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**THE REFUGEE CRISIS IN AFRICA**

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THE REFUGEE CRISIS IN AFRICA

Although global figures are invariably arbitrary, depending as they do on often controversial definitions of who are and who are not 'refugees', the majority of the world's 10 million or so 'recognised' refugees is from the Third World. Nor, in the main do they leave it. Refugees are not of course a new phenomenon but over the years the response of the international community to their plight has developed rather more as a succession of responses to emergencies than as a carefully worked out plan. Moreover the mass flows of recent decades - as into Pakistan, Iran and elsewhere in Asia, and into Sudan and Somalia in Africa - by their sheer scale present a number of new challenges to the world community.

At the time this paper is presented (November 1986) a funding crisis exists internationally over the care of refugees, in Africa not least. Yet UNHCR annual expenditures have risen over the years from US\$5.3<sup>m</sup> in 1965 to \$111.4<sup>m</sup> in 1977 to an average of \$446.6<sup>m</sup> between 1980-85. This year (1986) the projected need is some \$472<sup>m</sup>, much of which still remains to be voted or pledged. A cursory examination of the response of the modern world to the complexity and magnitude of the refugee problem is thus clearly in order. From the available documents, it soon emerges that relevant thought patterns have been largely eurocentric.

In outlining the vast tragedy which mass migrations represent in Africa and the considered response of governments, the United Nations and voluntary agencies and the general public, it is convenient to adopt at least a partially chronological approach. It was during World War I in Europe and Asia Minor

that the need for organized international assistance to refugees first came to be recognized, nor it is surprising that the International Committee of the Red Cross was a prominent advocate of greater co-operation between the nations. Indeed, that first attempt at international solidarity, the ill-fated League of Nations, took action on refugees only after a Red Cross conference held in Geneva in 1921. In the Fall of that year, the famous explorer and humanitarian, Fridtjof Nansen, became the first High Commissioner. He had already been in charge of the repatriation of prisoners of war and had at once to address another emergency presented by refugee flows fleeing the turmoil that accompanied and succeeded the Russian Revolution. It was fighting in parts of Europe and within the collapsing Ottoman empire, rather more than in China, where very large numbers were to be displaced, which attracted most attention.

Apart from legal and political functions, early emphasis was placed on employment, hence the close involvement, until 1929, of the International Labour Organization (ILO). The first refugee ID cards, 'Nansen passports', were the forerunners of today's much sought after blue UN Travel Documents: they were introduced only in Europe. In 1933 and thereafter, refugee flows from a fast changing Germany increased. In response, the League of Nations re-established the office of High Commissioner. It took over the functions of Nansen's office in 1938, except for material assistance which reverted to the voluntary agencies.

During the hostilities which soon followed and afterwards, a directorate of inter-governmental committees for refugees operated and came eventually to deal with all refugees from World War II. The initiative was largely President Roosevelt's, though Jewish benevolent societies were prominent.

Moreover, it was not until 1951 that the refugee issue was linked with the violation of human rights: previously refugees had been recognized by their geographical or ethnic origin, rather than their being classified under the type of circumstances and situation from which they had fled. In the aftermath of World War II there were some 9 million displaced persons in Europe for whom, in the '50s, the 'Free World' came to recognize a responsibility - even a duty - and launched a plan entitled "A new era of emigration". It is significant that the papers of President Truman reveal the vital role of the cold war and mounting East/West conflict in encouraging favourable attitudes. It has been pointed out that the 'marketing' of these displaced people by UNRRA, the United Nations Relief and Rehabilitation Commission, set up in this city in December 1944, was easier since they were "both anti-communist and white". There was no inhibition then about resettling such persons in the "underdeveloped overseas democracies" and it is significant that the following expression of regret is to be found in the original documents - "... the Union of South Africa with its dangerously small white population is actually calling a halt to immigration" (emphasis added). Today, however, most refugees are not white. Nor are the countries in which they take initial asylum, and in which they largely remain - which are also amongst the poorest in the world. Although in the case of Afghanistan and Ethiopia, mass flows flee regimes of the far left, their plight has not yet elicited a similar ideological response.

After the United Nations Organization itself was formed, the growing problems of the post war decades led to the setting up first of the IRO - International Refugee Organization - and then, in December 1950, of the UNHCR - the office of the United Nations High Commissioner for Refugees -

located, as it still is, in the Palais des Nations of the former League of Nations in Geneva. The authorization of emergency funds and gradually, but remarkably slowly, of regular budgets, followed. However, the High Commission owed much in its early post-War years to the Ford Foundation and the involvement of the International Bank for Reconstruction and Development. There have already been six United Nations High Commissioners but it was many years before the General Assembly formally authorised the regular collection of voluntary contributions from member states. By then the vast problems of today were all too apparent.

