Working with Refugees and Internally Displaced Persons

Displaced Persons: Protection and Assistance Challenges

Ongena Otunnu

Profound crises of legitimacy of the state, its institutions, political incumbents and their challengers continue to violently displace tens of millions of people. These crises, which are partly the logical outcome of the severe crises of legitimacy of the international socio-economic and political systems, have more harrowing effects on two types of states: those that are despotically strong but infra structurally weak, and those that are despotically weak and infrastructurally weak. Most of these states are located in what is controversially referred to as the “Third World.” It is also in this geopolitically and economically marginalized and unstable region, where the overwhelming majority of those who are externally and internally displaced reside, that massive violations of human rights take place. Indeed, the growing number of refugees and internally displaced persons in this region highlights both the magnitude and intensity of massive violations of human rights. Also, it illuminates the severe inadequacy of existing humanitarian and human rights response systems, and the international moral deficit in the post-Cold War era.

The growing magnitude of the crises of external and internal displacement calls for comprehensive and coordinated strategies to address the causes of displacement: profound crises of legitimacy on both the domestic and international fronts, and violations of human rights. On the domestic front, the severe crises of legitimacy of the state, its institutions, the incum-

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tions that had displaced the refugees did not exist any more in Rwanda.5

However, the primary motives for the repatriation were to restore regional security, discourage possible armed opposition by the refugees against the Rwandan government, ensure the arrest of Hutu extremists or the interahamwe who had committed genocide in Rwanda, reduce the growing financial and environmental responsibility of protecting and assisting the refugees, contain the growing hostility in parts of Tanzania towards the Hutu refugees, and force the international community to re-direct resources from refugee camps in the neighbouring countries to Rwanda.6

Another example of forced repatriation that took place during conflict was from Zaire (renamed the Democratic Republic of Congo) in mid-November, 1996. This incident was sparked off when Zairean rebels, heavily supported by Rwandan and Ugandan troops, waged war against the Mobutu regime in October 1996. Many Hutu refugees were subsequently slaughtered by the rebels. Denied both protection and assistance by the international community, induced to repatriate by some international aid agencies, suffering from increasing terror from armed Hutu extremists, and faced with possible extermination by the Rwanda and Uganda-assisted Zairean rebels, some 500,000 refugees repatriated to Rwanda.7 The forced repatriation was supported by some of the 70 international aid agencies that had crowded Zaire to assist the refugees, and some human rights organizations. These groups supported violations of the rights of the refugees for a variety of reasons: frustration with the reluctance of the international community to disarm the Hutu extremists who continued to destabilize both the camps and Rwanda; the need to restore security in the region; the need to protect the Rwandan government; and the need to cut down the financial costs of assisting and protecting the refugees. Industrialized countries, under the leadership of Canada, also supported and celebrated the repoulement. The position of these countries reflected the unwillingness to engage in a potentially dangerous armed humanitarian intervention to provide the refugees with protection and assistance. It also reflected the reluctance by these countries to provide the resources requested by some member states of the Organization of African Unity (OAU) for an armed intervention by a regional force. Having forfeited their international obligations, the industrialized countries, with other supporters of the repoulement, began to play the numbers game regarding the hundreds of thousands of the refugees who “suddenly disappeared” in the forests of Zaire.8

Resettlement in a third country, as a durable solution, does not provide protection or assistance to the overwhelming majority of the refugees. Thus, focusing on African refugees, B. E. Harrell-Bond made the following observation:

Resettlement in a third country as a durable solution for African refugees, in terms of the numbers affected, is insignificant. Even if they were to be accepted, there are very few refugees who, unless guaranteed employment, would opt to be relocated in yet another poor African country, and the mood of industrialized countries towards receiving African refugees from this continent is highly restrictive.9

This observation, which is relevant to other continents with major refugee crises, is supported by many findings, including that by N. Stein, F. C. Cuny and P. Reed. These scholars add that, “Each year, resettlement in third countries is offered to only 1 percent of the world’s refugees.”10

The remaining “durable” solution, settlement in the country of asylum, also poses serious problems of protection and assistance. This is so because most of the countries that host the vast majority of those who are externally displaced are chronically poor, suffer from harrowing debt crises, experience violent political instability, are major violators of human rights, and generate many refugees and internally displaced persons. This hostile environment does not only make asylum a painful myth to the overwhelming population of refugees, it also complicates the work of the UNHCR, other UN agencies and non-governmental organizations that attempt to assist and protect the refugees.

The problems of protecting and assisting refugees are compounded by escalating numbers of refugees, the growing numbers of protracted humanitarian emergencies, concerted attempts by armed opposition groups to derive maximum political and military gains from frustrating humanitarian emergencies, the unwillingness of the international community to respond promptly and with adequate and coordinated measures to early warning signs of impending humanitarian crises, donor fatigue, the failure to provide security to refugees and humanitarian agencies in zones of armed conflict, and inadequate funding required by the UNHCR, other UN agencies and non-governmental organization to provide basic protection and assistance to refugees.

