

# The State of the World's Refugees 1993

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## Chapter One The Dynamics of Displacement

There are as many reasons for moving as there are migrants. A particular set of reasons, involving persecution and the lack of national protection, distinguishes the refugee from other migrants. In practice, it is often difficult to pick out a specific cause for departure. People leave their homes as the result of a complicated mixture of fears, hopes, ambitions and other pressures which can be hard, if not impossible, to unravel.

Even for refugees, the reasons for flight are normally complex. The immediate cause of an exodus may be individual persecution, armed conflict, campaigns of repression, the violent collapse of civil society or a dozen variations on these themes. Behind these phenomena lie deeper and often interrelated patterns of political, economic, ethnic, environmental or human rights pressures, which are further complicated by the interplay between domestic and international factors.

The refugee problems of the 1990s are characterized by their complexity. They cannot be treated in isolation from the conditions that give rise to them – nor can those conditions be isolated from refugee concerns. If left unresolved, the problems of the displaced rebound upon the societies that send and receive them. Refugees often become an integral part of the dynamic that created them in the first place.

The situations that produce refugees also produce other forms of displacement, including people who have not crossed an international border but face the same fears and dangers as refugees. And they continue to affect people who have returned home to difficult and dangerous circumstances. In some settings, it is both unfair and counter-productive to assist refugees while ignoring the humanitarian needs of others in very similar predicaments, including people who have not even left their homes but who are subject to the same insecurity and deprivation. There remains, however, a crucial distinction to be made between people who need international protection, and those who can call on their own governments as a first line of defence.

In analysing a refugee flow, the problem is not simply to identify the multiple causes of flight but to understand the complex ways in which they interact. The stakes are high. A faulty or incomplete analysis may result in inadequate policies and inappropriate solutions. At worst, it can fuel the cycle of displacement it is meant to resolve.

### **Root causes**

The international system of refugee protection was consolidated in the aftermath of World War II and during the tense early stages of the Cold War. To negotiators looking back to the Nazi persecutions and over their shoulders at Stalinist repression, the causes of the contemporary refugee problems did not seem excessively complicated. The governments of the countries that produced refugees were assumed not to be susceptible to international pressure concerning the treatment of their citizens. There was little to debate. A political consensus among Western democracies that the people of Eastern Europe were persecuted by their governments meant that the limited numbers who managed to flee were automatically granted asylum.

**“Most conflicts in the world today are within rather than between states”**

Conflicts over decolonization in the late 1950s and 1960s – such as those in Algeria, Angola, Rwanda and Zaire – generated large numbers of refugees but did not shake the disinclination to examine root causes. Again, the causes seemed self-evident. It was not until the numbers of refugees escalated sharply in the 1970s that the debate was joined. Some of the energy behind it was dissipated in argument over whether internal or external factors were chiefly to blame for refugee problems. It is now evident that both play major parts; further generalization is pointless. But the debate provided the stimulus for an analytical effort that is still going on. It has already, for example, borne fruit in the specific approaches to the resolution of the very different refugee problems affecting Central America and Viet Nam.

## **1. Political roots**

The 1951 Convention identified what is still a major root cause of refugee flows: persecution based on who the refugee is (race, nationality, membership of a particular social group) or what he or she believes (religion or political opinion). Persecution usually takes place in the context of fundamental political disputes over who controls the state, how society organizes itself, and who commands the power, privileges, patronage and perks that go with political control. These disputes are at their most heated during periods of intense change – in the aftermath of a revolutionary struggle (successful or failed), at the moment of a far-reaching change of regime or upon the emergence of a new state.

Entire social classes or ethnic groups may be presumed to hold political opinions in opposition to the state, such as the professional classes in Cambodia under Pol Pot, or the Kurds in Iraq under Saddam Hussein. Although the state usually has privileged access to the instruments of violence and persecution, it is not only states who indulge in acts that generate refugees. Armed opposition groups, such as the Shining Path in Peru, Renamo in Mozambique, the Khmer Rouge in Cambodia, and nationalist groups in Bosnia and Herzegovina, have also made life unbearable – or impossible – for their adversaries and for many innocent bystanders.

As the map in Box 1.1 shows, virtually all of the refugee-producing conflicts taking place in the world during the early part of 1993 were within states rather than between them. Weak states are especially prone to internal violence, as credible mechanisms for resolving conflicts peacefully or seeking redress for violations of rights are eroded or cease to function altogether. The lack of representative political institutions, an independent judiciary, impartial law enforcement or free elections may lead people to conclude that armed resistance is the only way to bring about change. However, the weakness of a state is very often mirrored by the weakness of opposition. Political conflict degenerates into anarchy, with the state just one of many contenders for the dwindling spoils, while the population is deprived of any form of national security. Somalia, with its tens of thousands of dead, hundreds of thousands of refugees and an estimated one million internally displaced, is today's template of this kind of nightmare – but elements of the pattern are familiar from Afghanistan, Haiti and Liberia.

As the superpower rivalry of the Cold War all too clearly demonstrated, external political involvement of the partisan variety complicates internal conflict and raises the level of violence. The largest refugee flows of the last three decades – Afghanistan, Viet Nam, Cambodia, the Horn of Africa, Angola, Mozambique – were exacerbated by superpower involvement. External intervention in local disputes often disrupts traditional processes of mediation by giving one party, clan or faction a definitive upper hand. Contenders are provided with additional firepower to enforce their will. An outside patron may prop up leaders who have little if any domestic legitimacy. An infusion of military aid increases the destructiveness of confrontation, while economic aid raises the stakes in the contest for control of domestic institutions.

