SPECIAL ISSUE

Refuge Reception and Integration

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Introduction

Refugee Reception and Integration: Best Practices

Marzia Ali

The recent international conference in Sweden on the reception and integration of resettled refugees was a key event. It provided an opportunity for participants to have a broad and collective perspective on issues related to integration. Integration has a fundamental role in rebuilding lives in the host society. For many years, host communities have not practised the view that integration is a two-way process. Traditionally integration has been about the adaptation of refugees and newcomers to the norms and the values of the host society. This represents a very narrow perspective as it fails to focus on the adaptation of the host society to the norms and values of refugees and newcomers. It has been demonstrated very clearly in most of the articles in this publication that host communities play a critical role in determining whether refugees and newcomers will become full participating members of their new communities or whether they will remain on the margins.

There is a very strong link between the long-term stability of the host societies and the sense of belonging that refugees and newcomers experience. Belonging is personal and subjective; however, at the same time it is socially constructed. The host communities have the challenge of building civil and hospitable societies where rights are respected and differences are recognized and affirmed. This is what leads us to celebrate diversity and create a sense of belonging. Refugees and newcomers contribute in many ways to their host communities. Unless we find ways to acknowledge and incorporate their contributions, we cannot expect them to call the host community "home." In many ways the challenge of integration becomes not only theirs but ours as well.

Four articles in this issue address these themes related to refugee reception and integration. Deborah DeWinter's piece gives an overview of the recent international conference on the issue held in Sweden, and the process resulting in the adoption of fifteen *Principles* to guide successful integration programs for resettled refugees. Elizabeth Ferris's article explores global trends, such as restrictive governmental policies, xenophobia, and racism, and questions of citizenship and identity, which impact on the receptivity of communities to refugees and migrants. Jeff Chenoweth and Laura Burdick's piece discusses the needs of and challenges faced by refugee elders in the resettlement process, recommending creative program design to ensure that their dignity and vitality are strengthened through reception integration. Finally, in her article on the integration of Guatemalan refugees in Mexico, Edith Kauffer Michel explores the complex dynamics involved in the resettlement process, as "ex-refugees move towards becoming "new immigrants," settled and politically integrated in the host state. Collectively, these four contributions highlight the two-way nature of reception and integration, and the creation of belonging which is so essential to the successful integration process.

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A Conference Built on Trust

Deborah Hafner DeWinter

Abstract

In April 2001, 265 participants from twenty countries including representatives of the governments, intergovernmental organizations, non-governmental organizations, UNHCR, and former refugees met in Norrköping, Sweden, for the International Conference on the Reception and Integration of Resettled Refugees. Fundamentally, the success of the conference resulted from the overarching operating principles in the planning process which affirmed that all resettlement countries, traditional or emerging, had something positive and unique to contribute, and that no hierarchy would influence the equal value of comments made. As a result, a spirit of cooperation and trust was built that characterised the spirit of the conference and continues to influence the post-conference phase of the Integration Initiative.

Résumé

Au mois d'avril 2001, 265 participants provenant de 20 pays, y compris des représentants de gouvernements, d'organismes inter-gouvernementaux, d'organisations non-gouvernementales, du HCR ainsi que d'anciens réfugiés, se sont réunis à Norrköping, en Suède, à l'occasion de la Conférence internationale sur la réception et l'intégration de réfugiés réinstallés (« International Conference on the Reception and Integration of Resettled Refugees »). Le succès de la conférence est dû principalement au fait que les principes directeurs qui ont présidé à toute l'étape de préparation ont réaffirmé que tous les pays accueillant les réfugiés, que ce soient les pays-hôtes traditionnels ou ceux qui sont en passe de le devenir, avaient une contribution unique et positive à faire, et qu'aucune hiérarchie n'influencerait la valeur égale des commentaires faites. Par conséquent, cela à créé un climat de coopération et de confiance qui a caractérisé toute la conférence et qui continue à influencer la phase post-conférence de l'Initiative d'intégration.

> *Somehow the distinctions between the respective roles of Government, NGO, UNHCR and former refugees—which sometimes cause lines to be drawn in the sand—were less noticeable in this process, because…a level of trust had been established early on.[1]*

I. Introduction

The International Conference on the Reception and Integration of Resettled Refugees (ICRIRR), a key event within a broader Integration Initiative supported by the United Nations High Commissioner for Refugees' partners in resettlement, was held at Vildmarkshotellet in Norrköping, Sweden, on April 25–27, 2001. Two hundred and sixty-five participants from the eighteen resettlement countries as well as two ad hoc resettlement countries (Great Britain and Germany) attended ICRIRR, which was hosted by the Swedish National Integration Office. These participants represented the major donor countries and major supporters of refugee protection. Among the participants were representatives of the governments, intergovernmental organizations, non-governmental organizations, and UNHCR field, regional, and headquarters staff, as well as former refugees. All eight of the emerging resettlement countries were also represented at ICRIRR. This was the first time that both the traditional and emerging resettlement countries were able to meet in an international forum to exchange best practices in the reception and integration of resettled refugees.[2]

It also seems to have been the first time in institutional memory that most of the standard operating procedures for organizing an international event of this scope were abandoned in favour of a more participatory and democratic approach to conference planning. There was, for example, no secretariat appointed to ensure that the objectives set by the major stakeholders in this initiative would be carried out.

Instead, a consultant with expertise in integration issues and conference organizing was identified and empowered to work collaboratively with states, NGOs,

UNHCR staff, and former refugees in designing a strategic approach that would ultimately lead to closer working relationships and the exchange of "best practices" between the tripartite partners involved in the resettlement of refugees.[3] The consultant was given a desk, a telephone, a computer, and a warm welcome upon arrival at UNHCR Headquarters in March of 2000. She was also welcomed unconditionally into the heart of the Resettlement Section and treated with all the respect ordinarily afforded resettlement officers. Within three days of the consultant's arrival in Geneva, she was accompanied by the Chief of the Resettlement Section, Department of International Protection, UNHCR, and a senior resettlement officer to Sweden for the purpose of meeting her counterparts at the Swedish National Integration Office in Norrköping. Together, the consultant and her Swedish colleagues would be responsible for ensuring that a first-class international conference would be organized in twelve months' time.

The immediate rapport established between the consultant and her Swedish colleagues at the National Integration Office[4] was very helpful in the design and implementation of the conference. While it was soon recognized that the working "chemistry" between these key colleagues was indeed positive, more significantly, they found that they shared a mutual vision for inclusiveness and a democratic process in the identification and selection of Steering Group members from the diverse constituencies of the international resettlement communities. But all the "chemistry" and shared vision in the world would not have resulted in a successful endeavour had not the respective supervisors and, indeed, institutions themselves fully supported and empowered these colleagues throughout the implementation of their planning responsibilities. Furthermore, without the dedicated commitment, creativity, and practical assistance of the core group of colleagues that comprised the Executive Committee of the ICRIRR Steering Group, neither the focal points at UNHCR nor the Swedish National Integration Office alone could have provided the leadership necessary to ensure success in the planning of the conference.[5]

In the end, the favourable outcome in the planning and implementation of the International Conference on the Reception and Integration of Resettled Refugees was dependent upon the willingness of all concerned within the Steering Group, Executive Committee, and individual conference sessions to work collaboratively across cyberspace with colleagues they had never met, who resettled refugees using significantly different policies, philosophies, and systems, spoke different languages, and lived in other time zones. Fundamentally, the success of the ICRIRR initiative resulted from the overarching operating principles in the planning process which affirmed that, whether new or well seasoned, all resettlement countries had something positive and unique to contribute, and that no hierarchy or protocol would influence the equal value of comments made by members of the Steering Group —whether representing the governments, intergovernmental organizations, non-governmental organizations, UNHCR field, regional, or headquarters staff, or former refugees themselves.

That is why, when 265 representatives from twenty countries (most of whom had never met prior) walked in to the Vildmarkshotellet conference centre outside Norrköping, Sweden, on April 25, 2000, they greeted each other like old friends, commenting on how they had never "felt a spirit quite like this between participants at a conference, before."

II. *Background*
1999 Annual Tripartite Consultations on Resettlement Serve as Impetus for ICRIRR
The impetus for the International Conference on the Reception and Integration of Resettled Refugees stemmed from discussions that took place during the 1999 Annual Tripartite Consultations on Resettlement (ATC) hosted by UNHCR in Geneva. While it was affirmed that refugees were resettled to ensure their protection and provide them with a durable solution, and that the criteria for resettlement were governed by well-defined and commonly endorsed guidelines outlined in the Resettlement Handbook, it was also noted that no significant focussed effort had ever been made by the international community to discuss and evaluate the various models of reception and integration in the resettlement countries.

Increasing Diversity of Resettlement Countries and Refugee Groups Poses Challenges
This evaluation was deemed particularly important given the fact that the number of resettlement countries had increased from ten to eighteen, and that UNHCR refugee referrals were increasingly more diverse, including nationalities with which the general public in resettlement countries were not familiar. The governments, non-governmental organizations, and other implementing partners were therefore facing unique challenges in actively leading, informing, and assisting local communities to facilitate effective resettlement. Given the addition of eight new resettlement countries, UNHCR was also receiving requests for international assistance from them in the implementation of their emerging reception and integration programs. All of these developments and issues of concern pointed to the necessity for the international resettlement community to collectively examine these issues and challenges.

Need for Comparison of "Best Practices" in Reception and Integration

The delegates attending the 1999 Annual Tripartite Consultations therefore agreed that steps should be taken to facilitate the planning of an international conference designed to exchange ideas and endorse recommendations relating to the reception and integration of resettled refugees. It was further agreed that the ultimate goal of the conference would be to promote a lively and continuing exchange of ideas and experiences on how best to facilitate effective integration—both for those resettled refugees identified as being particularly at risk, and those who might not be in need of immediate protection but had compelling reasons to be removed from their countries of refuge, having no other options available to them except resettlement.

Effective Integration and Its Role in Sustaining Support for Resettlement Policy

The tripartite partners in resettlement affirmed that because resettlement is used for two critical purposes—as a tool of international protection and as a durable solution for those who have no other hope of a normal life—the resettlement countries should be as effective as possible in supporting, guiding, and strengthening the integration process for resettled refugees. It was also noted that the relative "success" in facilitating effective integration had bearing upon the degree to which receiving communities continued to endorse and support national resettlement policies. While acknowledging that there had been a number of recent European Union (EU) initiatives with regard to the integration of spontaneously arriving refugees, it was felt that the focus of this conference should be upon the reception and integration of resettled refugees.

Tripartite Partners and Former Refugees Plan and Implement Conference

As the "success" of integration was thought largely to rely upon the degree to which the governments, NGOs, and UNHCR were able to forge effective partnerships, it was envisioned that both the conference planning process and conference participation should include representatives from the public authorities and NGOs responsible for implementing national policy, as well as UNHCR and resettled refugees themselves (including those who would be considered particularly at risk).

Sweden Hosts, with Strong Support from the Nordic Countries, US, and Canada

The generous offer of the Swedish National Integration Office to host the conference, together with the commitment of funding primarily from the Nordic countries, with assistance also provided by the United States, Canada's Department of Citizenship and Immigration (CIC), the German Marshall Fund USA, and the Ford Foundation, enabled UNHCR to identify and deploy a reception and integration specialist to serve as facilitator for the International Conference on the Reception and Integration of Resettled Refugees as well as for the broader integration initiative into which the conference was designed to fit as a midpoint catalyst.

III. *Strategic Planning Process*

Identification of Steering Group, Executive Committee, and Working Chair

Part of the strategy in the design of the conference planning process was to identify and recruit specialists in the resettlement countries to serve on a Steering Group. These were drawn from the state and local governments, intergovernmental organizations, NGOs, and grassroots refugee and community-based organizations engaged in policy development and reception and integration programs. Given the number of participants involved in the Steering Group, an Executive Committee of the Steering Group was also formed to pilot the planning process and take responsibility for the results. With broad direction from the Steering Group, the Executive Committee was responsible for guiding the shaping of the agenda, monitoring the assignment of tasks, approving presenters identified by the Steering Group, and ensuring that clear and timely communication was provided to all Steering Group members throughout the planning process. A Working Chair from the Swedish National Integration Office, Erik Stenström, was appointed by the Executive Committee to work closely with the UNHCR Facilitator to maximize accountability and transparency as well as to foster collegial relationships between the representatives of the eighteen resettlement countries in all phases of the planning process. In addition, the Department of Citizenship and Immigration of the Government of Canada, represented by Ms. Lynda Parker, Senior Advisor in the Resettlement Division of the Refugee Branch, played a key leadership role on the ICRIRR Executive Committee. Canada's contributions also included the assignment of a gifted young policy analyst, Ms. Tracey Spack, who took the lead in facilitating the editorial process for the framework papers generated by experts involved in the overall planning process.

Development of Mandate Document and Mission Statement

Following the July 2, 2000, Steering Group Meeting, a document entitled "Mandate and Principles, Roles and Responsibilities for the Implementing Structures in the Planning of the International Conference on the Reception and Integration of Resettled Refugees"[6] was drafted

to provide guidance in the development of the conference. The conference objectives, which had been outlined in the Mandate document, were subsequently incorporated into the Mission Statement. Featured prominently on the ICRIRR Agenda following the November 17, 2000, Steering Group meeting, the Mission Statement of the conference was to provide an international forum for the exchange of ideas and means of supporting refugee resettlement among the traditional and emerging resettlement countries. Planned as the midpoint catalyst in an ongoing process of exchanging "best practices" in the integration of resettled refugees among the resettlement countries, goals for the conference included: drafting commonly endorsed principles for the "successful" reception and integration of resettled refugees that are applicable regardless of the level of funding available to resource resettlement programs; facilitating both formal and informal links and exchanges between the various resettlement countries; gathering resources for the development of a reception and integration handbook; and strengthening the reception and integration programs of traditional and emerging resettlement countries.

Refugee Leadership Brings Integrity to the Planning Process

Members of the Steering Group and Executive Committee were committed to identifying and supporting the participation of former refugees on both the Steering Group and Executive Committee of ICRIRR. Special funding from the German Marshall Fund USA was obtained for the support of NGO and refugee participation in the planning process, augmented by support provided by the governments. Canada, the United States, and Sweden respectively identified and supported the involvement of three former refugees on the Executive Committee of the ICRIRR Steering Group. Their perspectives provided a "reality check" during the planning process and helped to motivate the involvement of some fifty former refugees in the implementation of the conference. The Ford Foundation also helped facilitate the participation of two former refugees at the conference itself.

Strategy behind Steering Group Process

Inherent in the strategy behind the Steering Group process was the goal of establishing a comfortable working rapport between representatives of the eighteen resettlement countries in order to initiate an immediate exchange of information, country to country and constituency to constituency. It was also designed to break down the myriad tasks in the planning of the conference so that each of the countries involved would share equitably in the work, to foster a sense of "ownership" of the final product, and ultimately to build towards the goal of drafting commonly endorsed principles for the "successful" reception and integration of resettled refugees. This process engaged local resettlement constituencies in an analysis of their respective

"best practices" and in building bridges for the development of new partnerships among the resettlement constituencies of the eighteen resettlement countries and the sharing of "best practices" on an international level.

Design of the ICRIRR Agenda

Through a series of three major Steering Group meetings (May 4, 2000; July 2, 2000; and November 17, 2000) and five Executive Committee meetings (July 2, 2000; November 16 and 18, 2000; January 14, 2001; February 23, 2001; and April 23 and 28, 2001) over the course of eleven months, an agenda was crafted, taking into consideration the three major themes identified by the Steering Group in the design of successful resettlement programs. These themes were: Preparing Refugees and Receiving Communities; Common Needs of Resettled Refugees; and Special Needs of Resettled Refugees.

In addition to the seventeen individual breakout sessions identified under these three major themes, three more topics requiring special emphasis were identified by the Steering Group for incorporation into the agenda as discussion groups. These topics were: Building Capacity with Refugee Involvement for the Reception and Integration of Resettled Refugees; Placement Strategies to Enhance Effective Integration of Resettled Refugees; and Effective Orientation as a Critical Component in the Integration of Resettled Refugees.

Conceptual Framework for Evening Activities

As part of the strategic planning process for the conference agenda, two special evening events were planned. The first, hosted by the Director General, Mr. Andreas Carlgren, and the staff of the Swedish National Integration Office, was conceptually designed to demonstrate what it means to be "Swedish." As one member of the Steering Group who works closely with refugees in Sweden had phrased it during a planning discussion, "Refugees are often told by Swedish nationals: 'You need to be more Swedish!' But what does it mean to be 'Swedish?'" The first evening's dinner and musical productions were planned to share the "essence or soul of Sweden," as Working Chair Erik Stenström summarized it.

The second evening, hosted by UNHCR's Regional Representative for the Baltic and Nordic Countries, Mr. Gary Troeller, and his staff, featured a dinner and fiftieth anniversary event commemorating the 1951 Convention Relating to the Status of Refugees. To complete the evening, a musical group consisting of former refugees from a number of different cultural backgrounds gave a performance around the theme of how refugees sustain

their spirits as they are received and integrated into resettlement countries.

Designation of Lead Countries for the Development of Conference Sessions

Following the Steering Group's identification of broad themes and individual topics for the provisional ICRIRR agenda, a special Steering Group meeting was convened in Washington, D.C., on November 17, 2000, to seek commitment from each resettlement country to accept responsibility for leading individual tracks, discussion groups, or breakout sessions on the agenda. In the subsequent Executive Committee meeting held on November 18, 2000, the offers of commitment to lead conference tracks, discussion groups, and individual breakout sessions were considered and final decisions made. Lead countries were advised that it was their responsibility to engage those countries indicating a strong interest in a particular topic to assist in the development of the related session. A revised provisional agenda was circulated which listed both lead countries and countries indicating a strong interest in assisting with the development of every session on the agenda. A country focal point was designated to ease communication between those countries involved in international planning coalitions, and local steering groups in the resettlement countries began meeting regularly in order to coordinate the selection of facilitators, rapporteurs, and presenters for their respective sessions.

Development of Resettlement Country Program Descriptions

It had been recommended, in the first Steering Group meeting held on May 4, 2000, that each resettlement country should develop a Resettlement Country Program Description to provide a foundational understanding of the various models and methods represented among the eighteen countries of resettlement. The Canadian Government, Citizenship and Immigration Branch, took the lead in drafting a comparative grid of the key elements in each country's reception and integration program, following up this project with the drafting of a Global Overview paper. These tools enabled individual conference session leaders to identify those resettlement countries with special strengths or representative models that would be helpful to include in specific panel presentations. Furthermore, these documents provided practitioners and resettlement policy makers in each of the resettlement countries the opportunity to become more knowledgeable about the models and methods for the reception and integration of resettled refugees implemented in other countries

Development of Framework Papers and Session Summary Forms

The Executive Committee of the Steering Group also requested that a brief framework/discussion paper be written for each session on the agenda. The three-part structure for the papers was designed to provide an overview of topics, description of key issues emerging, and questions to focus the discussions at the conference. In addition, lead countries were asked to complete a standard session summary form indicating who would be serving as facilitator, rapporteur, presenter(s) or panellists as well as providing a brief summary of the content and approach to the session. All papers and session summary forms were completed prior to the start of the conference and posted on the Swedish National Integration Office's website with links to the UNHCR website, as well as distributed in a hard-copy binder format to each conference participant as part of the ICRIRR registration process. No single resettlement country's programs or models of reception and integration were to be spotlighted in framework papers or sessions. Rather, lead countries were asked to do their utmost to provide a broadly representative view of the topic and engage colleagues from other resettlement countries in the drafting process of the papers as well as in the planning process for the sessions.

Emerging Resettlement Countries: Current Status and Future Challenges

As part of the planning process, an analysis was made of the current status and future challenges of the resettlement programs of the emerging resettlement countries. Subsequent requests by the governments and implementing partners of the emerging resettlement countries to identify and send suitable experts in reception and integration were met and deployees dispatched to Benin, Burkina Faso, Argentina, Brazil, and Chile. In the course of this process, special links were forged, for example, between the Southern South American resettlement countries and Spain, and between Canada and Benin and Burkina Faso, so that resources and experience gained might be shared between countries with similar language backgrounds.

Special care was taken to plan a pre-ICRIRR meeting for emerging resettlement countries to provide an overview of the conference agenda and link them with their counterparts among the traditional resettlement countries. In addition, simultaneous translation was provided in Spanish and French for all plenary sessions and Track 2 breakout sessions on the Common Needs of Resettled Refugees. Volunteer interpreters accompanied other participants to sessions where simultaneous translation was not available. Provisional and final agendas, both "At A Glance" and "Annotated" versions, were translated into Spanish and French, thanks to collaborative efforts by Canada, Spain, Argentina, Brazil, and Chile.

IV. Pre-Conference Meetings and Workshops
Study Visits
The option of participation in study visits to reception and integration programs and projects was structured into the planning process in conjunction with Steering Group and Executive Committee meetings (e.g., in Madrid, Spain; in New York City; Sioux Falls, South Dakota; and the greater Washington, D.C., area in the United States; and in Dublin, Ireland), as well as in conjunction with the conference itself. The study visit component of the planning process as a whole provided a meaningful opportunity to receive first-hand orientation to the models and methods of implementing reception and integration programs for those who chose to take advantage of these opportunities. The visits also served to initiate the development of some informal links and exchanges between experts from the different resettlement countries, a goal of the broader integration initiative.

Expanded Executive Committee Meeting (April 23, 2001, in Stockholm)
An expanded ICRIRR Executive Committee meeting was held in Stockholm, Sweden, on Monday, April 23, in order to provide a thorough briefing for members and other key participants on the revised conference agenda, logistics, and both the Facilitator and Rapporteurs' Workshop and the Emerging Resettlement Countries Workshop to be held the afternoon and evening of April 24, 2001, respectively. Ms. Lynda Parker of the Canadian Government, CIC, gave an overview of the Summary Session and Conference Conclusions so that key leaders at the conference would have a clearer understanding of how the commonly endorsed Principles would be formulated. It was decided that a special rapporteur's debriefing meeting would be held after each day's sessions to synthesize principles emerging from the sessions and to adjust any aspects of conference logistics that might be necessary for the smoother implementation of the sessions. Mr. Erik Stenström provided an overview of how the resource room and multimedia centre would work, as well as the registration process.

Facilitator and Rapporteurs' Workshop (April 24, 2001, in Norrköping)
From the beginning of the planning process, it was understood that the success of the conference would largely depend upon the skills and talents of the session facilitators and rapporteurs. Hence, a special training session was scheduled before the start of the conference, co-facilitated by the Working Chair, Mr. Erik Stenström, and the ICRIRR Facilitator, Ms. Deborah DeWinter, with assistance by Ms. Eva Norström, President of the Swedish Refugee Council, and Mr. Sean Henderson, Projects Manager, Refugee Services, New Zealand Immigration Service.

Emerging Resettlement Countries Workshop (April 24, 2001, in Norrköping)
Hosted by Mr. Ruben Ahlvin of the Swedish Migration Board, the Workshop and Dinner for Emerging Resettlement Countries was co-facilitated by Ms. Susan Krehbiel, Reception and Integration Specialist, deployed by UNHCR to the southern South American resettlement countries of Argentina, Brazil, and Chile, and Ms. Maria Vega of the UNHCR Regional Office in Madrid, Spain.

V. ICRIRR Participation and Proceedings
Goals for Broad-Based Representation Met
The initial goal of the Steering Group and Executive Committee to limit participation to 250 representatives from the eighteen resettlement countries and six ad hoc resettlement countries was exceeded by fifteen persons, for a total of 265 conference registrants from twenty countries.[7] The goal of inclusivity was achieved as countries supported the attendance of municipal and national governmental representatives, local and national NGO representatives, former refugees, and others representing, for example, grassroots service providers, employers of refugees, and media specialists.

Participation by Former Refugees
Some fifty former refugee participants resettled in the eighteen countries of resettlement served as panellists, presenters, speakers, session leaders, facilitators, and rapporteurs during the conference. Their voices provided other partners with a "reality check" on "best practices" shared, and principles drafted, and their leadership and contributions infused both the planning process and implementation of sessions with greater integrity.

Structure of Conference Agenda
As noted in the "Background" section of this proceedings report, the agenda featured three primary tracks reflective of the three major themes of the conference, each organized by co-chairing countries. Following the simultaneously scheduled plenary sessions for the individual tracks, a series of topical breakout sessions were offered, each led by one of the resettlement countries, with assistance provided by other countries indicating a "strong interest" in that topic. Three additional topics were structured as simultaneously held Discussion Groups: A, B, and C. The separate structuring of these discussion groups simply allowed for wider exposure to these topics by conference participants. Detailed information on the approach, speakers, facilitators, rapporteurs, and key issues presented and discussed during the course of each of these breakout sessions and discussion groups may be found in

their respective Session Summary Forms[8] and Executive Summaries of the respective Rapporteur Reports.

VI. Commonly Endorsed Principles

ICRIRR Principles

The Conclusions and Recommendations session of the Conference, moderated by Dr. Elizabeth Ferris of the World Council of Churches and Mr. Goran Rosenberg, the Chair of the Conference, successfully resulted in the common endorsement of fifteen general principles to guide the promotion of "successful" integration of resettled refugees by all eighteen resettlement countries.[9] The spirit of mutual affirmation of these guiding principles by the governments, intergovernmental organizations, and non-governmental organizations of the traditional and emerging resettlement countries, as well as former refugees and UNHCR representatives from both the field and headquarters, spoke well of the planning process leading up to the conference. Special credit must, however, be attributed to Dr. Elizabeth Ferris, who collaborated with members of the ICRIRR Executive Committee, facilitators, and rapporteurs to identify and shape these principles. The Preamble to the ICRIRR Principles document, drafted by Dr. Ferris, leads off with a significant quote by one of the refugee panellists who spoke at the Opening Plenary of the conference: "You can't feel grounded until you belong. You can't belong until you're accepted." Quoted in full below, the Preamble goes on to provide a meaningful perspective and helpful context in framing the fifteen Principles resulting from the proceedings of the International Conference on the Reception and Integration of Resettled Refugees:

> Refugees strengthen societies through their cultural diversity and the contributions which they bring. We affirm that resettlement of refugees works. Most refugees integrate successfully into their host communities and most of the support and services provided by governments, refugee communities, non-governmental organisations and the public makes a difference.

> Resettlement is an important tool of refugee protection and a durable solution for many refugees. It is not a substitute for asylum, but rather a complementary way of providing protection to people in need. Resettlement offers refugees the possibility to begin new lives and to become fully participating members of society. Given global needs and the success of resettlement as a durable solution, we believe that the use of resettlement should be expanded in the future.

> The challenge for states and for UNHCR is to ensure that resettlement selection is carried out in a fair, transparent, and equitable manner based on refugee needs for protection and for durable solutions. A particular challenge for states is to be inclusive in their resettlement criteria and not automatically to exclude groups or countries from consideration. While we acknowledge that resettlement may not be appropriate in every situation, it should be seen as an integral component of a comprehensive international response.

> Experience with resettlement varies from country to country. Some countries have long resettlement histories while others are new to the process. But all resettlement countries are committed to facilitating refugee integration, to nurturing a hospitable environment for refugees, and are willing to learn from one another. While integration occurs within a framework of national policy and in a particular cultural context, it is fundamentally a personal process through which refugees develop a sense of belonging, make friendships, and enjoy mutual respect in their new society.

Following the Preamble, the fifteen Principles were organized under four sub-headings in order, first, to attempt to define what the process of integration is about; second, to emphasize the fact that refugees themselves are central to the success of the integration process; third, to emphasize that building capacity for the nurturing of hospitable receiving communities is absolutely fundamental in maximizing the potential for successful integration; and fourth, to emphasize that the strengthening of partnerships in each segment of the refugee resettlement community is also essential for success in the integration process.

The fifteen Principles endorsed at ICRIRR, quoted in their entirety, follow:

Integration

1. Integration is a mutual, dynamic, multi-faceted and on-going process. "From a refugee perspective, integration requires a preparedness to adapt to the lifestyle of the host society without having to lose one's own cultural identity. From the point of view of the host society, it requires a willingness for communities to be welcoming and responsive to refugees and for public institutions to meet the needs of a diverse population." [Adapted from the European Council on Refugees and Exiles, "Policy on Integration," 1999.]

2. Integration is "multi-dimensional in that it relates both to the conditions for and actual participation in all aspects of the economic, social, cultural, civil and political life of the country of resettlement as well as to refugees' own perceptions of, acceptance by and membership in the host society." [Adapted from the European Council on Refugees and Exiles, "Policy on Integration," 1999.]

3. Opportunities for resettled refugees to become citizens and to enjoy full and equal participation in society represent an over-arching commitment by governments to refugee integration.

4. Family reunification is crucial to refugee integration. Similarly, relatives and ethnic community networks can play key roles in successful refugee integration.

5. A multi-dimensional, comprehensive and cohesive approach that involves families, communities and other systems can help refugees to restore hope and to re-build their lives.

Refugees at the Centre

6. Refugees bring resources and skills to the countries in which they resettle. Host societies are strengthened and enriched by the contributions of refugees.

7. Refugee participation and leadership are essential in the development, implementation and evaluation of both refugees' own individual settlement and integration programs.

8. Underlying the practical, tangible needs which refugees have are more fundamental needs for dignity, security, social connectedness, and identity. Both these more fundamental needs and immediate material needs must be addressed.

9. Enabling refugees to use their own resources and skills to help each other is a priority.

10. Responding to the range of needs specific to the refugee experience will improve resettlement programs and enhance integration.

Strengthening Receiving Communities

11. Building community capacity for equitable partnership in refugee reception and integration involves all sectors of the community.

12. Refugees integrate themselves. The responsibility of the public, private and community sectors is to work alongside refugees as facilitators to create an environment in which people can be empowered.

