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The end of history? Conflict, displacement and durable solutions in the post-cold war era

Guido Ambroso

Senior Programme Evaluation Officer
Policy Development and Evaluation Service
UNHCR

E-mail: ambroso@unhcr.org

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UNHCR
The UN Refugee Agency

Policy Development and Evaluation Service

**Policy Development and Evaluation Service
United Nations High Commissioner for Refugees
P.O. Box 2500, 1211 Geneva 2
Switzerland**

**E-mail: hqpd00@unhcr.org
Web Site: www.unhcr.org**

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The changing physiognomy of conflict and displacement

The fall of the Iron Curtain and the end of the Cold War at the end of the '80s briefly ushered in the hope of a new world order based on international law, humanitarian principles and democracy which would even spell the “end of history”, according to the US political scientist Francis Fukuyama¹. This would imply that the number of persons persecuted or compelled to flee from armed conflicts would decrease and UNHCR and its sister organizations providing legal protection and humanitarian assistance to refugees and displaced persons, would slowly drift towards irrelevance.

But, as British professor Michael Howard pointed out², European analysts “... who had experience of history’s capacity to pick itself up off the floor and deliver powerful blows in the solar plexus, were rather less sure” that history would end. The transition from a Cold War order based on deterrence and spheres of influence to a new order based on universal democratic values and human rights spelling the end of history and conflict did not materialize.

Rather than an inevitable occurrence, this appeared more as a liberal variation of a millenarian hope previously nurtured by other political and religious ideologies. On the contrary, the dissolution of the Soviet bloc and its impact on client states around the world brought about new conflicts that signalled that the transition towards a new world order was far from being a *fait accompli* and was not going to be a painless process.

In the Horn of Africa the year of 1991 heralded a seismic shift in regional geopolitics with the collapse of the Siyad Barre regime in January in Somalia and of the Mengistu regime in May in Ethiopia. Somalia accelerated its spiralling descent into a Hobbesian hell of anarchy after the flight of Siyad Barre from Mogadishu in January 1991 and hundreds of thousands of refugees fled to Kenya and Ethiopia.

Ethiopia, exhausted by 16 years of harsh communist regime and three decades of internal and external conflicts, was no longer in a position to fight the secession of Eritrea. Eritrea gained its *de facto* independence in April 1991 with the seizure of Asmara by the Eritrean People’s Liberation Front (EPLF), but formally declared independence in 1993 in what initially seemed a “friendly divorce” from 40 years of stormy marriage with Ethiopia.

In the Middle East, after the ousting of Iraqi forces from Kuwait by the US–led coalition in March 1991, Shia and Kurdish insurgents rose up against Saddam Hussein’s regime which subsequently unleashed a wave of repression that sent some 1.3 million mainly Kurdish refugees to Iran and 500,000 to Turkey.

In Yugoslavia the declaration of independence by Slovenia and Croatia in 1991, followed by Bosnia Herzegovina in 1992, were the first chapters of a tragedy with hundreds of thousands of casualties and over 2 million refugees and displaced persons at the peak of the Bosnian war in 1995 and of the Kosovo crisis in 1999. The dissolution of the Soviet Union in December 1991 also unleashed massive population movements. The 1991-95

¹ F. Fukuyama, *The End of History and the Last Man*, Hamish Hamilton, 1992, London

² M. Howard, *The Invention of Peace*, Profile Books, 2000, London, p.92.

conflict over the province of Nagorno-Karabakh, formally part Azerbaijan, but with a large ethnic Armenian population, caused the displacement of some 570,000 ethnic Azeris after the victory of the Armenian forces who expelled them from Nagorno-Karabakh and surrounding areas. In Georgia and Chechnya, other ethno-nationalist conflicts displaced further hundreds of thousands of persons.

To be sure, massive population displacement did not start with the end of the Cold War. In Europe it is estimated that in the immediate aftermath of World War II there were some 40 million displaced persons such as 13 million ethnic German *Volksdeutsche* from the Soviet Union and other East European countries and 11 million forced labourers and displaced persons in the territory of the former German *Reich*.

There were also approximately 300,000 ethnic Italians who between 1945 and 1947 fled or were forced to flee their homes in Istria and Dalmatia and move to Italy after the victory of the Yugoslav army and the decision to grant Istria to Yugoslavia. Later on, in 1956, the Soviet repression of the Hungarian uprising sent a wave of 200,000 refugees to neighbouring states, in particular Austria.

In Africa, the independence movement and the decolonization process in the '50s and '60s also unleashed large refugee movements. Suffice it to recall the Algerian war of independence (1954-62) that caused the flight of 110,000 refugees to Morocco and 152,000 to Tunisia and the beginning of the Great Lakes crisis after the 1961 coup d'état in Rwanda which resulted in some 150,000 Rwandan refugees (mainly ethnic Tutsis) fleeing to neighbouring countries by 1964³.

Other conflicts that created displacement included the attempted secession of the Congolese province of Katanga the Biafra war and famine in Nigeria in 1967, the struggle against apartheid in South Africa, and the Ogaden War between Somalia and Ethiopia of 1977-78 which caused the flight to Somalia of over half a million ethnic Somali Ethiopian refugees.

Asia witnessed displacement on an even more massive scale: while Vietnamese and Cambodian refugees numbered hundreds of thousands, those displaced in connection with the independence of Pakistan from India in 1947 and of Bangladesh from Pakistan in 1971 and with the Soviet invasion of Afghanistan were millions. Most of the conflicts that underpinned these forced population movements may be labelled "proxy wars" between the two superpowers.

