



# debate

FMR17's feature section was on 'When does internal displacement end?'. Sarah Petrin takes the debate further:

## Internal displacement in Afghanistan ends for some, not for others

by Sarah Petrin

The last issue of FMR provided an arena for ideas on when displacement ends that was both informative and engaging. Mooney introduced an integrated approach, requiring both solutions-based and needs-based criteria based on a range of human rights indicators. Frelick suggested that IDPs who no longer need international protection are no longer IDPs. Kalin emphasised that displacement ends gradually. However, there was no conclusion, no clear definition of internal displacement's end.

Let me offer a simple definition. Displacement ends when IDPs have established their place in a self-selected community of choice. What does it mean for an IDP to 'establish a place'? The end of displacement may require a policy choice on the part of the authorities or an end to certain conditions but the actual end to the state of being uprooted must be completed by the displaced persons themselves. The displaced persons must feel that they are in a place and a community that will not force them to be uprooted again.

I use the phrase 'established their place' instead of reintegration for a number of reasons. Whether IDPs are in a displacement location, are resettled or choose to return to their area of origin, they need certain settlement resources in order to establish a place – resources such as land, water and/or housing. For instance, housing is a key issue for displaced people. Often people in IDP camps who live in tents but have the opportunity to build homes will consider themselves 'settled' once the home is built. This is the case in Zhare Dhast IDP camp in Kandahar as well as the Chaman Waiting Area on the border of Pakistan. IDPs who return to their place of origin without land or are

unable to recover lost property will often not settle in their place of origin but go to relatives in another area who have a house or land. A lack of settlement resources will lead IDPs to become secondary migrants, seeking 'a place' elsewhere. This phenomenon has been duly noted in Cambodia.

This question of 'establishing a place' can also be applied to nomads, who in Afghanistan for example suffer most from insufficient water resources. When Kuchi transhumants in IDP camps in southern Afghanistan were asked whether they had a place of origin or a place to which they wished to return, many would say that they wished to relocate to Helmand province because there is "water in that place" or they have distant relatives who are settled there. Others wanted to remain in the IDP camp for an indefinite period. Recognising that water and animals would be scarce to come by for some time, someone said he wished "to keep the house I built here in Zhare Dhast and learn to work".

The idea of a 'self-selected community of choice' recognises that return is not a viable option for everyone and that other forms of forced settlement, such as villagisation in Rwanda, should not be an acceptable standard of settlement by the international community. This idea of a self-selected community could also apply to a camp situation like Zhare Dhast, where 50% of camp residents are hoping to reside permanently should the central government give rights for the use of land.

### Do IDPs have a say?

While previous definitions of an end to displacement do stipulate that the views of IDPs should also take precedence in determining when displacement ends, most of FMR 17's discussion focused on when the international community could safely make the determination that the displaced have ceased to be so. Who is and who is not an IDP matters most to the international community, in so

much as humanitarian agencies have limits on whom they can assist and how much assistance can be given, so that logical decisions to exclude certain persons become necessary.

In the aid world, IDPs often have little say in determining how they are regarded and how they will be assisted. The problem of local people coming into IDP camps to seek material assistance is widespread throughout Afghanistan and has caused agencies, with limited resources, to come up with IDP status determination guidelines that can

*"How can they say I am not an IDP?"*

exclude certain persons from both assistance and camp residence. As I was walking around Shaidyee camp just outside Herat with the local camp manager, a woman showed us a piece of paper that explained she was not an IDP and was thus not eligible to receive food allocations from the World Food Programme or to live in the camp. The woman asked, "How can they say I am not an IDP? I am not from here and I cannot leave here. My son is very sick and is in the camp clinic for treatment." While there may have been legitimate reasons for denying this particular person assistance, her reaction to the news highlights the increasing insensitivity that international agencies show to the individual circumstances of displaced persons in the face of overwhelming need.

