SECTION 7.
LAW AND INTERNATIONAL LAW

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“REFUGEE SYDROM” IN INTERNALLY DISPLACED PERSONS: SPECIAL FEATURES OF MIGRATION, INTEGRATION AND SOCIAL INCLUSION

Annotation. The internal displacement appears to be an acute postulate for scientific discussion among professions. People, fleeing from natural, technological disasters, political and economical instabilities, riots, military invasions, full-scale wars, armed conflicts etc., trying to protect their lives, health, and basic human rights without living their national State borders. On one hand, somehow “local relocation” ensures a simplified integration and social inclusion, eliminates linguistic, cultural, national and traditional differences, as well as the necessity to “explain” all biases and prejudices that are typical for relocated persons while not being one for communities abroad. Therefore, it excludes numerous potential negative factors, which are tightly related to an integration and inclusion process outside the national territory. However, the status of IDPs may also be connected with a constant anxiety, depression and “negative expectation” of the danger, which is definitely yet to come, because of not leaving the borders of a literal “dangerous territory”. In addition, sometimes, the necessity to change linguistic and social surroundings may have a more positive healing affect than preserving individual’s ones. In our current research we would like to emphasize main features of social inclusion, integration and migration in general of Internally Displaced Persons.

Research results. Internal displacement is used to be treated as the most “mild” way of forcible migration of persons, who “1) had to flee their homes under relentless bombardments or the threat of armed attacks, whose own governments may be responsible for displacing them; 2) are residents of poor neighborhoods rendered unsafe and uninhabitable, at least temporarily, by the impacts of weather-related, geophysical or technological hazards; 3) are representatives of indigenous communities forced from their ancestral lands to make way for the construction of dams and other infrastructure projects”; 4) are members of families, pushed to leave their homes by constant harassment by local criminal gangs; 5) representatives of rural communities whose livelihood are decimated by drought, leaving them unable to feed their families and forced to seek external help elsewhere; 6) communities from coastal, mountainous or arid areas whose land and
livelihood are irrevocably lost because of gradual environmental degradation linked to the impacts of climate change”[6]. Thus, the number of reasons is vast due to the fact that various basic conditions and threats force local communities to leave their regions and lands as a result of multiple force major phenomena. It also directly depends on character of the event, which occurs, on subsequent returning and reintegrating into the basic community or not. In each case, according to the UN definition, Internally displaced persons (IDPs) are “Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border” [5,6]. As the main definitive factors of forcible internal displacement we name: the internal character of moving, i.e. the persons/group of persons shall not cross the internationally recognized border of his/her State of origin, therefore, the relocation occurs inside the national borders and “the forcible character” of relocation, which means, that the decision of changing the place of permanent stay was not taken by a given persons and/or group of persons, but was enforced either by force-major natural disaster or human-made technological, environments, climate and other disasters. Here, we are also mentioning full-scale wars, armed conflicts and/or political/economical/social instabilities which may constitute a threat for human rights of this persons and/or group of persons. According to our long term observation in the analyzed sphere, we can also postulate that the character of threat may be “unique”, it means, completely unpredictable and unexpected, and may include both natural disasters, absolutely untypical for this continent/country/land/region etc., armed conflicts/full-scale wars/political/economical and other instabilities, that threaten a given individual or number of persons, as a result of a unique/unpredictable and totally new national/political/governmental/international circumstances that take place on the political arena; and ones, that periodically appear in a given country/land/region. In the last case we are mainly talking about natural and environmental crisis/disasters etc., which can be potentially predicted by appropriate professionals and, therefore, the local community may be informed on time. The importance of high-quality and reliable information cannot be underestimated, as it provides individuals with a possibility to prepare themselves for a crisis and to flee for their life and safety without waiting, until the aforementioned cataclysm takes place. The necessary time obtained/“won” for preparation allows to take more appropriate clothing, documentations, medications and other things which may constitute a basic for a life of dignity in an “exile”. In case of sudden wars/full-scale invasions/armed conflicts/military couples, the time cannot provide such a privilege for potentially displaced persons. Unexpected change of situation constitute a life-changing necessity or an obligation to change a place of residence and, what is more, without any level of guarantee that the possibility of return will sometime even appear. The other drastic difference between “stably displacing persons” and ones, who have never experienced the relocation is the fact that people, annually or “from time to time” experiencing natural, environmental, sometimes also technological, political and other instabilities (therefore, both for people, who became IDPs for the first time as for those ones, who face the aforementioned necessity periodically, the catalogue of possible crisis cannot be exhaustive, but rather is always opened for other possible examples), is that persons who face a periodical necessity to flee from their place of permanent residence because of, for example, environmental cataclysm, hurricanes etc, plan their place of residence appropriately, thus, they do neither use expensive building materials, nor furnishing in the aim of decorating their house or apartment. They rather treat their residence area as literally “place of living”, but not “extra-luxury well-being”, as it occurs in case of people, who did not expect any possible necessity to be ever relocated to another place temporarily or permanently. It also reflects on “feeling of belonging”, as the more physical strength and financial resources person dedicated for his/her residential area, the more connected he/she accordingly feels towards it.
Eventually, by experiencing a typical for every human-being “subconscious desire of global justice”, which is usually being understood as a latin phrase, presented by Roman jurist Gnaeus Domitius Annius Ulpianus in around 200-228 AD: “Juris praeccepta sunt haec: honeste vivere, alterum non laedere, suam cuique tribuere (The basic principles of law are: to live honorably, not to harm any other person, to render each his own)” [7,8,9,10]. Thus, people do not ordinarily fully accept the aforementioned necessity to relocate in any region/zone/area, even though they do understand precisely, that sometimes they either do not have the other way out to protect their life, health and basic human rights, or they are objectively obliged to act in a such way. Subconsciously, every individual always believes, that if he/she leads his/her life appropriately, according to the aforementioned postulate, by working hard, living honorably, not harming others in particular, he/she is supposed to be given any kind of good/level of welfare and well-being, which are necessary for a life of dignity they expect to obtain. It also explains the difference in a level of affecting the sense of justice in case of various groups of IDPs, if they are relocated as a result of environmental or human-made vis maior. According to main legal postulates on force majeur, refers to an irresistible force or unforeseen event beyond the control of a state, making it materially impossible to fulfill an obligation (we refer to obligations, because the postulate of vis maior as it is, was produced directly for contract law necessities). Here, due to explanations of the doctrine, natural and human-made vis maior are traditionally posed on the same level of improbability/inability to predict and prevent. However, under the prism of IDPs way of distinguishing both of types of unpredicted events, the natural disasters are ones which will rather be understood as a subconscious vis maior, than ones that were caused by other human beings. For example, natural disasters traditionally make IDPs think immediately about ways of restoration of their social and economical well-being, once their life and health are protected, while in case of armed conflicts and full-scale wars, especially, caused by neighboring countries, the process of integration into the local society (into a community, which has accepted the IDPs), social inclusion may be basically stopped for some period of time, because of experiencing acute level of injustice in human-made disasters those people were forced to face; as a result of which they were primarily deprived from their right to enjoy their property and possessions in full or absolutely. Therefore, the “acts of Nature” are rather being socially treated as “an act of God” than ones that were caused by other human beings. This slight difference, which is being absolutely unrecognizable under the prism of law, may significantly distinguish a level of well-being, activeness of integration and social inclusion of IDPs to the local communities of receiving areas once they were relocated from the dangerous regions or zones. “An affected feeling of justice” traditionally makes IDPs relocated from the areas touched by military operations, riots, full-scale invasions, ongoing wars, armed conflicts etc face additionally “a temporarily condition of limbo”, which is ordinarily explained as pausing the life activity as a result of non-ability or avoiding one to accept reality around, because of its extreme and critical character.