The vast majority of refugees today, as in the past, are fleeing not from targeted acts of individual persecution but from generalized violence that endangers civilians and radically disrupts everyday life. These conditions are the products of instability, internally or externally generated, and are fed by political opportunism that seeks to exploit social divisions for political gain.

## 2. Economic roots

Economic tensions are among the major underlying causes of refugee flows, but the relationship is not as straightforward as might be assumed. It is too simple to say that poverty begets refugees. In relatively static situations, extreme deprivation is as likely to breed resignation as resistance. More combustible material springs from a deterioration of economic standing. Bitter disputes among national groups arise from efforts to preserve or advance the standing of one group at the relative expense of others. Disputes concerning the distribution of resources during general economic decline are the most politically explosive. Leaders, trying to avoid the blame for deteriorating economic conditions, frequently turn to scapegoating. Minority groups often provide the most convenient targets.

### “Minority groups are often turned into scapegoats”

Poverty undoubtedly exacerbates ethnic and communal tensions. To know that the number of rural poor has doubled since 1950, that per capita incomes have fallen steadily in a number of regions and that malnutrition has risen, is to know that the stage is set for continuing refugee flows – but this is only one part of the dynamic of displacement. More than one billion people worldwide live in absolute poverty.<sup>1</sup> Only a small proportion of them will become refugees. In fact, the total number of refugees worldwide amounts to less than 2 per cent of the destitute. Nevertheless, economic deprivation interacts with other circumstances to heighten instability and aggravate conflicts.

In near-subsistence economies, violent conflict disrupts food production and distribution even as it displaces people. When the conditions of daily life, precarious to begin with, are disrupted by war, the ensuing famine and disease often become greater threats to the population than the fighting itself. In Sudan's civil war, for example, 600,000 people are thought to have died so far, many of whom have starved or succumbed to diseases that they would probably have been able to resist had the situation been more stable.

There is an obvious logic in the argument that stagnation and decline aggravate conflict. That rapid growth can have the same effect may be less apparent. Every process of change has winners and losers. The dislocations of development result in imbalances, with some classes, regions or ethnic groups benefiting disproportionately. They may become the targets of resentment, or themselves assert a claim for self-determination in order to be free of what they see as the drag of less progressive elements of society. Either reaction may provoke violent confrontation.

## 3. Environmental roots

Millions of people have been forced to leave their homes because the land on which they live has become uninhabitable or is no longer able to support them. In some cases the cause is a natural disaster; in others, the catastrophe is caused by humans. The disruption to the habitat may be sudden, as at Chernobyl or Mount Pinatubo, or as gradual as the spread of a desert or the retreat of a forest.

### “In extreme cases, destruction of habitat may be used as a deliberate weapon of war”

The terminology for describing environmentally induced migration is controversial. For many observers, “migration” does not convey the fact that the people affected are forcibly uprooted. To call them refugees seems to convey more accurately that they left their homes involuntarily, for reasons not of their own making. Accurate use of the term “refugee”, however, implies a need for international protection. For most people whose usual places of residence have become uninhabitable, the first recourse remains their own governments and societies. People displaced by environmental degradation or natural disaster undoubtedly need assistance. They do not necessarily require the kind of international protection implied in

the word “refugee”.

There are, nevertheless, clear links between environmental degradation and refugee flows. The deterioration of the natural resource base, coupled with demographic pressure and chronic poverty, can lead to or exacerbate political, ethnic, social and economic tensions which in turn result in conflicts that force people to flee. Africa, for example, accounts for 10 per cent of the world’s population and hosts over 29 per cent of its refugees. It is no coincidence that those parts of the continent that are most affected by soil erosion, drought and other environmental problems are also the main theatres of armed conflicts, recurrent famine and consequent refugee movements.

In the Sahel and the Horn of Africa, the combination of rapidly expanding populations, drought and competition between nomads and settled agriculturalists has erupted into violence along a number of fronts. Disputes over irrigable land in the Senegal River basin have contributed to the flow of thousands of Senegalese and Mauritians across their common border in both directions. In southern Ethiopia, incursions by certain clans into the traditional grazing lands of other clans have led to fierce and bloody clashes, and to a large, though temporary, flow of refugees into northern Kenya. Further south, in Mozambique, civilians already under severe pressure from the effects of civil war were pushed to the very edge of survival – and in many cases beyond it – by the effects of drought in 1992. More than 100,000 of them took refuge in neighbouring Malawi in that year alone.

Occasionally, the destruction of a habitat takes on the character of persecution – for example if it occurs as a result of deliberate governmental action or gross negligence and no effort is made to compensate or assist the people affected. Indigenous people are particularly vulnerable to this kind of assault, as their way of life is often closely connected to a particular terrain. In extreme cases, for example in Iraqi Kurdistan, destruction of habitat may be used as a deliberate weapon of war. People who are uprooted because of wilfully negligent or intentional destruction of the environment may indeed need international protection.

Long-term strategies of prevention should address environmental damage as a potential contributor to refugee flows. There is no comfort in the fact that today only a minority of environmentally displaced people need international protection. The international community has every interest in responding to the need to preserve and rehabilitate the environment before degradation leads to violence and persecution – and a mass of displaced people who easily meet the conventional definition of refugees.