13. The public should receive accurate and timely information about refugee situations. Receiving communities require additional specific information in preparing for the arrival of refugees in their communities. In both cases, the media have an important role to play.

Strengthening Partnerships

14. Multi-faceted partnerships need to be continually developed and strengthened among governments, refugees, communities, non-governmental organizations, and volunteers.

15. Strengthening relationships between those working to identify refugees in need of resettlement and the commu-

nities where they will be resettled is important to the resettlement process.

Concluding Remarks by Representatives of the Emerging Resettlement Countries

It was particularly meaningful to receive very positive assessments of the conference from the perspectives of representatives from the emerging resettlement countries and to see how the planning process had assisted these countries in gaining the confidence to move forward with the implementation of their programs. A Chilean government representative, for example, noted that the conference had been very helpful to their group of participants in that they realized the challenges faced with their first group of refugees was similar to challenges commonly faced by the traditional resettlement countries. "I'm going back to Chile with thousands of ideas to share with government officials. While we can't implement them all at once, we can put them on the table for later consideration," she said.

As a newly emerging resettlement country, Brazil found that participation in the conference assisted the authorities responsible for the implementation of resettlement to gain the confidence and tools necessary to move the process forward more expeditiously. Dr. Nara Moreira da Silva, General Coordinator of the National Refugee Committee of Brazil's Ministry of Justice, not only felt more confident, but also expressed pride in Brazil's motivation for offering resettlement as a tool of protection and durable solution for refugees. As she stated in her concluding remarks:

I leave the conference feeling very proud of Brazil's decision to provide resettlement. While in other countries it is clear that refugee resettlement is seen as an economic benefit, in Brazil we are clear that refugee resettlement is a humanitarian commitment that we can make. In spite of our own economic difficulties, and other problems we may face as a country, we have to do what we can to help those in need.

Meanwhile, in the written evaluation of a grassroots resettlement worker from New Zealand who participated in a panel presentation at ICRIRR, appreciation was expressed for the "open and warm communicative style" in which the conference was conducted. In expressing her thanks for the diversity and inclusiveness of the participants in the design of the conference, she noted on behalf of the grassroots workers present that "…we felt we were part of [ICRIRR] before we came."

VII. *Conference Conclusions*
Meeting Goals and Expectations

Both the formal and informal evaluations of the International Conference on the Reception and Integration of Resettled Refugees were consistently positive. Some examples of the common themes that emerged from both verbal and written comments were that there seemed to be a "special spirit" at the conference — a phrase that was repeatedly used to describe the mutually supportive dynamic that participants experienced throughout the conference. Furthermore, distinctions between government, intergovernmental, NGO, UNHCR, and former refugee participants were not very obvious, nor did the more formal protocols observed in other settings between senior and junior ranking participants seem to characterize the interactions at ICRIRR. By way of illustration, at one juncture, and unbeknownst to the individual making the request, a Director General was asked to provide informal translation for a representative from one of the emerging resettlement countries during a topical breakout session. Without hesitation, the Director General proceeded to provide a whispered interpretation of the presentations made by the panellists and thereafter endeavoured to be as present and helpful as possible to the colleague needing interpretation. Similarly, representatives of the emerging resettlement countries noted that although they had arrived in Sweden feeling some apprehension about their status as newcomers to the world-wide resettlement community, they very quickly felt that their opinions and insights were valued on an equal basis with representatives of the more traditional resettlement countries. Participants were extraordinarily impressed by the generosity and quality of the welcome they received from their Swedish hosts, in respect to both the contributions and commitment by Mr. Andreas Carlgren and his colleagues at the Swedish National Integration Office and those who hosted the study visits in Sweden, and to the professionalism and hospitality of the staff of Vildmarkshotellet. Special mention was repeatedly made of the wonderful evening event and the musical groups that provided a glance into the "soul" of the Swedish people.

Although the planning processes were complex and time-consuming, requiring patience with different time zones, philosophies, and cultures, participants repeatedly commented that the joint planning strategy enabled them to develop positive relationships with their colleagues from other countries prior to the start of the conference, enabling a more creative and informal exchange of information and insights at the conference. Again, although the collaborative strategy for developing the framework papers for each conference plenary and breakout session, and the requirement that these papers be finalized before the start of the conference seemed initially to be a daunting task, the results were appreciated, not only for the value of the resources produced, but also because of the relationships established throughout the process. Participants were surprised and pleased that in less than an hours' plenary discussion, eighteen resettlement countries represented by participants from diverse sectors could mutually agree upon and endorse fifteen significant Principles to guide the "successful" reception and integration of resettled refugees.

Specific Accomplishments

There was clear consensus among participants that goals for both the planning process and the conference itself had been satisfactorily met. Some of the specific accomplishments achieved were the establishment of strong bonds between the policy makers and reception and integration practitioners of the eighteen current resettlement countries; also, individuals involved in the implementation became acquainted with one another and each other's programs, policies, and respective strengths and challenges. Also, resources were shared, and views and philosophies exchanged. Participants learned where questions could be answered or needs for expertise met. Furthermore, an impressive set of documents that didn't exist before was produced, providing resources that put the challenges inherent in the reception and integration process in clear focus and pointed to some models and methods that have worked for colleagues around the world. These included an annotated bibliography on integration issues for resettled refugees; eighteen Resettlement Country Program Descriptions; a fifty-page document entitled Brief History of Resettlement, providing a comparative grid of the programs of the eighteen current resettlement countries; a Global Overview paper which offers a comprehensive and informative perspective on the resettlement models in operation worldwide; twenty-five framework papers on specific topics identified through the Steering Group discussions as representing key issues challenging the countries of resettlement, papers designed to serve as the backbone of the Integration Handbook Project; a set of twenty-five executive summaries listing every "best practice" mentioned in each of the individual sessions represented on the ICRIRR Agenda for the mutual strengthening of reception and integration programs; and a collection of over one hundred definitions by refugees of what integration has meant to them, courtesy of the Government of Canada, CIC.

VIII. *Summary*

Participants from the governments and from the intergovernmental and non-governmental organisations, as well as UNHCR staff and former refugees attending the

International Conference on the Reception and Integration of Resettled Refugees affirmed that the ICRIRR planning process *worked*. The commitment of funding from the Nordic countries, the United States, Canada, the German Marshall Fund USA, and the Ford Foundation, in combination with the dedicated efforts of the host country, Sweden, and facilitation provided by the UNHCR's Resettlement Section of the Department of International Protection, made it possible for a truly collaborative and democratic process to be designed and implemented. The enthusiastic and responsible participation of Steering Group and Executive Committee members ensured that the respective tasks assigned to each country involved in the planning process were completed in a timely and effective manner. And perhaps most significantly, each step of the process was designed to meet *real needs* expressed by the respective constituencies of the eighteen countries of resettlement.

The relationships forged and the levels of trust established early in the planning process culminated in the rare experience of the International Conference for the Reception and Integration of Resettled Refugees in Norköpping, Sweden, that 265 participants from twenty different countries will not soon forget.

Notes

1. This statement is from the closing remarks of Ms. Debbie Elizondo, Chief, Resettlement Section, Department of International Protection, UNHCR, at the International Conference on the Reception and Integration of Resettled Refugees.

2. The eight emerging resettlement countries are: Argentina, Benin, Brazil, Burkina Faso, Chile, Iceland, Ireland, and Spain. The ten traditional resettlement countries include: Australia, Canada, Denmark, Finland, The Netherlands, New Zealand, Norway, Sweden, Switzerland, and the United States.

3. Deborah Hafner DeWinter, UNHCR's consultant in the organization of the International Conference on the Reception and Integration of Resettled Refugees, is the former Associate Director for Program and Administration of the national offices of Church World Service Immigration and Refugee Program in New York, NY (1996–99) and also served as the Program Director for Resettlement at Lutheran Immigration and Refugee Service in New York, 1991–96. Ms DeWinter, an ordained pastor who has lived and worked for twenty-three years in Taiwan and Hong Kong, has significant experience in the reception and integration of refugees overseas as well as domestically in the United States. She received her undergraduate degree from Luther College in Decorah, Iowa, in 1973 and earned a Master of Divinity degree from Yale Divinity School, New Haven, Connecticut, in 1985.

4. The Swedish National Integration Office team was led by Mr. Erik Stenstrom, Legal Counsellor, who also served as the Working Chair of the ICRIRR Executive Committee), together with Mr. Goran Kostesic, Planning Manager (and former refugee), and Ms. Ingela Dahlin, Project Manager. Fully supported by the Director General, Mr. Andreas Carlgren, Mr. Stenstrom took every opportunity to apply a democratic and participatory approach to leadership in the planning of the conference. Mr. Stenstrom's twelve years of experience working in immigration and integration issues within both the Ministry of Foreign Affairs and Interior Ministry, together with the expertise acquired through participation in a number of Parliamentary Committees in the field of citizenship, served as apt preparation for his leadership role in the planning of ICRIRR.

5. Members of the Executive Committee of the ICRIRR Steering Group included: Thomas Albrecht, UNHCR; Marzia Ali, CCR, Canada; Henrik Ankerstherne, Denmark; Martha Arroyo, CEAR, Spain; Fariborz Birjandian, CCIS, Canada; Deborah DeWinter, UNHCR; Debbie Elizondo, UNHCR; Sean Henderson, New Zealand; Mark Hetfield, RCUSA; Goran Kostesic, Sweden; Nicoline Miller, Denmark; Eva Norstrom, SRC, Sweden; Lynda Parker, Canada; Margaret Piper, RCOA, Australia; Areti Sianni, ECRE; Erik Stenstrom, Sweden (Working Chair); Marie Sullivan, New Zealand; Ka Ying Yang, SEARAC, USA. Ms. Tracey Spack, Canada (CIC), also provided extensive support to the members of the Executive Committee and was responsible for preparing an extensive comparative study of the respective programs in the eighteen countries of resettlement.

6. The Mandate document may be found on the Conference website at: http://www.integrationsverket.se/internatconf/intconf.html or by links found at www.unhcr.ch on the "Resettlement" web page, under the subtopic "Integration Initiative."

7. In addition to the eighteen resettlement countries, the United Kingdom and Germany (two of six ad hoc resettlement countries) were represented at ICRIRR.

8. Available for reference on the ICRIRR website.

9. These Executive Summaries will eventually be posted on the conference website.

Deborah Hafner DeWinter is a consultant, Resettlement Section, Department of International Protection, United Nations High Commissioner for Refugees.

Building Hospitable Communities

Elizabeth Ferris

Abstract

Receiving communities play a critical role in determining whether refugees and other migrants will become full participating members of their host societies or whether they will remain on the margins. This paper reviews global trends which impact the receptivity of communities to refugees and migrants, including the growing public debate on migration, increasingly restrictive governmental policies, xenophobia and racism, public confusion, and increasing questions of citizenship and identity. This is followed by an examination of the roles played by national and local governments, the media, and civil society in creating communities which welcome newcomers, affirm diversity, and encourage full participation of all who live there.

Résumé

Les communautés d'accueil jouent un rôle crucial qui décide si les réfugiés et autres migrants deviennent des membres à part entière de leurs sociétés hôtes ou s'ils restent marginalisés. Cet article passe en revue les tendances globales qui influent sur le degré de réceptivité des communautés vis-à-vis des réfugiés et des migrants, y compris les débats publics croissants sur l'immigration, les politiques gouvernementales de plus en plus restrictives, la xénophobie et le racisme, la confusion du grand public et le questionnement grandissant sur la question de citoyenneté et d'identité. Suit ensuite un examen des rôles que jouent les gouvernements, tant au niveau national que local, les médias et la société civile pour que soient bâties des communautés qui soient accueillantes envers les nouveaux venus, qui célèbrent la diversité et encouragent la pleine participation de tous ceux qui y vivent.

Most countries in today's world are multicultural, multi-ethnic and multireligious societies. While there are variations, of course, in the number and role of foreign-born in a society, it is hard to think of a single country in which there is but one ethnic or national group. Sometimes these differences are a source of dynamism and national pride. Sometimes the differences are a source of conflict which, as we have seen too often, can even lead to war. The way in which communities respond to newcomers largely determines whether refugees and other migrants will become full participating members of their host societies or whether they will remain on the margins.

The challenge of building, nurturing, and sustaining communities which welcome newcomers is an important means to affirm diversity, to encourage full participation of all citizens, and to resolve conflicts within societies. Such hospitable communities facilitate integration of refugees, whether they come through resettlement programs or as asylum seekers. Refugees are not a homogeneous group; they bring resources and skills that can contribute to their host societies, but they also have specific needs. Like almost all migrants, they arrive in societies where they will be seen, in many ways, as outsiders. However, the issue of how refugees will fit into their new host societies is central not only to their own well-being, but also to the well-being and long-term stability of the host societies.

The need to create hospitable communities raises questions which go to the heart of our own societies. How do we recognize and affirm differences? How do we enable individuals from different cultures, religions, contexts, languages, and life experiences to live together? How willing are those in the "receiving community" to change their ways of living in order to create communities where all feel comfortable, valued, and affirmed? What are the mechanisms that exist within a host society that can help to resolve conflicts between different groups?

Hospitality means more than being a good host or making guests feel welcome.

> Hospitality means incorporating newcomers into a community in ways that give them virtual parity with 'old timers' in terms of the social and economic benefits that the community provides. Hospitality empowers newcomers to behave as if they belonged.[1]

Volunteers working to support refugee resettlement often report that they have themselves been enriched and changed because of the experience. And as Richard Parkins points out, volunteers in the host community often become advocates on behalf of refugees as a result of becoming aware of the situation in which refugees find themselves.

Different countries do, of course, have different traditions, histories, and experiences which shape their receptivity to newcomers and their ability to create and sustain hospitable communities. Generalizations are always difficult, but nonetheless it may be useful to examine several important trends which seem to be widely experienced.

Growing public debate about immigration. The issue of international migration has become a salient political issue in all regions of the world. Heated political debates about how many immigrants a society can sustain, about the political effects of immigration, and about national identity itself are taking place not only in Europe, Australia, and North America, but also in South Africa, Malaysia, Japan, and Lebanon (to name only a few examples). In some countries, such as Germany, special parliamentary immigration committees have been set up to review these questions. In others, such as Switzerland, national referenda have been held on the acceptable percentage of foreigners in the country. In the public debate about migration, however, important differences between refugees, asylum seekers and other categories of migrants may be ignored.

Increasingly restrictive policies. Governments in many countries are making it more difficult for migrants to enter their territories by implementing increased border patrols, restrictive entrance and visa requirements, and airline sanctions. Many governments are also turning back would-be asylum seekers and detaining those who manage to arrive, in efforts to deter future arrivals. As Rachel Reilly points out, "[u]nlike most other areas of human rights where it is possible to chart progress over the last decades, states have largely regressed in their commitment towards protecting refugees over the past fifty years."[2]

As the criteria and opportunities for legal immigration have become more restrictive, international human smuggling networks have sprung up to meet the demands of people, very often under appalling conditions, seeking to cross borders outside the law. The nature of these often high profile arrivals of large numbers of asylum seekers can often give rise to xenophobic popular reactions on the part of the receiving countries' populations. In many cases, migrants who cross borders with the assistance of these traffickers are doubly victimized. Often cheated by the traffickers, the migrants lead a precarious life of exploitation while living underground or are deported by governments when they are caught. The outcry against human trafficking and undocumented migration very often spills over to resettled refugees who arrive with the full support of their host governments.

Rising xenophobia and racism. There are reports of increasing xenophobia and racial violence from most regions of the world. According to a victim survey undertaken in 1996–97, eighteen per cent of the immigrants questioned in Finland reported that they had been victims of a serious crime.[3] Politicians sometimes seem to stoke the fires of xenophobic hatred. Most dramatically perhaps, President Lansana Conte of Guinea announced in September 2000 that the border would be closed to Sierra Leonean refugees and launched an appeal to his countrymen to rid the country of the foreigners. Among other inflammatory statements, he charged that UNHCR was not neutral in this situation. Armed gangs sought out refugees, attacking camps and rounding up foreigners in the towns. An unknown number were killed; looting, beatings, and rapes were widespread. One UNHCR staff member was killed, another kidnapped. Hundreds of thousands of Sierra Leonean refugees are now trying to return to their still-dangerous country because they cannot feel safe in exile.

Expressions of racism and xenophobia are particularly traumatic for refugees and asylum seekers who have undergone torture and persecution.

> Racial prejudice reinforces feelings of isolation, shame and guilt and therefore perpetuates the survivors' struggle and preserves the intended goal of persecutory regimes. Racial taunts or trends towards racially prejudiced social policies can reinforce fear and feelings of worthlessness. Where racial prejudice results in verbal and physical acts of violence, any sense of security and safety is undermined.[4]

While expressions of racism and xenophobia can thus have a devastating effect on refugees themselves, they also serve to reinforce attitudes within the community which exclude those who are different. A society which tolerates racist and xenophobic stereotyping may be opening the doors to other negative stereotyping directed, for example, towards those who are physically or mentally challenged or have different sexual orientations.

Governments must be mindful that policies designed to assist newcomers to integrate into their new host societies may have the unintended effect of giving rise to latent xenophobic and racist elements in society. One example is the case of Sweden which experienced significant outbreaks of racially motivated violence due to the perception that resettled refugees in that country were receiving a "better deal" than mainstream Swedes collecting financial assistance from the government. The perpetrators of xenophobic and racist violence rarely distinguish between resettled refugees, asylum seekers and other types of migrants.

Public confusion. Popular misperceptions or confusion about the different types of migrants can also be a source of problems. Most ordinary citizens do not differentiate between refugees and migrants. As one NGO worker in Romania said:

> Ninety-nine per cent of Romanians don't know the difference between refugees and migrants. Romanians have always migrated to other countries and people here don't understand why foreigners are coming to our country.[5]

Some political groups may blur the difference between refugees, asylum seekers, and irregular migrants. In Australia, asylum seekers arriving without proper documentation are routinely referred to as "illegals" and "queue-jumpers," contributing to a climate where asylum seekers are seen by many as criminals rather than as people in need of assistance and welcome.

Hate groups tend to lump all foreign-born together on the basis of racial or religious categories. Reports of racist riots in Madrid in March 2000 said residents screamed "death to the Roma" and then went hunting for foreigners after allegations that several Roma had beaten up a sixteen-year-old youth.[6] While there are now many Romani migrants throughout Europe, the Roma people have been in Europe for six hundred years.

Tension between ethnic groups. In some traditional immigration countries, the arrival of new refugee or immigrant groups has provoked tensions with other ethnic groups, including refugees or immigrants who arrived earlier. In the United States, for example, there have sometimes been difficult relations between African-American communities and Vietnamese refugees. In addition, refugees and immigrants bring with them their own prejudices and stereotypes, which may further contribute to difficulties in relations with other groups, including immigrants and minorities, in societies.

Questions of identity. In countries which do not consider themselves countries of immigration, the presence of many people of different cultures, languages, and religions raises questions about citizenship and national identity. There are now more Muslims than Methodists in Great Britain. In Nordic countries, national identity and religious identity were often linked; being a member of the Church of Sweden went along with being Swedish. Although that formal relationship has now changed, the question of national identity remains. What holds a nation together if its inhabitants speak different languages, practice different religions, and come from different backgrounds?

Creating Communities Which Value Diversity

We live in a world where migration is increasing and will continue to increase in the future. If this migration is to be a positive contribution to our societies, then we need ways to recognize and appreciate differences. National political leaders can contribute to creating a climate where differences are affirmed, but much of the essential work of building hospitable communities has to be done at the local level—where people live, work, worship, and go to school.

Governments

Governmental authorities at various levels are important actors in confronting xenophobia and in creating hospitable communities. At the national level, laws prohibiting discrimination and providing for rapid naturalization may have a direct impact on the way that refugees and migrants are perceived by their host communities. The existence of a legal framework which prohibits discrimination and racist behavior is important. While many governments have such laws on their books, some governments are going beyond the legal framework to emphasize not only that racism and xenophobia will not be tolerated, but that communities should adopt proactive policies of welcoming new arrivals. Thus in Ireland, the Department of Justice, Equality and Law Reform is currently involved in a major information campaign to promote awareness and acceptance of diversity aimed at both the receiving community and new arrivals. In recent years, the Canadian government has initiated integration promotion campaigns focussing on themes such as "Canada, we all belong" and "Welcome home."

Most refugee advocates see citizenship as an important stage in the process of refugee integration. Governmental requirements for citizenship send a clear message to refugees and migrants about the way their participation in society is viewed. The amount of time that a resettled refugee must live in a host country before obtaining citizenship varies from two (e.g. Australia) to seven years (e.g. Denmark.) Most countries require some knowledge of the political, historical, and geographical details of the resettlement country and some degree of fluency in their official language.[7] In countries

which have not traditionally viewed themselves as immigration countries, requirements for citizenship can be complex and lengthy.

Decisions about placement of resettled refugees may have a long-term impact on the building of hospitable communities. For example, in Finland, efforts are made to avoid resettling groups that are experiencing conflicts with each other in their home countries in the same areas. Among the factors governments consider in placing refugees, along with such characteristics as availability of affordable housing, is the receptivity of the community to refugees and immigrants. In many countries, refugees are placed in large urban areas where there are significant refugee communities which can facilitate their initial reception. Placement of refugees in small towns or rural areas may led to refugees feeling isolated and to their eventual migration to cities where they feel that they will be more comfortable.

At the same time, however, there are many examples of small, ethnically homogenous communities which have been far more welcoming of refugees than large ethnically diverse cities; these communities have not only welcomed refugees but have been transformed in the process. The experience of resettled refugees in U.S. states such as North Dakota and Iowa, states which twenty years ago were relatively homogenous, suggests that decisions about refugee placement must take a host of factors into account.

National policies toward provision of services to refugees and migrants are often crucial, not only to the integration of refugees, but also to the public's perceptions of refugees. Policies which support language training, affordable housing, job placement, vocational training, education, and access to health care and to other social benefits all make a difference to the way in which refugees integrate into society and to the way in which they are perceived by the public.

A particularly difficult and important issue is the recognition of credentials of migrants and refugees. Migrants are often unable to obtain recognition of their credentials and resort to employment in low-skilled and low-paid fields.

> This situation often leads to a decline in the self-esteem of refugees themselves as well as the mistaken assumption on the part of the host community that refugees are not well educated and lack important skills that would allow them to make a significant contribution to the host country's economy. This can foster pre-existing stereotypes that refugees are limited in their capacities to contribute economically to their host countries and represent a drain on the social security system.[8]

The European Council on Refugees and Exiles has recommended that a system of recognition of previous experience and qualifications should be set up at the EU level. This should establish EU-wide verification and assessment criteria and a set of recommended practices for bridging gaps between refugee qualifications' levels and industry or education standards in countries of durable asylum.[9]

Governments can also play an important role in providing information about new arrivals to host communities. In Norway and Denmark, efforts have been made to pass on to local communities the selection mission's first-hand information on refugees prior to arrival.

> Likewise in Iceland, volunteer support families in the receiving communities are provided with background information about the refugees as well as courses in psychological first aid. These families help orient the refugees and teach them about life in their new community.[10]

It is at the local level where most refugees encounter public officials and their experiences with teachers, police, health officials, and other public workers will have an impact on whether they feel welcomed into the community. In some countries, service providers, churches, and other NGOs have worked with local police authorities to raise their awareness of the reasons refugees are resettled in host countries and about conditions back home. Sensitization of public workers in all domains to the specific needs and cultures of refugees and migrants can be an important component in communities that welcome newcomers and embrace differences. In Greece, as in many other countries, churches and NGOs looked at the needs of refugees and migrants and decided that an important task was to work with the police to raise their awareness about why people were coming to Greece and about conditions back home.

Pindie Stephen reports that in Minnesota, U.S., where large numbers of Somali refugees ultimately resettle, some public schools have introduced "halal" cafeterias that respect traditional Islamic food preparation requirements. Many employers, schools, and universities have gone beyond simply respecting Muslims' right to pray by creating areas at the workplace where their employees can put down their prayer rugs and take five-minute "prayer breaks."[11] In making these changes, the public and private sectors can themselves be changed by acquiring a more open and more global worldview.

The Media

Many commentators have reflected on the difference in public reaction towards the Kosovar Albanian refugees in April–June 1999 and towards other groups of refugees and asylum seekers arriving from other countries. The outpouring of public support and sympathy for the

Kosovar Albanians was undoubtedly due in large part to the media attention to the conflict in the region. Communities understood why people were fleeing their country and were anxious to help. In other situations, the reasons for refugee flight are less well known. Although statistical data are lacking, it seems that communities are more responsive to refugees and migrants when they understand the reasons for their flight. In this respect,

> …the media can play an important role in preparing receiving communities through human interest stories and reporting on international events. The media can help to remind people that before they were forced into exile, refugees had full lives with respectable places in their own societies and that it is important they find a place in their new society in order to regain their dignity and respect as quickly as possible.[12]

Too often, however, the media play a role in adding to public confusion. Reports of illegal immigration, falsified documents, and smugglers are often seen as more newsworthy than stories about refugees who have worked hard to build new lives for themselves. Moreover, as Tom Denton explains, the media mirror the community from which they spring and their attitudes reflect the community's values. Some governments and NGOs have had a positive response in working with the media by educating them about who is arriving in the communities and why.

While countries that have resettled refugees or received immigrants for a long time have generally found a positive climate toward refugees, the situation is more difficult with asylum seekers. Refugee resettlement programs are implemented by governments and are, by and large, orderly and planned processes. Refugees arrive according to a particular schedule, based on specific procedural requirements. Asylum seekers, on the other hand, simply show up on a border or are apprehended by police forces for living illegally in the community. People in the community frequently don't understand why they have come to their country; efforts by the government or the media to portray them as criminals can contribute to public indifference or hostility.

Civil Society

In some countries there is an immigrant tradition, a long history of successful refugee resettlement and a network of experienced service providers. But many countries, whether they have a long immigration tradition or only a few recently arrived immigrants, have civil society organizations that can be helpful in creating hospitable communities. Churches and other faith communities, ethnocultural and migrants' associations, trade unions, educational institutions, and social and economic associations all have a role to play in creating envi-

ronments where migrants and refugees feel affirmed and welcomed. In South Africa, civil society organizations organized a campaign to "say no to xenophobia" by holding up positive examples of the contributions which immigrants are making to South Africa. In Canada, civil society organizations and government have used different means to recognize and highlight the many positive contributions immigrants are making to that country through sponsoring award programs and scholarships such as the Calgary Immigrant Aid Society's "Immigrants of Distinction" awards and the Provincial Government of Manitoba's immigrant entrepreneur award program.

In order to become self-sufficient, refugees need to find employment. The sensitivity of employers to the special needs and resources of refugees can be a crucial factor, not only in the refugees' integration into their new society, but in the way in which the community receives them.

> In addition to one's own individual work ethic, work mores are often culturally bound; and within the place of employment, there are also particular "corporate cultures." So it is not surprising that, given this variety of conflict ethics, cultural diversity issues can fast become cultural clashes.[13]

When the community perceives that refugees are working hard, that they are self-sufficient and not draining taxpayer dollars in social services, community receptivity increases. Working with employers to ensure sensitivity to refugee needs and understanding of cultural differences can thus have long-term benefits. In the United States, for example, employers working with Muslim employees have had to learn the rules of religious accommodation in terms of such practices as the wearing of a headdress (hijab), ritual foot washing, and hand-shaking across gender prohibitions.[14]

Non-governmental organizations are crucial providers of services during the initial weeks and months after arrival and many governments administer their refugee assistance programs through NGOs. NGOs often provide a full spectrum of services, from counselling of torture trauma victims to language training to advocacy on their behalf. In some countries, NGOs rely on large numbers of volunteers to support refugees in their integration process. Volunteers often develop lasting friendships with refugees, a process which not only aids their integration into society, but also represents a constituency of refugee supporters, which is particularly important in countries where there is a popular backlash against immigrants and refugees. In countries where services are delivered almost exclusively through gov-

ernmental institutions, refugees may feel isolated from the larger community. They may not have the opportunity to meet "ordinary" people, beyond the officials who are charged with assisting them.[15] This bureaucratization of immigration is more apparent for resettled refugees than for asylum seekers who generally do not receive the same level of services as resettled refugees. In countries which offer private sponsorship, such as Canada, opportunities seem to be greater for refugee interaction with the broader community.

While NGOs and governmental agencies provide important services, "this assistance may be limited to the first few months after their arrival. Consequently, resettled refugees have to find—or develop—support networks to assist them in accessing essential services and adjusting to the rhythm of life in their new homelands."[16] Many refugees have friends and relatives in the host country who can serve as interpreters, child-care providers, and advisers on the myriad details involved in starting a new life. In many places, refugees and asylum seekers often turn to their own communities and ethnic-based associations which have been established to support the community. These ethnic-based associations, which may receive support from governments, vary in nature from large, multi-service agencies to small political associations of a particular ethnic group. Refugee groups and ethnocultural organizations can be important actors, not only in affirming their own cultural identity and serving as bridges to the host society, but also in playing important roles when conflicts emerge. But ethnic-based networks are often susceptible to the larger economic and political developments taking place both in the host country and in the newcomers' home of origin.[17] Moreover, people coming from the same region or country may not necessarily view themselves as kin of the cultural group to which they might be assigned by those unaware of deeply held differences among subsets of a larger refugee group.[18]

Hospitable communities do not just proclaim wonderful concepts on a general level, but they engage in the countless details and discussions which translate these concepts into reality. These differences and conflicts are often manifest in seemingly petty details, which, if left unresolved, can lead to tension and escalate into hostility or separation. For example, a study conducted by Church World Service (U.S.)[19] sought to identify why some churches had vibrant multicultural communities while others were unsuccessful. Among the obstacles to hospitable communities were issues such as "different concepts of time and punctuality" and "unpleasant odors from 'their' food." It wasn't possible to create an inclusive, mutually accepting community until these sorts of every day issues were discussed and resolved. The study also found that non-threatening "easy" activities such as organizing cultural evenings with food and music from different groups often led to deeper

discussions about cultural differences and to communities of mutual understanding and support.