Yet there is no doubt that the end of the Cold War caused not only a quantitative increase in the number of refugees, but also a qualitative change in the nature of conflict and displacement. In quantitative terms, the number of refugees rose from 14.7 million in 1989 to 17.2 million in 1990 and to 18.3 in 1993 as a result of new conflicts in the Middle East (Iraq), Europe (former Yugoslavia and former Soviet Union) and Africa (particularly in West Africa, including Liberia and Sierra Leone, the Horn of Africa and increasingly the Great Lakes). However, after the peak in the mid '90s, the global number

³ UNHCR *The State of the World Refugees: 50 Years of Humanitarian Action*, Oxford University Press, 2000, p. 49; E. Hobsbawm: *Age of Extremes, the Short 20th Century*, Abacus, London, 1995, p.51.

of refugees started a slow decline, with 11.6 million registered at the end of 1999 and 8.6 million at the end of 2005⁴. This decrease was mainly due to large-scale repatriation operations in Africa (such as Mozambique, North West Somalia, Burundi, South Sudan), Central Asia (Afghanistan), and former Yugoslavia, to name but a few.

Since then, refugee numbers started increasing again, reaching 11.4 million at the end of 2007 mainly due to the increased volatility of the Iraqi and Somali situations, and decreased slightly to 10.4 million by the end of 2009, but they remain well below the peak of 18.3 million in 1993.

Refugee numbers also remained well below the number of Internally Displaced Persons (IDPs) at least since 1989 when IDPs were estimated at 16.5 million. In 1990 the IDP population rose to 21.3 million, peaked at 28 million in 1994 (at the height of the Bosnian war), and decreased back to 21.3 million at the end of 1999 and was estimated at 27 million at the end of 2009⁵. Since 1989, IDPs averaged approximately double the number of refugees (excluding Palestinians under UNRWA's mandate).

The rise in IDP statistics was evidently related to the break-up of multiethnic states glued together by communist ideology (e.g. the Soviet Union and Yugoslavia) after the fall of the Iron Curtain. The end of the Cold War in Eastern Europe and in Africa also created a fertile terrain for the proliferation of ethno-nationalist or clan-based internal conflicts as well as "ethnic cleansing". As a consequence there was a process of "retribalization" as multiethnic areas were "cleansed" and ethnic minorities moved or fled to ancestral areas where they could find greater comfort and security in numbers.

A third feature of post- Cold War conflicts included the deliberate targeting of civilians and of humanitarian workers, who were no longer shielded by symbols of international organizations such as the UN or the Red Cross. The horrors of the wars in former Yugoslavia, the Caucasus, Somalia, Rwanda and Timor took an enormous toll on the civilian population and at the same time did not spare many humanitarian workers (and journalists).

Among the many massacres of humanitarian workers that took place since 1989, we may recall the slaughter of 6 expatriate ICRC delegates in Chechnya in 1996 by Chechen insurgents and of 3 expatriate UNHCR officials in Atambua (West Timor province of Indonesia) in 2000 by a mob opposed to the independence of East Timor. Dozens more aid workers were killed in Angola, Afghanistan, Iraq, Pakistan, Sudan, the Democratic Republic of Congo, Somalia, Rwanda and Burundi between 1997 and 2003⁶. It should be stressed that while the killing of expatriate humanitarian workers gets greater media

⁴ All statistics concerning refugees are from UNHCR, unless otherwise indicated. Palestinian refugees in the Middle-East, under UNRWA's mandate, are not included.

⁵ Internal Displacement Monitoring Centre, "Global IDP Estimates 1990-2007", [http://www.internal-displacement.org/8025708F004CE90B/\(httpPages\)/](http://www.internal-displacement.org/8025708F004CE90B/(httpPages)/) and Internal Displacement Monitoring Centre, "Global Overview of Trends and Developments in 2010" <http://www.internal-displacement.org/publications/global-overview-2010.pdf>

⁶ See Wikipedia http://en.wikipedia.org/wiki/Attacks_on_humanitarian_workers#List_of_recent_attacks_on_humanitarian_workers for statistics on humanitarian workers killed from 1997 to 2003.

coverage, the majority of humanitarian workers killed in the line of duty are national staff, particularly drivers.

Fourthly, the post-Cold War context facilitated the emergence of non-state agents of persecution, mainly insurgent militias with an ethnic, clanic or extreme religious ideology, such as in Sierra Leone, Uganda, Somalia, Iraq and Afghanistan, to name but a few cases. These militias were often not only responsible for large-scale massacres and ethnic cleansing of civilians, but also for the deliberate murder of humanitarian workers.

To be sure, the state remained an important agent of persecution on many occasions and at times it is not so easy to differentiate between state and non-state actors such as in the genocides of Rwanda and Bosnia. However it is also true that collapsing or failed states such as Somalia create a favourable environment for the emergence of movements or militias that challenged in bloody civil wars the state's claim to hold the monopoly of legitimate means of coercion.

A by-product of the predominantly internal conflicts of the Post-Cold War era was also the large-scale destruction of civilian infrastructure often accompanied by looting, which became another instrument of war together with mass killings, rape and ethnic cleansing. This situation created the mega-sized displacements of the '90s such as the Kurdish crisis in Iraq after the first Gulf War and the Bosnian crisis in former Yugoslavia. These "complex emergencies" often went beyond the capacity of a single organization such as UNHCR. An exception to this pattern was the 1997-99 "border war" between Eritrea and Ethiopia that pitted two (mostly regular) armies along a disputed borderline, and caused tens of thousands of casualties among the military, but only few among civilians.

A final feature that can also be linked to the break-up of multiethnic states is the rise in *de facto* or *de jure* statelessness. For example, if someone was born in one of the republics of former Yugoslavia that gained independence, but his/her parents originated from another one and moreover he/she was brought up in a third republic and got married to someone from a fourth one, to which country does he or she belong? Hence there is a need for comprehensive and flexible criteria in citizenship laws, but this is not always the case in new states with a strong nationalist ideology.