**“Ethnic tensions are highly susceptible to political exploitation” .**

#### **4. Ethnic tensions**

Conflicts between ethnic groups have proliferated in recent years. Armenia and Azerbaijan, Bhutan, Burma, Ethiopia, Georgia, Iraq, Sri Lanka, Sudan and of course the former Yugoslavia are among a long list of examples. Very few modern states are ethnically homogeneous. The 190 or so independent states currently in existence contain at least 5,000 ethnic groups.<sup>2</sup> Ethnic diversity is part of human geography almost everywhere. As a consequence, the notion of an ethnically pure nation-state is almost everywhere a fantasy, which can only be realized at an unacceptably high human cost.

Ethnic tensions can be seen as a root cause of refugee flows for two reasons. First, they are highly susceptible to political exploitation. Factions seeking to mobilize support commonly seek to fan ethnic antagonisms for their own ends. Ethnic conflict is a likely outcome when control of the state is captured by a single ethnic group that uses its power to further its own interests at the expense of others.

Second, despite the fact that most states contain a variety of ethnic groups, the ethnic identity of a single group is all too often made into a defining characteristic of nationality. Some minority groups may be seen as an obstacle to nation-building, incapable of fitting into a

homogeneous national identity. Ethnic Albanians and Bosnian Muslims, for example, have no place in extreme nationalist visions of an Orthodox Christian “Greater Serbia”. The ideology of apartheid in South Africa defined the non-white population out of citizenship. Members of groups other than the dominant one may be exposed first of all to discrimination, then to forced assimilation, persecution, expulsion or even genocide. In many refugee crises, ethnicity is the criterion according to which people are denied the protection of their national governments (see [Box 1.2](#)).

Recurrent conflict among ethnic or communal groups within a state calls for mediation by the central government. If the state is party to the conflict, or if it is otherwise unwilling or too weak to perform its mediating role effectively, “ethnic cleansing” or other forms of forcible unmixing of populations may be the result, leading to very large flows of refugees – as in Palestine and the Punjab in 1948, and in Bosnia and Herzegovina, Armenia and Azerbaijan today.

Ethnic tensions are also vulnerable to manipulation by external forces. Irredentism – the attempt to unite all territories occupied by a single ethnic group into one political entity – is the most obvious form, and has played a large part in refugee-producing conflicts, in the Horn of Africa and the former Yugoslavia, to cite two examples. Somalia’s ambition to incorporate Somali-inhabited areas of the Ethiopian Ogaden led to a war in 1977, and the population of much of the region remains unsettled to this day, owing to a combination of political instability, ethnic tension, economic collapse and recurring drought.

Throughout the Cold-War period, superpower rivalry was a source of patronage for ethnic factions in numerous conflicts. Like European colonialism before it, the Cold War fostered or even created ethnic tensions. The recruitment of local factions into strategic alliances with East or West disrupted historical balances between groups, and artificially strengthened the position of client groups by arming them, arranging sanctuaries and providing diplomatic support for them. Members of certain disaffected ethnic groups were systematically co-opted to act as preferred proxies, intermediaries or fighters – for example, the Hmong in Laos or the Miskitos in Nicaragua – thereby exposing the whole group to retribution. Local impulses toward accommodation or reconciliation were sometimes submerged by a powerful patron’s interest in continuing the conflict. Refugee populations themselves became pawns in disputes remote from their own immediate concerns.

**“By the time massive abuses of human rights occur, the chances of averting refugee flows are slim”**

If the Cold-War era was dominated by ideological conflict, the fear is widespread that the 1990s may be the start of a new era of ethnic violence that will uproot additional millions of people from their homes. Already, refugees from dozens of ethnic conflicts look to the international community for material assistance and protection. Supposedly ancient hatreds, to which many people attribute the savagery of ethnic conflicts, can be invented, revived or kept from dying a natural death by opportunists who see in them a vehicle for personal or political profit.

The challenge for modern states is to alleviate ethnic tensions through mediation and to prevent them from turning into violent conflict. This preventive role is set within a more positive responsibility: to manage ethnic diversity in a way that promotes tolerance within and beyond national borders.

### ***Human rights and refugee flows***

Coerced departure is a violation of the human right to remain peacefully in one’s home. The direct denial of other basic rights, including the rights of civilians not to be targeted in military actions, often provides the immediate impetus for flight. Indirectly, protest about or resistance to human rights violations may provoke violent retaliation, or take a violent form itself. An accumulation of abuses accompanied by violence, which leads to further abuses and a generalized climate of fear, is a sequence that frequently produces mass exodus. In Iraq,

Bosnia and Herzegovina, Myanmar, Guatemala and elsewhere, human rights violations have been at the core of major humanitarian emergencies.

The rights that states are obliged to protect are codified in the Universal Declaration of Human Rights, and are translated into binding form in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. These instruments and others identify the sovereign state as the primary defender of rights such as the right not to be subjected to torture or to arbitrary detention and the rights to freedom of expression, thought and belief. The refugee's need for international protection arises from the violation of his or her rights combined with the state's palpable failure in its duty to defend citizens against such violations – which of course includes the duty to refrain from violations itself.

The responsibility of states towards their citizens is coming under closer scrutiny as refugee flows increase and come to be seen by many receiving states as a threat to international peace and security. Both humanitarian and security concerns have focused attention more sharply on the causes of mass exodus, bringing human rights out from behind the shield of national sovereignty. Indeed, the concept of the state's responsibility towards its citizens is being extended to encompass a responsibility towards the international community for the way those citizens are treated. Protection against the most threatening forms of abuse, such as arbitrary killings, detention, torture and disappearance, can have a profound impact on the cycle of violence and fear that impels so many people to flee (see [Box 1.3](#)).