Building hospitable communities is not an easy task. Open, honest encounters between people of different backgrounds can lead to painful soul-searching on all sides. It can be painful for people who think of themselves as tolerant and open to discover their own racist or xenophobic feelings. It can be hard for feminists to truly understand why women from other cultures do not have career aspirations. It can be difficult for those in positions of power to share that power with immigrant or refugee groups—particularly when those groups decide they want to do things differently. But even though it is difficult, the process of building hospitable communities is often a self-revealing and even transformative process for those who participate openly and honestly in it. Democratic societies are strengthened by the existence of hospitable inclusive communities that affirm and appreciate cultural differences. Ultimately, these are the key components of strong democratic, open, and tolerant societies.

Notes

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The Path to Integration: Meeting the Special Needs of Refugee Elders in Resettlement

Jeff Chenoweth and Laura Burdick

Abstract

Refugee elders in resettlement represent a small but very vulnerable population. Regardless of age, vitality, or employability, elders play a critical role in upholding a family strength and stability through the difficult period of forced migration. Yet, most resettlement countries provide few services to elders beyond those given to the whole family in the forms of housing, income support, and health care. The lack of elder-specific services may be the result of limited resettlement numbers, inadequate resources, or unfamiliarity with elders' unique needs. This article discusses the many common needs and challenges of refugee elders through a literature review and follows with recommendations for interventions and integration activities. The authors suggest that skillful needs assessment and creative program design can help to restore elders' dignity and vitality, thereby strengthening the family unit. The article is based on the authors' experiences as technical assistance advisers to over 130 private and public refugee elder programs in the United States from 1997 to 2000.

Résumé

Dans le contexte de la réinstallation, les personnes âgées parmi les réfugiés constituent un segment de la population qui est petit, mais extrêmement vulnérable. Cependant, quels que soient leur âge, leur niveau de vitalité ou d'employabilité, les personnes du troisième âge ont un rôle essentiel à jouer pour la préservation de la vigueur et de la stabilité de la famille pendant la période difficile de migration forcée. En dépit de cela, la plupart des pays de réinstallation fournissent très peu de services aux personnes âgées en dehors de ce qui est fourni aux autres membres de la famille pour le logement, le soutien du revenu et les soins de santé. L'absence de services spécifiquement axés vers les personnes âgées pourrait s'expliquer par des nombres insuffisants pour la réinstallation, des ressources inadéquates ou le manque de familiarité avec les besoins spécifiques des personnes âgées. Cet article examine les nombreux besoins qui sont communs à toutes les personnes âgées réfugiées, ainsi que les défis qui les confrontent toutes également, en passant en revue la littérature afférente, et continue en formulant des recommandations pour des interventions et des activités visant à promouvoir l'intégration. Les auteurs soutiennent que l'habileté dans l'évaluation des besoins, alliée à de la créativité dans l'élaboration des programmes, peuvent aider à redonner aux personnes âgées dignité et vitalité, contribuant ainsi à renforcer la cellule familiale. Cet article est basé sur l'expérience amassée par les auteurs au cours de leur travail comme Conseillers techniques au sein de plus de 130 programmes pour les personnes âgées réfugiées aux États Unis pendant la période allant de 1997 à l'an 2000.

Introduction

Refugee elders in resettlement reflect the broad diversity of the world's refugee populations but are fewer in number compared to younger age groups. Therefore, assessing needs and challenges requires a careful review of resettlement numbers over several decades as elders newly arrive and age in place. Before assessing needs, it is important to analyze both national and local refugee demographics. The United States, for example, has resettled approximately 1.8 mil-

lion refugees since 1980. In 2000 there were over 173,000 refugees age sixty or older in the United States, with the largest numbers concentrated in the states of California and New York. By country of origin, the largest numbers of elder refugees in the United States are from the former Soviet Union, Vietnam, Cambodia, and Laos.[1] The relatively small numbers of refugee elders, their ethnic diversity, and their geographic dispersion can cause their special integration needs in resettlement to be overlooked. The goal for service providers is to recognize the common challenges faced by all elders, place these challenges in their cultural and migratory contexts, and modify services to be respectful, culturally appropriate, useful, and life-enhancing.

Case Study: An Iraqi Elder in the United States

Mrs. Aziz, age fifty-nine, is a Kurdish refugee from northern Iraq who was resettled in the United States in 1997. She came with her husband, age sixty-two, and their single, adult daughter. The family shares a one-bedroom apartment in a suburb of Washington, D.C. Although she is not old enough to qualify for age-based cash assistance from the government, Mrs. Aziz receives disability-based cash assistance due to severe arthritis in her knees. Soon after her arrival, she underwent knee replacement surgery and was confined to her apartment during the long and painful recovery. Mrs. Aziz speaks no English and is semi-literate in Kurdish. As her husband also speaks no English, Mrs. Aziz is heavily dependent upon her daughter for help in negotiating the medical system, public benefits system, and other American institutions. Her daughter works full-time and attends classes in the evenings, so she has very little time to spend with her parents. Mrs. Aziz is frequently depressed and misses her five other adult children and her grandchildren who are scattered, some in Iraq and some in Europe. She often worries about them, especially the two children remaining in Iraq. She feels isolated in her apartment. There are a few other Kurdish families in the building, but all are much younger, and they work and attend school during the day and evenings. In Iraq, Mrs. Aziz lived with several of her children and their families in a large home with a garden. She knew all of her neighbours and was accustomed to frequent visits by friends and family. She feels that daily life was much more relaxed and social there, compared to the hectic pace of life in the United States.

Needs and Challenges
Common challenges faced by all elders include: (1) adjusting to retirement; (2) accepting a loss of independence; (3) finding sources of support; (4) searching for personal meaning through life review; and (5) coping with one's own death.[2] These challenges are magnified for refugee elders because they are undertaken in an unfamiliar environment. Gozdziak notes that in the United States, refugee elders have more severe problems than American-born or long-time immigrant elders because they

"lack the culturally appropriate coping skills older Americans have developed in the process of socialization or that some immigrants have acquired."[3] The experience of old age for refugees in resettlement is far from what they expected before their life in exile began. Compared to their younger family members, elder refugees have more difficulty adjusting because they "experience more losses and fewer gains after coming to America."[4]

Older refugees often must adjust to a different concept of retirement in their new country. In Afghanistan, for example, retirement is a gradual process where a man slowly turns over responsibility for the family to his eldest son.[5] This contrasts sharply with the tendency to retire suddenly at a certain age in many industrialized countries. In addition, some elder refugees are surprised to learn that they are not considered old by their new country's standards, and they are expected by society and public assistance rules to work and be self-sufficient. For example, in the United States they face a legislated definition of elderly as sixty-five years of age. This is when a person is old enough to receive a full pension, Supplemental Security Income (SSI), or other age-based public benefits. Yet, in some cultures, old age begins with grandparenthood, even if this happens in one's thirties.[6] In other cultures, people in their fifties are considered elderly. Varying cultural concepts of the relationship between age, employment, income, and retirement become stark during resettlement, when immaterial losses are overshadowed by the suddenness of material losses and the need for immediate economic recovery.

Elders are often concerned about being a burden to others and make a strong effort to contribute to the family rather than enjoying a full retirement as defined in most resettlement countries. Those who choose or are compelled to enter the workforce are confronted with a dilemma in the lack of appropriate jobs. In the United States, elder refugee men in particular experience downward mobility because they lack English, their skills are not transferable, and employers are reluctant to hire older workers.[7] They may have to accept poorly paid work that is, in their minds, demeaning. Elder refugee women will often continue to perform work in the home, such as cleaning, cooking, or child care. Yet these roles, while familiar, leave them isolated and prone to depression.[8] Alternatively, it is not uncommon in the early days of resettlement for older women to find more gainful employment than older men, and this situation can exacerbate differences between genders in the family.

Unlike native-born elders who tend to experience a gradual loss of independence as their health declines, refugee elders face a sudden and severe loss that is mainly

tied to their inability to speak the language of the host country. From the moment they arrive in the host country they are dependent upon others for help in negotiating an unfamiliar society. While younger family members might quickly learn the new language in the school or work environment, refugee elders confined to the home do not have the same level of exposure to the host country's language. In addition, they have different learning needs and styles to which second-language teachers must adapt.[9] Those who attempt to enrol in second-language classes find that few classes are geared toward their needs. Also, they may feel ashamed to make mistakes in front of younger students.[10] For others who have little education in their native country or are illiterate in their native language, learning a new language may seem like an insurmountable obstacle.

Instead of experiencing greater independence over time as younger family members do, elder refugees remain dependent on help with even the smallest tasks of daily living. As stated by Fireman and Tannenbaum, "Seemingly trivial exchanges such as paying an electric bill or making a bank deposit can become occasions for lasting humiliation."[11] In the United States, even those who speak enough English to handle the tasks of daily living have a lot of trouble when dealing with formal systems such as social services or medical care.[12] This dependence upon others undermines elders' authority and their traditional role in the family as advisers.

Another area in which elder refugees are dependent upon family members is transportation. However, the other family members are often busy working all day and into the evening, while grandchildren are at school, leaving elders trapped in the home. Public transportation can be limited in many cities and, even if available, it may not be accessible due to language and physical barriers. For some refugee women from male-dominated cultures, the norms may prevent them from going out in public without an escort.[13] A 1996 survey of ninety-eight elderly Arab and Chaldean residents in the Detroit, Michigan, area found that sixty per cent experienced difficulties with transportation for these reasons.[14]

Finding both informal and formal sources of support can be very difficult for elder refugees. In keeping with cultural norms, they tend to look to an informal source, the family, for support. Sengstock states, "In the close-knit Muslim extended family, members feel a strong sense of responsibility for each other and have a strong tradition of providing assistance in numerous ways."[15] However, refugee families are often separated by forced migration and the resettlement priorities of receiving countries, so they lack the network of extended members that existed in the native country. Even unified families can become overwhelmed and too busy to provide all the support that is needed. Informal sources outside the family, within the ethnic community, can be limited and less responsive when the refugee community is new and still in the early stages of integration.

Refugee elders have a particularly strong expectation for the family to provide support when their health declines. In many refugee cultures, an in-patient, nursing facility is not an acceptable option, and frail elders are cared for at home by dutiful family members. Althausen notes that in the Russian culture, nursing homes are viewed as "dumping grounds for the elderly."[16] Yet when a parent becomes ill or incapacitated, the adult children may find that their busy work lives make all-day home care impossible, so a nursing home placement appears inevitable. This unexpected turn of events causes pain and anxiety for both parent and child.

A 1984 study of seventy-five Cuban elders in Miami, Florida, pointed out the many creative ways in which they were able to use their limited resources, such as charm or skill, to garner informal help in the family and community. For example, one woman who was a good cook became well known and respected in her neighbourhood for sharing her food and cooking advice. Children would stop by for her sweets, and she could ask them to run errands or help her around the house. Still, the elders in this study lived in fear of losing what little control and influence they had, especially when dealing with formal institutions such as health care facilities and the public assistance department.[17]

The experience of receiving formal support from a government organization such as an agency for the aged may be very unfamiliar to elder refugees. A needs assessment of elderly from eleven ethnic groups in Chicago, Illinois, found that many are unfamiliar with American social services and reluctant to use them. Knowledge of social services and willingness to use them varied among ethnic groups. The study found that the biggest barrier to the elders' use of social services was a belief and expectation that their children would provide full support.[18] Some elder refugees fear or distrust the government due to past experience of state-sponsored persecution, or they may view reliance on the government for elder care as a shame on the family's reputation. Sengstock notes that Muslims are uncomfortable seeking help from outsiders because within the ethnic community, "It is highly critical that the family be viewed as capable of taking care of its own problems and needs."[19]

Even with refugees who are familiar with the concept of broad government support and who expect it, such as those from the former Soviet Union, language and cultural barriers may make the services inaccessible. The menu of services offered by government elder programs may not match refugee elders' needs and interests, while

the location may be unfamiliar to them or the food served may not be culturally appropriate. In addition, there may not be any staff who speak the elders' language.

Katz and Lowenstein note that studies of immigrants from the former Soviet Union suggest the importance of formal support in facilitating better adjustment, and find that older people may need both formal and informal support because immigration is more stressful for them. Their 1999 study of one hundred immigrant families from the former Soviet Union living in Israel found the highest adjustment reported by married older immigrants who received formal support with which they were satisfied.[20]

Many elder refugees are in need of long-term financial support, having lost everything of value in their native country: land, savings, home, or business. Sengstock's 1996 survey of elderly Muslim immigrants in the Detroit, Michigan, area found that many live below the poverty level.[21] Yet, depending on the laws of the host country, formal financial support in terms of public benefits may be time-limited for refugee elders. For example, under the United States' Personal Responsibility and Work Opportunity Reconciliation Act of 1996, known as "welfare reform," they are eligible for cash assistance, medical insurance, and food vouchers for their first seven years of status in the country. Afterwards, they must become citizens in order to remain eligible. However, obtaining citizenship is not an easy task because it requires passing an English test and demonstrating basic verbal, reading, and writing skills. While many refugee elders are able to meet their fundamental needs through the time-limited welfare programs, there is no money for additional expenses.

Life review and the search for meaning is difficult for elder refugees because it is done outside a familiar cultural context and is greatly different than what was anticipated. A critical concern for elders in the search for meaning is ensuring the well-being of the family and the next generation. While they may expect to find meaning and purpose in their role as head of the family, this role is minimized and sometimes lost in migration. Bastida's 1984 study of elderly Cubans found that the elders' role models of old age were no longer valid.[22] As stated by Fireman and Tannenbaum, "For many, the familial role of parent and grandparent provided authority and emotional sustenance. Now without the ability to help their children financially and without the needed knowledge and experience to be an authority, they are faced with a new, often empty family role."[23] Elders' tradition-based advice for the immediate needs of resettlement may be viewed as outdated and inappropriate. If denied the role of family advisers, elders must struggle to find a new role to give their lives meaning.

Compounding role loss is a role reversal, as elders become students instead of teachers, dependent on their grandchildren to explain the new language and culture.[24] Some elders try to maintain their traditional role as transmitters of the native language and culture. Yet in their efforts to acculturate and fit in, grandchildren may be uninterested in their family's cultural heritage.[25] This situation can cause a great deal of distress and worry for refugee elders, as well as intergenerational conflict among grandparents, parents, and grandchildren.

Many elder refugees turn to religion in their search for life's meaning, as they would in their native country. For example, in Cambodia, elders often go to live at the temple, tending the building and grounds, in order to prepare their souls for death.[26] Similarly, in the United States, some refugee elders seek spiritual renewal and refreshment in weekly visits to the local Buddhist temple. A 1994 study of forty elderly Muslim immigrants found that religion plays a significant role in their lives, providing comfort and an overall sense of order while reducing their sense of alienation. Those who were not very religious in their native country would sometimes rediscover the faith of their heritage after moving to an unfamiliar society.[27] Many refugee elders find renewed meaning in resettlement by giving their time and talents to their descendants through home child care and to their peers in community centres and houses of worship.

The task of preparing for death in a foreign country can be terrifying for refugee elders. Gozdziak, writing about elders in the United States, notes two reasons for their fear. First, elders may worry about what will happen to their souls if they die and are buried so far away from their ancestors. The link with one's ancestors is especially important in Southeast Asian cultures where people honour or worship their ancestors and visit their graves often. Second, elders find that the experience of death is very different in American culture, where the dying are segregated in sterile hospital rooms "full of medical equipment where there is no room for traditional offerings, incense, or worship."[28] In contrast to this scenario, many refugee elders prefer to die as they would in their native country, in the comfortable and familiar context of the home, surrounded by family members.

Unfortunately, talk of impending death is taboo in some cultures for fear that it will depress the dying person and hasten the death process. Family members may neglect the dying person's need to discuss peaceful conclusion to his or her life. A refugee elder caught in this situation, outside the familiar social and spiritual context of the native country, may feel a magnified sense of isolation.

Clearly, refugees have many special problems in dealing with the challenges of older adulthood. The experi-

ences of retirement, loss of independence, finding support, searching for life's meaning, and coping with death can be very negative because they occur in an unfamiliar environment that is filled with uncertainty. Refugees' lack of integration in the host country exacerbates these problems. Rather than allowing refugee elders to sink into despair and crisis as they age, service providers should consider intervention and integration activities that support and facilitate refugees' successful negotiation of these final life-stage challenges.

Integration Defined

Direct experience working with refugee elders proves that integration is possible for most, but at varying levels. The definition of "integration," usually expressed in economic and linguistic terms, needs to be modified to include what is important to the elder and the elder's family. In the process of defining integration, it is important to consider a key question: Does the elder feel respected and valued by the receiving country and its social service providers or, as a result of resettlement, has the elder become subservient and undervalued?

It is useful to see integration in terms of levels and stages, rather than as a single point of achievement. For example, navigating an unfamiliar health care system indicates a level of integration. So does the ability to use public transportation to explore a neighbourhood beyond walking distance from home. Increased awareness of the changing lifestyles of younger family members at work and school, which enables elders to give input and have decision-making authority, is another indication of integration. Conversation in second-language classes and communal dining with refugees from other countries is an integration experience. It is important to recognize the different, yet equally valid, levels of integration based on each elder's physical and mental abilities and personal goals.

Intake and Assessment Steps Leading to Intervention

Several case management and community organizing efforts can be made to empower each elder in the integration process. First, each refugee elder must be interviewed at home alongside the entire family and again separately, if possible, to conduct an intake using gerontological assessment tools. Second, follow-up visits to the home are critical to ensure that elders' needs are met. Each visit should openly address the family's combined assets and special needs, giving each member an opportunity to address his or her fears, needs, and desires in resettlement. Understanding the assets and needs from all points of view brings about more clarity and accountability between the social service worker and the family for the benefit of the beloved elder. Third, it is important to provide linkages to community activities and services that are accessible and of interest to the elder. These will reduce the elder's depression and sense of isolation, reduce dependency and stress on the caregiver, and

increase the number of professionals observing the elder's stages of development over time. Ultimately, the goal of elder refugee integration services is to enhance the elder's dignity as a survivor.

Evaluating the success of elder refugee integration is difficult, particularly when goals vary between migration officials, social service providers, family members, and the elder in question. These groups may be at odds if services are imposed based on what others want without regard to what the elder says he or she needs. Sometimes needs are incorrectly perceived by well-intentioned helpers without directly asking the elder.

The importance of the intake process cannot be overstated in ensuring that elders speak for themselves. An intake should be viewed as a process rather than a one-time meeting. This series of conversations is an opportunity to collect a full biographic history, eliciting the elder's answers, questions, and concerns. Elders particularly need to be reassured that the family unit is safe and secure in the receiving country. Intake, orientation classes, and home visits are a time to alleviate fear and anxiety, establish trust, and empower refugees with information and activities they can pursue that promote integration.

Younger people interviewing elders need to be sensitive to different patterns of communication that elders may use, especially if they are confused, lonely, depressed, or suspicious. At times, the conversation may seem slow, indirect, or inconclusive in relation to the question. Patience is often needed to reach a conclusion when elders stray from the original subject or want to talk about entirely different matters more important to them. Elders may have an unspoken doubt about the interviewer's knowledge and skill due to his or her younger age.

It may be necessary to interview elders at a separate time or place to ensure that their needs are not overshadowed by those of the entire family. Interviewers should be alert when elders fail to speak about their own needs, giving preference to the needs of others, particularly the grandchildren, or when adult caregivers interject and prevent the elder from answering directly.

A particular problem in interviewing elders is obtaining important health information. Too often this vital information is absent or lacking in resettlement documentation and rarely elaborated upon after arrival. Elders may fail to mention health problems prior to their resettlement, fearing rejection by immigration authorities. Sometimes the health problem brings embarrassment or is unspoken to avoid burdening family members already stressed by their own resettlement

needs. Information on health care and other elder support systems written in the refugees' native language is necessary. When shared only orally, it is easily forgotten or misunderstood due to its complexities. Even illiterate people need written information so their literate helpers can guide them.

All too often, a refugee elder is not visited exclusively by a resettlement social worker after the first days of arrival. While employable adults are regularly assisted in seeking education and employment, it is assumed that they are meeting the needs of the elderly as well as their school-aged children. Most families have well-developed systems for coping, and as time progresses they demonstrate new skills in pursuing their goals. Unfortunately, time moves against elders as they age and their vitality and strength diminish. The demands to care for aging parents while meeting one's own occupational and educational needs creates extreme stress. A severe health problem for an elder, leading to surgery, hospitalization, or frequent doctor visits, can cause a family crisis. Young adult caregivers who have not experienced the aging process may struggle to understand the problem and identify helpful resources in an unfamiliar society.

Without specialized gerontological services adapted to their cultural and linguistic needs, elders may be misdiagnosed, resist recommended treatment, or avoid treatment altogether. It is important for family and service providers to acknowledge the special dangers faced by elders in crisis. Elders who are depressed by poor health and social dislocation can be at risk of committing suicide. Tragically for some elders, suicide is seen as the only option to solve a chronic problem or to relieve their misery. Elders who live alone, especially after the death of a spouse, are particularly at risk.

Recommendations for Intervention: Family and Community

Given good circumstances, old age can be a vital period. This idea is not readily accepted in societies that favour youthfulness and see aging as a weakness. Yet, many refugees come from societies that traditionally favour the elderly, honouring them for their contributions and wisdom. While resettlement to a new culture often separates them from the people and traditions that honoured them, refugee elders do not have to experience extreme social dislocation.

Elderly integration can be most easily facilitated when the entire family unit is functioning at a level of bi-cultural competence. Through bi-cultural competence, the family fulfills its needs and desires in a new society while retaining useful and cherished values transmitted by the older generation. This form of competence brings needed information and services to the elders. When adult caregivers are secure in their housing, health, employment, education, and literacy, there is ample time and energy to see that the most vulnerable, elders and children, are well attended. Therefore, social service providers are encouraged to view the needs of elders both individually and holistically within the family unit, eliciting family strengths and unresolved needs.

A functioning family unit can ensure that the elder is not only a passive recipient of services but also an active member of the community. An optimistic attitude about an elder's ability to learn new skills is an important beginning point in promoting integration activities. Often, loving family members do not believe that an elder can learn new ways or are impatient, failing to recognize the elder's need for more time in the learning process. These family members may foster dependency by doing everything for the elder, even though the elder was more or less independent prior to resettlement. Sometimes the balance between honouring elders and making them completely dependent is lost in the integration process. Service providers need to help people overcome discriminatory attitudes about age while preserving cultural norms.

Because elders often lose their personal power in the resettlement process, it is important for family members to restore that power through encouragement. Ensuring that elders pursue familiar activities, even in a new culture, can help them to regain their dignity. An important activity is spending time with grandchildren, who are often pulled by competing cultural expectations and easily become estranged from their grandparents. Other activities include traditional cultural and religious celebrations, weddings, and funerals, as well as spending unrestricted time in the company of close friends. In these situations, refugee elders nurture a feeling of continuity in their lives despite dislocation. They are able to demonstrate their competence and years of experience while learning new information about the home and native country.

Most elders benefit from the loving care of their families. However, the challenges of resettlement and integration affect all families, some more severely than others. When challenges exceed coping skills and resources, the most vulnerable elders can be at risk of neglect and abuse. The problem of elder neglect and abuse cannot be ignored. This occurs across all societies and cultures. It is often precipitated by a health crisis. Elder neglect and abuse occur in the forms of diminishing levels of nutrition, lack of bathing and proper hygiene, no medical care, ignored medication, abandonment, physical punishment, or restraints. For protection, elders must not be isolated from people they can trust and depend on to ensure their good health and care.

Community Case Study: Hmong and Lao Elders in Fresno, California

Fresno, California, is a city of six hundred thousand people, approximately ten per cent of whom are refugees. Most of the refugees are Hmong and Lao from Southeast Asia who were resettled in the United States in the 1980s. Of these, a significant number are elders age sixty or older who, along with their families, are fully dependent upon government-based cash and food assistance to meet their basic needs. Fresno has a very high unemployment rate of sixteen per cent, compared to the current national average of less than five per cent. In the refugee community, the unemployment rate rises to sixty-five per cent. Ninety-two percent of Fresno's refugees live below the poverty line.[29]

The United States' welfare reform laws of 1996 imposed strict limitations on public benefits for refugees and other non-citizens, hurling many of Fresno's refugee elders into financial and emotional crisis. Consequently, many Hmong and Lao elders sought to obtain United States citizenship as a means of preserving their public benefits. In response, a private, non-profit organization, Fresno Interdenominational Refugee Ministries (FIRM), began providing English and citizenship test classes for the Hmong and Lao elders, most of whom were illiterate in their native language and spoke no English. FIRM's classes, held at neighbourhood churches and other accessible locations and funded by the county government, became a popular gathering place for the elders where innovative methods were used to teach the class material. The elders, accustomed to singing traditional folk songs, composed similar songs about American history and government to help them remember the answers to the citizenship test. As masterful quilters, the elders created colourful quilts illustrating the American flag, presidents, and other aspects of American history to aid their learning and memorization.

Despite the large population of Hmong and Lao elders in Fresno, their poverty, and their strong need for services, FIRM found that very few accessed services from the local government aging agency. Language, cultural, physical, and other barriers made these services inaccessible to them. In 1999, again with funding from the county government, FIRM began seeking partnerships with the local aging agency to obtain aging services for the Hmong and Lao elders. FIRM initiated a series of meetings with aging-agency officials to alert them to the needs of the Hmong and Lao elders. Specifically, FIRM asked the aging agency to provide case management services, culturally appropriate meals, and formal transportation at a church site where twenty-nine elders were meeting on a regular basis for classes. The aging agency was initially slow to respond, citing many bureaucratic barriers to programmatic collaboration with FIRM. The agency wanted the refugee elders to get their meals at another site where a small number of native-born elders met rather than designating a new meal site at the church where the refugees already gathered. In addition, while culturally appropriate meals could be arranged, they could not be mixed with traditional meals at a single site due to restrictions on meal costs. The aging agency yielded only after FIRM arranged for twenty-eight elders to visit and testify before the aging agency's advisory board.

Today, Hmong and Lao elders receive culturally appropriate meals five days a week at the church where they attend classes. FIRM has also expanded its services to work with nearly two hundred elders, including Slavic elders and Ethiopian elders. Dozens have become citizens through elders' own commitment and FIRM's assistance. FIRM staff provide interpretation for the aging agency's case management services, and elders are assisted to access other traditional aging services as needed. FIRM raised the funds to purchase a van and received financial support from the county government for a driver and other operating costs required to transport elders to and from the church.

Elders are now part of a community group which is working with the county recreation agency to remodel and obtain a fifty-five year lease on a building to establish a community centre within walking distance for many elders. For the past two years, the county government has supported additional work at FIRM to strengthen elders in child-care training and emergency preparedness. Such training is necessary as elders increasingly fulfill child-care roles when their grown children are required by the welfare system to go to work. Elders also participate in frequent "cultural field trips" to gain comfort in functioning in their new homeland. And, they enjoy monthly intergenerational activities to re-establish links with children and youth, enhancing family unity and their voice of influence in home affairs.

Because FIRM enlisted the elders as self-advocates for systemic change, the experience has been very empowering for them. The refugee elders of Fresno now enjoy a tangible improvement in the quality of their lives through increased community awareness of their needs, expanded services, and regular contact with gerontological professionals.

Programming for Integration Activities

Resettlement countries generally lack well-established programs for refugee elders. Most assistance to them is given in the form of government welfare programs for housing, income, and health needs. Creating specific integration activities for elders can be challenging due to limited resources, the small number of projected clients, the dispersion of refugee populations across the country, and the diversity of language and culture among them.

One approach is creating an elder-specific program within the refugee community. However, given the limitations described above, an alternative is the centres available in most resettlement countries for the native-born elderly population. These drop-in, non-residential

centres often provide services such as transportation, health screening, congregate meals, exercise classes, and social events. However, as mentioned earlier, the activities and services are designed for native-born elders' needs and interests. Without modifications, refugee elders are unlikely to visit or return.

Establishing elder refugee programs requires new or expanded attention to their needs, policy and resource adjustments, interagency co-operation, and input from the elders. A good degree of flexibility, creativity, and innovation is needed in order to modify traditional aging services. Locations may have to change, bilingual staff may have to be hired, new menus may have to be made, and transportation alternatives may have to be found. These tasks can be intimidating, but a partnership between established aging and refugee centres can produce desirable and meaningful integration activities, including language classes, congregate meals, and others.

Community needs assessment can be undertaken to gather information on the size, concentration, ethnicity, language, duration of residence, and age range of the expected beneficiaries. From a community assessment, it is possible to identify the most vulnerable elders, determine whether the elders are healthy and active or debilitated, and determine whether segregated or desegregated programs are feasible. In addition, the frequency and intensity of programming can be decided, whether by the hour, half-day, or all day, leading up to professional adult day care.

Location of the elder refugee program is key to its success. Do refugee elders feel comfortable and safe there? If sharing space with native-born elders, do they feel welcome? In addition to the native-born elderly centres, integration activities may be located in a resettlement or other social service agency, a refugee community centre, a house of worship, or a neighbourhood apartment. These kinds of non-traditional sites may have to be modified to meet government requirements for wheelchair accessibility. In selecting a site, elders should have the opportunity to provide input. In addition, transportation to the site must be dependable, affordable, and physically accessible to ensure broad and sustained participation.