There is therefore a danger that some people might fall through the cracks of rigid norms. One such group was the Roma who in addition to a semi-nomadic way of life, suffered from a chronic lack of documentation. Though statistics are not entirely reliable, stateless persons are estimated to have ranged globally between 1.4 and 6.5 million in the 2004-09 period, according to UNHCR, which has the reduction of statelessness as part of its core mandate.

To sum up, we can identify some of the features that characterise the majority of conflicts and displacement movements in the post-Cold War situation:

- Growth in internal displacement figures above those of "classical" cross-border refugee movements.

- Intra state-conflicts/civil wars based on ethno-political identities often resulting in overt or covert secessionist movements.
- The state is no longer the sole agent of persecution. Failed or failing states facilitate the emergence of non-state actors who are also involved in human rights abuses.
- Deliberate targeting of civilians and humanitarian workers.
- Complex and massive emergencies leading to large-scale displacement.

The roots of conflict and displacement and the role of religion

What is the relationship between conflict and involuntary displacement in recent times and what are the root causes of armed conflict?

First, it should be pointed out that armed conflicts and large-scale human rights abuses are not the only source of involuntary displacement in recent years. As recognized by the UN Under-Secretary General for Humanitarian Affairs Sir John Holmes, recorded environmental disasters such as hurricanes and floods have doubled in number from 200 to 400 over the past two decades and in the year 2007 the UN released a record of 15 emergency funding appeals for sudden natural disasters, all of which but one were climate-related⁷.

These “natural” disasters are also often associated with displacement, although normally of a more short-lived nature than conflict-induced displacement (though there are exceptions). Moreover large-scale migration, whether internal from rural areas to urban centres, or international from poor to rich countries, is often caused by a mix of economic and political reasons and hence might also be categorized as “involuntary displacement”. Nevertheless, even if not all displacement movements might be attributed to armed conflicts or massive human rights abuses, the latter (particularly internal conflicts and civil wars associated with ethnic cleansing) invariably produce displacement.

The root causes of armed conflicts run deep into mankind’s history and rest invariably in a mix of political, economic and ideological motives. But there is a diffused tendency to blame conflicts on economic interests and religion in particular. There is no doubt that economic factors play a significant role in armed conflicts and, as argued above, it is often difficult to distinguish between economic deprivation and political oppression.

But, as the Balkans analyst Tim Judah argued⁸, if economic interests or differential wealth and standards of living alone were the main reason why people hate each other, it is hard to understand why the relatively prosperous Yugoslavia should have collapsed in

⁷ *The Economist*, “The World in 2009”, Dec. 2008 and *Forced Migration Review*, Issue 31, October 2008: “Climate Change and Displacement”.

⁸ T. Judah, *Kosovo: War and Revenge*, Yale University Press, 2002

blood, while other former communist countries within the ex-Soviet bloc, in a worse economic situation, experienced a painful, but on the whole more peaceful, transition to capitalism. Or why Kenya experienced internal conflict while Tanzania almost none at all when, according to UN statistics⁹, Kenya' per capita GDP in 2008 was \$ 778 and Tanzania's only \$ 502.

It is also doubtful that all major contemporary conflicts are strategically significant to the world's superpower(s) or that most of the supporters of secessionist ethno-nationalist movements stand to benefit socially and economically from independence. Finally it is far from clear that in all cases secession will generate a greater respect for human rights, given that, as argued by Michael Ignatieff, the promotion of self-determination might at times "endanger the stability that is a precondition for protecting human rights"¹⁰.

Another widespread belief, particularly among persons of radical persuasion, is that contemporary conflicts are primarily caused by the so-called "military-industrial complex". Yet some of the nastiest conflicts, particularly in Africa, were rather "low-tech" affairs. For example the vast majority of the estimated 800,000 mainly ethnic Tutsi victims of the Rwandan genocide were killed with simple machetes at the cost of a few dollars each. This is not to deny the role of economics, including military-commercial interests, in causing or perpetuating conflicts, but just to point out that spiritual or ideological motives also contribute to shape human behaviour and history, contrary to what narrow economic determinism might lead us to believe.

Might the culprit then be religion? "It all started with religion", a Muslim-Bosnian friend and a self-declared socialist told me, referring to the disintegration of Yugoslavia. It is certainly tempting to use religion as the scapegoat for contemporary or indeed historical conflicts. Apart from Catholic-Orthodox-Muslim relations in the former Yugoslavia, we may quote recent conflicts such as the one between southern and northern Sudan, between Hindu ethnic Tamil and Buddhist ethnic Sinhalese in Sri Lanka and, of course, the quintessential contemporary religious conflict between Israeli Jews and Palestinian and other Arab Muslims.

In the Horn of Africa Somali – Ethiopian relations were shaped first by the *jihad* waged in the 16th century by Ahmed Gurey from the mainly Somali Muslim lowlands against the Christian highlands of Abyssinia. It was then followed by Emperor Menelik's expansion in Somali areas at the end of the 19th century, which resulted in many conversions to Christianity, and subsequently by the retaliatory *jihad* waged by *Sayid* Mohammed Abdillahi Hassan, the so-called "Mad Mullah", at the beginning of the 20th century. In contemporary times religion has resurfaced as a major source of tensions between Ethiopians and Somalis in the post 9/11 context, characterized by the "War on Terror".

However there are also many examples of conflicts in which religion appears to have played a marginal role. The Tutsis in Rwanda were predominantly Christian Catholics

⁹ United Nations Statistics Division, "Social Indicators", 2010, <http://unstats.un.org/unsd/demographic/products/socind/inc-eco.htm>

¹⁰ M. Ignatieff, *Human Rights as Politics and Idolatry*, Princeton University Press, 2001

and so were the Hutu militias and mobs who slaughtered them (incidentally, often in Catholic churches). The South Ossetians and Abkhazians are predominantly Christian Orthodox as the Georgians. The conflict and massacres in Darfur between predominantly Arab pastoralists and black African agriculturalists as well as the civil war which engulfed Somalia since 1991 take place among fellow Sunni Muslims and similarly many other civil conflicts in Africa have only a marginal religious dimension.