Human rights violations do not occur in a vacuum. Like other causes of refugee flows, they exist in a complex environment of economic strains, political instability, a tradition of violence, ecological deterioration and ethnic tensions. One factor or another may dominate a particular situation while interacting with others. By the time serious and massive abuses of fundamental rights occur, the chances of averting refugee flows are slim indeed.

## **Catalysts**

If it is possible to detect broad patterns in the root causes of refugee movements, the immediate triggers tend to be much more specific to the particular setting. In northern Iraq, the catalyst was a savage attack by government forces in response to a failed rebellion. In the former Yugoslavia, it was a series of localized (though co-ordinated) campaigns of terror against ethnic opponents, involving gross violations of human rights, forced displacement and indiscriminate destruction of lives and livelihoods. In Somalia, it was the disintegration of law and order, leading to the violent disruption of production and distribution, which left millions of people vulnerable to famine. In Sudan, the imposition of laws and regulations which were unacceptable to a large segment of the population in the south of the country re-ignited a long-running secessionist struggle. In Haiti, a military coup against an elected government prompted a crackdown on civil and political expression as well as a regional economic boycott. In Afghanistan, the intervention of the Soviet Union in support of a client raised the level of violence in a civil war, which was further exacerbated by Western intervention to equip and fund opposition forces in exile.

**“The immediate cause of flight is usually an imminent threat to life, liberty or security”**

While the events that trigger refugee outflows are specific to each particular setting, certain common denominators are apparent. The immediate cause of flight is in most cases an imminent threat to life, liberty or security. Deliberate expulsion may present any or all of these threats. In situations of armed conflict, the perils to civilian life and security are not only accidental. Although non-combatants do inadvertently get caught in the cross-fire between opposing forces, the main dangers posed to civilians lie in the flagrant disregard of international humanitarian law (also known as the laws of war), which forbids attacks on the persons or livelihoods of non-combatants. The use of indiscriminate weapons, the adoption of scorched-earth policies in enemy territories and the denial of access to food supplies are among the violations of humanitarian law that have become major causes of contemporary

refugee flows.

## ***Refugees and non-refugees***

The world's 18.2 million refugees are part of a complex migratory phenomenon. The United Nations has estimated that 80-100 million people worldwide live outside their countries of origin.<sup>3</sup> Legal labour migration accounts for 5-30 million of these. The number of undocumented economic migrants is understandably difficult to estimate, but is assumed to lie between 20 million and 40 million people. Each year, 150,000-300,000 people are accepted for resettlement on humanitarian grounds, and more than 2 million seek asylum in a foreign country.

Global migration thus proceeds across a spectrum of motivation, ranging from those who flee from persecution to those who flee from serious danger, those who are trying to escape from misery and those who wish to leave behind a lack of opportunity. The most privileged are able to move for reasons of personal preference or convenience. International obligations to allow people to remain in a country other than their own are clear at either end of this spectrum, but in the middle there is no consensus. At the one extreme, there is no legal responsibility, although there may be a strong interest, for a state to admit economic migrants. At the other, international law obliges a state to refrain from forcibly returning refugees, who have a well-founded fear of persecution. Some states, notably the signatories to the 1969 OAU Convention, have committed themselves to extending protection to people in danger from generalized violence, and many other states do so in practice. The appropriate response to misery is generally considered to be humanitarian assistance rather than international protection, unless of course misery is the result of persecution or violence and national protection is not available.

It can be difficult to make a clear distinction between refugees and non-refugees. It has always been common for large-scale economic migrations to be accompanied by politically motivated exile or flight, and vice versa. The level of economic discontent that gives rise to emigration also gives rise, in many cases, to protest or resistance against the system of government that perpetrates, tolerates or is powerless to correct conditions of deprivation.

The distinction between refugees and economic migrants is most difficult when people flee from countries where poverty is perpetuated by the political system. In Viet Nam, political repression was combined with economic stagnation (deepened by an economic boycott led by the United States) in a pattern that sustained an outflow of boat people for 15 years. Haiti is a case of debilitating poverty and repression feeding upon each other in a system of endemic corruption. Economic sanctions designed to underscore the government's lack of legitimacy may lead to results on the political level, but in the meantime they cause further deterioration of living standards in an already devastated economy.

Refugees and other migrants often use, or attempt to use, the same avenues for entry into another country. If labour migration channels are open, refugees may opt to avoid the bureaucratic rigours and uncertainties of asylum procedures and simply enter as workers. Labour needs in the industrialized countries have thus acted as an attraction for refugees as well as migrants. When, on the other hand, migration channels narrow, some economic migrants attempt to avail themselves of the asylum channels. In either case, previous settlement of members of the same ethnic or national group, whether as refugees or labour migrants, is one factor that helps direct the flow of people toward a particular destination.

The line between the voluntary migrant and the refugee is often a fine one. Yet it is important for states to be able to make the distinction in a fair and consistent manner so that people who genuinely asylum are granted it, and so that the protection system for refugees is not overwhelmed with economically motivated migrants.