These problems are exacerbated by the inability of humanitarian agencies and organizations to coordinate their efforts, avoid ad hoc and inadequate responses to large scale humanitarian disasters, avoid duplication of programs, and contain their chaotic competition for funding. Lack of appropriate expertise and accountability also plague many humanitarian agencies and organizations. These problems, that plague humanitarian organizations and agencies, persist despite the presence of volumes of conference reports, scholarly literature, guidelines, handbooks and manuals that highlight the need for urgent organizational reforms, prompt and coordinated emergency response, and improved protection of refugees and delivery of humanitarian assistance to the population.

The most vulnerable victims of the profound crises of legitimacy and massive violations of human rights are “persons who have been forced to flee their homes suddenly or unexpectedly

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in large numbers, as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters; and who are within the territory of their own country.\textsuperscript{11} Internally displaced persons, whose numbers are far larger than those of refugees (see Table 1 and Table 2), remain subject to the violence and abuses that uprooted them from their homes.\textsuperscript{12} In many instances, they are inaccessible to sources of assistance and protection. Often, armed protagonists make them pawns in on-going armed conflicts by preventing humanitarian assistance from reaching them. The plight of internally displaced persons is compounded by the determination of some regimes to withhold or distort information about the nature, intensity and magnitude of the humanitarian crisis. Such regimes also tend to deny free access to international media and the humanitarian assistance community. In such instances, governments may use the guise of national sovereignty to justify their violation of the rights of internally displaced persons.

Faced with this dilemma, intergovernmental and non-governmental organizations may decide to wait until a national authority has requested their assistance. Since some of these states do not request humanitarian assistance or request assistance but deny full access to humanitarian agencies, the overwhelming majority of internally displaced persons languish without international protection and assistance. The growing preoccupation by states to formulate and enforce more credible refugee deterrence policies also present the violently uprooted with increased problems: remaining caged in their own hostile countries and in dire need of international protection and assistance.

Compounding these problems is the absence of a clear, coordinated and effective international responsibility for internally displaced persons. The question of international responsibility has been discussed in a number of international fora. As a result of these discussions, a number of non-governmental groups, humanitarian organizations and United Nations agencies have expanded their areas of operations to respond to the needs of the distressed population. Some of the most prominent players in this area are the UNHCR, the International Committee of the Red Cross (ICRC), the United Nations Children’s Fund (UNICEF), the World Food Programme (WFP), the World Health Organizations (WHO), the United Nations Development Programme (UNDP), the International Organization of Migration (IOM), and the Department of Humanitarian Affairs (DHA). The DHA, in particular, has taken steps, through the Inter-Agency Task Force on Internally Displaced Persons, to strengthen coordination of assistance and protection. Another important development is the creation of

\begin{table}[h]
\centering
\begin{tabular}{|l|l|l|}
\hline
\textbf{Palestinians} & 3,718,500 * & \textbf{Armenia} & 197,000 * \\
\textbf{Afghanistan} & 2,628,550 * & \textbf{Burma} & 184,300 * \\
\textbf{Bosnia and Hercegovina} & 1,006,450 * & \textbf{China (Tibet)} & 128,000 * \\
\textbf{Liberia} & 755,000 * & \textbf{Zaire} & 116,800 * \\
\textbf{Iraq} & 608,500 * & \textbf{Georgia} & 105,000 * \\
\textbf{Somalia} & 467,100 * & \textbf{Sri Lanka} & 100,150 * \\
\textbf{Sudan} & 433,700 & \textbf{Mali} & 80,000 * \\
\textbf{Sierra Leone} & 350,000 * & \textbf{Western Sahara} & 80,000 * \\
\textbf{Eritrea} & 343,100 * & \textbf{Mauritania} & 65,000 * \\
\textbf{Croatia} & 300,000 * & \textbf{Ethiopia} & 58,000 * \\
\textbf{Vietnam} & 288,000 & \textbf{Bangladesh} & 53,000 * \\
\textbf{Burundi} & 285,000 * & \textbf{Uzbekistan} & 52,000 * \\
\textbf{Rwanda} & 257,000 * & \textbf{Iran} & 46,100 * \\
\textbf{Azerbaijan} & 238,000 * & \textbf{Guatemala} & 34,650 * \\
\textbf{Angola} & 220,000 * & \textbf{Cambodia} & 34,400 * \\
\textbf{Tajikistan} & 215,600 * & \textbf{Togo} & 30,000 * \\
\hline
\end{tabular}
\caption{Countries that Have Produced the Greatest Number of the World’s Refugees (≥ 30,000)}
\end{table}