In short, there is no single cause of conflict, but several factors, such as politics, economics, nationalism and religion, that interplay differently in different historical contexts. However we may identify two primary clusters of causes within this multi-dimensional approach to conflict, namely power and ideology¹¹. In this respect it should be pointed out that power goes beyond narrowly defined economic or military interests, but also includes an element of legitimacy in the control of means of coercion. This “soft power” is in turn related to ideology or, more precisely, to political and cultural identities that in the last instance are based on “us” vs. “them” relationships, otherwise known as “ethnic boundaries”.

However, as social anthropologists have long ago recognized, cultural identities and ethnic boundaries are not immutable or carved in stone, but can undergo transformations in particular social and historical contexts. Thus religion might be just one of the manifestations of cultural identity and differentiation from “the other”. As mentioned above, the majority of contemporary conflicts can be characterized as secular “ethno-national” rather than “religious”.

Somali collective identity and relations with Ethiopia at the times of Siyad Barre throughout the '70s and '80s and particularly during the Ogaden War, was mainly defined in secular terms, namely by pan-Somali nationalism. Furthermore, the radical religious discourse of the Somali Islamist militias (*al-Shabab*) was influenced by the *wahabi* fundamentalist brand of Islam originating from Saudi Arabia and has only recently become a rival to the more tolerant *sufi* type of Islam, based on mysticism, ancestors' veneration and poetry, which is the traditional form of Islam practiced in Somalia

In the former Yugoslavia, though there have been some attacks against places of worship (for example mosques in Bosnia in the 1992-95 war and on orthodox churches in Kosovo in 2004) and religious leaders have at times played questionable roles, religion appears to be more an expression of ethno-national identity, than the strict practice of doctrinal injunctions.

The violent breakdown of Yugoslavia after a long period of secularization was not caused by a clash of religions, but by groups who “employed the concept of nationalist identity formation along confessional lines with the ultimate goal of ethno-religious

¹¹ Ideology is defined as “a set of assumptions and ideas – often referred to as doctrines – about social behaviour and social systems. Political ideology can be defined as a set of doctrinal assumptions and ideas about past, present and future states of affairs in political systems, including the international system”. Graham Evans and Jeffrey Newnham, *The Penguin Dictionary of International Relations*, London 1998.

congruency”¹². Finally, we should point out that ethnic boundaries and identities are also “reactive” and can vary in scope depending on the context. Thus in Somali society there is a process of fission and fusion whereby clans can split into segments and lineages when fighting for control of a city or a borehole, and coalesce in the face of external threat.

In short, the fall of the international system based on the Cold War has put severe strains on the legitimacy of many nation-states’ claim to power. As a result, many communities redefined their identities in ethno-nationalist terms and attempted to readjust the balance of power to the new geopolitical context, generating a number of civil conflicts, often with a secessionist objective. These internal conflicts in turn resulted in massive waves of refugees and even more internally displaced. The “unipolar order”, if it ever existed, appears to be less a system of planets in a perfect circular orbit around the US-Sun, and more a chaotic system of asteroids and comets with freakish, unpredictable trajectories. The new and growing phenomenon of environmentally displaced persons gives an additional dimension to the complexity of the situation.

Humanitarian action and durable solutions

The complexity of the geopolitical situation and of the patterns of displacement which gave rise to “mega-emergencies” in the post Cold War period affected also the nature of humanitarian action. First of all it should be recognized, as argued by Donini¹³, that humanitarianism is not a unified doctrine or practice, but there are several strands of “humanitarianisms”. “Classical” forms of humanitarianism include the “Dunantists” (following the principles of the Red Cross movement), the “Wilsonians” (national NGOs or organizations that see their humanitarian role as compatible with their countries’ foreign policy objectives), “Solidarists” (organizations pursuing a range of human rights-related objectives and humanitarian assistance) and finally faith-based NGOs.

Furthermore there are also non-classical forms of assistance which may also be classified as “humanitarian”, such as the contribution of host societies and communities towards the displaced, the economic impact of remittances from abroad, and the role of Islamic and other religious charities. We may also note in passing that nowadays some faith-based NGOs (and presumably also religious charities) have budgets exceeding those of international organizations. It is therefore clear that, from many perspectives, the importance of religion in humanitarian action is a growing phenomenon, which presents a challenge, but at the same time also an opportunity, for the secular-oriented humanitarian international organizations.

Another challenge to international organizations is posed by the trend towards what may be defined as the “bilateralization of aid” through national cooperation and NGOs, bypassing multilateral organization, which is a manifestation of what may be defined in

¹² A. Mirescu, “Religion and ethnic identity formation in the Former Yugoslavia” , 2003 <http://www.georgefox.edu/academics/undergrad/departments/soc-swk/ree/2003/mirescu03.doc>

¹³ A. Donini, “Confusion in the Margins: Narrow or Wide? Saving Lives or Building Peace?”, ICVA Conference, Geneva, February 2007.

Donini's terminology as "Wilsonianism", that is the organic relation between humanitarian assistance and national foreign policy. We shall now focus on the recent changes that affected the so-called "Solidarists", which include the main international humanitarian organizations dealing with displacement, such as UNHCR.