At the centre, elders can meet voluntarily and organize their own activities with independence. They may wish to use a community organizer from their peer group, possibly an elder who is also hired to drive. Alternatively, a staff person hired by the sponsoring agency may coordinate activities and services. Various kinds of media can greatly enhance the program, such as magazines and newspapers in the native language or native television and radio programs enhanced by cable and satellite systems. The Internet can provide up-to-date information in the native language and new computer skills, while computers can be used to teach literacy using adult-based learning methods.

Language classes are frequently held in elder centres, teaching semi-literates their first written language or a second language. When possible, it is desirable to have an elder or older adult teach the class, as elders rarely feel comfortable learning and making mistakes in front of young instructors. For similar reasons, elders need to have a class of their own rather than being mixed in with younger, employable adults. Still, it is not enough to simply replicate language programs for employable adults and invite elders to attend at a separate time. The curriculum must be redesigned for the unique needs of elders so they can become more aware of and competent in their particular surroundings. The instructor must be familiar with adult learning methods and the special social and health needs of elders. The barriers of previous learning failures, poverty, and negative attitudes about aging must be overcome to gain full participation from the students. Each student's health needs must be understood and addressed in the program design and instruction methods before long-term learning can be expected. Health issues of primary concern for this purpose are dementia, hearing loss, vision impairment, arthritis, diabetes, dental problems, and depression.[30]

Language classes can be more than just a learning experience. Bringing elders together on a regular schedule allows the teacher and the other students to continually assess their health and vitality. Early intervention can be achieved as a result. Regular attendance brings a routine to the elder's life that may be missing and offers more social contact than would otherwise be available. Information learned, especially through field trips outside the classroom, can increase knowledge of the host country and decrease anxieties about the future. Classes can be therapeutic for those who have experienced great loss. In the words of a Bosnian community organizer, "Classes are also therapy for learners as they are able to concentrate on subjects other than their loss or loneliness. Nearly every class includes short crying periods of one student or another."[31]

In addition to language classes, congregate meal programs for refugee elders can be established in community centres, either privately or through government sponsorship. Congregate meal programs are often designed for the native-born population to ensure socialization and good nutrition for the aged. Refugees can access similar programs but often need to advocate for modifications in the menu to make it culturally appropriate while still meeting the financial supporter's nutritional requirements.

Elders who gather for language classes and meals are more likely to get involved in other activities. Exercise

classes such as Tai Chi or yoga may be offered for muscular, heart, and lung strengthening. Outdoor gardening is an enjoyable community activity that connects people to the land and the process of nurturing and growth, especially for former agrarians who feel estranged in an urban environment.

Intergenerational activities foster greater contact and understanding between elders and the younger generations. In the United States, refugees have successfully participated in a government-sponsored program that places elders in child-care facilities and primary schools as tutors or teacher's assistants. Through creative programming, elders can be accompanied by a cultural interpreter to places and events where adolescents spend time. Elder community centres can also evolve into child day-care centres for elders who are active and have interest in this form of employment. The requirement of learning the host country's child welfare laws and theories of child development can advance an elder's integration. Becoming official child-care providers in a co-operative has proven successful for some refugee elders in the United States.

For very frail elders, service providers may wish to establish all-day adult care programs. These programs are geared for elders who are unable to care for themselves at home while their caregivers are at work. With appropriate activities and a visiting nurse, adult day care can help forestall advancing age-related illness and institutionalization. In the United States, there are two models for adult day-care programs for refugees. In some cities, adult day-care programs for those who are severely infirm have been established within refugee-based community centres. In other cities, refugee-specific programs have been established within traditional adult day-care programs for native-born elders.

Sometimes death occurs soon after resettlement, putting a family in turmoil. Proper burial practices may be difficult to fulfill in the resettlement country. In some religions, such as Islam and Judaism, the deceased must be buried within one day. It is important for service providers to have a plan to assist in the burial process and help fulfill this responsibility when the refugee community is not yet self-sufficient. Refugee advocates also need to become familiar with the complex process of sending a deceased person to the native country, when possible upon request, for burial.

The life of a resettled refugee elder can be precarious or vital depending on personal health, family support, and community resources. When assisting elders, it is important to always pursue their concerns in a way that preserves their dignity. Careful intake and assessment aimed at empowering each elder in the integration process is essential. At the same time, the important role of the family and community in either hindering or supporting integration cannot be ignored. Creative and flexible programming is needed to ensure that elders have adequate, meaningful, and culturally appropriate opportunities for integration activities. Organizational partnerships can enhance programming by harnessing all available resources to support vulnerable and isolated people. When strengthened, refugee elders gain the knowledge and perspective to explain the most important questions to others in their community: where they come from, where they are going, and who they are as a cultural group of people in a foreign land. This affirms their traditional status as elders, helping to bring stability to the family unit and the community for the future.

Notes

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L'intégration des réfugiés guatémaltèques au Mexique et leur transformation progressive en acteurs autonomes

Edith F. Kauffer Michel

Resume

Cet article évoque l'intégration des réfugiés guatémaltèques au Mexique et il considère trois perspectives : l'intégration est une décision politique et se met en place en tant que politique, mais il s'agit aussi du désir des réfugiés de demeurer définitivement dans le pays d'asile et elle fait référence à l'expérience d'une intégration spontanée, processus qui résulte des interactions entre Guatémaltèques et Mexicains. La politique d'intégration a pour conséquence le retrait progressif et la disparition de certains acteurs clefs comme les institutions spécialisées et les organisations non gouvernementales. Face à cette situation, les « ex-réfugiés » ou nouveaux immigrants entreprennent de former des organisations propres, qui ont commencé à cheminer vers une autonomie croissante et témoignent de leur intégration politique.

Abstract

This article looks at the integration of Guatemalan refugees in Mexico from three different angles: a) Integration is a political decision and has to be put in place as a policy; b) It is also the wish of the refugees themselves to stay for good in the country of asylum; c) Integration also refers to an experience of spontaneous integration, a process that comes about from direct interaction between Guatemalans and Mexicans. The policy of integration therefore results in the gradual retreat and disappearance of some of the key players, such as specialized agencies and non-governmental organizations. Faced with these realities, the "ex-refugees," or new immigrants, take the initiative of setting up their own organizations, which have started to move towards a growing autonomy; this initiative is evidence of their political integration.

Introduction

En août 1996, le Secrétaire mexicain de l'Intérieur rendit publique une décision prise par le Président de la République qui indiquait un tournant décisif pour les réfugiés guatémaltèques qui demeuraient alors en territoire mexicain. Il s'agissait d'élargir la gamme des solutions durables offertes aux réfugiés jusque-là limitée pour la majorité des Guatémaltèques à une double modalité de rentrée au pays d'origine : le rapatriement individuel à partir de 1984 et le retour collectif et organisé à partir de 1993. Seul un petit groupe de personnes avait pu procurer à leur futur une voie différente grâce à la réinstallation dans un pays tiers, le Canada. Les caractéristiques socioculturelles des réfugiés et leurs aspirations rendaient en effet difficilement plausible la généralisation de cette solution à la totalité du groupe.

Lorsque la politique d'intégration fut annoncée, environ 25 000 réfugiés guatémaltèques vivaient au Mexique dans trois États du sud-est du pays. La majorité d'entre eux se trouvaient au Chiapas, zone initiale de réception au début des années quatre-vingt, et se répartissaient dans des villages où ils partageaient parfois l'espace disponible avec la population mexicaine. Situées en zone rurale, ces communautés de taille diverse étaient alors toujours appelées « camps » bien que n'ayant jamais eu l'apparence d'un camp de réfugiés, au sens traditionnel du terme. Au Campeche et au Quintana Roo, États de la péninsule du Yucatán, résidait l'autre partie de ce groupe qui fut réinstallé entre 1984 et 1985 pour des questions de sécurité nationale liées à la proximité de la frontière avec le Guatemala et aux fréquentes incursions de l'armée guatémaltèque vers leurs lieux de résidence. Les villages des réfugiés du Campeche et du Quintana Roo se caractérisaient en 1996 par leur nombre limité : à la différence du Chiapas où l'on décomptait

plus de 90 villages, il existait seulement trois communautés au Quintana Roo et quatre au Campeche formées exclusivement par les réfugiés et leurs descendants.

À partir de la réinstallation au Campeche et au Quintana Roo, la dynamique de la population réfugiée suivit deux logiques distinctes. La première d'entre elles, celle du Chiapas se traduisit par la persistance de la politique d'assistance en raison de l'impossibilité de doter la population réfugiée de terres de culture et, de ce fait, elle signifiait une certaine précarité1. La situation se compliqua en 1994 en raison du soulèvement zapatiste car les questions de sécurité nationale réapparurent à l'ordre du jour. Les réfugiés guatémaltèques au Chiapas recevaient alors une aide alimentaire et ce, jusqu'en 1998.

La seconde dynamique correspondait à l'expérience du Campeche et du Quintana Roo, où, dès la réinstallation, les réfugiés commencèrent à vivre dans des conditions différentes et à partir de l'année 1989, l'entrée en vigueur d'un programme appelé plan multiannuel et financé par la Communauté économique européenne (CEE) changea radicalement le contexte. En conséquence, dès 1993, les réfugiés guatémaltèques furent déclarés « autosuffisants » par les agences spécialisées, et l'aide alimentaire leur fut retirée[2].

Les circonstances particulières de l'État du Chiapas en 1996 expliquèrent la décision des autorités mexicaines de promouvoir dans un premier temps la politique d'intégration exclusivement au Campeche et au Quintana Roo. En effet, l'idée consistait alors à développer l'expérience de la nouvelle politique dans le contexte le plus adéquat sur le plan économique mais surtout au vu des considérations politiques. Les autorités imaginaient que les réfugiés installés au Chiapas, intéressés par l'intégration, allaient se déplacer vers les États du Campeche et du Quintana Roo et essayèrent de faire la promotion de cette option3. Cependant, face au manque de succès, elles prirent réellement conscience de la volonté des réfugiés de demeurer au Chiapas, et la politique d'intégration fut alors élargie à cet État en juin 1998.

L'histoire du refuge guatémaltèque au Mexique et la double dynamique mentionnée ont forcément des répercussions sur les décisions relatives à la politique d'intégration. Cette dernière s'oriente autour de deux axes géographiques qui correspondent à des considérations politiques et socio-économiques différentes : le Chiapas et les États de la péninsule. Ces mêmes éléments, ajoutés aux particularités dérivées des décisions politiques mènent à un vécu de l'intégration différent selon l'État de résidence et qui se caractérise par des avantages particuliers ou certains obstacles spécifiques.

Après avoir évoqué l'intégration au Mexique à partir de trois axes d'analyse, c'est-à-dire la politique d'intégration, mais aussi le désir des réfugiés et le phénomène spontané qui résulte des relations entre réfugiés et la population mexicaine, nous centrerons cet article autour du thème de la réorganisation qui surgit dans le nouveau contexte. La disparition de certains acteurs et l'apparition de nouveaux protagonistes reflètent un processus croissant d'autonomie des réfugiés guatémaltèques devenus « immigrants assimilés »[4,] et il peut s'observer à travers l'évolution des objectifs principaux poursuivis par les nouvelles organisations.

L'intégration : les trois axes d'un processus

L'intégration des réfugiés guatémaltèques au Mexique peut s'analyser en fonction de trois éléments qui correspondent aux différentes réalités de ce processus. La première fait référence à la politique d'intégration en tant que décision politique, ses fondements et ses applications. La seconde évoque l'intention des réfugiés de demeurer au Mexique et leur opposition à l'idée de rentrer au Guatemala dans le contexte d'une logique d'attraction-répulsion. La troisième considère que l'intégration est un processus spontané qui a débuté dès le premier contact entre les réfugiés guatémaltèques et la population mexicaine de la zone de résidence et qui s'est renforcé au fil des années de telle manière que nous pouvons observer une intégration dans les faits.

Une décision d'en haut : la politique d'intégration

L'idée de l'intégration des réfugiés guatémaltèques avait été évoquée à la fin des années quatre-vingt par le gouvernement mexicain dans les trois États de réception. Au Campeche et au Quintana Roo, à la suite de la réinstallation des réfugiés et, à partir du programme multiannuel, l'expérience vécue par les Guatémaltèques se rapprocha de cet objectif, notamment parce qu'il dérivait logiquement de l'idée d'autosuffisance, entendue comme la possibilité, pour les réfugiés, de vivre sans dépendre de l'aide alimentaire externe. Les premiers documents du programme multiannuel mentionnaient qu'un des buts de celui-ci était l'intégration[5]. Cependant, la référence disparut ultérieurement dans les textes officiels[6].

Au Chiapas, en 1989, les autorités mexicaines commencèrent à promouvoir l'idée de regrouper tous les réfugiés dans 15 sites « sûrs » dotés d'infrastructures et de services et de mettre à leur disposition des terres de culture : les objectifs primordiaux de cette initiative gouvernementale étaient la protection des réfugiés ainsi que leur contrôle. Nonobstant l'obtention d'un financement international pour réaliser le projet, les réfugiés s'opposèrent à cette décision car elle était susceptible d'affecter de manière négative le processus organisationnel qu'ils étaient en train d'amorcer autour du retour au Guatemala. Les réfugiés pensèrent à ce moment-là que la proposition des autorités et l'organisation du retour

étaient incompatibles et exclusives. En conséquence, seul un site put être édifié.

Comme l'indiquent les expériences mentionnées, l'idée de l'intégration des réfugiés avait déjà été présente dans le discours et dans les faits bien avant la fin des années quatre-vingt-dix, lorsque la décision politique fut annoncée.

La politique d'intégration telle qu'elle fut menée à bien à partir de 1996 au Campeche et au Quintana Roo, puis dès juillet 1998 au Chiapas, se développa autour de trois lignes directrices. La première d'entre elles fut l'axe légal duquel découla le plan de stabilisation migratoire. Ce plan fut divisé en deux parties : la première concernait la remise de documents migratoires légaux aux Guatémaltèques et la seconde leur donna l'option de se convertir en citoyens mexicains. Ces deux éléments furent fondamentaux pour plusieurs raisons.

En premier lieu, jusqu'à l'entrée en vigueur de ce plan, la mobilité des réfugiés était sévèrement limitée. Franchir les limites du municipe de résidence impliquait la réalisation de certaines procédures administratives car les réfugiés ne pouvaient transiter à l'extérieur de celui-ci sans autorisation[7].

Le plan de stabilisation migratoire mit fin à ces restrictions migratoires et les réfugiés reçurent alors un document migratoire de non immigrant pour ceux qui désiraient rentrer au Guatemala (appelé FM-3) ou d'immigrant pour les partisans de l'intégration au Mexique (appelé FM-2). Ce dernier porte la mention « assimilé » qui s'utilise uniquement dans le cas particulier des « ex-réfugiés » guatémaltèques, suite à une modification de la loi mexicaine de population en 1997. La documentation migratoire octroya aux Guatémaltèques la liberté de transit au Mexique, la possibilité d'effectuer le travail de leur choix et la liberté de résidence sur la totalité du territoire. En réalité, cette possibilité n'a pas produit de déplacements définitifs de lieux de résidence, la majorité des Guatémaltèques demeurant dans les sites existants à partir de l'annonce de la nouvelle politique, sauf dans les cas de conflits avec les voisins mexicains qui se sont produits dans l'État du Chiapas[8].

Comme résultat de la régularisation migratoire, les Guatémaltèques perdent légalement leur statut de réfugiés et se convertissent alors en immigés à l'issue de cinq renouvellements de leur statut d'immigrants lorsqu'ils n'obtiennent pas immédiatement la nationalité mexicaine.

En second lieu, le plan de stabilisation donna la possibilité aux Guatémaltèques qui possédaient un enfant ou un conjoint de nationalité mexicaine de se transformer en citoyens mexicains. Une enquête réalisée au Campeche en 1998[9] nous révéla que 88,2 % de la population avait au moins un enfant de nationalité mexicaine et que 22,9 % mentionnait l'existence de mariages mixtes[10] dans leur famille. Au Chiapas, selon une enquête de l'année 2000[11], 86,7 % des personnes interrogées avaient au moins un enfant mexicain et 23,3 % faisaient référence au mariage avec un Mexicain ou une Mexicaine.

La grande majorité des Guatémaltèques avait ainsi la possibilité réelle de devenir mexicains, les personnes exclues étant probablement les plus âgées car leurs enfants étaient de nationalité guatémaltèque ou les jeunes qui étaient arrivés en bas âge au Mexique et n'avaient pas encore de descendants. En effet, le fait de naître en territoire mexicain implique automatiquement l'acquisition de la citoyenneté conformément au droit du sol en vigueur.

À l'heure actuelle, un peu plus de 250 personnes attendent toujours leur naturalisation au Campeche et au Quintana Roo. Les autres sont devenus mexicains. Au Chiapas, seul un petit groupe a obtenu la nationalité mexicaine et les demandes en cours dépassent le chiffre de 5 000[12]. Les entretiens réalisés récemment au Chiapas nous indiquèrent une anxiété relative à l'obtention de la nationalité mexicaine parmi les Guatémaltèques car ils liaient la nationalité à deux éléments clefs : se convertir en sujets de droits et de bénéfices sociaux et mettre fin au stigmate dérivé de la condition de réfugié. Il s'agit de la principale revendication formulée par les Guatémaltèques interrogés de manière individuelle. Leurs voisins mexicains continuent à utiliser le terme de « réfugiés » quand ils font référence aux Guatémaltèques ainsi qu'à leurs enfants, qui sont en réalité mexicains de la même manière que le sont leurs propres enfants.

Le second axe de la politique d'intégration est la question sociale. L'objectif consiste dans ce domaine à permettre aux Guatémaltèques un accès équitable aux services et infrastructures disponibles. Au Campeche et au Quintana Roo, nous avons pu constater qu'ils se trouvent dans de meilleures conditions que la population mexicaine des alentours qui recourt parfois aux services médicaux installés dans les sites habités par la population d'origine guatémaltèque[13]. Dans le cas du Chiapas, les situations varient et dépendent principalement de la taille du village où ils vivent : les grands villages sont mieux dotés que les petits ou tout petits, ces derniers étant formés par quelques familles.

L'axe social a consisté à construire des écoles secondaires qui utilisent un système de cours par télévision, à électrifier des villages et à fournir l'eau courante à domicile ainsi qu'à construire certaines infrastructures comme la maison de la femme au Campeche et des écoles primaires et centres de santé, voire des infrastructures hydrauliques au Chiapas, là où elles faisaient défaut. En conséquence, il est possible d'observer de ce point de vue une certaine homogénéité dans les États du Campeche et du Quintana Roo alors qu'au Chiapas, la population des petits villages doit se rendre dans les communautés voisines pour avoir accès à certains services. Les institu-

tions publiques ont ainsi dirigé leurs efforts vers les centres les plus peuplés dans une région du Mexique où il existe environ 10 000 hameaux composés d'une ou de deux maisons. Cette dispersion de la population rend difficile l'installation de services.

Le troisième axe de la politique d'intégration est la question socio-économique et elle permet d'observer de sérieuses inégalités entre l'expérience des États de la péninsule et celle du Chiapas. Suite à l'annonce de la politique d'intégration, l'Union européenne ouvrit un bureau au Campeche et au Quintana Roo en 1997 afin d'aider le processus en cours grâce à la mise en œuvre de projets de développement. La particularité du Programme d'aide à l'intégration définitive des réfugiés guatémaltèques dans les États du Campeche et du Quintana Roo (PAID) résida dans la volonté de substituer au schéma traditionnel du bénéficiaire défini selon son appartenance à un groupe déterminé (le réfugié) un nouveau modèle axé sur la définition géographique de micro-régions, dont la totalité de la population serait destinataire des projets. C'est ainsi que se développa une vision inclusive et intégrale. Le financement a consisté en micro-crédits pour la réactivation de certaines activités productives et la création de nouveaux projets[14]. De son côté, le Haut Commissariat pour les réfugiés (HCR) prit alors la décision d'impulser, à travers une organisation non gouvernementale formée par de jeunes réfugiés, des crédits sur la base d'un système d'autogestion fonctionnant à partir de Caisses communautaires de crédits (CCC), dont la récupération des fonds permettrait d'appuyer de nouveaux projets dans le futur.

Au Chiapas, le HCR entreprit dès l'an 2000 de répliquer le modèle des CCC mais la dispersion et le nombre élevé des villages rendit difficile une généralisation du programme. Quant au PAID, il devrait commencer à travailler à partir de l'automne 2001 dans cette zone.

L'histoire du refuge et la double dynamique mentionnée ont produit un impact différencié sur l'intégration qui se traduit par deux expériences distinctes, celle du Chiapas se caractérisant par deux années de retard en comparaison avec le Campeche et la Quintana Roo. Jusqu'à présent, aucun effort n'a été fait pour tenter de corriger les écarts existants.

Un désir des réfugiés : vivre au Mexique
Le succès de la politique d'intégration réside en premier lieu dans sa coïncidence avec la volonté des réfugiés de demeurer définitivement au Mexique. Bien que l'idée de rentrer au Guatemala eut, dès la fin de l'année 1987 et le début de 1988, monopolisé le débat sur le thème des solutions au refuge guatémaltèque au Mexique et s'était notamment focalisé sur le retour, il serait injuste d'affirmer que tous les réfugiés étaient convaincus qu'il s'agissait de la meilleure solution.

À la fin de l'année 1993, lors d'une réunion quadripartite[15] et alors que l'ambiance était dominée par le retour collectif et organisé, un groupe de réfugiés résidant au Quintana Roo indiqua publiquement sa volonté de rester au Mexique. Il s'auto-dénomina Comité pro-intégration[16]. Un second document non daté écrit probablement en 1994 et adressé au président de la République fit également référence à cette possibilité[17]. Parmi les raisons évoquées, les personnes qui désiraient demeurer au Mexique insistaient sur les souffrances vécues et mentionnaient l'adaptation des enfants à ce pays.

À l'échelle locale au Chiapas, il existait plusieurs villages qui ne s'inscrivaient pas dans la dynamique du retour organisé et parmi eux figuraient le plus grand camp de réfugiés appelé La Gloria, formé par une population qui dépassait alors les 2 500 habitants[18].

À partir du moment où les autorités mexicaines annoncèrent la politique d'intégration, le panorama, qui, pour les réfugiés, présentait seulement l'option de la rentrée au Guatemala, se modifia et après avoir pesé le pour et le contre, la majorité des réfugiés guatémaltèques décidèrent rester au Mexique.

La décision de vivre définitivement au Mexique fut le résultat d'une conjonction d'éléments qui combina une attraction pour le Mexique et une répulsion vis-à-vis du Guatemala. Il s'agissait d'un binôme dans lequel les déterminants principaux étaient, en ordre d'importance, les suivants : situation socio-économique, volonté des enfants mexicains, futur des enfants, tranquillité par opposition à la guerre et à la délinquance au Guatemala, enracinement au Mexique.

Les raisons d'ordre économique furent fondamentales dans la décision des réfugiés[19]. Les enquêtes réalisées au Campeche en 1998 et au Chiapas en 2000 révélèrent dans le premier cas que 47,7 % des personnes affirmaient que leur décision obéissait à des motifs économiques et dans le second cas que 44,9 % l'attribuaient à la question de la terre. Cette différence peut s'expliquer par les meilleures conditions de vie des réfugiés au Campeche. Cependant, le thème de la terre, c'est-à-dire la possibilité de posséder un lopin au Mexique et l'impossibilité de réaliser cette aspiration dans le cas du Guatemala, était intimement lié à la question de la survie économique des familles.

Le thème des enfants mexicains mentionné par 23,9 % des personnes au Campeche et 32,8 % au Chiapas doit être considéré à partir de perspectives distinctes. En premier lieu, il faisait référence au refus des enfants de rentrer au Guatemala car ils étaient nés au Mexique ou étaient arrivés en bas âge et ils ne connaissaient pas le Guatemala ou s'ils avaient reçu de l'information sur le pays d'origine de leurs parents, leur perception était synonyme de guerre et de conflit. En second lieu, il

s'agissait aussi des perspectives d'avenir que les parents projetaient pour leurs enfants au Mexique, c'est-à-dire la possibilité d'étudier et d'abandonner la condition paysanne pour se transformer en fonctionnaires ou employés et vivre en milieu urbain. Le travail de la terre était synonyme de pauvreté, et de nombreux parents aspiraient à une ascension sociale pour leurs enfants grâce à l'éducation. Cette aspiration n'était évidemment pas à l'ordre du jour au Guatemala, car les zones de réinstallation se caractérisaient par la marginalité et l'absence des services les plus élémentaires. C'est dans ce sens que même lorsque les adultes éprouvaient le désir de rentrer au Guatemala, ils optèrent pour le Mexique car c'était une option davantage prometteuse pour les générations futures.

L'enracinement au Mexique fut mentionné par 12,8 % des personnes du Campeche et 2,7 % au Chiapas. Les entretiens réalisés au Campeche ont plus particulièrement mentionné cette idée d'adaptation et de sérénité au Mexique. Rentrer au Guatemala signifierait ainsi un nouveau déracinement pour ces personnes. À cette perception se joignit le refus de reconstruire un foyer et une communauté après de nombreux déplacements qui commencèrent par les migrations internes au Guatemala, la fuite au Mexique et continuèrent avec les constants changements et réinstallations durant les années de refuge.

Quant au refus de rentrer au Guatemala, les personnes interrogées firent référence à la persistance du conflit, malgré la signature des accords de paix et au climat généralisé de délinquance qui sévissait. Certaines affirmèrent n'avoir pas dépassé le sentiment de terreur en raison des événements traumatiques vécus lors de l'exil. Durant le travail de terrain réalisé au Chiapas, la population nous obligea ainsi à éliminer toutes les questions sur le Guatemala car cela ne l'intéressait plus et appartenait au passé.

Lors de l'annonce de la politique d'intégration, il existait un petit groupe d'indécis au Campeche qui ne dépassait pas 20 % de la population dans le cas le plus élevé. La grande majorité de ceux-ci finirent par opter pour la solution mexicaine, bien plus attrayante en terme d'opportunités pour eux et pour leurs enfants. La rentrée au pays devint ainsi synonyme de retour à une vie plus difficile, de retrouvailles avec des souvenirs éprouvants et d'absence de certitude quant au futur. Cette perspective s'est terminée en 1999 avec la fin du retour collectif et organisé et celle du rapatriement, et personne ne mentionne que la décision de rester au Mexique a été une erreur comme le font certains réfugiés rentrés au Guatemala qui ont regagné le Mexique en tant que migrants sans papiers, car ils n'ont pas pu s'adapter de nouveau au Guatemala[20].

Un phénomène tissé au fil des années : la cohabitation avec la population mexicaine
Non seulement la politique d'intégration coïncida avec la volonté des réfugiés guatémaltèques mais elle reflétait aussi un phénomène de coexistence quotidienne qui avait abouti à une intégration spontanée. Par intégration spontanée, nous faisons référence à un processus qui débuta avec le premier contact entre réfugiés et Mexicains, au cours duquel le temps fut un facteur clef. La cohabitation entre ces deux groupes produisit en effet des interactions réciproques et nous observons à l'heure actuelle une multiplicité de relations sociales, culturelles, économiques, personnelles et de travail qui témoignent d'une intégration spontanée.

Évidemment, la variété des situations mentionnées impliqua une grande diversité de relations, différents degrés de convivialité et de conflits et la distance physique fut fondamentale : vivre à l'intérieur d'un village mexicain et résider dans un site uniquement peuplé par des « ex-réfugiés » guatémaltèques, cela représentait des circonstances totalement distinctes qui eurent des effets directs sur les relations entre les deux groupes.

Réorganisations dans le contexte de l'intégration : la fin de la dépendance et le cheminement vers l'autonomie
La politique d'intégration et la transformation des réfugiés en immigrants qui en découla se traduisirent par une progressive disparition des acteurs spécialisés dans l'aide aux réfugiés et des ONG qui naquirent dans le cadre du refuge. Cependant, ce processus favorisa l'apparition de nouveaux acteurs dont les « ex-réfugiés » furent les protagonistes.

Le retrait des instances spécialisées
Une des conséquences de la politique d'intégration fut le retrait progressif des institutions chargées des affaires des réfugiés, principalement la Commission mexicaine d'aide aux réfugiés (COMAR) et le HCR. Dans un premier temps, on observa une diminution du personnel, suivie de la fermeture des bureaux. Le premier État marqué par le retrait du HCR fut le Quintana Roo dès 1998, suivi par le Campeche en 1999 et actuellement le HCR prévoit réduire le nombre de ses fonctionnaires présents au Chiapas au minimum à partir de janvier 2002. La COMAR a limité ses groupes de travail en 1999 au Quintana Roo, à la fin de l'année 2000 au Campeche et depuis 1998, elle a diminué progressivement son équipe au Chiapas.

Ce retrait a été logique car les réfugiés ont changé de statut mais il s'est avéré douloureux pour ceux-ci, habitués à être traités de manière privilégiée par des instances spécialisées et tout particulièrement préoccupées par leur protection. Ce fut une situation difficile car dans certains cas, l'assistance exacerbée avait créé des rela-

tions paternalistes entre institutions et réfugiés. Elle impliqua un changement d'optique chez les réfugiés qui durent prendre conscience des nouvelles conditions.

Cette phase de transition fut particulièrement ardue car les institutions mexicaines dépendantes des gouvernements fédéral, étatiques et municipaux n'étaient pas forcément conscientes du problème et elles n'étaient pas disposées à assurer de manière immédiate le relais. Elle s'est ainsi traduite par un vide mal perçu par les réfugiés qui couraient le risque de passer de manière brutale du centre de l'attention à l'absence d'intérêt.