Regardless reasons of a forcible relocation, it is still highly believed that this kind of displacement is more “mild” and “sustainable” in comparison with being forcibly displaced abroad as an asylum-seeker. As dominant arguments both scientists and practitioners working with both forcibly externally and internally relocated persons admit that being transferred inside the borders of the State of origin, even though, that the person literally arrives possessing the same possibilities, financial sources and social opportunities as if he/she were displaced abroad; national surroundings shall make a process of integration into a local community and subsequent social inclusion more qualitatively pro-human than external one. However, the way the aforementioned situation is globally recognized and understood by appropriate professionals and the situation, which in reality appears to be true, are absolutely different. In the subsequent part of our research we shall emphasize main advantages and disadvantages of being relocated inside the national borders in case of any natural or human-made crisis, instead of seeking an asylum abroad. Thus, the main pluses of aforementioned state of being are:
1) Mostly an objective lack of linguistic barriers, what spares time for additional language courses, training and comprehension of appropriate accent, dominant insecurities and anxieties that are traditionally related to linguistic integration;

2) Similarity of culture, traditions, beliefs, and even biases and prejudices, what eliminates the necessity “to explain any kind of one’s behavior/act”, which is typical for a given culture and is not for a receiving society, and eliminates a probability of positive discrimination [11] in IDPs on the aforementioned ground;

3) In a long-term perspective, compatriots are appearing to be more compassionate and understanding towards various groups of newcomers [12], as a result of what literally all IDPs are warmly welcomed and those, who are arriving possessing an appropriate financial sources are treated rather positively, as a source of additional income into a budget of a local community, rather than the object of envy. Therefore, there are no “prejudices, on how the asylum-seeker” shall and shall not look like”, which are typical in case of external relocation (it is acutely visible on the example of “wealthy refugees” from Ukraine on the territory of the EU after February 24, 2022);

4) In case of inner relocation IDPs disclose to suffer a lesser level of “syndrome of traitor” [13], as a result of being able to actively support other forcibly relocated to their community people. It is clearly visible in case of IDPs, who have been displaced as a result of armed conflicts, political riots, full-scale invasions and ongoing wars. The subconscious necessity and desire to be helpful towards compatriots make sometimes people fleeing primarily abroad turn back and become IDPs in the aim of being able actively support their own community. Otherwise, a feeling of guilt of various severity, which appears in case of numerous externally forcibly displaced persons, besides feeling of traitor experience a block in the process of general integration and social inclusion in the international society;