### Protection for the internally displaced

The most engaging debate on when displacement ends concerned how to determine when IDPs no longer required protection and whether the 1951 refugee convention cessation clauses could be applied to IDPs. UNHCR's position emphasised that no legal need to declare an end to internal displacement exists. Yet, UNHCR's perspective came largely from drawing an analogy between an end to displacement and refugee return, stipulating that persons are of



concern until they are fully integrated into the local community, enjoy a normal livelihood in safety and dignity and have equal access of protection from the national authorities.

UNHCR, like some other contributors, also stated that a removal of the root causes of displacement is an essential factor to determining displacement's end. Bonoan also pointed out that the refugee cessation clauses, stipulating that there has to be a fundamental change of circumstances in the place of origin, lend guidance to an answer. However, Cohen rightly reminds us that a fundamental change in the political conditions which led to displacement do not always make it possible for IDPs to then return or resettle. While Cohen uses the example of Tajikistan to illustrate this point, numerous other examples can be drawn from Rwanda, East Timor and Afghanistan.

### IDP protection in southern Afghanistan



Let us look at the example of Afghanistan more closely, drawing from the Informed Decision Making (IDM) project carried out by the International Catholic Migration Commission (ICMC) in Kandahar under the auspices of UNHCR from November 2002 to May 2003. The project aimed to find those displaced people located in five major camp locations in the south who originated from the western provinces to determine whether they wished to remain in their displacement location, return to their area of origin or seek alternative settlement options.

The IDM programme first began working with camp populations from Badghis province, an area northwest of Herat where fighting between the Taliban and Northern Alliance forces in early 2002 was particularly acute, leading thousands of ethnic Pashtuns from the area to flee to the southern provinces. UNHCR offices in Kabul, Herat and Kandahar believed that Pashtuns from Badghis who were not

politically involved in the Taliban regime could return to their communities of origin in safety and dignity. They came to this conclusion for two reasons; firstly because Taliban and Northern Alliance fighting in Badghis had come to an end and secondly because UNHCR's Field Officer in Badghis province reported that no major protection issues in the area impeded the safe return of non-political persons.

As the Programme Manager for the IDM project, I was able to locate substantial information in returnee monitoring reports on whether material, educational and health resources were available at the district level in Badghis. However, I could not locate any

factual evidence that there were no ongoing, low-level conflicts in the area. However, such protection indicators were aptly supplied by the IDPs themselves. The project found that more than half of the IDPs in Zhare Dhasht camp feared local commanders who took their women, homes, animals and other possessions during the period of Taliban-Northern Alliance fighting. They wanted to know whether specific individuals were present in their places of origin, whether they were occupying their property and especially if they were part of new government forces.

The IDM project team collected the names of 28 local commanders impeding the return of hundreds of families who would otherwise like to return. This information was given to the UNHCR office in Kandahar, with the suggestion that the UNHCR office in the west provide information concerning these individuals for dissemination to the IDPs. The information was disregarded, based on the fact that the 'circumstances which led to displacement had fundamentally changed'.

Yet, many IDPs felt that conditions in their place of origin had not fundamentally changed since the time of flight. While they recognised that major fighting between Taliban and Northern Alliance had ceased, they were aware of low-level conflict between commanders that I could not confirm from other sources. Although UNHCR felt this information was not credible, several weeks after reporting the IDPs' concerns, fighting broke out between commanders in two districts of Badghis which led the UN to evacuate its staff from the entire province. An important lesson was learned here. The factors by which displaced people make the decision to return or not are more intricate than those which can be determined from a checklist survey. The quantitative facts that are gathered from asking IDPs more probing questions about the situation in their place of origin can unearth important political indicators that could be easily overlooked without such investigation.