La disparition des ONG

Si le refuge et le retour avaient bénéficié de nombreuses donations en raison des circonstances dramatiques dans le premier cas et au vu des questions politiques pour le second21, la politique d'intégration, comme solution durable, a difficilement mobilisé les financeurs internationaux. En conséquence, dès 1997 au Campeche et au Quintana Roo, les quelques ONG qui subsistaient disparurent, faute de fonds.

Le cas du Chiapas fut dans un premier temps différent : l'annonce de l'intégration stimula tout d'abord le travail de certaines ONG qui se formèrent dans ce contexte avant de se traduire par une diminution de leur intervention, suivie très rapidement par leur disparition.

Deux éléments expliquent cette particularité. Le premier est lié à l'histoire du refuge dans cet État où la présence des ONG a toujours été très importante auprès des réfugiés en l'absence de programme multiannuel mené par les institutions nationales et internationales et en raison de l'impossibilité de garantir une couverture de la totalité des sites d'installation, due à leur dispersion. Le second est lié aux événements survenus à partir de 1994 au Chiapas et, bien que la question des réfugiés fût indépendante du conflit armé, le Chiapas devint le centre de l'attention internationale et il était donc beaucoup plus facile de trouver des fonds pour une cause située géographiquement au Chiapas que pour tout autre État de la République mexicaine.

Cette disparition, qui s'ajouta au retrait des institutions, eut pour effet de convertir les « ex-réfugiés » en « orphelins » car les relations établies avec les ONG se caractérisaient par une grande solidarité.

La formation d'organisations propres

La politique d'intégration impliquait un double défi sur le plan organisationnel : transformer l'organisation communautaire centrée depuis 1988 autour du retour afin d'obtenir un schéma similaire à celui des villages mexicains et de faciliter ainsi les contacts avec les nouvelles instances et créer de nouvelles organisations pour défendre les intérêts de la population.

Les principaux avantages des Guatémaltèques résidaient dans l'expérience acquise durant l'organisation du retour au

Guatemala ainsi que la connaissance du contexte local dans lequel ils s'inséraient. Malgré ces aspects positifs, le résultat ne fut pas immédiat. Dans un premier temps, chaque village du Campeche organisa son *Comité pro-integración* sur le modèle de celui formé depuis l'année 1993 avec des objectifs vagues, voire indéfinis22. C'est à partir du début de l'année 1998 que les Guatémaltèques commencèrent à créer des organisations très clairement centrées sur l'intégration.

Il est important de signaler que la première initiative organisationnelle apparue au Campeche fut tout d'abord totalement indépendante et reprit le schéma de l'organisation du retour qui consistait à regrouper les efforts dans une seule organisation collective. Le Comité central de gestion pour l'intégration et le développement des communautés guatémaltèques (CEGIDCGUA) au Campeche, Mexique, apparut en février 1998 publiquement, suite à un processus de discussion entre les représentants des quatre sites du Campeche et à une série de réunions de préparation durant le mois de janvier. Cette apparition publique programmée en présence de la presse ne fut pas du goût des institutions car les Guatémaltèques avaient préparé un grand nombre de revendications qui mettaient en doute l'aide apportée dans le cadre de l'intégration23. En juin 1998, le CEGID-CGUA et son équivalent pour le Quintana Roo, le Comité d'intégration et de gestion définitive de guatémaltèques au Mexique (CIGDGMEX) tentèrent de regrouper leurs efforts.

Au début de l'année 1998 et parallèlement au phénomène antérieurement décrit, des jeunes gens prirent conscience que le processus d'organisation devait nécessairement passer par la formation d'une structure formelle, qui permettrait dans le futur de rassembler des fonds. Il était clair que l'aide internationale pouvait dans un premier temps constituer une solution mais qu'à moyen terme la survie des nouvelles organisations dépendaient de la recherche de sources alternatives de financement. Sur le plan juridique, la figure de l'association civile non lucrative était la meilleure voie. Elle impliquait rechercher au moins trois personnes de nationalité mexicaine pour former un groupe de cinq membres fondateurs. C'est ainsi qu'apparurent deux ONG : Promoteurs d'administration et de comptabilité pour les entreprises productives, l'industrialisation et le commerce (PACEPIC) A.C. et l'Organisation d'étudiants guatémaltèques au Mexique, XXIe siècle (Siglo XXI) A.C.

PACEPIC a, depuis sa fondation et comme son nom l'indique, centré ses activités sur la gestion de crédits, dans un premier temps, et sur l'aide à l'amélioration de l'habitat ultérieurement. PACEPIC constitue actuelle-

ment la contrepartie des CCC, le nouveau système de crédit formé par le HCR au Campeche et son rôle se limite à la formation des membres des CCC. Cette branche de ses activités est financée par la récupération de 1,5 % des intérêts payés par les différentes CCC et le crédit initial provient du HCR. Ce schéma est en quelque sorte traditionnel de l'époque du refuge car le financement a été initialement versé par le HCR même si l'objectif principal de celui-ci est de parvenir à un système d'autogestion. Cependant, la nouveauté consiste à mettre entre les mains de la population la responsabilité du remboursement des crédits et de la formation, tâches autrefois assumées par les institutions et les ONG.

Dès sa création, PACEPIC rechercha activement la diversification des sources de financement. En 1999, la Fondation Rigoberta Menchú Tum[24] et PACEPIC organisèrent le Fonds récupérable de bien-être social (FORBIS), à travers lequel fut créé un système qui permettait d'acheter à crédit des tôles ondulées pour améliorer les toits des habitations. PACEPIC était chargée d'administrer le FORBIS qui, à l'échelle de chaque communauté, était relayé par des structures appelées « banques de matériel ». De nouveau, l'autogestion était la règle et l'administration relevait de la responsabilité directe des « ex-réfugiés ». Plusieurs instances participèrent avec des donations : la Fondation Menchú, les gouvernements du Campeche et du Quintana Roo, le HCR, l'Institut national indigéniste (INI), institution chargée des questions indiennes.

Au début de l'année 2000, PACEPIC s'installa au Chiapas à la demande du HCR afin de répliquer l'expérience des CCC au Chiapas, et de nouveau, grâce au financement de celui-ci.

De son côté, Siglo XXI fut formée afin de faire face à un problème spécifique des étudiants des niveaux techniques et universitaires et de ceux qui fréquentaient le lycée dans la capitale de l'État du Campeche. Le fait de perdre le statut de réfugiés impliquait pour la majorité d'entre eux, boursiers du HCR et de la COMAR, la conclusion prématurée de leur bourse. Siglo XXI apparut avec l'objectif principal de rechercher de nouvelles bourses pour assurer la continuité de la scolarité de ces étudiants.

Au Chiapas, en 1999, fut créé le Comité coordinateur d'intégration et de développement communautaire au Chiapas (CIDECH) sous la forme d'une association civile, dont les objectifs généraux prétendaient englober la totalité des villages où étaient installés les Guatémaltèques. Dans un premier temps, le CIDECH reçut un financement du HCR et ultérieurement des aides suivies de celui-ci avant de se tourner vers d'autres donateurs. Actuellement, le CIDECH est en partie financé par une agence internationale qui porte le nom de *Project Counselling* et plus particulièrement en ce qui concerne la formation sur le thème des droits de la personne.

La question du financement est fondamentale pour que ces organisations formées sur l'initiative des « ex-réfugiés » puis-sent prospérer dans le futur. Ceux-ci l'ont compris mais en réalité, ils continuent de dépendre largement du financement du HCR malgré la volonté manifeste de diversifier les donateurs.

Le surgissement des nouvelles organisations marqua un grand tournant : les « ex-réfugiés » cessèrent alors de dépendre des interventions externes ou de l'intermédiation de certaines ONG et se transformèrent en protagonistes réels et exclusifs de leur devenir. Leurs organisations devinrent, quant à elles, des acteurs formels et reconnus par la loi et abandonnèrent ainsi le terrain de l'informel qui caractérisait toutes les organisations de réfugiés nées au Mexique dans le contexte du retour au Guatemala.

Les nouveaux acteurs : vers l'élargissement des objectifs initiaux

Si nous excluons le thème de l'origine du financement déjà évoqué, un élément fondamental dans la constitution des nouvelles organisations en acteurs autonomes résida dans la définition de leurs objectifs et dans l'évolution de ceux-ci. Une révision des principales demandes émises depuis 1998 permet de mettre en évidence l'apparition de nouveaux thèmes de bataille. Si, dans un premier temps, ces acteurs se centrèrent sur la question des besoins collectifs de chaque village et des thèmes directement liés à la politique d'intégration, nous avons pu observer très récemment comment s'est produit un rapprochement avec les organisations sociales mexicaines.

Les besoins collectifs et communautaires

Dans un premier temps, les nouvelles organisations insistèrent sur la question des services et des infrastructures qui faisaient défaut et sur certains besoins communs à la majorité des familles. Un exemple de ces revendications était la réparation des toits des maisons. De manière générale, une partie des exigences faisait allusion à des services non existants et une autre partie à l'amélioration ou la réparation de ceux qui étaient déjà en place. Certains besoins énoncés étaient directement liés au bien-être de la population comme la santé, l'éducation, les espaces ludiques alors que d'autres concernaient le secteur productif.

Les listes présentées par le CEGIDCGUA en 1998 au Campeche et les revendications présentées à l'échelle de certaines communautés au Chiapas en 1999[25] témoignaient clairement de cette insistance.

Ces appels répétés relatifs aux besoins collectifs et communautaires correspondaient en premier lieu à une tradition héritée du refuge qui reflétait de nombreuses années d'assistance durant lesquelles les réfugiés furent

des bénéficiaires d'aides multiples. Ils se produisirent cependant dans un nouveau contexte où les « ex-réfugiés » craignaient d'être abandonnés à leur sort car ils étaient tout à fait conscients du retrait des institutions et des ONG.

Certaines revendications ont été écoutées car elles faisaient partie des plans du HCR ou du PAID, d'autres comme les réparations des toits des maisons ont été canalisées de manière favorable par les nouvelles organisations car elles étaient urgentes et certaines ont été laissées sur l'initiative de chaque communauté. Par exemple, les habitants de La Gloria au Chiapas ont financé eux-mêmes les coûts de l'aplanissement du chemin qui menait à leur village, après avoir négocié avec le maire du municipe de résidence le prêt de la machine et du technicien chargé de la manœuvrer. Il s'agissait pour eux d'une urgence. Cependant, il est nécessaire de souligner que la population de La Gloria a pu réunir les 6 000 dollars américains nécessaires pour deux raisons : son nombre élevé d'habitants et le fait que la majorité des familles ont des revenus supérieurs à la moyenne car elles possèdent des parents qui ont émigré aux États-Unis et qui leur envoient une partie de leur salaire.

L'accompagnement de l'intégration

Le second thème général, fréquemment évoqué par les nouvelles organisations parallèlement à celui des services et infrastructures, concerne les mesures qui découlèrent de la politique d'intégration, comme la documentation migratoire et la naturalisation.

Les retards enregistrés au cours de la remise des documents migratoires dès les premiers temps et ultérieurement en ce qui concerne la citoyenneté mexicaine affectèrent directement la vie quotidienne des Guatémaltèques et notamment leur mobilité. Ils inspirèrent une méfiance et laissaient parfois même croire que la politique d'intégration était réversible et que le gouvernement mexicain pouvait du jour au lendemain les renvoyer au Guatemala.

Par ailleurs, l'obtention de la nationalité mexicaine signifie pour les « ex-réfugiés » du Chiapas la possibilité d'avoir accès à des programmes gouvernementaux et la fin de l'étiquette de réfugiés et les connotations négatives que celle-ci implique.

Même si au cours des années, le processus de documentation et de naturalisation a enregistré des avancées, la lenteur de la remise des documents qui accréditent la nationalité mexicaine est incompréhensible pour les Guatémaltèques et devient désespérante. Il s'agit de la revendication la plus importante pour les personnes installées au Chiapas, car elles vivent dans une portion du territoire mexicain située entre 0 et 100 km de la frontière internationale, situation qui ne leur permet pas d'acheter des terres. Cet élément renforce leur précarité et les laisse à la merci des accords convenus avec leurs voisins mexicains ou les oblige à acheter des terrains dans des conditions légales discutables qui peuvent les amener à perdre les biens acquis de cette manière.

L'accompagnement de l'intégration à travers la défense des droits des nouveaux immigrants qui dérivent de la politique d'intégration est une activité qui relève exclusivement des organisations de représentation des Guatémaltèques. Il s'agit d'un changement important car autrefois, les fonctions de protection étaient assumées par le HCR et la défense des intérêts des réfugiés était assurée par les ONG. Quant au retour au Guatemala, il fut largement financé et promu par tous les acteurs gouvernementaux et non gouvernementaux, nationaux et internationaux présents auprès des réfugiés. Dans le cadre de l'intégration, les « ex-réfugiés » et parmi eux, ceux qui sont toujours guatémaltèques et aspirent à la citoyenneté mexicaine sont conscients qu'ils peuvent compter uniquement sur les nouvelles organisations et sur la solidarité mutuelle pour défendre leurs intérêts.

Le rapprochement thématique avec les organisations sociales mexicaines et locales

Au cours des dernières semaines, deux des ONG formées par les ex-réfugiés ont, à plusieurs reprises, pris position publiquement sur des thèmes non considérés jusqu'à présent comme objectifs de leurs organisations. Ce phénomène marque un élargissement des thèmes de lutte, qui sont passés de la défense des besoins collectifs et communautaires et des éléments dérivés de l'intégration à un panorama beaucoup plus large.

La première prise de position fut la signature d'un document avalisé par 120 organisations sociales convoquées à une réunion sur le thème du Plan Puebla-Panama[26], qui est le fer de lance de la politique de développement du nouveau gouvernement mexicain pour le sud du pays et pour l'Amérique centrale. Les organisations sociales manifestèrent leur opposition à ce méga-projet car elles considèrent qu'il promeut des intérêts totalement mercantiles, destinés à exploiter les ressources naturelles de la zone et la main-d'œuvre bon marché sans rétribution réelle pour la population locale, sous un modèle capitaliste de type agressif.

La seconde fut réalisée par le CIDECH lors d'une rencontre académique[27] et à l'encontre d'une loi approuvée par le congrès fédéral mexicain sur le thème des indiens et rejetée par la totalité des organisations indiennes et sociales mexicaines.

Ces deux thèmes constituent au Mexique les deux fronts de lutte actuels des organisations indiennes et sociales et ce positionnement témoigne de préoccupations nouvelles. Le rapprochement avec les organisations sociales qui travaillent dans la région est un processus qui s'explique par la recherche de financements et par la participation récente du CIDECH et de

PACEPIC dans des réseaux de formation propres aux ONG mexicaines.

Cette identification avec les intérêts des groupes indiens et des organisations sociales est le signe d'un processus de maturation des nouvelles organisations surgies dans le contexte de l'intégration au Mexique et de leur propre cheminement vers l'intégration politique.

Conclusion

À l'issue du travail de terrain réalisé au Campeche en 1997 et 1998, nous concluions que, si le retour collectif et organisé au Guatemala avait surgi d'abord comme un projet politique avant de se concrétiser, l'intégration paressait suivre une dynamique inverse : elle partait des besoins très concrets et ne possédait aucun arrière-fonds idéologique. Cela était surprenant en raison de la tradition organisationnelle des réfugiés guatémaltèques et des expériences vécues mais peut-être s'agissait-il d'une phase de transition.

Au vu des événements actuels, nous pouvons mentionner que les nouveaux acteurs qui surgirent dans le cadre de l'intégration possèdent énormément d'atouts en main qui leur permettront d'acquérir prochainement une réelle autonomie. La formalisation des organisations existantes, la prise de conscience du nouveau contexte par leurs membres, l'acquisition récente de nouvelles compétences liée à la disparition des intermédiaires et le processus d'autogestion sont des acquis importants. La politisation des objectifs et l'insertion de ces organisations dans des luttes politiques nationales constituent un effort de projection et de réflexion.

Seule demeure la question du financement, qui dépend toujours en partie des relations tissées durant l'étape du refuge, pour que les nouvelles organisations apparues dans le cadre de la politique d'intégration puissent franchir le dernier pas qui les convertisse en acteurs véritablement autonomes.

Notes

1. Edith Kauffer Michel, *Les réfugiés guatémaltèques au Chiapas. Le retour du peuple du maïs. Un projet politique* (Paris : L'Harmattan, 2000).

2. ACNUR, Comisión Europea, *Evaluación del Programa Multianual de Campeche, 1989–1993* (Mexico : 1993).

3. Entretiens réalisés en 1997 et 1998 au Campeche et en 2000 au Chiapas.

4. À partir de la politique d'intégration, il devint difficile de trouver un terme adéquat pour désigner les réfugiés guatémaltèques : nous ferons référence dans cet article aux « ex-réfugiés », comme ils ont eux-mêmes pris l'habitude de se dénommer.

5. Programa multianual para la autosuficiencia y la integración, *Marco conceptual y operacional*, (Mexico : 1989). Comisión Mexicana de Ayuda a Refugiados, Programa Campeche, *III Reunión Cuatripartita de Concertación ACNUR-COMAR, CONONGAR-CODEORCA* (San Cristóbal de Las Casas : 1992),1.

6. Estados Unidos Mexicanos, *Balance y compromisos en favor de las poblaciones desarraigadas en el contexto de la lucha contra la pobreza extrema* (Mexico : 1994).

7. Edith Kauffer, *Les réfugiés guatémaltèques au Chiapas. Le retour du peuple du maïs. Un projet politique* (Paris : L'Harmattan, 2000).

8. Durant le travail de terrain réalisé dans 25 villages guatémaltèques et 21 communautés mexicaines en 2000 et 2001 au Chiapas, nous avons pu suivre de près trois conflits agraires.

9. Projet *La politique d'intégration des réfugiés guatémaltèques au Mexique. Le programme pilote du Campeche*, réalisé en 1998 et financé par le Système régional de recherche Justo Sierra Méndez (SISIERRA) dépendant du Conseil national de science et technologie (Conacyt) du Mexique.

10. Le mariage mixte fait référence à une union entre un(e) réfugié(e) et un(e) mexicain(e).

11. Projet *Défis et perspectives de l'intégration des réfugiés guatémaltèques au Chiapas* financé par le Conseil national de science et technologie (Conacyt) du Mexique de 1998 à 2001.

12. Entretiens avec des fonctionnaires de la COMAR, 2001.

13. Travail de terrain de 1997 et 1998 au Campeche et entretiens avec les leaders des villages mexicains du Campeche, 1998.

14. Proyecto de apoyo a la integración definitiva de los refugiados guatemaltecos en los estados de Campeche y Quintana Roo, MEX/B7/-2120/96/18.

15. Réunions organisées périodiquement entre le HCR, la COMAR, les ONG et les représentants des réfugiés entre 1989 et 1994 dans le cadre du mécanisme de suivi établi par la Conférence internationale pour les réfugiés en Amérique centrale (CIREFCA).

16. Comité de pro-integración, *Lettre* (Maya Balam, 20 octobre 1993).

17. Comité de pro-integración de Campeche, Quintana Roo y Chiapas. Bien que faisant allusion aux trois États de réception, ce document n'est pas signé par les réfugiés du Chiapas.

18. La Gloria était et constitue toujours la communauté la plus peuplée. Elle n'a jamais manifesté le désir de rentrer au Guatemala, même lors du conflit pour la terre avec les voisins mexicains qui réapparaît périodiquement. Il existe une autre communauté appelée La Esperanza qui n'était pas organisée pour le retour mais elle constitue un cas particulier car les réfugiés y possédaient l'usufruit du terrain, acquis par un suédois par l'intermédiaire d'un prête-nom mexicain car dans la zone frontalière, les étrangers ne peuvent acquérir de propriété terrienne. Ce village se caractérisait par une certaine abondance liée à la disponibilité de la terre et ses habitants ne professaient pas la religion catholique. D'autres exemples pourraient ainsi être cités.

19. Edith Kauffer Michel, "Panorama de la integración de los refugiados guatemaltecos en Campeche: decisión a futuro y transformaciones organizativas", *Acta Universitaria* 9 (1999), 34–50.

20. Entretiens réalisés avec des anciens réfugiés rentrés au Guatemala et de retour au Mexique, Chiapas, 2000.

21. Edith Kauffer Michel, *Les réfugiés guatémaltèques au Chiapas. Le retour du peuple du maïs. Un projet politique* (Paris : L'Harmattan, 2000).

22. Entretiens réalisés auprès des leaders en 1997 et 1998 au Campeche.

23. Ramón A. Jiménez Gómez, "Piden refugiados mayores apoyos para iniciar integración definitiva a la entidad", *El Sur de Campeche*, 13 février 1998.

24. Fondation fondée par Madame Rigoberta Menchú Tum, guatémaltèque et Prix Nobel de la Paix en 1992.

25. Voir : Los y las representantes de la zona de Comalapa y de cada comunidad, *A la institución de la Alta Comisionada de las Naciones Unidas para los Refugiados, a la Comisión Mexicana de Ayuda a Refugiados y a las organizaciones gubernamentales y no gubernamentales* (Frontera Comalapa, Chiapas : 20 août 1999).
Pascual Tomás Pascual, (Nueva Libertad : 24 août 1999).
María Bautista García, (Nueva Libertad : 24 août 1999).
Francisco Andrés Pedro, (Nueva Libertad : 24 août 1999).

26. Declaración del foro de información, análisis y propuestas, *El Pueblo es primero frente a la Globalización*, (Tapachula : mai 2001).

27. III Foro Internacional de Análisis de la Frontera Sur de México, 20–22 juin 2001.

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Migration, Refugees, and Racism in South Africa

Jeff Handmaker and Jennifer Parsley

Abstract

The paper looks at South Africa's complex history and policies of racism, social separation and control and the impact that this has had on the nature of migration and refugee policy. The paper argues that this legacy has resulted in policy and implementation that is highly racialized, coupled with a society expressing growing levels of xenophobia.

Some causes and manifestations of xenophobia in South Africa are explored. It further examines how actions of police and civil servants can mirror the sentiments of the general public, further disadvantaging refugees and migrants.

The outcomes of the WCAR are discussed with acknowledgment of the positive gains made for refugees and asylum seekers. The implications for implementation are debated in light of the attacks on the USA.

In conclusion, a number of recommendations are made including the need for ongoing public awareness strategies, the value of the WCAR Declarations as lobbying tools, a pragmatic and democratic policy process and the need to highlight development concerns in approaches to address these issues.

Résumé

Cet article examine l'histoire complexe de l'Afrique du Sud et ses politiques racistes et ségrégationnistes et l'impacte que cela a eu sur la politique sur l'immigration et les réfugiés. L'article soutient que ce lourd patrimoine a donné naissance à une politique et une pratique fortement imprégnées par des considérations de race ainsi qu'une société qui fait montre de niveaux croissants de xénophobie.

Sont ensuite explorées certaines causes et certaines manifestations de la xénophobie en Afrique du Sud. Puis, l'article se penche sur la manière dont les actes des forces policières et des fonctionnaires de l'état peut refléter les sentiments du grand public, préjudiciant ainsi davantage les réfugiés et les immigrants.

Les résultats de la CMCR (« Conférence mondiale contre le racisme, la discrimination raciale, la xénophobie et l'intolérance qui y est associée ») sont examinés et les gains obtenus en faveur des réfugiés et des demandeurs d'asile sont salués. Les implications pour l'exécution (du programme d'actions) sont discutées à la lumière des attaques contre les États Unis.

Pour conclure, l'article propose un certain nombre de recommandations, dont la nécessité de mettre en place des stratégies pour garder l'opinion publique bien informée, la valeur des Déclarations de la CMCR en tant qu'outils pour le lobbying, un processus démocratique et pragmatique pour développer des lignes directrices politiques et la nécessité de mettre en valeur les enjeux touchant le développement à l'intérieur des solutions proposées pour résoudre ces problèmes.

1. Introduction

> *The images we have seen are abominable, horrible. It's an assault against human rights.*[1]

This was the reaction by the Mozambique Minister of Labour to a police training video that reached national and international television, showing Mozambican migrants being attacked by police officers and dogs in a "training exercise." The incident deeply shocked the conscience of even the most cynical of ob-

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servers, not only in the sheer level of the violence portrayed, but also in the way it rekindled memories of the apartheid-style police brutality.

While media coverage and public debates on violence and racism in South Africa are nothing new, debates on migration, refugees, and xenophobia have only relatively recently hit the public spotlight, and links between racism and xenophobia are rarely made. As this article will seek to amplify, the nature of migration and refugee policy and the manner in which it is implemented in South Africa is highly racialized, stemming from the country's complex history and policies of social separation and control. Equally, the growing xenophobia in the country is profoundly characterized by racism and a high degree of violence.

2. Nature of Migration to South Africa[2]

Since 1994, the context of migration to South Africa has dramatically altered. The democratic government has rapidly embraced entry into the global arena, pursuing neo-liberal economic policies aimed at encouraging the free movement of international trade and capital. An area of contradiction, however, is related to the free movement of people, particularly African unskilled economic migrants (often in the form of informal sector traders) and refugees.

Contemporary migration to South Africa is characterized by a number of factors, ranging from individuals taking up contract labour to work in the country's huge mining and agricultural industries to persons seeking protection from persecution, human rights violations, and war.

Many migrants come from neighbouring Mozambique. In the past these included refugees fleeing the war in Mozambique,[3] braving a collection of horrors, including dangerous wild animals in Kruger National Park (which borders both countries) and a fence generating a lethal electric voltage, in their desperation to avoid border control officials in order to reach relative safety in neighbouring South Africa.

Nowadays, the reasons for migrating from Mozambique are related largely to economic factors rather than persecution or war, although since the maintaining of the Rome Peace Accord between Renamo and Frelimo in 1992, Mozambique has been beset with a crippling economy and environmental disasters generating a "new generation" of forced migrants, not least the devastating floods that displaced hundreds of thousands in 2000.

Migration to South Africa from other countries is believed by many to have increased. Media reports on migration abound with headlines such as, "An Invasion to be Halted," "6 Million Headed Our Way," and "Africa Floods into Cape Town."[4] However, the actual numbers of migrants entering South Africa in recent years continue to be heavily contested, ranging from conservative estimates of several hundred thou-

sand, to heavily exaggerated figures ranging into the "millions," supported by "pseudo-scientific" data.[5] Whatever the numbers, it is clear that the nature of most regional migration is "circular," with migrants expressing little wish to remain permanently.[6] Furthermore, while employer demand plays a significant role in stimulating irregular/undocumented cross-border migration, "enforcement targets employees, not employers."[7]

3. Racialized Nature of Migration Policy in South Africa

Prior to 1994, South Africa was infamous throughout the world for its racialized policies and seemingly limitless measures of social control. Migration control in South Africa was in line with apartheid-era policy and has always been restrictive and security orientated, with similar origins as the notorious pass laws, as a cornerstone of the previous government's policy of influx control, which were enforced against black people in South Africa as a means of controlling domestic migrant labour. The pass laws were particularly harsh, as is reflected in police arrest statistics; prior to the abolition of influx control, pass law offences featured disproportionately high.[8]

In a sense, influx control was effectively "transferred" to the borders in the form of the Aliens Control Act, a compilation of various pieces of immigration legislation, the latest version coming into force in 1991. South Africa's policy on entry and residence, including temporary migration, immigration (permanent residence) and, until recently, refugee status determination, had fallen under the Aliens Control Act. The Act was conceptualized to primarily exclude the entry of Indians (during the early part of the twentieth century), Jews (during the Second World War) and communists (especially during the Cold War).

The broad discretion accorded by the Act facilitated generous entry to anti-communists from Eastern Europe and immigrants from Western Europe, many of whom were sympathetic to the nationalist cause. While this discretion also prevented entry to foreign activists and journalists, it primarily operated to exclude black migrants, whose entry was strictly limited to bilateral, contract-labour treaties between South Africa and neighbouring states to provide cheap labour, mainly for the mining and agricultural industries. Once in South Africa, officially or not, black migrants (predominantly from Mozambique) fell under the influx control legislation.

The Act (even in its latest versions) was rooted in the previous government's overarching policy of apartheid, and was thus a policy "rooted in racism" as Peberdy and

Crush have observed.[9] Even Billy Masethla, the Director General for the Department of Home Affairs, concurs and has described the Aliens Control Act as "draconian" and an "apartheid dinosaur."[10]

Despite tremendous pressure from the international community, the previous government showed itself to be stubbornly resistant to change, reinforcing its control through a civil service and police force that were:

> …always in the front line in the enforcement of apartheid … (and) ensured that black South Africans were kept in their places in segregated and inferior institutions.[11]

The department designated to enforce migration policy today is the very same that, in the past, was responsible for enforcing influx control. The "sunset clause," which was part of South Africa's negotiated settlement leading to democracy, ensured job security for most in the civil service. This has resulted in a government where those at the top may have changed, but many of the apartheid era officials (and their unforgiving attitudes) are still there.

The Lindela Deportation Centre provides stark evidence of the continued racialized nature of migration policy and implementation in South Africa. This facility faced considerable scrutiny by the South Africa Human Rights Commission after an enquiry into a range of human rights abuses;[12] one will not find in it any of the thousands of European tourists who have overstayed their visas. The facility can hold up to 1,500 detainees, and it has been shown that those being held as suspected undocumented migrants are people whose skins are darker, clothes more colourful, vaccination marks in different places; Africans who are unable to speak a local African language; and people who have a host of other physical attributes not deemed "South African" and therefore "illegal."

There is also current discussion on proposed reception/detention centres for asylum seekers to be located far from urban centres. Whether these centres would accommodate, for example, possible white asylum seekers from Zimbabwe without condemnation is doubtful.