## ***Mixed populations***

People in need of international protection include those who have left their countries for fear of persecution, victims of mass expulsions and people fleeing from a combination of violence, chaos and mass violation of human rights. In addition to these international movements, the

roughly 24 million people displaced within their own countries by armed conflict, the breakdown of public order, severe human rights violations and political persecution are displaced for the same reasons as refugees. The only difference is that they have not crossed an international border.

## “No international institution has a general mandate to care for the internally displaced”

In Iraq, Ethiopia, Mozambique and other countries that have produced substantial numbers of refugees, the causes of external displacement have also created large numbers of internally displaced people. The geographical detail may seem trivial, but it can have life-or-death implications for the people affected. No international institution has the general mandate or the capacity to care for the internally displaced, even though they may have needs for protection and assistance that are indistinguishable from those of refugees.

In complex refugee situations where neighbouring countries import and export refugees, internally displaced people frequently coexist with refugees and suffering local inhabitants who have not been uprooted. The Hartisheik refugee camp in eastern Ethiopia illustrates the phenomenon of mixed populations vividly. By 1993 it had become one of the largest refugee concentrations in the world, with a population of some 250,000. The camp and surrounding areas contain Somalis who have fled the violence and disorder at home in Somalia; Ethiopians (some of Somali stock) who had been refugees in Somalia from the fighting in Ethiopia, and who were then driven back when the conflict in Somalia intensified; local people who were seriously affected by both the drought and the conflict nearby; and soldiers demobilized from the Ethiopian army after the defeat of the Mengistu regime. All of this diverse mix of refugees, returnees, internally displaced, drought-affected locals and ex-soldiers face harsh conditions of extreme deprivation and similar needs for assistance.

One response to this kind of complex emergency is to abandon the attempt to categorize people according to their reasons for leaving home – or even according to whether they have left home or not. Instead, in such situations, need becomes the only criterion. A Programme of Action developed at the Horn of Africa Summit on Humanitarian Issues in April 1992 called for such an approach, based on non-discrimination among people in need in certain identified zones. Assistance programmes have been established on this basis in areas of eastern Ethiopia and southern Somalia.

## “People should not have to struggle across an international border to get help”

This approach avoids making refugees a privileged class among people who are equally in need of assistance. Such people should not have to struggle across an international border to get help if the kind of assistance that they require can be provided closer to home. However, the overwhelming urgency of meeting the physical needs of people in these circumstances raises some troubling protection concerns. Not least among these is the danger that the availability of humanitarian assistance in the country of origin may be interpreted by the governments of neighbouring countries as a reason to refuse entry even though people may fear persecution as well as starvation. How can the asylum option be kept open, and the principle of *non-refoulement* remain uncompromised in such situations? The rapid growth of refugee populations amid circumstances that also expose local people to danger calls for innovative programmes – and for critical assessments of them.

### ***Comprehensive responses***

The complexity of refugee flows, both in terms of their causes and their manifestations, demands correspondingly complex responses. The totality of the problem – from causes through to solutions – requires careful examination. A comprehensive response must address all the reasons for flight, and the legitimate concerns of all the parties to a conflict. It will take into account, as appropriate, the rights and obligations of refugees and other affected

populations, of the receiving countries and the countries of origin, opposition groups, third countries and international organizations.

Humanitarian agencies are being drawn more deeply into intricate political processes as a result of their involvement in comprehensive responses. Several plans have been developed and are being implemented, some under extremely precarious circumstances – as in the former Yugoslavia and Cambodia. Programmes for Viet Nam and Central America are more firmly established.

A comprehensive response includes several elements. The first priority is to deal with the immediate causes of displacement, for example by effecting cease-fires and negotiating internationally monitored agreements to stop persecution and violation of human rights. A second is to contribute to the development of structures for longer-term mediation, so that future disputes can be settled without resort to violence. A third element incorporates economic development plans to expand the resource base and to defuse issues arising from inequality of distribution. Refugees should be part of the process of rehabilitation and reconciliation at every stage.

The implementation of a comprehensive plan is not a task for humanitarian agencies alone, but for the entire international community. Solutions and protection for refugees are more durable if they are embedded in the wider processes of peace-keeping (or peace-making) and development. Issues such as access to the means of subsistence, protection of minority rights and representation of all parties in the councils of government are likely to be elements of a complex response. The Central American plan known as CIREFCA (see Chapter six, Box 6.5) provided an international framework for repatriation, reintegration and development. The Comprehensive Plan of Action (CPA) for Viet Nam was designed to tackle a mixed movement of refugees and economic migrants within a complex international political environment (see [Box 1.4](#)).

The largest UN operation of this kind to date, the UN Transitional Authority in Cambodia (UNTAC), combines peace-keeping, refugee repatriation, electoral registration and human rights monitoring with reconstruction assistance. The operation in the former Yugoslavia is if anything even more elaborate, with peace negotiations and humanitarian assistance taking place in the midst of a savage war.

The intricacy of a comprehensive response dictates that each plan must be individually devised to fit the needs of a particular situation. Certain basic elements, however, will be common to all. Respect for human rights, observance of *non-refoulement* and high standards of humane treatment for the displaced are the most important protection elements of such plans.

Linkages with peace negotiations and development plans tie protection into the search for lasting solutions.