*IDPs at Dasht-i-Qala, Takhar province, Afghanistan*



## Conclusion

Does internal displacement end? Yes for some, no for others. The case of southern Afghanistan shows that some people 'establish a place' based on where they build a home, have water or find relatives; others who wish to return to where they had property or livelihoods may be waiting for some time before they can find out whether return to their area is safe or not. Ironically, camp life has informally ended internal displacement for some, though such people remain under UNHCR auspices and wait for the new government to formally grant land ownership rights. While rain will end internal displacement for others, many will remain displaced until they rest assured that return will not subject them to future discrimination and loss.

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**FMR16 had an article on Sudanese refugees in Cairo ('In 'closed file' limbo: displaced Sudanese in a Cairo slum' by Pascale Ghazaleh). Below are edited versions of comments received by Vincent Cochetel, former Acting Representative, UNHCR Cairo, and a reply from the author.**

I appreciate the time spent by Ms Ghazaleh in her research and the interest shown by FMR to examine the plight of Sudanese asylum seekers being denied refugee status in Cairo.

However, the statement that UNHCR admits using a restrictive refugee definition at its office in Cairo is not accurate. UNHCR Cairo applies all refugee definitions in accord with its mandated Refugee Status Determination (RSD) procedures. The fact that someone was an IDP in

Sudan prior to coming to Egypt does not mean that article 1.2 of the 1969 OAU Convention, governing the specific aspects of refugee problems in Africa, applies automatically. A large number of former Sudanese IDPs are recognised as refugees by UNHCR. Others are not because their refugee claim does not fall within the scope of exiting refugee definitions or because their refugee claim seriously lacks credibility.

My question "why don't they move on?" should not have been taken out of context. I was referring to the fact that several asylum seekers, who had been denied an appeal refugee status, choose every week to return to Sudan by steamer via Wadi Halfa (and were observed doing so). This suggests that not all "rejected asylum seekers" are stranded in Egypt.

My comment "no one had forced these people to come to Egypt" should not have been negatively presented. The UNHCR Office in Cairo has not prevented any asylum seeker from coming to Egypt to apply for refugee status. Many asylum seekers, who were for many years IDPs in Sudan, have moved to Egypt because they were dissatisfied with the decreasing assistance programmes there or unrealistic prospects of resettlement via UNHCR Cairo. Many have been materially assisted and encouraged, including by aid organisations, to leave Sudan to become asylum seekers in Egypt. For those not qualifying for refugee status, their move to the Cairo slum of Arba'a wa Nuss results in a lowering of their standards of living and an increased need for protection.

I have been attributed a quote on "clientelism", which should also be contextualised. Many refugees and asylum seekers coming from Sudan have reported to UNHCR Cairo how various forms of religious clientelism are favoured by some Christian or Muslim aid groups in Sudan. Those practising traditional African religions are the most exposed to such unethical approaches. This practice of

creating religious dependence does not exist in Egypt. Church groups are providing, in a remarkable manner, assistance to refugees and asylum seekers in Egypt irrespective of their religion, ethnic background or nationality. Without their committed involvement in humanitarian relief efforts the life and well being of refugees and asylum seekers in Cairo would be in serious jeopardy. UNHCR hopes that Muslim and Coptic charitable organisations in Egypt will in the near future start to take a similar interest in providing support to all persons in need of basic humanitarian consideration.

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As a journalist, I am always careful to transcribe interviews accurately and check my sources. The topic of Sudanese refugees in Egypt – and RSD procedures applied to them – is of great sensitivity to the Egyptian authorities, UNHCR and the church groups which provide assistance. Any discussion of this subject is certain to arouse objections.

I am delighted that Mr Cochetel has agreed to qualify the comments he made to me that "they [Sudanese refugees] don't have to come here." When I cited this comment I neither stated nor implied that UNHCR had prevented anyone from coming to Egypt. If anyone is to blame for preventing displaced people from crossing borders it is the Egyptian and Sudanese governments. With regard to religious clientelism, editing of the version of the article which appeared in FMR removed references to the 'slave emancipation' movement and thus allowed no scope for discussing clientelism within Sudan. Clientelism is an accurate term for the tendency of various religious organisations to privilege their members when distributing material assistance.

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