Policy is therefore not in line with contemporary realities of modern migration. One reality is that skills are leaving the country (in the form of mostly white emigrants), while skilled immigrants often face impossible hurdles. Another reality (mentioned earlier) is that the majority of migrants enter South Africa mainly for the purposes of short-term trading or employment, but with no intention to remain. A further reality is that a far smaller group of migrants (refugees) are entering the country seeking protection from political persecution or war and other disasters. Most forms of these activities are aimed at survival and, contrary to the aspirations of the Act, *uncontrollable.* However, they might be managed in a more appropriate and pragmatic manner, not least through an analysis of South Africa's objective labour needs and an acknowledgement of the positive contributions informal sector trade can and does make to South Africa and Southern African economies.

4. Efforts to Reform[13]

The first migration policy reform came in 1995, with a statutory amendment[14] to the Aliens Control Act No. 96 of 1991. It was Parliament's intention to bring the Act more in line with the country's new constitution. Before being amended in 1995, s. 55 of the Act even provided that no decision of the Department was reviewable by a court or tribunal, and persons could be held in detention indefinitely, without judicial review.[15] The 1995 Amendment removed this provision and provided that detention for periods beyond thirty days ought to be subject to review, although in practice it appeared that this was being inconsistently applied.[16] In short, despite the reforms, there were still concerns that the Aliens Control Act fell far short of constitutional expectations.[17] Clearly, more comprehensive reforms were necessary.

Attempts to overhaul the country's migration policies were at one stage pragmatic in their approach and characterized by active civil society involvement, as demonstrated by the draft Green Paper on International Migration and Refugees Act. Both documents, appearing in 1997 and end of 1998 respectively, proposed practical measures to address the country's objective labour requirements, and incorporated a principled commitment to human rights. However, this approach was short-lived, as it become increasingly evident that the government was to sacrifice this approach in favour of a more security and control oriented approach.

The White Paper on International Migration, the Immigration Bill, and the Regulations to the Refugees Act, presented in May 1999, February and April 2000 respectively, explicitly condemned racism and xenophobia, yet they also made it clear where the government ultimately stood in dealing with migration – a position not dramatically different from the past. The security and control oriented approach was evident in the focus on deterring undocumented migrants and "bogus" asylum seekers.[18] The policy proposals pursue a strategy overwhelmingly aimed at punishing[19] those responsible for trafficking and employing foreigners on a permit basis. Further, it is the drafters' intention that the enforcement of border controls rely on the community. In its earlier drafts, it was proposed that a professional security service be established in order to identify and apprehend unwanted foreigners, although we now understand that this idea

was resisted by other government agencies. With already high levels of xenophobia, human rights organizations have raised concern over the implications of encouraging the community to act as "whistle-blowers" against suspected undocumented migrants.

The Aliens Control Act is likely to be repealed this year, and it is hoped that the last vestiges of the apartheid dinosaur will finally be buried; however, there is considerable concern whether the legislation that replaces it will appropriately address the country's migration challenges and increasing levels of xenophobia.[20]

5. Asylum Determination Regime: Policy and Capacity Challenges

Reforming refugee policy has received comparatively more attention. The Refugee Act was passed in 1998 and entered into force in April 2000. The development of a workable structure, however, for administering the country's asylum determination regime has been complicated by a number of factors, both policy and capacity related.

South Africa's Refugee Act 1998 has its origins in the country's Aliens Control Act and, although representing a significant departure from the ACA, has in numerous respects failed to provide adequate due process guarantees to applicants, and is implemented in an ad hoc manner.[21] Capacity-related problems are largely a consequence of the fact that the issue is still quite new in South Africa, and that the asylum system has fit uncomfortably within the country's immigration system.[22]

There are not enough resources (especially staff, the majority of whom urgently need training) on hand to process the steadily increasing numbers of asylum applications.[23]

The South African Human Rights Commission and migration experts, amongst others, have raised serious concerns about the consistent failure to achieve satisfactory standards of administrative justice.[24] This is evident through unfair delays of applications, racist and discriminatory practices, and inconsistent application of the law.

While the number of applications received appears to have stabilized in recent years (Figure 1; note that these are *cumulative* statistics) and cannot be regarded as presenting a situation of "mass influx," as compared with other countries on the continent, the cumbersome system places a heavy burden on those struggling to re-establish their lives as refugees in South Africa.[25]

Of particular concern to human rights activists are the implications of the section 22 Asylum Seeker permit, issued in terms of the 1998 Refugees Act. Designed to deter "bogus" asylum claims, the permit removes the right to work and study for asylum seekers for the 180 days while the claim is being processed.[26] In this interim period, no social assistance is made available and the common refrain from asylum seekers is, "We are given a piece of paper from the Department of Home Affairs. Can we eat this piece of paper?"[27]
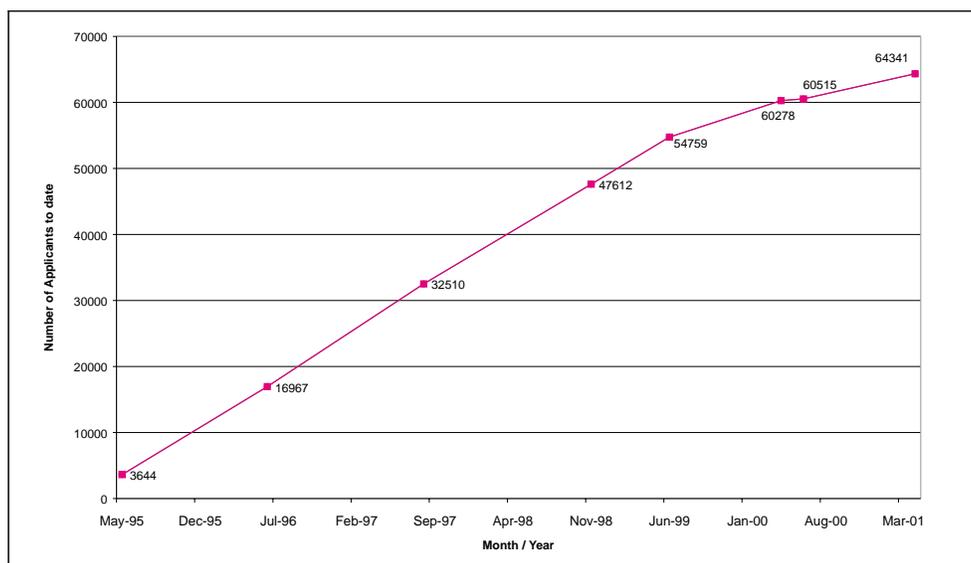

Figure 1: Applications Received to Date (1995-2001, cumulative)

Table 1
Refugee Applications in South Africa: 1995–2001 (Cumulative Statistics)

Source	Dated	Received	Approved	"Refused"*	Outstanding
UNHCR (State of the World's Refugees)	May 1995	3.644	383	517	2.744
DHA / UNHCR (recorded figures)	June 1996	16.967	1.915	5.649	9.403
DHA / UNHCR (recorded figures)	Aug. 1997	32.510	4.002	6.118	22.390
DHA **	Nov. 1998	47.612	7.927	19.031	20.654
DHA / UNHCR (recorded figures)	June 1999	54.759	8.504	25.020	21.235
DHA / UNHCR (recorded figures)	Apr. 2000	60.278	15.006	29.219	16.053
DHA / UNHCR (recorded figures)	June 2000	60.515	15.116	29.899	15.500
DHA / UNHCR (recorded figures)	Apr. 2001	64.341	17.198	34.184	12.959

* "Refused" includes: Rejected, cancelled, expired, withdrawn and manifestly unfounded applications
** Speech by Deputy Minister of Home Affairs to Parliament, November 5, 1998

With no access to social assistance and removal of the right to economic participation, asylum seekers find themselves in an alarming situation of "enforced destitution," denying them the ability to survive legally.[28] Once refugee status has been obtained, a number of barriers continue to impede the ability of refugees to integrate and meaningfully participate in society. There is a need for government to reconsider the inhumane restrictions that the section 22 permit imposes on asylum seekers and to address the issue of refugees and asylum seekers holistically. This requires commitment, through policy and information, to provide material assistance and support for asylum seekers and refugees that extends beyond the provision of legal protection.[29]

6. Racism and Xenophobia
On a spring day in September 1998, a horrifying incident took place on a train between Johannesburg and Pretoria. A mob of unemployed South Africans demonstrating against the presence of foreigners in South Africa murdered one Mozambican and two Senegalese asylum seekers, who were scraping a living selling sweets to passengers.[30] The public's response, however, was muted. The victims were black foreigners.

According to Okkoth-Obbo this is an alarming trend visible in many other African countries:

Xenophobia, hatred and intolerance against foreigners has mushroomed in Africa. Once renowned for the generous and hospitable manner in which it received refugees and foreigners, refugees and foreigners now often find that they have more to fear from the ordinary citizens than from agents of the state.[31]

Xenophobia, although a contested term, is widely defined as the irrational fear of the unknown, the fear or hatred of foreigners by nationals against non-nationals. Xenophobia is largely based on unfounded myths and stereotypes with foreigners scapegoated for domestic social and economic problems. In South Africa foreigners are blamed for the high crime rate, the HIV/AIDS pandemic, the high levels of unemployment, and the lack of social services. It would appear that in South Africa, foreigners and refugees fear both the ordinary citizens and agents of the state.

Xenophobia is manifested in a number of ways ranging from derogatory terms to unacceptable levels of violence against foreigners. Asylum seekers and refugees are in many ways particularly vulnerable since they are more obviously "distinguishable" from South Africans and furthermore are more "visible" because of their legal status.

There are a number of arguments/hypotheses as to why xenophobia is manifesting and growing in South Africa. Some will be mentioned here, bearing in mind that more comprehensive research is needed in this field.

South Africa's isolation
The xenophobic violence that South Africa is experiencing is in many ways a legacy of the country's racist history. It is also the product of a futile, isolationist policy designed to intimidate and control foreigners. South Africa's past exclusion from the international community has resulted in the inability to tolerate and accommodate difference. Hobsbawm describes xenophobia "as the

product of social transition, as a defence against the anxiety induced by 'the unknown'."[32]

Economic deprivation and scapegoating

Exploitative economic policies and continued wars and conflict have had a negative effect on the social and economic development of Africa with major implications for migration. Central to xenophobic tensions is the competition for scarce resources and the perception that non-nationals pose a significant threat in terms of limited opportunities and resources.[33] Added to this is the seemingly endless duration of conflicts in Africa leading to *compassion fatigue* and declined empathy in assisting refugees and asylum seekers. Some South Africans view the South African liberation struggle as a *real* struggle compared with ethnic and religious conflicts elsewhere on the continent.

When confronted with xenophobic violence, many whites do not perceive this issue as affecting their own security directly, and so tend to ignore it. This kind of response is reminiscent of the previous government's declarations describing most of the violence in the country as being "black on black." On the other hand, there are white South Africans claiming, in an odd kind of solidarity, that the government should put South Africans first, blaming foreigners for the country's social and economic ills – an argument that also provides a convenient distraction from discussions on economic redistribution.

Democracy, The Nation and 'Others'

South Africa, understandably, is in the process of constructing a national identity out of a violent and fractured past, contested between disparate cultures and communities. In this construction, Africa features prominently via the current South African President's African Renaissance ideal. These two processes, nation-building and Africa-building, operate simultaneously; but they are producing tensions and contradictions on the ground.[34]

In this new political landscape, the government is under pressure to deliver to a voting electorate. Voting populations have a growing sense of their rights and entitlements, thus laying claim to the limited socio-economic resources available. If foreigners are perceived as a threat to the development of the nation, it is easier for government departments, particularly with regard to migration policy, to pander to populist sentiments rather than be unequivocal in their commitment to human rights. Billy Masethla, the Director General of the Department of Home Affairs, concedes that the department "finds itself increasingly locked between, on the one hand, human rights considerations on the handling of these foreigners and, on the other, growing xenophobic attitudes towards them among South Africans."[35]

Xenophobia and Racism

As mentioned previously, South Africa has only recently emerged from a violent, racially divided past. According to Okkoth-Obbo, xenophobia typifies a society in contradiction with itself: "The point is that xenophobes demonstrate resistance to diversity not only of external origin, but internally as well."[36]

Crucial in constructing a nation is a common destiny. Governments trying to unite an internally fractured racist society may embark on a nation-building project that constructs the "insiders" as the nationals and the "outsiders" as the non-nationals. Yuval-Davis argues that the common destiny needs to be enhanced through the construction of a "symbolic border guard," the creation of boundaries dividing the world into "us" and "them."[37] Research in South Africa has shown that xenophobic attitudes are held at all levels of society across race, class, and gender divides.[38]

Lack of Knowledge

If knowledge is power, it is clear why South Africans and foreigners are disempowered in contemporary South Africa. Basic information—Who is a refugee? Who is a foreigner? Where do "they" come from? What are "they"' doing here? What are their rights in South Africa?—are not known, not only by the average South African, but also by key civil servants and law enforcement officials.

7. Institutionalized Racism and Xenophobia

There is a strong sensitivity in South Africa to claims of being racist; reactions are often hostile and deeply polarized. However, the screening of the police training video on national television was so utterly shocking that it did manage to stimulate some debate as to whether the incident smacked of racism, or (gruesome as it was) was just the latest in a series of anti-foreigner attacks.

Joyce Tlou, lawyer and national coordinator of the National Consortium on Refugee Affairs (NCRA) in South Africa, was unequivocal in her response: "black people felt very strongly that the issue is not about dogs and brutality but racism and that this is what should be addressed." The South African Human Rights Commission, in a press release on the incident, highlighted the links between racism and xenophobia:

The fact that the victims were black, foreign and may have been here without the proper authorisation obviously contributed to the police thinking that no matter what pain they inflicted, they would not be held accountable. There is a direct link between the alarming degree of xenophobia and racism prevailing in our society and

the existence of such beliefs in people who are entrusted with the job of upholding the law.[39]

Like violence in general, police brutality is an enduring problem in South Africa. The incident described at the beginning of this article, disturbing as it was, merely represents the tip of the iceberg, the latest in a flood of allegations that has overwhelmed the capacity of the South African Independent Complaints Directorate (ICD) monitoring the activities of the police in South Africa. The link between the brutality of the police and racism is also well established, the victims being almost invariably black and often treated in a racist manner, as both Tlou and international observers such as Human Rights Watch[40] and Amnesty International[41] have observed. It is therefore no coincidence that the *victims* of "xenophobic" attacks are, almost invariably, black people from African countries.

In March 2000, an exceptionally xenophobic exercise was undertaken by the South Africa Police Service (SAPS). Called Operation Crackdown, it propounded to be an anti-crime blitz with expressed goals to "thoroughly ventilate all criminal elements and illegal immigrants."[42] Targeting areas with large migrant communities such as Hillbrow, the Operation led to countless allegations of human rights abuses, including genuine refugee papers being destroyed and refugees being herded up and sent to the Lindela Deportation Camp.

Further incidences have sparked outrage within the South African community. On March 12, 2001, Sylvia Manda, a South African teacher in Hillbrow, was arrested, assaulted, and detained for several hours on suspicion of being an undocumented immigrant. When the police captain, Bongani Dube, was asked to elaborate on what grounds they suspected her of being an illegal immigrant [sic], Dube replied, "complexion, facial appearance, accent and her style of dressing."[43] The case of Sylvia Manda is not unique, with other darker-skinned South Africans reporting similar incidences. Operation Crackdown and cases such as that of Sylvia Manda have a further implication in reinforcing existing stereotypes of foreigners and criminality.

Another, less publicized, implication is the cost of human rights violations to the South African taxpayer: Sylvia Manda and many of the victims of Operation Crackdown have instituted civil claims against the police running into millions of rands.

Responsibility for attacks and hostility against foreigners does not lie on the doorstep of the police alone, however. Indeed, in democracies the world over, police and civil servants often mirror the sentiments of the general public as a kind of moral justification for their actions, and South Africa is no exception.

Civil servants provide the hands-on delivery, which is essential to implementation of policy. As the gatekeepers of access to legal documentation, safety and security, education, housing, and a host of other social services, civil servants are powerful figures in the lives of asylum seekers and refugees. Presently, the conduct of many government officials depends largely on individual feelings and opinions rather than on professional human rights conduct.[44]

Compounded by the lack of a coherent policy, inadequate information on the social and economic needs of refugee and asylum seekers, lack of knowledge by refugees and asylum seekers on their rights of access and, most especially, the hostility and negative attitudes that refugees and asylum seekers face when attempting to access government services, it is not surprising that an asylum seeker recently protested, "Xenophobia in the civilian population is almost easier to manage… It is the institutionalized xenophobia of government officials that leaves us feeling the most powerless."[45]

World Refugee Day, June 20, 2001, was used as an opportunity to engage government on some of the crucial legal, socio-economic, and safety concerns facing refugees and asylum seekers. A workshop titled "Refugee Life in South Africa: Building Partnerships towards Better Solutions" was planned as a follow-up to the South African National Conference on Racism held in September 2000. Article 30 of the South African Millennium Statement on Racism and Programme of Action states:

> Appropriate social assistance for asylum seekers and refugees needs to be considered in close co-operation with NGOs, which would help in their integration into South African society and increase their contribution in skills and expertise towards national development. The Conference calls for the development of closer co-operation between government, the National Consortium on Refugee Affairs and the UNCHR in order to co-ordinate improved services to asylum seekers and refugees.

The workshop brought together key government departments, NGOs, faith-based organizations, the NCRA, the Roll Back Xenophobia Campaign, and the UNHCR to begin deliberations on the policies of asylum and to consolidate processes needed to holistically address the grim realities facing refugees and asylum seekers. The workshop also addressed the barriers that racism and xenophobia pose in the access to quality services and integration into the South African society.

Furthermore the South African Police Service (SAPS) is currently working in partnership with human rights organizations[46] in a series of pilot workshops aimed at sensitizing the police to the rights of refugees and non-

nationals and the obligations of SAPS in ensuring their safety and security.

9. The World Conference against Racism in Durban

> The Conference condemns any form of co-operation with South Africa… the international community is exerting all its efforts toward the objective of completely isolating the racist regime of South Africa.[47]

These were the words of the Declaration and Programme of Action adopted at the World Conference to Combat Racism and Racial Discrimination 1983. Indeed almost the entire Declaration of 1983 was focussed on outrage against apartheid. It was therefore not subtle irony, but rather a continuation of the country's globally celebrated democracy, that brought the next World Conference to the "rainbow nation" of South Africa.

The World Conference Against Racism (WCAR),[48] accompanied by a parallel NGO Forum, was undoubtedly one of the most significant human rights events to take place at an international level in the last decade. It is perhaps for this reason alone that the number of items on the meeting's agenda proved to be so considerable, if not overwhelming, each item certainly worthy of a separate conference on its own. The significant media attention during the early stages of the conference was a positive illustration of the increased awareness of human rights issues since the last meeting, which took place in 1983. On the other hand, the large agenda was also a sad reflection that there continues to be a great deal of human rights abuse taking place around the world as well as a deepening dissatisfaction that past abuses remain unresolved.

It was unfortunate that considerable attention on the part of NGOs and the media focussed overwhelmingly on issues at the NGO Forum dealing with the situation in Israel / Palestine. The reactionary response by the United States and Israel of withdrawing their delegations in response to an NGO-produced Draft Declaration (soon followed by a drastic reduction in the delegations of European countries) was even more disappointing. These events had the impact of drawing attention away from the many other areas being positively addressed at WCAR, not least issues pertaining to the treatment of migrants, migrant workers, and refugees.

With regard to refugees and asylum seekers, it is interesting to note that in the 1983 Declaration refugees are largely referred to in the context of the anti-apartheid liberation struggle and those fleeing the racist South African regime of the day. The NGO document and Government Declaration of 2001 reflect widely applicable gains for migrants in particular, but also for refugees. The NGO document attempts to address the conference focus on racism by providing a specific acknowledgement of xenophobia as a particular form of discrimina-tion and intolerance experienced by people presumed to be foreign nationals.[49] Furthermore, detailed recommendations call for renewed commitment to equitable and non-discriminatory assistance for refugees in various regions of the world.

In the Final Declaration and Program of Action,[50] there are many references to the protection of migrants, migrant workers, and refugees. Of particular note is paragraph 16 of the Final Declaration:

> 16. We recognize that xenophobia against non-nationals, particularly migrants, refugees and asylum-seekers, constitutes one of the main sources of contemporary racism and that human rights violations against members of such groups occur widely in the context of discriminatory, xenophobic and racist practices

Of note to South African NGOs participating at the NGO Forum and the WCAR was the active international migrant caucus concentrating largely on the plight of migrant workers. The preparation and organization of the caucus highlighted the weaknesses of both the African region and the value of a focussed, internationally integrated caucus lobbying for refugees and asylum seekers in particular. Considering the massive refugee crisis facing the continent, the lack of participation by African NGOs in the meetings dealing with refugees and asylum seekers raised a number of questions about a lack of commitment to the issue, limited resources for organizations working in the field, and levels of disempowerment of the refugee community themselves to actively represent their issues at a forum of this nature. Gains made at the conference were largely due to a handful of committed activists who made particularly useful contributions.[51]

It is of course too early to predict with any certainty whether the principles contained in the "Durban Declaration" will translate into progressive, concrete actions on the part of states to address xenophobia and racist practices towards foreigners, though it is difficult to feel positive about the future. Our fear is that, on one hand, a true commitment to these principles on the part of states will prove to be increasingly elusive, as traditionally has been the case.

The fact that powerful states withdrew or drastically reduced the strength of their delegations early on in the conference was a grim message implying a serious lack of state commitment to these issues. On the other hand, progressive language on the rights of migrants and foreigners that was incorporated into the Declaration provides a potentially powerful tool for future advocacy.

The challenge is now on the part of the UN, NGOs, and progressively minded governments to advocate these principles in positive, creative ways. In South Africa, there is a small but vocal group including the South African Human Rights Commission, NGOs, and CBOs advocating for the rights of refugees in South Africa. In light of the above-mentioned observation, however, there is a need to lobby at regional and continental levels to ensure that the WCAR documents assist in halting the current erosion of refugee rights in the region and the continent.

10. Conclusions

Apportioning blame to foreigners for the considerable socio-economic problems of South Africa has perhaps been the most visible feature in the migration debate in South Africa, with very little put forward in the way of concrete, rights-regarding solutions. Advocacy organizations on behalf of foreigners have been small in number, facing seemingly insurmountable obstacles in their efforts to motivate for a rational policy and to change attitudes. Returning to a principled and pragmatic approach to migration policy, as advocated by the South African Draft Green Paper on International Migration and partly reflected in the Refugees Act, could be a way of reaffirming the country's commitment to social and economic development and human rights, and acknowledging the realities of *why* people move.

But whatever the change in policy may be, it is clear that it will have to be accompanied by a major change in attitude on the part of society and officials. Although the Roll Back Xenophobia Campaign[52] has made a number of significant gains in public awareness and education targeting civil servants, the police, and the general public, it will, however, take the overt support and commitment of senior government and political leaders to make a concerted impact at changing attitudes and mindsets.

Anti-xenophobia awareness campaigns aimed at changing society's perceptions need to be adequately resourced and developed, supported as well by expanding the targeted training of police officers, immigration officers, and civil servants. Attitudes need to be changed at their core, and racism in particular needs to be addressed at a fundamental level.

The experiences of other countries might be useful in this regard. As one police officer from the Netherlands (who participated in a training program in South Africa) has noted:

> police cultures have great similarities in democracies all over the world. It is a culture that often transcends national boundaries, and a proven way of addressing negative attitudes within the police is to improve professionalism in the force.[53]

In this context, promoting the exchange of officials between two countries dealing with the reception of migrants, and supporting collaborative training, might prove to be of great benefit.[54] International experience should be used for examples of best practices, without ignoring the specific nature of migration in South Africa.

A new migration policy in South Africa should represent a clean break from the country's racist past, focussing more on objective realities of the country's urgent labour requirements in the context of a human-rights-regarding society (as proposed by the Green Paper), and less on issues of security. International experience has demonstrated the overwhelming failure and cost of mechanisms aimed at control, and the great value of those aimed at stimulating development.

Changing attitudes and the implementation of policy is a much greater task. In our view, there must first be an honest assessment and acknowledgement of the *causes* of racist, xenophobic violence perpetrated against foreigners and the implications thereof.

This year (2001), with the international community gathering in Durban, South Africa, for the United Nations-sponsored International Conference on Racism and Xenophobia, provided an ideal opportunity for re-examining these issues, although as mentioned above it is unclear to what extent the progressive principles and program of action contained in the final declaration will translate into concrete results.

The signs are that this could prove to be a very difficult task indeed, further worsened by the attacks of September 11, 2001, in the United States.[55] Events that have followed have included numerous, shocking reports of a "backlash" against foreigners, particularly of Arabic and South Asian backgrounds, and nationals of Arabic and South Asian descent, including verbal and physical attacks and the desecration of mosques and businesses.

Finally, it has for some time been clear that governments hosting refugees and migrants are seeking to impose ever more restrictive policies regarding entry. The United States, which has traditionally pursued a policy of routinely detaining asylum seekers who spontaneously arrive and seek asylum, is now introducing even stronger mechanisms in regard to detention, measures to introduce tougher measures against undocumented arrivals,[56] and counter-terrorism measures that have (positively) been described as "draconian" by U.S. President Bush. While many of Australia's refugee activists were lobbying at the NGO forum, the Australian government was refusing Afghan asylum seekers entry to their ports. The situation for Afghan refugees has subsequently worsened with the closing of neighbouring borders in the wake of the threatened U.S. retaliation. These approaches to those seeking asylum highlight the

need for intensified, sympathetic, and sophisticated lobbying by human rights activists to reclaim and reaffirm the principles of the fledgling WCAR commitments.

Statements coming from the South African government, however, give us greater reason for hope. The government not only made considerable effort to try to convince governments not to withdraw their delegations from the WCAR, but in response to the events of September 11, the South African Ministry of Foreign Affairs has issued statements calling for restraint.[57] It is hoped that these same sentiments will be shared by the Ministry of Home Affairs (responsible for immigration and refugees) as well as the police and the South African public.

Relevant Web Links:

- Roll Back Xenophobia Campaign: <www.sahrc.org.za> and <www.lhr.org.za/rollback/rollback.htm>
- Information on the National Consortium on Refugee Affairs: <www.lhr.org.za/rollback/ncrainfo.htm>
- South African Human Rights Commission: <www.sahrc.org.za>
- Lawyers for Human Rights Refugee Rights Project: <www.lhr.org.za/refugee/refugeenav.htm>
- Southern African Migration Project: <www.queensu.ca/samp>

Notes

1. Mario Sevene, Mozambique Minister of Labour, reacting to the police dog "training video" portraying Mozambican nationals being set upon by dogs and police officers, PANA, Maputo, 9 November 2000.
2. Part of this section is drawn from J. Handmaker and K. Singh, "Crossing Borders" [draft work-in-progress, commissioned by the Research Unit on Law and Administration, Faculty of Law, University of Witwatersrand, May 2001].
3. It is by now very well established that this war, described by a U.S. State department official as "one of the most brutal holocausts against ordinary human beings since World War II" (Footnote 31 in Human Rights Watch *infra* note 21) was a conflict sponsored in part by the South African government itself.
4. Also, R. Danso and D. McDonald, *Writing Xenophobia: Immigration and the Press in Post-Apartheid South Africa,* ed. J Crush and D. McDonald, SAMP Migration Policy Series, paper no. 17 (Cape Town: Southern African Migration Project, 2000).
5. J. Crush, *Covert Operations: Clandestine Migration, Temporary Work and Immigration Policy in South Africa* (Cape Town: Southern African Migration Project, March 1997).
6. J. Crush, "The Discourse and Dimensions of Irregularity in Post-Apartheid South Africa" (1999) 37:1 International Migration 128.
7. *Ibid.* at 131.
8. South African Institute of Race Relations, *A Survey of Race Relations in South Africa* (Johannesburg: SAIRR, 1955–56, 1959–60, 1976, 1985). In 1986, influx control was abolished.
9. S. Peberdy and J. Crush, "Rooted in Racism: The Origins of the Aliens Control Act" in J. Crush, ed., *Beyond Control: Immigration & Human Rights in a Democratic South Africa* (Cape Town: Southern African Migration Project, 1998) 18–36.
10. B. Masethla, "Refugee Law, Policy and Practice in South Africa" (Presentation at a workshop titled Refugee Life in South Africa: Building Partnerships for Better Solutions, organized by the NCRA, RBX, and the UNHCR, on World Refugee Day, 20 June 2001) [unpublished].
11. G. Cawthra, *Policing South Africa* (Cape Town: David Philip, 1993) at 1.
12. *Illegal? Report on the apprehension and Detention of Suspected Undocumented Migrants* (Johannesburg: South African Human Rights Commission, February 1999), online <www.lhr.org.za/refugee/hrcreport.htm> See *infra* note 16.
13. Part of this section is drawn from both J. Handmaker and K. Singh, "Crossing Borders," *supra* note 2, and J. Handmaker, "No Easy Walk" *Africa Today* [forthcoming].
14. *Aliens Control Amendment Act No. 76 of 1996.*
15. J. Handmaker, "Who Determines Policy? Promoting the Right of Asylum in South Africa" (1999) 11:2 International Journal of Refugee Law 294.
16. *Ibid.*; see also *Illegal?.* This was also one of the results of a wide-ranging inquiry, which from March 1998 investigated the manner in which persons are apprehended and detained under the *Aliens Control Act.* Participating NGOs included Wits Law Clinic, Centre for Applied Legal Studies, and Lawyers for Human Rights.
17. J. Klaaren, "Immigration Law and the South African Constitution" in J. Crush, ed., *Beyond Control* (Cape Town: Southern African Migration Project, 1998), 55–78
18. Such an approach, which identifies asylum seekers as "bogus," has been condemned by the recently appointed United Nations High Commissioner for Refugees, Ruud Lubbers, in an editorial (19 June 2001) published in *The* Australian; online <www.theaustralian.news.com.au/common/story_page/0,5744,214 9170%255E7583,00.html>.
19. While most (including ourselves) would certainly support sanctions against people traffickers and unscrupulous employers, as we explain later, a policy based predominantly on punitive sanctions is unlikely to be successful. See B. Ghosh, *Huddled Masses and Uncertain Shores* (The Hague: Kluwer Law International, 1998).
20. B. Masethla, "Refugee Law, Policy and Practice in South Africa" (presentation at a workshop titled: Refugee Life in South Africa: Building Partnerships for Better Solutions, 20 June 2001).
21. Human Rights Watch, *Prohibited Persons: Abuse of Undocumented Migrants, Asylum Seekers, and Refugees in South Africa* (New York: Human Rights Watch, 1998) 170; J. Handmaker, "Who Determines Policy?" supra note 15 at 295.
22. J. Klaaren and C. Sprigman, "Refugee Status Determination Procedures in South African Law" (presentation at the conference Refugees in the New South Africa, organized by Lawyers for Human Rights, Pretoria, 27–29 March 1998) [unpublished].