\begin{table}[h]
\centering
\begin{tabular}{|l|l|l|}
\hline
\textbf{Sudan} & 4,000,000 & \textbf{Russian Federation} & 400,000 \\
\textbf{Afghanistan} & 1,200,000 & \textbf{Zaire} & 400,000 \\
\textbf{Angola} & 1,200,000 & \textbf{Georgia} & 285,000 \\
\textbf{Bosnia and Hercegovina} & 1,000,000 & \textbf{Cyprus} & 265,000 \\
\textbf{Liberia} & 1,000,000 & \textbf{India} & 250,000 \\
\textbf{Iraq} & 900,000 & \textbf{Somalia} & 250,000 \\
\textbf{Sri Lanka} & 900,000 & \textbf{Guatemala} & 200,000 \\
\textbf{Sierra Leone} & 800,000 & \textbf{Syria} & 125,000 \\
\textbf{Colombia} & 600,000 & \textbf{Kenya} & 100,000 \\
\textbf{Azerbaijan} & 550,000 & \textbf{Papua New Guinea} & 70,000 \\
\textbf{Turkey} & 500,000–2,000,000 & \textbf{Uganda} & 70,000 \\
\textbf{Burma} & 500,000–1,000,000 & \textbf{Armenia} & 50,000 \\
\textbf{South Africa} & 500,000 & \textbf{Tajikistan} & 50,000 \\
\textbf{Lebanon} & 450,000 & \textbf{Cambodia} & 32,000 \\
\textbf{Peru} & 420,000 & \textbf{Nigeria} & 30,000 \\
\textbf{Burundi} & 400,000 & \textbf{Djibouti} & 25,000 \\
\hline
\end{tabular}
\caption{Countries with the Highest Number of Internally Displaced Persons (≥ 25,000)}
\end{table}

* Sources vary widely in number reported.

of the position of Representative of the Secretary-General in 1992, at the request of the Commission on Human Rights, to focus specifically on the questions of internal displacement, protection and assistance of the affected population. Nonetheless, international efforts are mostly ad hoc, inadequate and fail to reach the overwhelming majority of internally displaced persons.\textsuperscript{13}

This issue of Refuge analyzes some efforts being made to provide protection and assistance to externally and internally displaced persons. It also highlights the need for improvement at two intimately linked levels: local and international. At the local level, there is urgent need to address the causes of displacement. Improvements are also needed to provide protection to population in distress and to ensure that adequate humanitarian assistance reach the population it is intended to help. This will also require that protection and assistance are provided on a non-partisan basis by people who possess relevant expertise. At the international level, protecting and assisting displaced persons should aimed in the first place at addressing the causes of the crises. Such a strategy is morally, financially and politically cost-effective. There is also an urgent need to coordinate and improve humanitarian assistance and protection, and pay appropriate attention to early warning signs. It is only when human rights, humanitarian, economic, political and security dimensions of the crises are handled simultaneously that the escalating problems of displacements and humanitarian disasters will lend themselves to a high and sustainable rate of resolution. ■

Notes

1. Diverse and competing definitions of legitimacy emphasize the following criteria: (1) power which is derived from a morally and/or legally valid source of authority; (ii) power in the hands of those with appropriate qualities to obtain and exercise them; (iii) power whose exercise conforms to recognizable shared interests, values, beliefs and expectations of the subordinates; and (iv) power that

5. Ibid., 86–87; World Refugee Survey 1996, 63–64.
10. Stein, Cuny and Reed, eds., Refugee and Repatriation During Conflict, 4.
11. F. M. Deng, Internally Displaced Persons: An Interim Report to the United Nations Secretary-General on Protection and Assistance (New York & Washington, DC: Department of Humanitarian Affairs & Refugee Policy Groups, December 1993), 25. Although this working definition is problematic, because some observers consider it too broad while others view it as too narrow, it describes both the phenomenon and major causes of internal displacement.

12. Estimates of the numbers of both externally and internally displaced persons are provided by many agencies. See, for a start, various issues of U.S. Committee for Refugees, World Refugee Survey, Washington, DC: USCIR. It is important to note that documentation of the number of displaced persons, even when they are considered refugees under international law, is notoriously poor. Estimates vary widely depending on who estimates; why, how and for what purpose the estimates are carried out; what methodologies are used in the documentation; who is included and excluded in the estimates; and when the estimates were carried out. Thus, Refugee Policy Groups, Internally Displaced Persons in Africa: Assistance Challenges and Opportunities. Washington, DC: Center for Policy Analysis and Research on Refugees, October 1992), 14, observed that, "As the situation stands now, estimates of the number of people who have been forced to flee their homes within their nations' borders are often made only when relief agencies are able to reach them. In a number of cases, it is only after an area has been 'liberated' and more accessible to the outside world that the extent of internal displacement becomes clear. Further, it may be in the interest of the government to minimize the number and condition of the displaced. The result has been that there is no accurate or consistent way of tracking and tabulating the numbers of internally displaced." It is hoped that the on-going project at the Refugee Studies Programme at Oxford will provide more credible estimates of internally displaced persons.

13. See, for example, Deng, Internally Displaced Persons: An Interim Report to the United Nations Secretary-General on Protection and Assistance; Refugee Policy Groups, Internally Displaced Persons in Africa: Assistance Challenges and Opportunities. a

Ogenga Otunnu, Ph.D., is Visiting Professor of Third World Politics, Ryerson Polytechnic University, Toronto, and Research Associate, The Lamarche Center for Violence and Conflict Resolution, York University, Toronto.