Armed conflicts are a major cause of forced displacement, but people displaced by conflict are often not recognized as refugees under the 1951 Convention Relating to the Status of Refugees. They are frequently considered as having fled from generalized violence rather than from persecution. This book determines the international meaning of the refugee definition in Article 1A(2) of the Convention as regards refugee protection claims related to situations of armed conflict in the country of origin. Although the human rights based interpretation of the refugee definition is widely accepted, the interpretation and application of the Convention as regards claims to refugee status that relate to armed conflict is often marred with difficulties. Moreover, contexts of armed conflict pose the question of whether and to what extent the refugee definition should be interpreted in light of international humanitarian law. This book identifies the potential and limits of this interpretative approach. Starting from the history of international refugee law, the book situates the 1951 Convention within the international legal framework for the protection of the individual in armed conflict. It examines the refugee definition in light of human rights, international humanitarian law, and international criminal law, focusing on the elements of the refugee definition that most benefit from this interpretative approach: persecution and the requirement that the refugee claimant's predicament must be causally linked to the race, religion, nationality, and/or membership of a particular social group or political opinion. (Series: International Law - Vol. 15) [Subject: International Law, Humanitarian Law, Human Rights Law, Criminal Law]
Where To Download Armed Conflict And Displacement The Protection Of Refugees And Displaced Persons Under International Humanitarian Law Cambridge Studies In International And Comparative Law

This book presents a detailed study of the return of conflict-affected internally displaced persons (IDPs) under international law. Part I of the book undertakes a wide-ranging analysis of the scope of protection under existing international law for IDP returns. Part II addresses the implementation of the international framework in practice through a case study of the national law, policy and practice of IDP returns during the most intense ten years of the armed conflict in Colombia. Part III, the conclusion, draws together these different strands of analysis.

The Armed Conflict Survey is the annual review of the political, military and humanitarian dimensions of all active conflicts from the International Institute for Strategic Studies. It offers in-depth analysis of the drivers, dynamics and outlook of 34 current armed conflicts along with detailed information on conflict parties and more than 60 full-colour maps and infographics. The Armed Conflict Survey is an essential resource for those involved in security, foreign and humanitarian policymaking, and an indispensable handbook for anyone conducting serious analysis of armed conflict. Key features: Essays on global trends in armed conflict, with a focus on the changing nature of third-party intervention, the long aftermath of armed conflicts, and economic migration and forced displacement in a COVID-19 world. Overviews of key events and political and military developments from January 2020–February 2021 for each conflict. Strategic analysis of national and regional drivers and conflict outlooks. Regional analyses with unique insights into the geopolitical and geo-economic threads linking conflicts across regions and globally. Expanded information on conflict parties. The Armed Conflict Global Relevance Indicator (ACGRI), an IISS proprietary indicator that combines measures of incidence and human impact with geopolitical impact to assess the global salience of armed conflicts. Analysis of the humanitarian, social and economic impact of conflicts. Conflict-specific trends, strategic implications and prospects for peace. More than 60 full-colour maps, tables and infographics highlighting key conflict developments and data. Key statistics on violent events, fatalities, military power, geopolitical salience, refugees and internally displaced persons. The 2021 Chart of Armed Conflict, presenting information on conflict start dates, typologies and relevant refugee flows, as well as providing a visual overview of each conflict’s geopolitical relevance, looking at 2020 ON Security Council resolutions, multilateral missions and the involvement of third-party countries.

Human displacement has always been a consequence of war, written into the myths and histories of centuries of warfare. However, the global conflicts of the twentieth century brought displacement to civilizations on an unprecedented scale, as the two World Wars shifted participants around the globe. Although driven by political disputes between European powers, the consequences of Empire ensured that Europe could not contain them. Soldiers traversed continents, and civilians often followed them, or found themselves living in territories ruled by unexpected invaders. Both wars saw fighting in Europe, Africa, the Middle East and the Far East, and few nations remained neutral. Both wars saw the mass upheaval of civilian populations as a consequence of the fighting. Displacements were geographical, cultural, and psychological; they were based on nationality, sex/gender or age. They produced an astonishing range of human experience, recorded by the participants in different ways. This book brings together a collection of inter-disciplinary works by scholars who are currently producing some of the most innovative and influential work on the subject of displacement in war, in order to share their knowledge and interpretations of historical and literary sources. The collection unites historians and literary scholars in addressing the issues of war and displacement from multiple angles. Contributors draw on a wealth of primary source materials and resources including archives from across the world, military records, medical records, films, memoirs, diaries and letters, both published and private, and fictional interpretations of experience.