First of all, the coordination of humanitarian action became more challenging and complex within the expanding constellation of non-traditional humanitarian actors and with the growth in size and number of internal displacement situations. This affected the system of governance among international humanitarian organizations, given that UNHCR does not have an automatic mandate for IDPs. Indeed, the lead role performed by UNHCR in some large-scale internal displacement situations in the '90s such as in Bosnia and Kosovo was granted on an *ad hoc* basis by the Secretary General or the General Assembly and at times was subsequently enshrined in peace accords such as Dayton.

As a result, in order to make humanitarian assistance more predictable and integrated at the level of the UN system, the United Nations adopted the so-called "cluster approach to humanitarian emergencies" with a pre-determined inter-agency division of labour at the sectorial level under the overall coordination of the UN Under-Secretary General for Humanitarian Affairs and Head of OCHA¹⁴. Though the "cluster approach" was initially introduced in December 2005 as a response to the deteriorating humanitarian situation in Darfur, it was then extended to all new displacement situations, whether induced by armed conflicts, or by "natural" disasters.

A second trend that affected humanitarian aid in the last decade is the one towards an increasingly professionalized and technocratic approach. While in the past humanitarian workers in the field relied on common sense and improvisation in pursuing the traditional humanitarian goals of saving and rebuilding lives, nowadays the humanitarian response is codified by an array of inter-agency and agency-specific policy priorities, operational guidelines and directives and by the attempt to quantify all progress through measurable standards and indicators within "logical frameworks" and "results-based management" embedded in web-based technologies.

A third feature of contemporary aid work is the constant search and at times competition for media visibility (the so-called "CNN factor") in order to attract donor interest. Tight donors' earmarking, at times amounting to micro-management, further constrains the flexibility of humanitarian action and is another manifestation of the "Wilsonian" tendency towards the "bilateralization" of aid.

A fourth trend affecting humanitarian aid in recent times is the growing integration with political and military operations in peacekeeping or post-conflict situations. This integration can be broadly divided between bilateral ventures for example with NGOs or

¹⁴ for example UNHCR leads the Protection, Shelter and Camp Management clusters, UNICEF Education, Water and Nutrition, WFP Food and Logistics, etc., see further under <http://www.humanitarianreform.org/humanitarianreform/Portals/1/Resources%20&%20tools/IASCGUIDANCENOTECLUSTERAPPROACH.pdf>

civilian cooperation organizations “embedded” with the military, and multilateral ventures under a UN mandate called “Integrated (UN) Missions”.

While there is no generally accepted definition of “Integrated Missions”, these may be defined as governance systems under the auspices of the UN Department of Peacekeeping Operations (DPKO) in which humanitarian, development and military agencies operate under the direction of an SRSG with the shared goal of restoring peace and security and establishing the conditions for sustainable development¹⁵.

This integration has created a blurring of the traditional lines demarcating humanitarian organizations from military and political actors endangering what has been defined as “humanitarian space”. Humanitarian space may be defined as the ability of humanitarian actors to provide relief assistance according to the principles of independence, impartiality and neutrality within an operating environment providing basic safety conditions for both aid workers and civilian victims¹⁶. Manifestations of this erosion of the humanitarian space include not only the growing attacks on humanitarian workers noted above, but also the lack of access to refugees and other persons of concern.

Even within the transformed new millennium humanitarian context, for UNHCR the core goals remained the protection of refugees, particularly through the application of the principle of *non-refoulement*, that is the right to be protected from deportation or expulsion to the country of origin where the refugee might face persecution, the provision of essential humanitarian assistance, and the pursuit of durable solutions.

Though there is no generally accepted definition of durable solutions, I suggest that they may be defined as “a process through which refugees reintegrate in their own society or integrate into a new one, leading to long-lasting situations whereby they enjoy national protection and access to basic rights, including a recognized legal status and a reasonable degree of physical and socioeconomic security, at least at the same level as the local population”. Hence durable solutions ultimately make the provision of international protection and assistance redundant. For UNHCR the classical three durable solutions are voluntary repatriation to the country of origin, resettlement in a third country and local integration in the country of asylum.

Since the beginning of the 1980s, there have been several pronouncements stating that voluntary repatriation was the preferred durable solution. The ‘90s have been declared the decade of repatriation with more than 9 million returns between 1991 and 1996¹⁷. The trend continued also in the new millennium with 940,000 returnees to Afghanistan in 2004, 416,000 returnees to Burundi from Tanzania between 2002 and the end of 2009, and over 1 million external (refugees) and internal (IDPs) returns to/within Bosnia and

¹⁵ See B. Nikoliqi: “Are Integrated Missions in Peace Operations the Way of the Future?” thesis submitted to the Geneva School of Diplomacy and International Relations, 2007.

¹⁶ IASC 70th Working Group Meeting: “Background Document: Preserving Humanitarian Space, Protection and Security”, March 2008.

¹⁷ Though some of these repatriation movements actually took place under duress, such as in 1996 in the case of Rwandan Hutu refugees hosted by Zaire (now DRC) and Tanzania (see UNHCR *The State of the World's Refugees: Human Displacement in the New Millennium*, Oxford University Press 2006, p. 130).

Herzegovina by mid 2006. However, repatriation trends have been decreasing since 2005 and 2009 figures were the lowest on record for the past 20 years with only 251,000 returns that year¹⁸.

Yet historically the preference for repatriation as a durable solution was not always the case. The repatriation of an estimated 2 million displaced Soviet citizens in the aftermath of World War II, many of whom ended up in Stalin's *gulags*, became increasingly controversial with the beginning of the Cold War. The emphasis shifted to resettlement with the exodus of 200,000 Hungarians after the 1956 crisis, given that Austria, the main country of arrival, could not absorb such a large number of refugees. The majority of these Hungarian refugees were hence resettled particularly to the USA, Canada and the UK where they subsequently integrated. Furthermore, in the '70s and '80s, a total of some 623,000 Indochinese refugees in southeast Asia were resettled to western countries, in particular the USA, Australia, France and Canada¹⁹. The repatriation to African countries still under colonial rule was likewise not advisable. However the emphasis shifted again towards repatriation and more restrictive asylum regimes in the '80s and in the '90s, after the fall of communism, renewed mega-displacements, and the growth of global migration.