Effective responses to complex refugee problems present far-reaching challenges to the international community. Attempts to tackle root causes often run foul of claims that such internal questions are not matters of legitimate international concern, although arguments of this kind carry less weight as it becomes apparent that refugee flows frequently present significant threats to international peace and security. In the short term, negotiating and implementing solutions may be more difficult and expensive than merely containing apparently intractable problems. In the long run, however, there can be little doubt that neglect is the most costly of all possible approaches. Refugee problems left unresolved are not only an affront to humane values; they also feed back into the dangerous cycle of violent conflict and further displacement.

## **Box 1.1 Map of Conflict and Refugees**

(map not available)

## **Box 1.2 The Ethnic Factor: The Nepalese of Bhutan**

The ethnic origins of the refugees who have arrived in Nepal since 1990 are not in dispute. All agree that they are made up of a number of ethnic groups who fit comfortably under the generic label “Nepalese”. For the most part Hindu by religion, they are commonly known in Bhutan as “Lhotshampas”. This ethnic designation sets them apart from the Bhutan’s northern population of Buddhist Drukpas. Almost everything else about the refugees is a subject of some controversy – be it the date of their migration to Bhutan, the validity of their claim to Bhutanese citizenship, the reasons for their flight and even, in some cases, whether they are coming from Bhutan at all.

The first refugees began fleeing to Nepal in early 1991, crossing malaria-infested jungles in India and arriving with little more than the clothes on their backs. During the first half of 1992, the influx increased sharply, with between 300 and 500 people arriving each day. By June 1993, estimates put their number at more than 100,000. Around 86,000 are in six camps in eastern Nepal and some 25,000 are scattered in India.

According to the refugees, they were forced to leave their homes as a result of abuses ranging from revocation of citizenship and property rights, to discrimination, persecution, torture and rape. The government of Bhutan denies the charges and says that many are recent illegal immigrants. However, in a public statement made in April 1993, the Bhutanese authorities estimated that 30 per cent of the population in the camps could be Bhutanese citizens. The precise date of large-scale Nepalese immigration into Bhutan is also disputed. Some cite continuous migration eastwards since the 1700s, while others, including the Bhutanese authorities, say it is a much more recent phenomenon. Nevertheless, many of the Lhotshampas appear to have lived in the southern plains of Bhutan for several generations. Immigrants already in the country in 1958 were granted citizenship.

Bhutan says large-scale illegal immigration has continued since that date, and that measures to curb it are necessary if the Drukpas are not to become a minority in their own small country. Bhutan’s official national population figures range dramatically from 600,000 to 1.4 million. The ethnic breakdown is similarly confusing. In a 1992 interview with Reuters, the King of Bhutan said that 28 per cent of the population were of Nepalese origin; other recent estimates have ranged between 45 and 53 per cent. A new citizenship act introduced in 1985 introduced more restrictive criteria and applied them retrospectively, thus endangering the acquired rights of many Lhotshampas, or those of their spouses and children.

The exodus to Nepal came after an edict was issued in 1989 requiring residents either to show proof of citizenship in accordance with the 1985 nationality law and the census which followed in 1988, or to leave the country by January 1992. Other measures – seen as discriminatory by the Lhotshampas – were introduced, including the compulsory wearing of national dress and the removal of the Nepalese language from the primary school curriculum. Growing unrest among the Nepalese population led to pro-democracy demonstrations in 1990 which, in turn, set off a government backlash conditioned by concern over Nepalese nationalist movements in Sikkim and India.

For Nepal, the refugees have posed a dilemma. Although many Lhotshampas have never visited Nepal and few have any family links there, they do regard it as their original home. There is concern that a prolongation of the situation may result in additional ethnic Nepalese returning to an impoverished homeland, where a demographic explosion is already threatening to become a national catastrophe. The majority of the refugees are located in the

most politically volatile area of the country, and local resentment is on the rise. As a result, the government wishes to see rapid repatriation to Bhutan. In the meantime, Nepalese arriving after 1 June 1993 are being individually screened to ensure that only genuine refugees enter the camps.

Following a long period of stalemate, the Bhutanese and Nepalese governments agreed to resume talks on the problem in July 1993, giving rise to hopes of progress towards a solution. The longer the situation festers, the greater the danger that frustration will lead to increasing politicization and militancy which, if unchecked, could result in an ethnic upheaval involving not only Bhutan and Nepal, but also parts of neighbouring India.

### **Box 1.3 Victims of Torture**

Among the most barbarous forms of persecution suffered by people who subsequently become refugees are physical and mental torture. Some victims never fully recover. The following is an extract from a recent account by one Middle Eastern refugee.

*"I'm sorry I couldn't come to see you earlier. I couldn't walk. In five days time I'll be 28 years old but my life is in ruins. Since my late teens I was indirectly involved in the activities of my parents, brothers and sister in opposition to the regime at home. Six years ago my sister was arrested, one year later my parents and brothers. I never heard of any of them again.*

*Following their disappearance, I took up the struggle for democracy. I quickly fell under suspicion and one night, as I was leaving the bakery where I worked, I was seized and thrust into a waiting car. I tried to escape at a traffic light but was shot in the leg.*

*Bleeding profusely and in great pain, I was blindfolded and taken to prison. There I was interrogated and beaten continuously for four or five hours. At first they beat me with their fists, then with a sort of steel-capped cudgel. When I started to lose consciousness, I was thrown into a cell with my hands tied behind my back. My torturers continued to beat me with electric cables on the soles of my feet. At last, I was given an injection and left alone. The following day I was again interrogated and taken to persuade women prisoners in the next cell to talk.*