While the 21st century bears witness to several conflicts leading to mass displacement, the conflict in Syria has crystallised the need for a solid legal framework and
Since the end of the Cold War, increasing numbers of people have been forced to leave their homes as a result of armed conflict, internal strife, and systematic violations of human rights. Whereas refugees crossing national borders benefit from an established system of international protection and assistance, those who are displaced internally suffer from an absence of legal or institutional bases for their protection and assistance from the international community. This book analyses the causes and consequences of displacement, including its devastating impact both within and beyond the borders of affected countries. It sets forth strategies for preventing displacement, a special legal framework tailored to the needs of the displaced, more effective institutional arrangements at the national, regional, and international levels, and increased capacities to address the protection, human rights, and reintegration and development needs of the displaced.
Refugees and Displaced Persons Under International Humanitarian Law

Where To Download Armed Conflict And Displacement The Protection Of Refugees And Displaced Persons Under International Humanitarian Law

Cambridge Studies In International And Comparative Law

Democracy and Displacement in Colombia’s Civil War is one of few books available in English to provide an overview of the Colombian civil war and drug war. Abby Steele draws on her own original field research as well as on Colombian scholars’ work in Spanish to provide an expansive view of the country’s political conflicts. Steele shows how political reforms in the context of Colombia’s ongoing civil war produced unexpected, dramatic consequences: democratic elections revealed Colombian citizens’ political loyalties and allowed counterinsurgent armed groups to implement political cleansing against civilians perceived as loyal to insurgents. Combining evidence collected from remote archives, more than two hundred interviews, and quantitative data from the government’s displacement registry, Steele connects Colombia’s political development and the course of its civil war to purposeful displacement. By introducing the concepts of collective targeting and political cleansing, Steele extends what we already know about patterns of ethnic cleansing to cases where expulsion of civilians from their communities is based on nonethnic traits.

With 'displacement' as the guiding thread, the purpose of this study is twofold. Firstly, it derives from the relevant provisions of international humanitarian law a legal framework for the protection of displaced persons in armed conflict, both from and during displacement. It contains a case study on Israeli settlements in the Occupied Palestinian Territory and the recent Advisory Opinion on the Separation Wall, and addresses such issues as humanitarian assistance for displaced persons, the treatment of refugees in the hands of a party to a conflict and the militarisation of refugee camps. Secondly, it examines the issue of displacement within the broader context of civilian war victims and identifies and addresses the normative gaps of international humanitarian law, including the inadequacy of concepts such as 'protected persons' and the persistence of the dichotomy between international and non-international armed conflicts, which is at odds with the realities of contemporary armed conflicts.

This volume focuses on Guiding Principles on Internal Displacement and IDPs in South Asia. The volume begins with an overview of Maoist rebels in 1996, as they launched a ‘people’s war’ to overthrow the monarchy and establish a socialist republic in Nepal. Specifically, it attempts to bring out the tensions between minority ethnic groups and low castes in the rural areas and the upper caste Hindus who still have a hold albeit tenuous over the country. The work attempts to document and analyse the conflict which ended with a Comprehensive Peace Agreement (CPA) in November 2006 and providing for the return and rehabilitation of all people displaced by the conflict. Those from impoverished communities fled the fighting, Maoist extortion and forced recruitment, to district centres, large cities such as Kathmandu, Biratnagar, Nepalgunj, and across the border to India. Apart from the question of filling in the gap in the existing literature on the People’s War in Nepal, the volume aims to raise certain questions relating to the situation of the Internally Displaced Persons in Nepal. The study also focuses on the governmental measures, the attitude of the host community and the struggle of the IDPs in a new environment that influenced and impacted upon their social and cultural life. This volume is invaluable for scholars of South Asian Studies, Nepal, Strategic Studies, Human Rights and IDPs. Please note: Taylor & Francis does not sell or distribute the Hardback in India, Pakistan, Nepal, Bhutan, Bangladesh and Sri Lanka.