Today, while voluntary repatriation still remains the preferred durable solution, there is a growing recognition that the solution of some complex refugee situations requires a comprehensive strategy. This strategy should also include the pursuit of local integration and self-reliance, particularly when repatriation in "safety and dignity" is not a viable option and considering that long-term care and maintenance assistance in the camps in protracted refugee situations generates the so-called "dependency syndrome".

Local integration in the refugee context may be defined as a process leading to durable solutions for the refugees with three interrelated dimensions, namely legal, economic and social²⁰. The legal dimension implies that after a period with a secure refugee or resident status and access to basic socioeconomic rights leading to self-sufficiency which may be defined as "local settlement", the refugee is eventually naturalized and obtains the citizenship of the country of asylum.

This approach also applies often to refugees who are resettled in western countries even though in the case of *prima facie* temporary recognition in a situation of mass influx such as in the case of Bosnian or Kosovar asylum seekers, the emphasis was on repatriation. In African, Asian or Eastern European situations, local integration was practiced even less systematically and voluntary repatriation remained the preferred durable solution.

In Africa one exception was Tanzania under Nyerere where thousands of Rwandan refugees were naturalized in the '60s. Subsequently, in 1972, there was a massive influx of ethnic Hutus from Burundi who fled a failed insurgency against the Tutsi-dominated

¹⁸ *UNHCR Statistical Yearbook 2009*, Geneva, 2010, p. 29 <http://www.unhcr.org/4ce531b59.html>

¹⁹ UNHCR 2000, *op. cit.*, pp. 86-89.

²⁰ See J. Crisp: "The Local Integration and local Settlement of Refugees: a Conceptual and Historical analysis", *UNHCR New Issues in Refugee Research*, Geneva 2004 and UNHCR 2006, *op. cit.*, chapter 6 "Rethinking Durable Solutions", and UNHCR 2006, *op. cit.*, chapter 6.

regime which sparked a bloody repression with thousands of casualties. In order to host these refugees, the Government of Tanzania established three agriculture-based settlements.

Upon arrival, each household was allocated a few hectares of land for cultivation and they were assisted by UNHCR and its partners assisted with housing and communal infrastructure and basic humanitarian assistance. These settlements, known as the “Old Settlements”, achieved on a whole agricultural and economic self-sufficiency and by 1985 humanitarian assistance to the refugees living there was discontinued. However, in spite of the fact that after over three decades most of the 218,000 residents of the Old Settlements were actually born in Tanzania, they still maintained the status of “refugees” which limited their freedom of movement and ability to seek employment out of the settlements.

But in 2007 the Tanzanian government endorsed a comprehensive strategy, launched with UNHCR’s help, for this group of refugees in order to bring to an end this protracted situation. The strategy involved giving the choice to the refugees between repatriating to Burundi or naturalizing (through the acquisition of citizenship) and integrating locally in Tanzania. A survey conducted by UNHCR and the Tanzanian Government at the end of 2007 revealed that 20% of the refugees still wanted to repatriate despite over three decades of absence from Burundi while 80% opted for local integration in Tanzania.

By the end of 2009 a total of 53,600 refugees had been assisted to repatriate in a logistically complex operation that involved a combination of transport by truck. By early 2010, after a complex process which, according to Tanzanian law, involved *inter alia* the filling of forms and an oath of allegiance to Tanzania by every applicant in front of witnesses, the gathering of fingerprints for police check, security clearance and the setup of a fully computerized data base in the Citizenship Unit within the Immigration Department in Dar es Salaam, a total of 162,300 (or approximately 98% of the total number of applicants) were legally naturalized as Tanzanians citizens by the Minister of Home Affairs.

The final step of the process will be the distribution of citizenship certificates to these new Tanzanians once they leave the Old Settlements which, as per Governmental policy, will eventually close²¹, and an assistance package to help with the local integration in the new regions where they will settle.

Another example of legal naturalization and local integration in Tanzania is that of the Bantu Somalis. The Bantu Somalis were taken as slaves from the coast in northeast Tanzania (near the city of Tanga) to the Benadir region in southern Somalia in the first half of the 19th century where they worked on plantations.

²¹ The reasons that were often quoted by the Tanzanian Government regarding the adoption of this policy, were the need to prevent to prevent the crystallisation of a “Burundian ethnicity” and the need to avoid the stigma of continuous residence in former refugee settlements. However recent press reports have indicated the interest of international agribusiness companies to take over at least two of the Old Settlements and establish large-scale export-oriented cultivation schemes.

In the 20th century, with colonialism, the end of slavery and independence they still worked on the plantations but held a minority status given that they were excluded from the traditional clan protection network that mainly catered for pastoralists. This low socioeconomic status put them in a very precarious position with the collapse of the Somali state after the overthrow of Siyad Barre's regime in January 1991, as they could not get the clan militias' armed protection and they were vulnerable to looting and aggression in the absence of state protection.

Fortunately the Bantu Somalis still spoke their ancestral tribal language, *Zigua*. This became very useful for those who fled Somalia and decided not to settle in Kenya (were many found refuge), but return to their fatherland in Tanzania. The fact that they still spoke *Zigua* facilitated their acceptance by the Government of Tanzania and the local community who recognized them as long-lost brothers. Upon arrival the Government hosted them first in a refugee camp, and then transferred them in a settlement on their ancestral land on the northern Tanzanian coast where they were given land to cultivate and received community-based assistance from UNHCR. Moreover by the end of 2010, a total of 1,488 out of the 3,000 who arrived in Tanzania were naturalized as Tanzanian citizens by the Government.