23. In April 2000, there were around one hundred officials working within the Refugees Sub-Directorate of the Department of Home Affairs.

24. J. Klaaren and C. Sprigman, "Refugee Status Determination Procedures in South African Law" *supra* note 22; W. Kerfoot, "The Lack of Due Process in Asylum Determination in South Africa" (presentation at the conference Refugees in the New South Africa, organized by Lawyers for Human Rights, Pretoria, 27–29 March 1998) [unpublished]; and Z. Majodina, *Human Rights Implications of Refugee Protection* (presentation at a workshop titled Refugee Life in South Africa: Building Partnerships for Better Solution, 20 June 2001) [unpublished].

25. J. Handmaker, "Who Determines Policy", *ibid.* at 290.

26. According to the Jesuit Refugee Services, in reality it takes between eight and ten months, as the 180 days is calculated from the date of the first official interview.

27. Refugee participant in Roll Back Xenophobia Campaign workshop on the rights of women refugees, November 2000.

28. This situation is confirmed in a recent research report, F. Belvedere, P. Pigou, J. Handmaker, *Realising Rights: The development of health and welfare policies for asylum seekers and refugees in South Africa* (Johannesburg: Community Agency for Social Enquiry, May 2001). A similar view is held by R. Cholewinski, "Enforced Destitution of Asylum Seekers in the United Kingdom: The Denial of Fundamental Rights" (1998) 10:3 International Journal of Refuge Law 462.

29. A workshop was hosted by the NCRA, the Roll Back Xenophobia Campaign, and the UNHCR on World Refugee Day, 20 June 2001, to discuss issues of socio-economic rights of refugees and asylum seekers. It brought together government departments, NGOs, faith-based organizations, and others to look at a holistic and co-operative approach. A process will be initiated for government to begin playing its rightful role in supporting refugees.

30. "Train from hell to Irene Station" *Pretoria News* (4 September 1998).

31. G. Okkoth-Obbo, "Does Refugee Protection in Africa Need Mediation?' (2000) 19:3 Track Two: Refugees, Conflict and Conflict Resolution 40.

32. In B. Harris, *A Foreign Space: Migration, Violence and Identity in a New Nation* (2000) [unpublished; Centre for the Study of Violence and Reconciliation].

33. V. Williams, "In Need of Protection: Good Policy versus Harsh Reality for Refugees in South Africa" (2000) 9:3 Track Two: Refugees, Conflict and Conflict Resolution 9.

34. G. Reagon and J. Parsley, "Borderlines: Xenophobia… A New Racism? Challenges for the South Africa Media" (2000) [unpublished, Submission to the SAHRC Hearings into Racism in the Media].

35. *Ibid.*, cit 35.

36. G. Okkoth-Obbo, "Does Refugee Protection in Africa Need Mediation?" (2000) 19:3 Track Two: Refugees, Conflict and Conflict Resolution

37. N. Yuval-Davis, *Gender and Nation* (Cape Town: Sage publications, 1997).

38. R. Mattes *et al.*, *Still Waiting for the Barbarians; South Africa Attitudes to Immigrants and Immigration,* SAMP Policy Series, paper no. 14 (Cape Town: Southern African Migration Project, 1999).

39. South African Human Rights Commission, Press Release in response to SAPS dog attack on non-nationals, "A 'dog eat dog' world ??" (17 November 2000).

40. Human Rights Watch, *supra* note 21, at 119.

41. Amnesty International, London, Press Release, "South Africa: Amnesty International welcomes Government action against racially-motivated violence by police" (8 November 2000).

42. H. Radebe, "Time we became a bit more neighbourly" *The [Johannesburg] Star Newspaper,* (March 2000).

43. M. Monare, "Cops Assault Teacher Facing Suspension" *The [Johannesburg]Star Newspaper* (13 March 2001).

44. The Roll Back Xenophobia Campaign, Braamfontein Statement (1998) and National Plan of Action; Racism and Xenophobia: A Violation of Human Rights, by the South African Human Rights Commission, produced by the National Consortium on Refugee Affairs and the UNHCR; online: <www.sahrc.org> and <www.lhr.org.za/rollback/rollback.htm>.

45. Asylum seeker speaking at a Roll Back Xenophobia Campaign media seminar titled Conflict in Africa and the Implications for Refugee Movements, 18 June 2001.

46. The project is a partnership between the Roll Back Xenophobia Campaign, Lawyers for Human Rights, the Centre for the Study of Violence and Reconciliation, and the South African Human Rights Commission's National Centre for Human Rights Training and Education.

47. Second United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Geneva, 1983.

48. Third United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, 31 August – 8 September 2001.

49. WCAR NGO Forum Declaration, 3 September 2001.

50. "Declaration and Programme of Action," World Conference Against Racism, Xenophobia and Related Intolerances, Durban, 24 September 2001, Agenda item 9 (to be passed as a General Assembly Resolution in the UN).

51. It is well worth noting the considerable input provided by international NGO Human Rights Watch, whose documentation was widely used by South African and other NGOs working on refugee and migrant issues as a basis for their own advocacy campaigns. For further information see online: <www.hrw.org>.

52. The Roll Back Xenophobia Campaign was launched in December 1998 in response to the rising levels of xenophobia evident in South Africa. It is a partnership project between the South African Human Rights Commission, the National Consortium on Refugee Affairs, and the UNHCR.

53. Statement by Rob Ruts, senior partner at Ennea consultants and head of the Expert Centre on Community Policing of the National Police Training Institute in The Netherlands, in a discussion with J. Handmaker, 17 May 2001.

54. As Ruts (*ibid.*) has also noted, addressing attitudes amongst officials goes hand in hand with the need to address corruption, though this is nearly impossible to tackle if the police officers responsible are barely able to make a living on their existing salary. Strategies to improve accountability and reduce corruption, therefore, need to be tied to improvements in the working conditions of the police (including remuneration).

55. We of course refer to the terrorist attacks against the World Trade Center in New York City and the Pentagon in Washington, D.C., on 11 September 2001.

56. For a recent and useful review of U.S. policies on border control, see P. Martin, B. L. Lowell, and E. Taylor, "Migration Outcomes of Guest Worker and Free Trade Regimes: The Case of Mexico – US Migration" in B. Ghosh, ed., *Managing Migration* (Oxford: Oxford University Press, 2000).

57. "Pahad asks US to use restraint' *Pretoria News* (19 September 2001).

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The views expressed in this paper are those of the authors and do not necessarily reflect the official position of the Roll Back Xenophobia Campaign partner organizations.

German Expellee Organizations between "Homeland" and "At Home": A Case Study of the Politics of Belonging

Stefan Wolff

Abstract

Since the expulsion of more than ten million ethnic Germans from Central and Eastern Europe after the end of the Second World War, the political and cultural organizations of the expellees have advocated the interests of this segment of the Federal Republic's population. The article examines the various ways in which activists in the expellee organizations have used the ambiguity of homeland and belonging in the political process in Germany and increasingly in Europe to further a political agenda that, while it has undergone major changes, remains deeply problematic in some of its objectives and many of its implications.

Résumé

Depuis l'expulsion de plus de 10 millions de personnes d'ethnie allemande d'Europe Centrale et d'Europe de l'Est après la fin de la deuxième Guerre mondiale, les organisations politiques et culturelles des expulsés ont milité en faveur de cette section de la population de la République Fédérale. L'article examine comment les activistes appartenant aux organisations des expulsés ont profité de l'ambiguïté entourant les concepts de patrie et d'appartenance dans le cadre des processus politiques en Allemagne et, de plus en plus, dans le reste de l'Europe, pour faire avancer un agenda politique qui, même s'il a connu des changements majeurs, reste toujours extrêmement problématique par rapport à certains de ses objectifs et plusieurs de ses implications.

Introduction

Between 1945 and 1950, one of the largest forced migrations in European history took place: as a consequence of the Second World War almost fourteen million ethnic Germans fled or were expelled from their traditional homelands in Central and Eastern Europe.[1] Of the survivors, approximately two-thirds were resettled in the American and British zones of occupation, and one-third in the Soviet zone. Thus, the population of the newly established Federal Republic of Germany comprised around one-sixth of people whose geographic and cultural background, although not homogeneous in itself, was significantly different from that of their new environment, and who had recently experienced uprooting and expulsion from their homeland.[2] Therefore, and because of their large numbers and widespread distribution across occupied Germany, the expellees were visible victims themselves, but their very presence also increased the self-perception of victimhood among the indigenous population who were required to share with them what little was available in terms of food and shelter. The belonging of the expellees to the re-emerging German polity was therefore not uncontested in the beginning, precisely because the expellees themselves as well as the indigenous population did not perceive those parts of Germany to which the expellees had come to be their homeland. Thus, the sense of victimhood among the expellees differed in another crucial respect from that of the rest of the German population: the loss of their homeland. This dimension has subsequently provided an additional impetus for a collective

identity to be formed among refugees and expellees from very diverse countries in Central and Eastern Europe.

The resultant politics of homeland also became a politics of belonging rooted in a certain sense of (deliberate) ambiguity of what and where the expellees' homeland was, and how and where they belonged. This ambiguity has proven to be a salient factor and can explain why, despite the fact that the integration of the expellees was more or less completed by the late 1950s, a so-called expellee identity remained a political factor to be reckoned with—particularly in relation to the reconciliation process between Germany and its neighbours in Central and Eastern Europe, well into the twenty-first century.

In the following, I will examine the various ways in which activists in the expellee organisations have used the ambiguity of homeland and belonging in the political process in Germany and increasingly in Europe to further a political agenda that, while it has undergone major changes, remains deeply problematic in some of its objectives and many of its implications.

After a brief theoretical exploration of the concepts of homeland and belonging in the context of forced migrations, I proceed chronologically in my analysis of the policies of the expellee organizations over the past half-century, paying particular attention to the domestic political process in Germany and to the country's relationship with Poland and the Czech Republic. I conclude with some general observations on the likely future significance of homeland and belonging.

Conceptualizing Belonging

That "identity and belonging are . . . potentially divisive" is an observation made by Anthony Giddens in his seminal work *The Third Way*.[3] This divisiveness is a result of another, and equally fundamental, function of identity and belonging, namely to express bonds between certain people but not others. Furthermore, there is also a relationship between identity and belonging: without identity, there is no belonging. In this way, identity, both as a self- and other-assigned category, determines where people belong, or to use a phrase coined by Ignatieff "belonging ... means being recognised and being understood."[4] This fundamental socio-psychological need for recognition and understanding is all the more important in circumstances of forced migration because the sense of belonging, not just to a particular community, but also to a specific place, is brutally disrupted, and the reason for this disruption is often located by the perpetrators of forced migration in the particular community's ethnic or national identity. It is the very purpose of forced migrations to destroy the physical connection of community and place. As such, forced migration is the result of the struggle between two mutually exclusive conceptions of belonging: those who are perceived not to belong to the (territorially) defined community are expelled, regardless of whether they feel they belong to the contested piece of land as much as it belongs to them. Since for most communities place is a crucial component of their identity, the loss of spatial attachment makes their identity incomplete. Until a new place can fill this gap, i.e., become a new source of identification, there will always be some longing for return to the homeland, for its repossession by the community forced from it.

The often problematic implication of this is perhaps best described as "the extreme ambiguity of place as a political guide."[5] A lost homeland is a powerful source of political mobilization and action, and the assertion of a right to this homeland can manifest itself in policy agendas of reconquest, return, and the preservation of the homeland's "ethnic" characteristics. Even if claims to the lost homeland are merely "theoretical," because there is no real opportunity ever to realize them, they play an essential role in the preservation of the community's identity and thus of the community as a distinct collective. Especially in relation to ethnically motivated forced migrations, the preservation of an identity that can continue to hold an expelled community together is crucially related to territory. No political entrepreneur that depends on the existence of an ethnically/nationally defined community will be able to "instil in people a sense of kinship and brotherhood without attaching them to a place that they feel is theirs, a homeland that is theirs by right of history."[6] In turn, then, the preservation of this bond to "the historic land, the land of past generations, the land that saw the flowering of the nation's genius"[7] is the key condition for the continued existence of his/her specific constituency, and it is therefore in the political entrepreneur's foremost interest to keep the sense of loss, but also a sense of provisionality, i.e., a sense of the ultimate possibility of return to the lost homeland, alive. The politics of belonging, as well as the politics of homeland, is therefore as much opportunistic calculation about power as it is an expression of primordial dimensions of ethnic identity.

However, there is another aspect of the "extreme ambiguity of place as political guide" that deserves attention. If belonging is "first and foremost about protection from violence," or in other words, if "where you belong is where you are safe and where you are safe is where you belong,"[8] the forceful disruption of the physical link between a community and its homeland can equally eliminate the (lost) homeland as a focus of the community's identity in the sense of a desirable place to return. Rather, successful integration into another safe place can create a new sense of belonging. At its best, integration would make belonging irrelevant in the sense that it is

no longer an issue because protection (and other state services) can be taken for granted, because cultural diversity, if there is any, does not matter politically, and because the belonging of those who lost their homeland is not contested by anyone. In the face of such a "new homeland" becoming a source of identification, the wish to return to the lost homeland, if it continues to exist at all, becomes strictly conditional. One scenario of possible return would be to extend the achieved degree of protection to the past homeland through reconquest and the elimination of any threat by its new inhabitants (through expulsion, oppression, consociation, etc.). Another scenario would be a fundamental change of the political conditions in the homeland that would make it safe to return there. A third scenario is likely in cases where the expulsion of the community in question has only been partial, that is, parts of the community have been able to remain in the homeland. Then it is also possible that the homeland retains its relevance for individual and collective identities if the expellee community can maintain ties with the "homeland community" and thus with the homeland itself. These scenarios may change over time and may take any of the above forms, but more importantly may also manifest themselves in "homeland tourism," and in initiatives supporting those members of the community who still live in the homeland as well as in efforts to preserve the "ethnic character" of the homeland.[9] If none of these scenarios is perceived to be realistic, the lost homeland will gradually lose its importance as a focus of identity. As this runs counter to the interests of political entrepreneurs who can only thrive as "representatives" of an actually existing community, they will deploy all their skills and resources to ensure that at least one scenario continues to be perceived as realistic.

However, even if they fail in doing so, a lost homeland can retain its identity-forming capacity. Not only will there always be certain historic memories of the community associated with it, the actual loss of it, i.e., the event of the forced migration from the homeland, provides a no-less-powerful source of identification with, and belonging to, a community of people that have suffered a similarly traumatic experience. Political agendas resulting from such a conception of the lost homeland are likely to include claims for compensation for material losses and suffering, but equally important claims for recognition and acknowledgement of such losses and suffering. Especially when the physical homeland has "lost its attraction," symbolic politics of homeland and belonging can be similarly potent sources of political mobilization, providing political entrepreneurs with the power base they seek. Yet, even such more symbolic forms of the politics of homeland and belonging cannot do without reference to the continued existence of the homeland, even if it is beyond the grasp and reach of the community in question. Thus, no matter whether it is the physical recovery of the homeland or the symbolic

and/or compensatory recognition of its loss, the politics of belonging always is, at least partly, also the politics of homeland.

In the context of forced migrations, belonging is the result of a multitude of complex past and present social and political processes. It is a multi-dimensional phenomenon rooted in temporal and spatial conceptions of ethnicity and nationhood, while equally being a product of political entrepreneurship championing or exploiting feelings of resentment or entitlement, grief or injustice. The case of the German expellee organizations is a good example to demonstrate the significance of the notion of homeland and its relationship with other dimensions in the politics of belonging. In order to maintain a sense of community among the millions of expellees, their most active political entrepreneurs developed two distinct yet closely connected meanings of the notion of belonging. On the one hand, "belonging" came to signify that the expellees belonged to the (West) German state and cultural nation, establishing a political-legal connection between them and the society to which they had come, which entitled them not only to full citizenship rights, but also to a variety of compensation measures. With citizenship came voting rights, and with voting rights came the recognition by politicians that expellees were an important constituency whose vote made a difference in local, state, and federal elections, giving the expellee organizations important leverage over a number of domestic and foreign policy issues, the latter particularly connected to their former homelands. The other meaning that "belonging" acquired in this specific context is best described in terms of "ethnic ownership," i.e., the belief that the lost homelands of the expellees continue to belong to them on the basis of historic, ethnic rights. This insistence on the inalienable right to their homeland has manifested itself in claims for the possibility of returning there and for compensation for losses and suffering. The public debates, or lack thereof, that address these issues of belonging have affected the formulation and outcomes of policies over the past half-century to varying degrees. The notion of belonging in its various dimensions has been used by the political representatives of the German expellees to further their and their constituency's objectives. Their opportunities to realize these objectives have been determined by political dynamics in Germany and Europe on which the expellee organizations have had only little or no influence. However, by focusing on domestic issues, as well as aspects of foreign relations between Germany, Poland, and Czechoslovakia/the Czech Republic, I will show that the political role of these organizations in shaping pre-

1989 and post-1989 developments in Germany and Europe must not be underestimated.

Forging and Institutionalizing a New Collective Identity

The social, economic, and political reconstruction of West Germany was the major domestic issue in the immediate post-war period, and the millions of expellees played an important part in this effort, contributing, in particular, to modernization and structural changes in underdeveloped and rural areas to which many of them had been resettled. This proactive integration signified that the expellees considered themselves as belonging to the polity of the emerging West German state. Some of their leading representatives had quickly risen in the hierarchies of the major political parties and played an important role in shaping specific legislative and policy measures aimed at expellee integration, such as the 1952 *Lastenausgleichsgesetz* (War Burden Redistribution Act) and the 1953 *Bundesvertriebenengesetz* (Federal Expellee and Refugee Law). These measures reflected the political will to integrate the expellees both economically and politically, and thus mirrored their perception of belonging.[10] Apart from providing the legal basis for the social and economic integration of the expellees, the two laws legally defined the category of an expellee, thus shaping the notion of belonging to this particular collective in the public and political spheres in terms of the loss of homeland as a consequence of expulsion (defined as both deportation and flight) and in terms of a consequential entitlement to specific measures of integration and compensation.

The importance for the expellee organizations and their constituency of realizing this perception of belonging was also highlighted in the 1950 Charter of the German Expellees, in which three of the four central demands are about the expellees' integration into the West German state.[11] By the time this charter was formulated, the expellees had already overcome the resistance of the Western Allies to allow them the creation of their own political and cultural organizations. From 1949 onwards, these began to develop in a dual structure. The Central Union of Expelled Germans (*Zentralverband vertriebener Deutscher*, or ZvD) was founded in April 1949 and renamed in 1951 to Union of Expelled Germans (*Bund vertriebener Deutscher*, or BvD). It focussed its activities on the social and economic issues of integration. At the party-political level, this had its equivalent in the Union of Expellees and Disenfranchised/All-German Union (*Bund der Heimatvertriebenen und Entrechteten/Gesamtdeutscher Bund*, or BHE/GB), which was represented in the German federal parliament, the Bundestag, between 1950 and 1957 and was part of the government between 1953 and 1955. Concerned with the preservation of the cultural heritage of the expellees, the Union of Eastern German Regional-Cultural Associations (*Verband der ostdeut-*

schen Landsmannschaften, or VoL) was founded in August 1949 and, after the admission of further regional-cultural associations from southeastern Europe, renamed in 1952 to Union of Regional-Cultural Associations (*Verband der Landsmannschaften,* or VdL).

This dual focus of activities reflected not only the key interests of the majority of expellees, but was also an expression of an ambiguous sense of belonging. Deriving from their experience of loss and suffering, the demands for compensation and integration represented the desire to belong to the West German polity; that is, to be acknowledged and accepted as a member of the political, social, economic, and territorial community of citizens of the Federal Republic. In contrast, the wish to preserve a specific cultural heritage and to maintain as many links as possible among themselves and with their traditional homelands had its basis in the particular cultural and geographic backgrounds that distinguished the expellees from the indigenous population. It is also evidence of the preservation of a sense of belonging that is focussed on the lost homeland both from a territorial and a socio-cultural perspective.[12]

Shifting the Focus of Belonging (I): From Membership to Ownership

Because of the strong commitment of politicians across all parties, the interests of the western allies, and the proactive involvement of the expellees themselves, integration proceeded rapidly and was, for the most part, concluded by the late 1950s. This meant that one key feature (the demand for integration) of the expellee identity ceased to function as a mark of distinction and an effective source of mobilization. With belonging to the West German polity no longer contested, the issue vanished from the political arena. This was reflected in the failure of the BHE/GB to overcome the five per cent threshold in the 1957 federal elections, and in the political integration of many leading expellee activists into the major political parties that had already begun much earlier. The loss of this focal point and organizational vehicle of collective identity further meant that one crucial unifying aspect that had held expellees together despite their diverse cultural, geographic, and political backgrounds had disappeared. Consequently, the diversity of ideological and cultural traditions within the expellee community posed an increasing threat of disintegration. Thus, the notion of belonging had to be reshaped, institutionally as well as discursively.

The institutional change took place in 1958–59 when the previous duality of organization was overcome and the merger of the VdL with the BvD resulted in the

creation of a new organization, namely the Union of Expellees/United Regional-Cultural Associations and State Organisations (*Bund der Vetriebenen B Vereinigte Landsmannschaften und Landesverbände,* or BdV). This is an umbrella organization of the various regional-cultural associations (twenty-one), the state branches of the BdV (sixteen since 1990), and its associated organizations (five).[13] The BdV started out primarily as a lobby organization at federal and state levels. With its increasing political and public marginalization from the late 1960s onwards, it lost much of its influence and had to redefine its tasks. It expanded into the social sector, working especially with ethnic Germans migrating to Germany (the so-called *Aussiedler*) and, from the mid- to late 1980s onwards, establishing more and more cross-border contacts in the former homelands of the expellees.

Organizational restructuring went hand in hand with the discursive redefinition of belonging, which was at the same time the main source for the BdV's political marginalization. With the success of integration, the main focus of belonging switched from membership in the West German polity to the notion of ethnic ownership of the lost homelands of the expellees. This notion conceptualizes territory as place rather than as a tradable commodity and therefore implies that the entitlement of an ethnic group to live in and shape a specific territory, which is its place of origin, is independent of political boundaries and legal titles to property and land. In particular, the organizations representing the expellees from the Sudetenland and from the former eastern territories of the German Reich have subscribed to this conception of their former homelands. Increasingly, they became focussed on the only vaguely defined "right to the homeland." Simultaneously, however, they also began to formulate more pronounced claims for the restitution of property there and compensation for the suffering incurred as a consequence of the expulsion. These were not new elements in the rhetoric of the BdV, but earlier they had been counterbalanced in the BdV's public rhetoric by the notion of belonging focussed on integration. The notion of ethnic ownership became all the more prominent in the message of the BdV the more its implications were denounced in the political discourse and in the foreign policies of the Federal Republic after the change in government in 1969. This marked a political watershed in German politics, as for the first time since the end of the Second World War a centre-left government came to power. The impact on the expellee organizations was equally significant. Already the great coalition between the conservative Christian Democratic Union (CDU) and the Social Democratic Party (SPD) after 1966 had signalled a change in Germany's domestic and foreign policy with regard to the expellee issue. However, the period after 1969 saw a full-scale implementation of the new *Ostpolitik* (foreign policy towards Central and Eastern Europe), conceptually devised in the early 1960s by Egon Bahr on the premise that change in Central and Eastern Europe could best be affected by Germany through a policy of rapprochement that would require a recognition of the territorial status quo and efforts at reconciliation, in particular with Poland and Czechoslovakia. The treaties with both countries, in 1970 and 1973, respectively, signalled a paradigm shift in German policy and were widely denounced in the expellee community as betraying the legacy of those who were forced out of their ancestral homelands. From this perspective, belonging as the entitlement to equal rights and participation in the West German polity was not simply no longer an issue of struggling for integration, it became also, in a way, undesirable; the BdV leadership did everything to dissociate itself from this kind of mainstream politics in Germany that aimed at reconciliation with the countries in Central and Eastern Europe, including an acknowledgement of the territorial status quo.[14]

In this context, it was also important that a political left-right divide over the expellee issue began to emerge more clearly. Until the late 1960s, expellees were politically active in all the major political parties and were able to influence their agendas.[15] However, the death in 1966 of Wenzel Jacksch, the former leader of the Sudeten German Social Democratic Party, deprived the expellees of one of their most prolific public figures in general and of their most vocal member of the SPD. Other expellees, like Herbert Hupka, later a CDU member of the Bundestag, were quickly sidelined and left the SPD either to withdraw from public politics or to join other parties. The political left in Germany found it increasingly difficult to come to terms with the issue of the expulsions and began to marginalize it in its own discourse and more and more from the public discourse as well. This was facilitated by the relative success of the integration of the expellees and the declining importance of the issue for the general public. With the exception of Bavaria, a Sudeten German stronghold to this day, there was electorally little to gain from focussing on the expulsions after the mid-1960s, and the expellees found fewer and fewer credible public fora to voice their concerns. Consequently, the predominant tendency from the late 1960s and early 1970s was for them to withdraw to ever more extreme positions that found little favour even with the mainstream of the CDU. The long-term consequence of this was that both political and academic work on the expulsions became associated with right-wing politics, so that it was almost impossible until the mid- to late 1980s to find any objective treatment of the issue from the traditional left in Germany.[16]

Inevitably, this led to alienation between the leaders of the expellee organization and successive German governments until the early 1990s,[17] and it meant that expellee activists acquired a public reputation for harming and actively seeking to destroy the reconciliation process with Central and Eastern Europe.[18] It also resulted in a gap between the public discourse conducted by leading expellee activists and the objectives and activities of the organization's membership. The former continued to insist on the openness of the German-Polish border question, the need for an institutionalized right to return to the expellees' homelands, and their entitlement to the restitution of property and compensation from the states from which they were expelled (especially from Poland and Czechoslovakia). In contrast, "ordinary" expellees and their children and grandchildren had, at least since the middle of the 1980s, become engaged in the establishing of cross-border contacts with the people living in their former homelands. This included various privately funded and organized aid programs aimed at ethnic Germans who had stayed in their places of origin as well as at members of other ethnic communities, including the titular nations of these countries. Despite the rhetoric of some hardliners, there was, and is, no widespread desire among expellees and their children and grandchildren to return to their places of origin and permanently settle there.[19]

The collapse of communism in Central and Eastern Europe in 1989–90 offered new and different opportunities for the politics of belonging. To some extent, history repeated itself as belonging once again became an issue of membership in the German nation and of integration for several hundred thousand ethnic Germans, particularly from Poland and Romania, who migrated to the Federal Republic. For the first time in many decades, ethnic Germans from the (former) Soviet Union were also able to emigrate to Germany in large numbers. More importantly, the leadership of the expellee organizations saw the dawn of an unprecedented opportunity to pursue a reinvigorated politics of belonging focussed on the lost homeland. While it was the policy of the West German government to achieve the unification of the two German states even at the price of finally formally abandoning all territorial claims and guaranteeing the eastern borders of East Germany as those of the united Germany, activists of the expellee organizations tried to stage a referendum in Poland under the slogan "Peace through Free Choice." Suggesting that there was still a possibility for border changes, this raised completely unrealistic hopes among many members of the German minority in Poland, particularly in Upper Silesia where the response to the signature campaign in support of the referendum had been strong. Yet, it proved how unrealistic these hopes had been when Chancellor Kohl declared, at an event celebrating the fortieth anniversary of the Charter of the German Expellees in 1990, that the recognition of the Oder-Neisse line as Ger-

many's eastern frontier was the price that had to be paid for the reunification of Germany.[20] While this did not stop expellee activists from continuing to pursue their particular politics of belonging, it forced them to rethink and adjust their agenda. Yet this was a gradual process.