5) Usually, children of the IDPs, who are naturally displaced together with their families, are being better adapted among their national peers speaking the same language as they are. It naturally facilitates schooling integration and non-interruptive character of appropriate schooling. In case of externally displaced persons, the process of general and, in particular, linguistic integration may require a significant period of time, what will additionally affect the general level of merit preparation as it is;

6) Natural similarity of political opinions, as in case of natural disasters, as well as in case of human-made crisis, such as wars, armed conflicts, full-scale invasion of the neighboring countries, and, as a result, ongoing full-scale war on the territory of a given country. In case of integration and social inclusion into the society of compatriots living in other regions inside the same national borders, the difference of political opinions towards the same governmental powers, policy and appropriate policies can be different, however rather not drastically, but slightly.

If we are talking about disadvantages of obtaining IDPs and desire to choose the status of asylum-seeker abroad instead, we shall specifically underline the following tendencies, which are tightly connected with the fact of being forcibly displaced inside the national border. Thus, hereby we name as follows:

1) The PTSD, anxiety, insecurity and depression, caused by constant expecting of a potential danger, which is yet to come, may block the successful integration and social inclusion into the local society, as the person subconsciously cannot feel protected while staying physically “still inside the borders of the territory, which has suffered”. It is specifically visible in case of persons fleeing from riots, political instabilities, wars, armed conflicts, full-scale military invasions etc. In this case national borders play also an important psychological “protective” role, as they are associated with an opportunity to literally “flee” from the danger, which a given individuals has faced in his home land. There are no doubts, that the aforementioned “subconscious explanation” cannot be fully exhaustive under the prism of rational mind, but in case of various groups of asylum seekers, over 94% of respondents to our anonymous survey have revealed the tendency we have spoken above;
2) The typical necessity to learn a new language and integrate into a new society abroad (in case of externally displaced asylum seekers) sometimes plays a more significant healing role, as it helps to distract attention of relocated persons from their inner traumas and painful experiences by making their minds “busy” with necessary goals to reach. The PTSD “in an external exile” is therefore claimed to be overcome easier than in case of IDPs. However, the traumatic experience developed as a result of relocation as it is may bring the same negative consequences for the human psychological condition, as one, which was supposed to be primarily healed by relocation.

3) In case of persons fleeing from wars/riots/armed conflicts/political instabilities etc., the primary relocation abroad for seeking a refuge, prevents people from re-traumatization, in case if the zone, where they were relocated to will also face bombarding, military invasions or even subsequent relocation. In this case, the individuals, who have already faced a relocation once upon a time, will suffer from the re-relocation more difficulty than it was during the first time. Moreover, by taking into account all general traumatic factors of forcible relocation, the re-relocation may be psychological fatal for numerous individuals, as it was directly presented on the experiences of people, who were primarily relocated due to the Russian military invasion on the Ukrainian territory in the year 2014, and then in 2022.

The aforementioned catalogues of both advantages and disadvantages of obtaining the IDP status cannot be treated as exhaustive, even though can be recognized as basic ones. In most of cases, the level of “happiness” and successful social inclusion alongside with an appropriate level of general integration may also depend on individual factors, such as experience of long term living abroad, familiarity of the labour market in a receiving country, language competences, flexibility of one’s personality, therefore, the natural simplicity of cultural and social adaptation, resistance towards stresses and, in particular, refugee syndrome, which are typical for people arriving abroad for a permanent stay (it is an important features not just for asylum-seeker, but also for migrants), readiness as for “excessive attention”, and for “total indifference” from the local society; acceptance of possibility to meet people with different political views (what appears to be an acute factors for individuals fleeing abroad from wars, riots and armed conflicts - therefore, the readiness to accept that someone will support people, who made this individual flee abroad).

Conclusions.
1. The postulate of internal displacement, even though, is a general practice in case of social relocation as a result of natural or human-made crisis, disasters and cataclysms, cannot be similarly treated by all scientists and professionals.

2. The internal displacement is traditionally not distinguishing various levels of subsequent integration and social inclusion among persons, who were relocated, as well as reasons of its distinguishing. However, one of the most important factors that affects a potential integration and social inclusion is “acute feeling of affected justice”, where people can easier accept the negative influence of natural disasters on their property, than human-made ones under the same conditions.

3. The IDP status allows people not to face linguistic, cultural and national barrier and to eliminate possibility to suffer from so-called “syndrome of traitor”, which is typically appearing in case of externally displaced asylum-seekers.

4. At the same time, the relocation inside national borders, especially, in case of people fleeing from consequences of armed conflicts, riots, full-scale wars/invasions, may prevent people from overcoming PTSD syndrome, anxiety, depression and insecurity, tightly related with a constant feeling of outer danger to come.

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