The mandate of the High Commissioner did not - and does not - cover Palestinian refugees in the 'Near East' - nor even refugees in India and Pakistan. It largely concerned itself with the remaining camps of displaced persons in Europe, European refugees in China and elsewhere and such special categories as 'refugee seamen'. Later crises - Hungary, Algeria - were not altogether dissimilar. It was perhaps the Tibetan tragedy and concern over Chinese refugees in Hong Kong which heralded changing attitudes demanded by a changing world.

How then have the situation and the related theory developed outside of Europe, more specifically from the viewpoint of the present discussion, in Africa? It is important to recognise that, as in Europe, refugees as such are not a new phenomenon. There are many examples of forced migration in the oral and the few written histories of the pre-colonial period. The study of the diaspora both east and west is perhaps the clearest case in point. Traditions of origin - for example, those of the Ewe people of West Africa or the Ndebele of Central and Southern Africa -

frequently speak explicitly of flight from perceived tyrannical rule. Thus the connection between Human Rights violations and mass movements of refugees, which today is still only reluctantly the subject of concerned debate in international fora, is well documented. As has been observed, it is the scale of present day migrations - and human rights violations - that is unprecedented.

During the colonial period, many Africans migrated individually or in small groups to where work was more freely available; they also crossed international boundaries in permanent flight from harsh European colonial administrations to areas where the burdens of taxation, military recruitment, forced labour and compulsory crop production seemed less onerous. Likewise, when political changes occurred in independent Africa, 'out-groups' moved to nearby colonies and protectorates. Though now nationals of Tanzania, there is still an 'Ethiopian' or 'Abyssinian' community near Arusha that owes its origin to the deposition of the uncrowned emperor Lij Eyasu in 1916, for instance. The older refugees still speak some Amharic but the younger use Kiswahili. The traditional Shemma is also worn by some on special occasions.

Nor are examples of political refugees and exiles of a more 'conventional' type lacking in pre- and post-independence Africa - individuals, perhaps once holding political or religious office and later those with expectations raised by 'Western' education. But mass movements have become more typical, and certainly now predominate, as the refugee problem facing the international agencies of the United Nations, the voluntary agencies, the OAU and the refugee and relief and rehabilitation commissions of the countries of

asylum. It is important to recognise that individual motives, within such refugee flows, can vary. Motives too can be multifaceted and, due to stress, often confused. Many a 'refugee' has some ambition to better himself or herself economically or educationally; and let it not be forgotten that such ambition is a human right. Thus it is next to impossible to separate a 'true' refugee from a so-called 'economic migrant' with rising expectations inspired by the example of the emigration of others.

Widely accepted definitions of refugees and approaches to aiding them have had to be continually modified to take account of Third World realities - the "boat people" are a case in point - but in Africa too the unreality of the boundaries inherited from the colonial era has been a significant factor. "Foot people" cross unreal borders to seek relatives with whom they can shelter. African initiatives and particularly those of the OAU, appear with few reservations to be quite exemplary if they are examined only on the level of debate and ensuing resolutions and guidelines.

The 1951 UN "Convention relating to the Status of Refugees" was clearly in response to upheavals caused by World War II, particularly in Europe. It had been restricted in application to events taking place before 1 January 1951; in addition, states acceding to it had been given the option of signing a text applying it universally or only to events that had taken place in Europe. It was universalized both in time and space by the 1967 UN "Protocol relating to the Status of Refugees" but its definition of a

refugee was retained. A refugee, it states, is a person who "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of the country of his nationality; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it."

Such a definition, with its reference to "well-founded fear" clearly implied a situation in which an individual refugee's eligibility could be carefully assessed. But by the early 1960s, as pointed out above, it was already clear that refugees in Africa were more likely to be the product of mass movements.

In 1960, for example, many settlers and Belgian nationals fled from what is now Zaire, as conflicts developed in that former Belgian colony. Such events had their impact on independent Africa, as on the United Nations. Kwame Nkrumah's political concern over that country is well documented. Less well known is the humanitarian element. The students of the University College of Addis Ababa, at the late emperor Haile Sellassie's request, cleaned up and vacated their dormitories and prepared to receive refugees, who in the event, refused to go to "another black country", insisting on being transported direct to Europe. For several Ethiopians, who three years later were to take up quite senior positions in the OAU bureaucracy when it was set up in Addis Ababa, this was their initiation into both



the scale of refugee problems and the depths of European racism.