Even though, for historical reasons, a border question similar to that between Germany and Poland never existed in the relationship between the Federal Republic and Czechoslovakia/the Czech Republic, the rhetoric of expellee activists has, if anything, been more aggressive on the Sudeten German issue in the early 1990s, demanding "unlimited sovereignty" for Sudeten Germans in their homeland[21] and rejecting the "belonging of the Sudetenland to any Czechoslovak state."[22] Since then, the rhetoric has changed in its tone, but not necessarily in its objectives. The newly elected Speaker of the Sudeten Germans, Bavarian Parliament President Johann Böhm, emphasized in his address to the Sudeten German Day in 2000 that demands for territorial autonomy were unlikely to succeed, nor, if successful, could they be implemented by the Sudeten Germans in a meaningful way. Yet, he added that personal autonomy[23] still was an appropriate demand, both more likely to succeed and more useful for the remaining ethnic Germans in the Czech Republic "as well as for any returnees, no matter how many or how few these may be."[24]

Clearly, the rhetoric and policies of the BdV in the early 1990s did not strike a positive cord with the German or the Czechoslovak and Polish governments. However, from around 1993 onwards, the political leadership of the expellee organizations adopted more conciliatory policies. The reason for this was partly that the German federal government had made further funding of the organizations dependent upon their participation in a policy of what could be called constructive reconciliation.[25] This meant that the expellee organizations would be included in the government's various aid programs to stabilize and improve the living conditions of ethnic Germans in their homelands,[26] and it thus offered them wider opportunities to reach out to their places of origin, which was particularly welcomed by rank and file members, many of whom had done exactly that for many years, but without anything similar to the resources available to them now.[27] Nevertheless, the relationship with Poland in particular became more relaxed, and representatives of the expellee organizations were received by the Polish Prime Minister and high-ranking government officials in the mid-1990s.[28]

Relations with the Czech Republic, in contrast, did not develop as smoothly. Despite the signing of the Treaty on Good Neighbourly and Friendly Relations in

1993, a variety of issues remained unresolved and continued to complicate bilateral relations. A renewed attempt to overcome the difficulties was made with the German-Czech Declaration of 1997. Signed after years of negotiations on January 21, 1997, it highlighted that the two governments could only agree on very little in relation to the two most critical issues: the role of the Sudeten Germans in the break-up of Czechoslovakia in 1938 and their collective victimization and expulsion after the end of the Second World War. The German government accepted the responsibility of Germany in the developments leading up to the Munich Agreement and the destruction of Czechoslovakia, expressed its deep sorrow over the suffering of Czechs during the Nazi occupation of their country, and acknowledged that it was these two issues that had prepared the ground for the post-war treatment and expulsion of members of the German minority in the country. The Czech government, on the other hand, regretted the post-war policy vis-à-vis ethnic Germans, which had resulted in the expulsion of a large section of the German minority and expropriation of their property. Both governments agreed that the remaining members of the German minority in the Czech Republic and the expellees and their descendants would play an important role in the future relationship of the two countries and that the support of the German minority in the Czech Republic was a matter of mutual interest. While many of the expelled Sudeten Germans and their descendants remained skeptical about the value of the Declaration,[29] it did acknowledge and legitimize certain long-standing aspects of the politics of belonging pursued by all expellee organizations. The Declaration recognized not only the fact of the expulsions, it also implied an acceptance of its injustice and of the victimization of innocent people. This would become a major issue in the politics of belonging in the years after 1997 when the notion of victimhood would regain its post-war prominence in a different context.

Shifting the Focus of Belonging (II): Reshaping Victimhood

From the perspective of the German government, the politics of belonging, as related to expellees and ethnic Germans in Central and Eastern Europe, still concerned membership and integration: expellees and their representatives were members of the political process and could, under certain circumstances, fulfill a useful role in the process of reconciliation with the country's eastern neighbours. Ethnic Germans in these countries were still considered members of the German cultural nation, which entitled them to certain benefits, even if these benefits no longer automatically included the entitlement to German citizenship. Those who were allowed into the country needed to be integrated socially, politically, and economically, just like the expellees after 1945.

In contrast, the expellee organizations pursued a different course of action.[30] Their leadership had for years reconceptualized "belonging" to include a sense of ethnic ownership, and sought to capitalize on the opportunities offered by the transition in Central and Eastern Europe and the ensuing reconciliation process. Thus, the concept of ethnic ownership became more and more clearly shaped, and with it the goals that expellee organizations sought to realize through the politics of belonging. These goals are defined by expellee activists as a right to return (permanently) to their former homelands, and the entitlement to compensation for their suffering and to restitution of expropriated property. In realizing this particular conception of the politics of belonging, the expellee organizations have been presented with unprecedented opportunities in the past several years that allowed them to attach their demands to the bandwagon of mainstream (institutional) politics and win some "mindshare" in the public discourse. The first of these opportunities presented itself in the form of the ethnic cleansing in Kosovo, the second in the form of several successful class actions in the United States, and threats thereof, aimed at compensation for forced labour during the Second World War, and the third in the form of the European Union enlargement process.

The conflict in Kosovo with its large-scale population displacements, and subsequent international intervention to reverse them, in more than one way resembled what many expellees had experienced themselves, but also symbolized the hopes of some of them, namely, the international recognition and enforcement of the right of people not to be expelled from their homeland, or at least to return to it if an expulsion could not be prevented. Pictures from Kosovo also brought home to many others, in Germany and elsewhere, the horrors of refugee tracks, sparking a broad public debate on an issue that had, for the most part, been deliberately ignored in the German media. By comparing, and linking, their own plight to that of Kosovo Albanians, expellee organizations managed to align themselves with a political strategy that was beyond moral reproach: that of preventing, or reversing, ethnic cleansing. By supporting the policy of Germany during the conflict, the expellee organizations sought to prepare the ground upon which they then could reopen the debate on their own suffering more than fifty years earlier. Already in 1995, the expellee organizations saw their cause recognized at higher international levels when the then UN High Commissioner on Human Rights, José Ayala Lasso, emphasized in a speech in the Paulskirche in Frankfurt that the right not to be expelled from one's homeland was a funda-

mental human right and noted that, while the peoples in Central and Eastern Europe had suffered terribly under German occupation during the Second World War and thus had a legitimate claim to reparations, such claims "must not be realized through collective victimization on the basis of general discrimination and without the thorough investigation of individual guilt."[31] Even more relevant to the current political agenda of the leadership of the expellee organizations was a report of the UN Commission on Human Rights, entitled *Human Rights and Population Transfer*. In its Annex II, it included a Draft Declaration on Population Transfer and the Implantation of Settlers, which stated in Article 8 that:

"[e]very person has the right to return voluntarily, and in safety and dignity, to the country of origin and, within it, to the place of origin or choice. The exercise of the right to return does not preclude the victim's right to adequate remedies, including restoration of properties of which they were deprived in connection with or as a result of population transfers, compensation for any property that cannot be restored to them, and any other reparations provided for in international law."[32]

As implied in the Draft Declaration, besides the right to return, forcibly displaced persons should also be entitled to the restitution of, or compensation for, property lost as a consequence of their forced displacement. This remains a very sensitive issue, particularly in German-Czech relations.[33] In the eyes of the Sudeten German Regional-Cultural Association, the compensation of forced labourers during the Second World War, and also the negotiations between Germany and the representatives of survivors from Nazi labour camps, provided some of the expellees who had suffered particular hardship during the expulsion and/or in labour camps in Czechoslovakia after 1945 with an equally legitimate claim to receive a symbolic gesture of compensation from the German-Czech Future Fund. Arguing that this would be an important contribution to the reconciliation between Sudeten Germans and Czechs, the Sudeten German Regional-Cultural Association submitted a bid to the fund's executive board, where it was promptly, and with great publicity, rejected. At the same time, class action had also been considered as a possible route to realize claims for the compensation of losses resulting from collective expropriation and where possible for the restitution of properties that had been confiscated in this process.[34] Plans for class action in the US, initially against insurance companies that profited from the collective expropriation of the Sudeten Germans, have been officially supported by the leadership of the Sudeten German association.[35]

A number of opportunities on the European stage have also been exploited by expellee activists, and their success in this area has boosted the confidence of some of the political leaders of the expellee organizations. In April 1999, a resolution was passed by the European Parliament in which its members called "on the Czech Government, in the same spirit of reconciliatory statements made by President Havel, to repeal the surviving laws and decrees from 1945 and 1946, insofar as they concern the expulsion of individual ethnic groups in the former Czechoslovakia."[36] This is a highly sensitive issue not only in Czech-EU relations, but also in Czech-German relations and within the political processes in both countries. Interestingly, a key political activist of the Sudeten Germans, Bernd Posselt, has been a member of the European Parliament since 1994 and serves on the Committee on Citizens' Freedoms and Rights as Vice Chairman, and on the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy as a substitute member. Since 1994, he has also been a member of the cross-party Working Group on Minorities and served as its chairman in 1996–97. He has been prominently involved in the drafting and passing of this resolution by the European Parliament. The fact that there was only a small majority in favour of the resolution in 1999 must have been interpreted by the Czech government and parliament as an opportunity to intervene. Thus, the Czech parliamentarian and member of the Czech Parliament-European Parliament Mixed Commission Jan Zahradil tried to reverse the European Parliament's decision but failed after an intervention by Posselt pointing to the autonomy of the European parliament in reaching its decisions. In a new attempt to prevent a similar formulation in the 2000 resolution of the European Parliament on the status of negotiations on the Czech Republic's membership application, Zahradil and his deputy Lastuvka wrote a letter to all 626 members of the European Parliament, but all they achieved was an increased interest in the issue of how far the Beneš Decrees are in fact compatible with EU law and principles, resulting in a somewhat stronger formulation, stating that the European Parliament "welcomes the Czech government's willingness to scrutinise the laws and decrees of the Beneš Government dating from 1945 and 1946 and still on the statute books to ascertain whether they run counter to the EU law in force and the Copenhagen criteria".[37]

The first European Parliament resolution was immediately seized upon by a group of members of the Bundestag who proposed a motion, co-sponsored by the CDU/CSU parliamentary party, in which the federal government was asked "to take appropriate action in the spirit of the [resolution of the European Parliament] ... on its own and in collaboration with the other EU mem-

ber states and the institutions of the EU."[38] A counter-motion was introduced by the parliamentary parties of SPD and Alliance 90/The Greens in October 1999, in which the Bundestag was asked to welcome the statement by Chancellor Schroeder and Czech Minister-President Zeman of March 8, 1999, that "neither government will re-introduce property issues [into their bilateral relationship] either today or in the future."[39] This motion received a majority vote both at committee stage and after a parliamentary debate in June 2000, while that of the CDU/CSU parliamentarians was rejected.

What is interesting in relation to these debates on restitution and compensation in general is that the old left-right dichotomy in the political process in Germany on issues concerning the expulsion of ethnic Germans has been restored. For a period of about three years from the mid-1990s onwards, there seemed to be a certain recognition of the fact that the expulsion had been a human tragedy, and that there had been an unjust neglect by the German left of the suffering of the expellees and their contribution to the reconciliation process with the countries of Central and Eastern Europe.[40] This certainly contributed to the fact that issues of and related to the expulsion have recently regained considerable discursive power. Yet, with the (attempted) linking of the expulsion of the Sudeten Germans to the Czech Republic's EU accession, the politics of belonging has also regained an unexpected institutional dimension. Even though it is unlikely that the admission of the Czech Republic to the EU would not proceed because of the country's failure to rescind the relevant decrees,[41] the commitment of the EU to human rights in its accession policy gives advocates of a re-examination of the expulsion issue a powerful platform from which not only human rights violations of the Czechoslovak and Polish governments at the time could be addressed, but also the way in which their successors have dealt with the issue. Thus, by reopening the debate of where exactly the expellees' homeland is, the political leadership of the expellee organizations was able to preserve the degree of ambiguity about the relationship between homeland and belonging that they require in order to promote their and their constituents' interests.

Yet, it has also been recognized that these interests could be much more effectively pursued if the expellees received broader public recognition as victims. In order to achieve this, the leadership of the expellee organizations had to reshape the notion of victimhood of both victims of Nazi Germany and victims of the governments established in Central and Eastern Europe at the end of the Second World War. In doing so, expellee activists do not aim at denying that groups that have long been recognized as victims have suffered and, therefore, have every right to claim compensation. Rather, the objective is to achieve for their own members the same international recognition (including from countries like Poland and the Czech Republic) with all its legal consequences.[42] From the perspective of the BdV, the opportunities to do so seem better than ever.[43] However, it is important to realize that the notion of victimhood as a central part of expellee identity is by no means a new element, nor could it be one given the very real experience of expulsion. What has changed, catapulting victimhood back to centre stage in the debate about belonging, is the fact that the current national and international environments provide a wealth of opportunities for the expellee organizations to associate their clientele with a group identity that seemed likely to further their key objectives.

Conclusion: Reckoning with the Past

Belonging is a complex and multi-dimensional notion. In the case of the German expellees, it has manifested itself primarily in terms of an ambiguous relationship to past and present homelands. While the relationship to the present homeland, expressed in demands for integration as citizens with equal rights and as members of the German cultural nation, has been relatively uncontested, the relationship to the past homeland has not only divided the domestic public discourse in Germany, it has also had significant implications for the Federal Republic's bilateral relations with Poland and the Czech Republic, and now also has the potential to affect the dynamics of EU enlargement.

The reason why the expulsion of the ethnic Germans more than fifty years ago still gives rise to heated debate and has a bearing on institutional processes at German and European levels can not only be seen in the magnitude of the expulsions and the suffering they inflicted on those affected by them. It has also to do with the fact that this particular aspect of the Second World War and its consequences has never been properly dealt with by means of a broad and open public debate in Germany or Poland or Czechoslovakia/the Czech Republic. More than thirty years after the advent of the new *Ostpolitik*, the political left and right continue to be divided over this issue, raising the political profile of, and stakes in, a debate that should essentially be about reconciliation and forgiveness. Instead, issues that are a matter of human rights become highly politicized and are presented in contexts with which they have little or nothing in common. In turn, because of ideological preconceptions, obvious links and connections between historical and current events are denied, thus creating double standards in the application and implementation of basic human rights. More often than not, radicalization and alienation inside and outside Germany have been the result.

Thus, while belonging is a concept that has, for each individual and collective, strong roots in the past and the present, it also has implications for the future. In the case of the German expellees, this has led to a complicated duality between *Heimat*, their traditional homelands in Central and Eastern Europe, and *Zuhause*, their newly found home in the Federal Republic of Germany. The majority of them have reconciled themselves with the fact that a return to their *Heimat,* in the sense of restoring a permanent homeland for an ethnically German return-migrant population anywhere in Central and Eastern Europe, is impossible (and for many of them also undesirable). Nevertheless, the failure to recognize the injustice of collective victimization, and in some cases its deliberate denial, remains a potent source of mobilization. It also enables political activists to manipulate remotely related issues and to continue to incite debates on the expulsion and its consequences, often with no positive results either for the expellees and their descendents or for the remaining ethnic Germans in Central and Eastern Europe on behalf of whom they claim to act. While it is unlikely, and to some extent also undesirable, to achieve complete closure on an issue as politically and emotionally loaded as the expulsion of almost fourteen million people, a modus vivendi should be sought that would reconcile the ambiguity in the dual conception of belonging and allow the notions of *Heimat* and *Zuhause* to coexist without polarizing or threatening implications for any of those affected by it.

Notes

1. These included 8.2 million German citizens who were expelled from formerly German territories east of the rivers Oder and Neisse as well as 3.2 million Czech citizens of German ethnicity from the Sudetenland, and 2.4 million ethnic Germans from other countries in Central and Eastern Europe.
2. Anthony Giddens, *The Third Way* (Cambridge: Polity, 1998), 129.
3. The experience of those resettled in the later East Germany was the same, but the conditions they found were fundamentally different and did not allow them to create, let alone institutionalize, a collective identity based on the experience of expulsion. Therefore, my focus in the following will be exclusively on West Germany and, for the period after 1990, on the reunited Germany.
4. Michael Ignatieff, *Blood and Belonging* (London: Vintage, 1994), 7.
5. Gertjan Dijkink, *National Identity and Geopolitical Vision* (London: Routledge, 1996), 1.
6. Anthony Smith, *Nationalism in the Twentieth Century* (New York: New York University Press, 1979), 3.
7. Ibid.
8. Ignatieff, 7.
9. All three manifestations of this third scenario can be observed in relation to ethnic German expellees from Poland and Czechoslo-

vakia. Cf. below for examples. It should also be noted that, apart from political strategies aimed at preserving the homeland as a source of identification and mobilization, forced migrations are often also the theme of novelists, poets, and other creative artists who address many of the aspects involved in such traumatic experiences and thus also contribute to the preservation of (memories of) the homeland and the circumstances of its loss.

10. This is not to say that there were no problems between the "native" population and expellees, especially in the early post-war period, characterized by a shortage of food, housing, and employment. These tensions, however, soon disappeared once economic recovery began.
11. "Charta der deutschen Heimatvertriebenen, gegeben zu Stuttgart am 5. August 1950," *Kulturelle Arbeitshefte* 22 (1995): 15.
12. In a way, the duality of activities also reflects the way in which different, nested identities coexisted quite comfortably: a geographically and socio-culturally specific regional/homeland identity, an identity as expellee, and an identity as German/West German citizen.
13. There are currently five associated organizations: the Women's Union, the Youth League, the Farmers' Union, the Students' Union, and the Association of Eastern German Track and Field Athletes.
14. For example, the BdV fought the so-called *Ostverträge* by, among other things, supporting individual complaints against them before the German Constitutional Court. All these complaints, however, were dismissed in a ruling by the court in 1975.
15. This is most explicit with respect to campaign posters in the run-up to federal elections right up until the early 1960s, in which all major parties denounced the Oder-Neisse line.
16. This only began to change gradually after the 1985 publication of Wolfgang Benz's edited collection *Die Vertreibung der Deutschen aus dem Osten: Ursachen, Ereignisse, Folgen* (Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1985).
17. There was a brief spell of greater harmony between government and BdV after 1982 when the CDU/CSU and FDP coalition under Helmut Kohl came to power. But even this lasted for only a few years: In 1985, Kohl personally intervened to have the motto for the twenty-first annual meeting of the Silesian expellees changed from "40 Years of Expulsion B Silesia Remains Ours" to "40 Years of Expulsion B Silesia Remains Our Future in the Europe of Free Peoples." By the same token, Herbert Hupka, the Chairman of the *Landsmannschaft Schlesien*, lost his safe seat on the CDU party list for the federal elections in 1987.
18. Several challenges to the original *Ostverträge* before the German Federal Constitutional Court in the 1970s failed but received wide and controversial media coverage in Germany and beyond.
19. This becomes obvious, also, by looking at various survey results on issues of national identification. In 1994, for

example, only fifteen per cent of those seeing themselves as expellees identified more strongly in terms of their regional origin than in terms of their German citizenship. For the former East Germany, this figure is even lower at only seven per cent (Renate Köcher, "Vertriebene der Erlebnis- und Nachfolgegeneration. Ergebnisse einer Sekundäranalyse," *Deutschland und seine Nachbarn. Forum für Kultur und Politik*, 21 (1997), 3B67, here 57). Equally interesting is the fact that among the Sudeten Germans and members of their families, who are generally seen as the most hardline advocates of a right to return and the restitution of property, only fifty-six per cent actually indicated sympathy for demands for compensation/restitution, while one-third rejected the idea. Of those sympathetic to compensation/restitution demands, almost one-third declared that Sudeten Germans should, nevertheless, abandon these demands for political reasons (Köcher, 55).

20. Thereafter the BdV started two further initiatives. One was for the Europeanization of the Oder-Neisse territories, the other to enable members of the German minority in Poland to vote in parliamentary elections in the Federal Republic. Both failed.

21. Harry Hochfelder, "Über die Ziele sudetendeutscher Politik," in *Die Sudetendeutschen und ihre Heimat. Erbe B Auftrag B Ziel*, ed. Rolf-Josef Eibicht (Wesseding: Gesamtdeutscher Verlag), 58.

22. Roland Schnürch, "Konsequenzen sudetendeutscher Heimatpolitik," in *Die Sudetendeutschen und ihre Heimat. Erbe B Auftrag B Ziel*. ed. Rolf-Josef Eibicht, (Wesseding: Gesamtdeutscher Verlag, 1991), 83.

23. "Personal autonomy," also referred to as non-territorial, cultural, or segmental autonomy, is a concept that describes a particular approach to minority protection according to which membership in a particular ethnic group entitles individuals to certain, primarily cultural, rights, such as separate educational institutions, minority language publications, etc. It also assigns self-government rights in such areas to the minority group. It is thus clearly distinguished from territorial forms of autonomy, but is in practice often combined with them. Early practical applications are the millet system in the Ottoman Empire, and certain minority rights granted in the Austro-Hungarian Empire and in Estonia and Latvia in the interwar period. More recently, the South Tyrol autonomy arrangements include aspects of personal autonomy, as does minority legislation in Estonia, Hungary, and Russia. Theoretically, the concept dates back to Adolf Frischhof's *Österreich und die Bürgerschaften seines Bestandes* (Vienna, 1869). It was later picked up by Austromarxists Karl Renner [e.g., *Das Selbstbestimmungsrecht der Nationen in besonderer Anwendung auf Österreich* (Leipzig, 1918)] and Otto Bauer [e.g., *Die Nationalitätenfrage und die Sozialdemokratie* (Leipzig, 1924)] in their studies on how to establish a viable framework within which the different ethnocultural groups of the Austro-Hungarian empire could thrive without posing a threat to the unity of the state and vice versa. In contemporary political science, the concept is, for example, part of Arend Lijphart's model of consociational democracy [e.g., *Democracy in Plural Societies* (New Haven and London, 1977)].

24. Johann Böhm, "Address to the Sudeten German Day," June 11, 2000.

25. This development was already foreshadowed in the negotiations of the 1991 German-Polish Treaty. In return for Poland's recognition and protection of the German minority, "the German government would further reduce its support for, and would further distance itself from, those elements among the *Landsmannschaften* who demanded the right of return to their places of origin and/or compensation from the Polish government for material and emotional harm suffered as a result of their expulsion" (Karl Cordell, "Poland's German Minority," in *German Minorities in Europe: Ethnic Identity and National Belonging*, ed. Stefan Wolff [Oxford: Berghahn, 2000], 78**B**99, here 87).

26. This was one aspect of the policy response to the growing number of ethnic Germans migrating to the Federal Republic, the other being the introduction of more restrictive legislation that made it harder for ethnic Germans from Central and Eastern Europe to become German citizens. Both policies had essentially one objective in common, namely to restrict ethnic German immigration.

27. In 1997, the federal budget allocated 5.1 million Deutschmark; in 1998, 4.7 million; and in 1999, 4.4 million for the support of measures of the expellee organizations aimed at the promotion of peaceful coexistence with the countries in Central and Eastern Europe. In addition, the BdV received an annual amount of around 3.5 million Deutschmark in institutional funding under the budget title of "Measures promoting the integration of (ethnic German) resettlers and expellees." Under the same title, in 1997 and 1998 more than 21 million Deutschmark were spent annually on specific projects; in 1999, this was increased to more than 38 million, compensating for cuts in other areas and as a result of attempts to administer these funds in a more centralized way.

28. Remarkably, Herbert Hupka, the chairman of the Upper Silesian Regional-Cultural Association and for decades portrayed in Poland as the incarnation of German territorial revisionism, was awarded the Honorary Medal of his former hometown of Ratibor for his commitment to the economic reconstruction of the area.

29. A survey in Bavaria, where most of the Sudeten German expellees and their descendants live, showed that only half of all respondents who had heard of the declaration considered it as contributing to an improvement of relations with the Czech Republic. Only one-fifth felt that the interests of the Sudeten Germans were adequately reflected in the declaration (Köcher, 53f.). However, the same survey is also very telling from a different point of view: only little more than half of those of Sudeten German origin, or with a family member of Sudeten German origin, had actually heard of the declaration (Köcher, 54).

30. In fairness to the expellee organizations, they had been actively committed to help ethnic German immigrants from Central and Eastern Europe and the former Soviet

Union integrate in the Federal Republic since the mid-1980s.

31. José Ayala Lasso, "Address to the German Expellees," May 28, 1995.

32. UN Commission on Human Rights, "Human Rights and Population Transfer. Final Report of the Special Rapporteur, Mr. Al-Khasawneh" (E/CN.4/Sub.2/1997/23).

33. In an attempt to take the heat out of bilateral relations, the German Chancellor Schroeder and the Czech Minister-President Milos Zeman issued a joint statement on March 8, 1999, declaring that neither side intended to burden their bilateral relations with "property issues" resulting from developments after the Second World War (cf. "Bonn verzichtet auf Vertriebenen-Ansprüche," *Die Welt*, March 9, 1999, 1). The following day it became clear that this had backfired domestically, and Schroeder's foreign policy adviser, Michael Steiner, issued another statement in which he declared that the German government did not have the right or the intention to interfere with any private claims of individual expellees (cf. "Bonn: Private Ansprüche haben Bestand," *Die Welt*, March 10, 1999, 3).

34. Sudetendeutsche Landsmannschaft, "SL für Ausschöpfung weiterer Rechtswege," Press Release, July 7, 1999.

35. In contrast, the leadership of the BdV has, in relation to similar considerations concerning expellees from Poland, expressed the view that such actions would be counterproductive and affect the German minority still living in the country in a negative way. The reason for these different approaches, however, is not only the size and influence of the German minority groups in both countries. The relations between expellees and Poland have developed more constructively since the early 1990s and the organizations representing expellees from the territory of today's Poland are less well organized and do not enjoy the same influence and backing as the Sudeten Germans who have their power base in the state of Bavaria.

36. European Parliament, *Resolution on the Regular Report from the Commission on the Czech Republic's Progress towards Accession,* (COM[98]0708 B C4-0111/99). Prior to this resolution of the European Parliament, the U.S. House of Representatives passed a resolution on October 13, 1998, in which members of the House demanded that the formerly communist countries in Central and Eastern Europe "return wrongfully expropriated properties to their rightful owners or, when actual return is not possible, to pay prompt, just and effective compensation, in accordance with principles of justice and in a manner that is just, transparent and fair" (House of Representatives [105th Congress, Second Session], "House Resolution No. 562," [HRES 562 IH], 1998).

37. European Parliament, "Resolution on the Czech Republic's membership application to the European Union and the state of negotiations," (COM[1999] 503 B C5-0026/2000 B 1997/2180[COS]).

38. Deutscher Bundestag, "Antrag der Abgeordneten Hartmut Koschyk, Christian Schmidt (Fürth), Karl Lamers, Peter Hintze und der Fraktion der CDU/CSU: Versöhnung durch Ächtung von Vertreibung," *Bundestagsdrucksache* 14/1311, June 29, 1999.

39. Deutscher Bundestag, "Antrag der Fraktionen SPD und Bündnis 90/Die Grünen: Weiterentwicklung der deutsch-tschechischen Beziehungen," *Bundestagsdrucksache* 14/1873, 26 October 1999.

40. In a speech at the commemoration ceremony of the fiftieth anniversary of the BdV in May 1999, the German Minister of the Interior noted that "[c]ontrary to frequent prejudice, the ethnic German expellees have, in their overwhelming majority, actively participated in the process of reconciliation between the European nations, and they continue to do so today" (Otto Schily, "Die Erinnerung und das Gedenken findet ihren Sinn in dem Willen für eine bessere Zukunft," May 29, 1999). In her address on the occasion of the twenty-fifth anniversary of the Cultural Foundation of the German Expellees, the chairperson of the Culture and Media Committee of the Bundestag, Elke Leonhard of the SPD, emphasized that nobody had the right to "discredit as revisionism the legitimate interests of the expellees in the preservation of their culture and the public acknowledgement of their fate ..." (Leonhard, Elke, "Die Verantwortung der Politik für die gesamtdeutsche Kultur," June 14, 1999). Ironically, a dispute with the then Secretary of State for Culture, Michael Naumann, over the (under)funding of cultural institutions of the expellees prompted Leonhard to resign her post on June 30, 2000.

41. Although the Austrian Parliament, the Österreichischer Nationalrat, passed a resolution in May 1999 asking the Austrian government to use its influence to effect the repeal of the relevant Beneš Decrees, it is unlikely that Austria would use its veto power in the Council of Ministers to block Czech membership in the EU over this issue. Cf. Österreichischer Nationalrat, "Entschließung des Nationalrates vom 19. Mai 1999 betreffend Aufhebung der 'Beneš-Dekrete' und der 'AVNOJ-Bestimmungen'," Stenographisches *Protokoll der 169. Sitzung des Nationalrates (XX. GP)*, 69.

42. To give a few examples of how the Sudeten German Regional Association has tried to capitalize on recent debates on human rights: On October 8, 1999, the then Speaker of the Sudeten Germans, Franz Neubauer, declared his solidarity with a declaration by the Central Council of German Sinti and Roma, in which the Czech Republic was accused of apartheid-style politics after plans to build a wall around a Roma residential quarter in a town in Northern Bohemia had become public (cf. Sudetendeutsche Landsmannschaft, "Neubauer: Verständnis für Roma in der CR," October 8, 1999). On April 7, 1999, all Sudeten Germans in Germany were urged to donate money for Kosovo refugees, reasoning that solidarity with the people in Kosovo would sensitize the German and international public to the fate of the Sudeten Germans as well (Sudetendeutsche Landsmannschaft, "Neubauer ruft Sudetendeutsche zu Spenden für Kosovo auf," April 7, 1999). The motto of the annual Sudeten German Day in 2000 was: 'For a Worldwide Ban on Expulsions' (*Vertreibung weltweit ächten*) (cf. Sudetendeutsche Landsmannschaft, "Aufruf des Sprechers

Franz Neubauer zum 51. Sudetendeutschen Tag 2000," no date). On March 24, 2000, Neubauer welcomed the fact that Czech victims of Nazi forced-labour camps were to receive compensation and noted that this implied a recognition of the fact that crimes "of a certain dimension do not fall under the statute of limitations" and that their victims have to be compensated sooner or later. This was seen as "good news for the German expellees" (cf. Sudetendeutsche Landsmannschaft, "Neubauer: Entschädigung für Zwangsarbeiter ist zu begrüßen und bestätigt Offenheit der sudetendeutschen Frage," March 24, 2000).

43. One earlier example of an attempt to reshape victimhood exists in the form of a declaration submitted by the Sudeten Germans to the UN in January 1978, in which the VI. Federal Assembly of the Sudeten German Regional-Cultural Association maintains its claims to the restitution of expropriated property with specific reference to, among others, UN Resolution 3236 of November 22, 1974, on the rights of the people of Palestine. Cf. United Nations General Assembly, *Resolution 3236 of 22 November 1974 on the Question of Palestine.* (A/RES/3236 (XXIX).

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