Societal turbulence, state collapse, religious and ethnic conflict, poverty, hunger, and social exclusion all underlie children’s involvement in armed conflict. Drawing from empirical studies in eleven conflict-ridden countries, including Pakistan, Sri Lanka, Thailand, Colombia, Uganda, Palestine, Somalia, Liberia, Sierra Leone, Sudan, and South Sudan, Children Affected by Armed Conflict crosses cultures and contexts to capture a range of perspectives on the realities of armed conflict and its aftermath for children. Children Affected by Armed Conflict expands traditional views by emphasizing the experience of girls as well as boys, the unique social and contextual backgrounds of war-affected children, and the resilience and agency such children often display. Including children who are victims of, participants in, and witnesses to armed conflict in their analyses, the contributors to this volume highlight innovative methodologies that directly involve war-affected children in the research process. This validates the perspectives of children and ensures more effective outcomes in postwar reintegration and recovery. Deficits-based models do not account for the realities many war-affected children face. The alternative approaches presented in this edited collection—which acknowledge the realities of both trauma and resilience—aim to generate more effective policies and intervention strategies in the face of a growing global public health crisis.
Displacement is part and parcel of war and one of the greatest humanitarian challenges of our time. This study shows that international humanitarian law (IHL) needs to be an integral part of reflection on how to reduce and solve displacement in armed conflict. The main purpose of the study is to draw attention to the key role that IHL plays in preventing and addressing displacement and to influence law and policymaking among States and international and multilateral organizations. This is the first instalment of IHL Impact, a series of academically rigorous, evidence-based studies by the ICRC’s Law and Policy Forum that draw on the organization’s unparalleled knowledge and resources to examine how IHL actually makes a difference on the ground.

The coerced displacement of people within the borders of their own countries by armed conflicts, internal strife, and systematic violations of human rights has become a pervasive feature of the post Cold War era. The plight of the displaced poses a challenge that is not only humanitarian but a threat to the security and stability of countries, regions, and, through a chain effect, the international system. This book contains case studies of ten countries that have suffered severe problems of internal displacement: Burundi, Rwanda, Liberia, and the Sudan in Africa; the former Yugoslavia and the Caucasus in Europe; Tajikistan and Sri Lanka in Asia; and Colombia and Peru in the Americas. The contributors are Thomas Greene, Randolph C. Kent, Jennifer McLean, Larry Minear, Liliana Obregón, Amir Pasic, Hiram A. Ruiz, Colin Scott, H.L. Seneviratne, Maria Stavropoulou, and Thomas G. Weiss. Additionally, the contributors and editors offer recommendations for further action.

This book analyses the anthropological, historical, and legal contours of the crime of forcible displacement and proposes specific measures that the international community can adopt in order to prevent and/or punish the perpetration of the crime in the future.

Historians have become increasingly interested in material culture as both a category of analysis and as a teaching tool. And yet the profession tends to be suspicious of things; words are its stock-in-trade. What new insights can historians gain about the past by thinking about things? A central object (and consequence) of modern warfare is the radical destruction and transformation of the material world. And yet we know little about the role of material culture in the history of war and forced displacement: objects carried in flight; objects stolen on battlefields; objects expropriated, reappropriated, and remembered. Objects of War illuminates the ways in which people have used things to grapple with the social, cultural, and psychological upheavals wrought by war and forced displacement. Chapters consider theft and pillaging as strategies of conquest; soldiers’ relationships with their weapons; and the use of clothing and domestic goods by prisoners of war, extermination camp inmates, freed people, and refugees to make claims and to create a kind of normalcy. While studies of migration and material culture have proliferated in recent years, as have histories of the Napoleonic, colonial, World Wars, and postcolonial wars, few have focused on the movement of people and things in times of war across two centuries. This focus, in combination with a broad temporal canvas, serves historians and others well as they seek to push beyond the written word. Contributors: Noah Benninga, Sandra H. Dudley, Bonnie Effros, Cathleen M. Giustino, Alice Goff, Gerdien Jonker, Aubrey Pomerance, Iris Rachamimov, Brandon M. Schechter, Jeffrey Wallen, and Sarah Jones Weicksel