Elsewhere in Africa, however, local integration involving naturalization has been extremely rare. But self-settlement allowing for self-sufficiency and with a secure long-term legal status (even if short of citizenship) has not been uncommon, as in the case of Rwandan and Sudanese refugees in Uganda, and of limited groups of refugees in Angola, Ivory Coast, Gabon, and Guinea²².

In Asia and in Eastern Europe there have been some examples of local integration including naturalization such as in the case of some 9,300 Tajik refugees in Kyrgyzstan, of 65,000 Azerbaijani refugees in Armenia²³ and of 200,000 Croatian and Bosnian refugees in Serbia. It is however important to remark that the vast majority of the naturalized refugees were ethnically affiliated to the country of asylum in which they were integrating even though they had been theoretically citizens of another country which emerged after the fall of the Iron Curtain and from where they fled. Hence the Tajik refugees in Kyrgyzstan were ethnic Kyrgyz, the Azerbaijani refugees in Armenia were actually ethnic Armenians and the Croat and Bosnian refugees in Serbia were ethnic Serbs.

We have seen that local integration as a durable solution involves a legal dimension (naturalization) and a socioeconomic one. Likewise, when conditions allow for large-scale repatriation, a durable solution is achieved not simply by transporting the refugee back home, but through reintegration which has been defined as "the process which enables formerly displaced persons ... to enjoy a progressively greater degree of physical, social and material security and the erosion of any observable distinction which sets returnees apart from their compatriots"²⁴. In post-conflict situations this normally

²² A. Fielden : « Local Integration : an Under-Reported Solution to Protracted Refugee Situations », *UNHCR New Issues in Refugee Research*, Geneva, 2008

²³ *Ibid.*, pp. 14-18.

²⁴ UNHCR: *The State of the World's Refugees: a Humanitarian Agenda*, Oxford University Press, 1999.

involves the rehabilitation or reconstruction of essential communal infrastructure and often also of individual homes.

This poses a particular challenge in the coordination of international aid. On the one hand humanitarian organizations such as UNHCR and its partners are able to intervene rapidly through quick impact projects such as the rehabilitation of a borehole or the reconstruction of a school, but risk creating empty shells if not linked to a developmental logic which should include the running costs of these structures. On the other hand the development-oriented agencies have the long-term perspective, but are often too slow to intervene while the window of opportunity to carry-out the repatriation may be short and have a national rather than a regional focus while reintegration and reconstruction might be needed more in specific, conflict-affected regions . The difficulty by many governments in the country of origin in articulating national priorities in relation to reintegration and rehabilitation constitutes another challenge.

Peace, asylum and monotheistic religions

It is clear that that in order to attain durable solutions for refugees or IDPs either in the country of asylum or in the country of origin, there is a need for a situation of basic peace. A minimalist definition of peace in the context of refugees or IDPs should include at least the following elements, preferably enshrined in a peace agreement such as the Dayton Agreement in former Yugoslavia: absence of hostilities (at least in most of the country) and of threat of persecution, a secure legal status and access to basic socioeconomic rights for refugees and IDPs, and a humanitarian space in which international organizations and NGOs can operate in conditions of basic safety.

These elements should also apply in the stage of the refugee cycle prior to that of durable solutions, namely that of displacement. For refugees during the first stages of displacement a temporary peace is constituted by the right to asylum²⁵ which should protect them from *refoulement* and guarantee basic socioeconomic security (food, shelter, water, health care and primary education). For IDPs the concept of asylum may be replaced by that of “safe heavens” and there are no specific IDPs rights under international law, but only guidelines²⁶.

Unfortunately the “asylum space” is also under stress, both in the industrialized as well as in the developing world, mainly because of a mix of perceived security fears (including the post 9/11 context) and socioeconomic ones linked to the growth of global migration and the so called “mixed flows” of economic migrants and asylum-seekers.

The result is that asylum-seekers find it more difficult to lodge their applications and even if they are considered they face a higher rate of rejection because it is often deemed

²⁵ Even though the right to asylum is not explicitly mentioned in the 1951 Geneva Convention, it is implicit in the prohibition of *refoulement* and in the granting of basic socioeconomic rights (See UNHCR 2000, *op. cit.*, pp23-25).

²⁶ See « Guiding Principles for Internal Displacement », Office of the High Commissioner for human Rights, February 1998.

that they left their country of origin primarily because of economic reasons and not because of a fear of persecution. This mixture of motives is one factor creating the perception of widespread abuse of the asylum system²⁷. This calls for a balance between the legitimate interests of states to control access to their territory with the obligation to provide protection through a fair and efficient refugee status determination procedure.

In this context of progressively restrictive asylum regimes, religion can play a positive role in reaffirming the right to seek and enjoy asylum with public opinion and legislators. A Google search of refugee-related concepts in the three monotheistic “religions of the Book” yielded the following results.

*Give us counsel, render a decision.
Make your shadow like night at high noon.
Hide the fugitives, do not betray the refugees.*²⁸

*Select some towns to be your cities of refuge, to which a person who has killed someone accidentally may flee. They will be places of refuge from the avenger, so that a person accused of murder may not die before he stands trial before the assembly. These six towns will be a place of refuge for Israelites, aliens and any other people living among them, so that anyone who has killed another accidentally can flee there.*²⁹

*When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born. Love him as yourself, for you were aliens in Egypt. I am the LORD your God.*³⁰

The last of these injunctions from the Old Testament, namely “love your neighbour as yourself”³¹ is also given a lot prominence in New Testament and it is considered one of the two fundamental commandments of Christianity. In Islam the Quran says:

*And if any one of the polytheists seeks your protection, then grant him protection so that he may hear the words of God. Then deliver him to his place of safety. That is because they are a people who do not know.*³²

The Islamic tradition also says that some companions of the prophet Muhammad, forced to flee the Arabian peninsula, sought refuge in Ethiopia and were granted asylum by the Christian Abyssinian king al Nagashi who wanted to fulfil the biblical commandments to provide refuge and to treat the alien as a native-born.