*When the guards realized we were still not telling the truth, they took me to another room, tied me to a cross and poured petrol all over me. I was left there for hours on end under threat of being burned alive. When I still wouldn't co-operate, I was again beaten up and sexually abused by one of the guards. Two days later my kidneys stopped working and I was hospitalized. As my legs had been broken in several places, they had to put steel rivets in to hold the bones together.*

*When I was a little better, I was taken back to prison and tied up for hours in an unnatural position. Day after day, the torture continued. I was left hanging from the roof by one hand; I was beaten and burned with cigarettes; I almost lost my sight. Then I was forced to watch as women prisoners were tortured and raped. Many of them died. When I was again sent back to hospital, I realized that they did not want to kill me, just to destroy me mentally and physically.*

*While I was in hospital, one of the nurses drugged my guards and*

*helped me to escape. He brought me to the border, travelling by night and hiding by day.”*

Three days after this interview, the narrator was resettled on emergency grounds in a European country where he underwent surgery and received specialized psychotherapy for torture survivors.

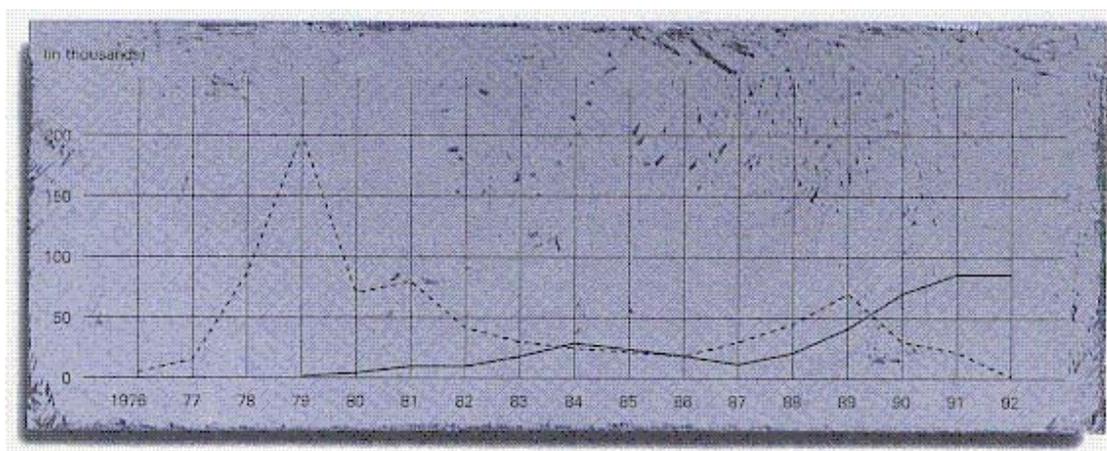
Each year, an average of 120 refugee victims of torture are recommended by UNHCR for priority resettlement in countries where their safety and rehabilitation can be assured. As resettlement places are available for only the most severely traumatized and vulnerable cases, these comprise a tiny percentage of the total number of refugees who have been subjected to torture or other forms of physically and psychologically damaging treatment.

### **Box 1.4 A Plan of Action for Viet Nam**

A massive exodus from Viet Nam followed the collapse of the Saigon regime in 1975. The many who crossed the perilous seas of South East Asia became known as the “boat people”. By July 1979, over 200,000 were languishing in camps in the region, and new arrivals were being prevented from landing, and were even being towed back out to sea. Confronted with this political and humanitarian crisis, the international community decided at the first conference on refugees from Indo-China, held in 1979, that Vietnamese boat people arriving in first asylum countries in South East Asia would be allowed to land in the region but would then be resettled in other countries. In the years that followed, nearly 700,000 people were resettled in the West under the 1979 burden-sharing arrangements.

The same year, in an effort to open up the possibility of legal emigration from Viet Nam and so reduce the number of clandestine departures (which had resulted in considerable loss of life at sea), UNHCR helped set up an Orderly Departure Programme, known as the ODP. This involved a complex procedure of matching the names of those accepted by Western countries with those proposed for departure by the Vietnamese government. The ODP provided a safer, officially sanctioned channel for emigration.

**Fig 1.A**  
**Arrivals of Boat People in East and South East Asia: 1976-1992; and Orderly Departures from Viet Nam: 1979-1992**



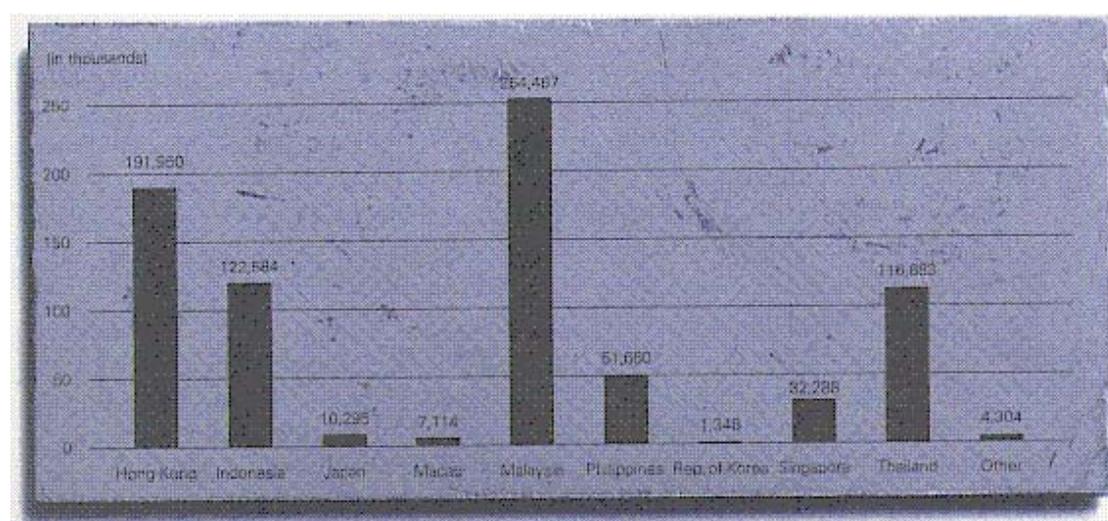
### Arrivals of Boat People in East and South East Asia: 1976-1992 (-----)

