC), 'L3 IASC system-wide response activations and deactivations', accessed 23. Sep. 2016.