²⁷ UNHCR 2000, *op. cit.*, p. 155.

²⁸ *Isaiah 16:3* (New International Version)

²⁹ *Numbers 35: 11-12* (New International Version)

³⁰ *Leviticus 19: 33-34* (New International Version).

³¹ *Matthew 4: 35-36* (King James' Version).

³² *Quran 9:6*.

The limits of humanitarian action

We have seen how the humanitarian space is threatened by attacks on civilians as well as on aid workers and by the real or perceived mingling of humanitarian ideals with political or even military motives. This “blurring of lines”, exacerbated by the “War on Terror”, has prompted some analysts to call for a return to a “purist” humanitarian approach focused on saving and protecting lives, and avoiding involvement in activities with a political dimension such as peace-building.³³ This purist approach may be possible or even desirable for the provision of basic protection and assistance during the emergency phase and there is also a need to avoid the *hubris* that humanitarian action can solve all the problems of mankind.

However, it becomes much more difficult to maintain a clear segregation from politics when searching for durable solutions. For example UNHCR’s role in coordinating humanitarian assistance and return operations was enshrined not only in the Dayton Peace Agreement of 1995 regarding Bosnia and Herzegovina, but also in the 2001 Ohrid Agreement that ended the short civil war between ethnic Macedonians and ethnic Albanians in the former Yugoslav Republic of Macedonia.

Engaging in political dialogues to ensure that peace agreements recognize the rights of refugees or IDPs to repatriate or obtain other durable solutions can also help to secure peace. For example the Rwandan government was reluctant to facilitate the large-scale repatriation of the some 150,000 ethnic Tutsi refugees who were in Uganda and other neighbouring countries since the early ‘60s. This fostered resentment and was one of the factors that ignited the conflict and bloodshed of the ‘90s.

For repatriation to be sustainable in a post-conflict situation there is also a need to ensure that basic infrastructure is rehabilitated and essential services are restored so that returnees can reintegrate. Much of the same argument about engaging in political dialogues and ensuring basic services can also be made in respect of the country of asylum when there is a chance to pursue local integration such as in Serbia, Armenia and Tanzania. Hence investing in durable solutions for refugees is also an investment in peace and stability.

However, engagement in political dialogues or processes does not mean that humanitarian organizations can replace the political will of the concerned parties to reach peace agreements. As the UN High Commissioner for Refugees said in his statement at the Security Council on 8 January 2009, “While it is absolutely vital that the victims of armed conflict be provided with essential protection and assistance, we must also acknowledge the limitations of humanitarian action and its inability to resolve deep-rooted conflicts within and between states”³⁴.

One society that displayed political will to end a prolonged conflict was that of Somaliland, the breakaway republic that declared independence from Somalia in May

³³ Donini, 2007, op. cit.

³⁴ <http://www.unhcr.org/496625484.html>

1991 but has not yet gained official recognition. After an initial period of almost six years of clan conflict, although of lower intensity than in central and southern Somalia, in 1997 a breakthrough towards peace was reached at a self-organized reconciliation conference followed by elections.

This process not only re-confirmed Mohammed Ibrahim Egal as President, a veteran politician rather than a veteran warlord, but also achieved a new and more equitable balance of power among the clans and sub-clans. It enabled the reintegration of hundreds of thousands of returnees who had fled to Ethiopia after the destruction of Hargeisa and other cities by Siyad Barre's forces in May 1988. The reconciliation allowed Somaliland's fledging institutions (House of Representatives and House of Elders) to survive Egal's death in May 2002 and to accept the election of a new President who belonged to a clan that was lukewarm towards independence and was previously at odds with the hegemonic clan of the *Isaqs* who were the backbone of Somalilander nationalism.

Finally in 2010 power was transferred peacefully through new elections to Ahmed Mahmud Silanyo who was elected President. It should be noted that Silanyo not only belongs to the *Isaq* clan, but also was the leader of the Somali National Movement (SNM) that liberated Hargeisa in 1991, but he waited almost twenty years in order to become President through peaceful and democratic means instead than through the barrel of the gun. Putting peace and reconciliation before the longing to achieve or hold on to power was an impressive sign of maturity that sadly is lacking in "official" states in Africa and elsewhere, as recent events have shown.

In the Balkans, after the 1995 Dayton Agreements that ended the Bosnian conflict, the 1999 UN Security Council Resolution 1244 regarding Kosovo and the 2001 Ohrid Agreement in the former Yugoslav Republic of Macedonia, a kind of minimalist peace started prevailing. This peace was characterized by the absence of hostilities, the beginning of mutual tolerance, and recognition of the need to address the refugee issue.

This enabled the United Nations and its partners to find solutions for close to two million refugees and displaced persons through repatriation and – to a lesser extent – local integration, though, to date, some 480,000 refugees and IDPs are still in need of solutions. It should be recognized that one of the main incentives to set aside differences and to cooperate in solving the problems of refugees was the prospect of European integration. It is also hoped that the European model will provide a stimulus to move beyond the current passive peace based on tolerance towards an active peace based on respect and social, economic and cultural interaction.

In conclusion, humanitarian action for refugees and IDPs cannot be confined only to emergency relief assistance, but must also focus on durable solutions. In turn durable solutions are a necessary but not sufficient condition for lasting peace. An investment in durable solutions is therefore an investment in the consolidation of peace. But humanitarian action cannot replace the political will of the concerned parties to achieve peace.

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