|              |               |              |              |              |                |
|--------------|---------------|--------------|--------------|--------------|----------------|
| 1976: 5,644  | 1979: 202,158 | 1982: 43,807 | 1985: 22,214 | 1988: 45,530 | 1991: 22,422   |
| 1977: 15,633 | 1980: 71,451  | 1983: 28,055 | 1986: 19,538 | 1989: 71,364 | 1992: 58       |
| 1978: 86,373 | 1981: 74,749  | 1984: 24,865 | 1987: 28,096 | 1990: 30,936 | TOTAL: 792,893 |

### Orderly Departures from Viet Nam: 1979-1992 (———)

|             |              |              |              |                |
|-------------|--------------|--------------|--------------|----------------|
| 1979: 1,979 | 1982: 10,057 | 1985: 24,940 | 1988: 21,275 | 1991: 86,444   |
| 1980: 4,706 | 1983: 18,978 | 1986: 18,418 | 1989: 43,177 | 1992: 86,121   |
| 1981: 9,815 | 1984: 29,154 | 1987: 12,961 | 1990: 70,411 | TOTAL: 438,436 |

**Fig 1.B**  
**Cumulative Arrivals of Vietnamese Boat People in East and South East Asia: 1976-1992**



The numbers of boat people stabilized during the early 1980s. Resettlement countries were, however, growing reluctant to continue their open-ended commitment to resettle all boat people, and a backlog of those who did not meet increasingly restrictive resettlement criteria started to accumulate in camps. Nevertheless, the overall number of refugees in first asylum camps gradually declined.

In 1986, the situation changed dramatically as the result of a sudden and massive increase in clandestine departures from Viet Nam. The number of boat people in camps leapt from 31,694 at the beginning of 1986 to 65,349 by early 1989. Since there had been no significant deterioration in the human rights situation in Viet Nam, it was clear that the exodus, while retaining a refugee dimension, was increasingly driven by economic factors. A second International Conference on Indo-Chinese Refugees was convened in June 1989. It adopted a Comprehensive Plan of Action (CPA), in an attempt to address the issue in a global and systematic way.

The CPA did away with blanket resettlement for all boat people – which was unique in the history of refugees – and introduced an approach that included the following elements:

- All Vietnamese boat people would be permitted to land in first asylum countries and would be screened for refugee status.
- All boat people who qualified as refugees would be resettled in a third country. Those who did not qualify would have to return to Viet Nam under a guarantee, monitored by UNHCR, that they would not be prosecuted for illegal departure.

- A programme would be set up by UNHCR to provide reintegration assistance to the returnees.
- The ODP programme would be expanded, its criteria liberalized and its procedures simplified to allow easier legal emigration for eligible groups such as family reunification cases and former re-education camp internees.
- A “mass information campaign” would be launched in Viet Nam to inform the population of the provisions of the CPA, in order to discourage those who would not qualify as refugees from embarking on a life-threatening journey in the mistaken belief that they would automatically be resettled in the West.

Clandestine departures of boat people, most of whom would not be recognized as refugees under the CPA, continued at a high rate during the months prior to the adoption of the Plan. However, the implementation of the mass information campaign (see Chapter three, Box 3.5), and the beginning of voluntary repatriation back to Viet Nam soon brought about a substantial drop in the number of boat people. UNHCR is satisfied that the Vietnamese government’s guarantees of non-prosecution and non-discrimination have been honoured.

In 1991, it became clear that many of the boat people still leaving Viet Nam were doing so solely to acquire the repatriation allowance of \$360. UNHCR suspended the grant for all those arriving in countries of first asylum on or after 27 September, 1991. Once this development had been publicized in Viet Nam through the mass information programme, numbers plummeted. By the end of the year, the exodus of boat people had virtually ceased. Only 58 boat people arrived in countries of first asylum in the whole of 1992, and 75 during the first five months of 1993.

The introduction of repatriation under the CPA was controversial. The United States government argued that even those who failed to qualify for refugee status should be repatriated only on a voluntary basis until there was a change in political conditions in Viet Nam. However, faced with the choice between repatriation or an indefinite stay in camps with no chance of resettlement, many have opted to return. By 31 May 1993, 41,801 Vietnamese had gone home voluntarily, and 623 had been deported from Hong Kong.

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<sup>1</sup> The World Bank, *The World Development Report 1991*. New York: Oxford University Press, 1991.

<sup>2</sup> Rodolfo Stavehagen, *The Ethnic Question: Conflict, Development, and Human Rights*. Tokyo: United Nations University Press, 1990.

<sup>3</sup> See Reginald Appleyard, *“International Migration: Challenge for the nineties.”* Geneva: International Organization for Migration, 1991.