In February 1964 - three years before the UN Protocol - the Council of Ministers of the OAU, meeting in Lagos, expressed concern over "the refugee problem in Africa with particular reference to the refugees from Rwanda", and noted that these refugees were a "very heavy charge" on adjacent countries, all of which were very fully occupied with their own vast developmental problems. The OAU established an ad hoc commission to study this problem. It was also charged with making recommendations on how the refugee problem "can be solved" and suggesting "ways and means of maintaining refugees in their country of asylum".

From the outset then, the opportunity was there for OAU members to examine such questions as "root causes" and "burden-sharing", as well as the immediate issue of how best to cope with the settlement and care of Africa's refugees. Unfortunately it was not accepted. For good and sufficient reasons diplomats instinctively tend to play down or even totally avoid controversial issues. Regional Organisations like the OAU - and the UN itself - also concern themselves predominantly with the views of governments, not specific communities, and governments find refugees and displaced persons - whether they are their own or anothers - quite an embarrassment.

Such questions have tended to be partially submerged under legitimate concern - prevalent also in other areas of OAU activity - with the charter principles of "territorial integrity" and "non-interference in the internal affairs of member states". (Not to mention the resolution of the Heads of State and Government meeting in Cairo in 1964 on disputes, which stressed

the sanctity of borders existing on the attainment of national independence.) There has also been an understandable, but nevertheless numerically disproportionate, concern in the 1970s and 1980s with refugees emanating from remaining situations of white minority rule.

Nevertheless, one eventual outcome of the OAU ministers' 1964 initiatives was an extension of the UN Convention's definition of a refugee. Thus, according to the 1969 OAU "Convention Governing the Specific Aspects of Refugee Problems in Africa", the 1951 Convention definition (which it adopts) is that of the basic and universal instrument relating to the status of refugees", but it adds that the term refugee shall also apply to

"every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality".

Refugee-producing situations in Africa in recent decades have amply justified the OAU's elaboration of the 1951 UN Convention's definition of a refugee. Categorization of these situations is, however, not a clear-cut matter. Controversy over this is central to the OAU's own dilemma in the face of the continued growth of refugee numbers and the trend towards their concentration in one corner - the northeast - of the continent. The added complication of drought and famine (and paradoxically flooding) and the distraction and peaking of international interest and assistance have also been important factors. Natural as well as man-made disasters occasion the mass movements of people. The whole north-east African region appears

gripped by an as yet not fully understood pattern of climatic change. Weather records over many years demonstrate that a variable cycle of wetter/drier years is perfectly normal in the Somali Democratic Republic, for instance, and in most years the pattern of living developed by the people might well just be able to cope. Few apparently 'natural' disaster situations would have arisen even when rains prove intermittent and on occasion completely fail. But regrettably the situation in north-east Africa in recent years has been far from normal. The crisis is not to be detected from rainfall, agricultural yield or other statistics alone. That it often has different causes is well known, not only to the refugees, but diplomats shy from discussing them. It would however be irresponsible of the world community also to ignore the fact that today's refugees are less a problem than a symptom of most serious underlying issues including persistent colonialism, the denial of fundamental human rights, racism and genocide. It is they that are the real problems: refugees flee from persecution and oppressive policies, which a just world should declare unacceptable, as well as from deteriorating environmental conditions, which are not invariably beyond the possibility of amelioration, given a climate of peace. An examination of the record reveals this.

Most clear cut are those situations which are or were the result of persistent colonialism and the ensuing liberation struggles against the white minority regimes that still remained in power after the foundation of the OAU. In such situations, the OAU has experienced no difficulty in explicitly pointing to the "root causes" of refugee flows - the violent and ruthless suppression of African resistance - and calling for their elimination. The recommended cure here is merely an extension of a longstanding consensus, in origin much older than the OAU, on the need to eliminate from Africa all

forms of colonialism of European origin. Broadly speaking even the situation in the Republic of South Africa, despite certain unique dimensions, can be categorized here. It seems probable, however, that a new category of refugees - namely those caused by South African inspired attempts to destabilize the 'front line states' - is now called for.

Certain special problems that have arisen in the course of various liberation struggles have also been given consideration, notably the status and treatment of individuals whose claims to refugee status spring from their having come into conflict with liberation movements approved by the OAU, of which they were once members. However, there are other refugee-producing struggles of long standing, whose members have claimed or claim to be freedom-fighting for liberation. Yet if they oppose African governments, they have not normally been recognized by the OAU - with the controversial exception of the Western Sahrawis. Nor have 'root causes' in these contexts been examined in any depth. African leaders almost to a man studiously avoid recognizing that refugees from Apartheid, though important, constitute but a small proportion of the whole. 'White Liberals' are likewise biased.

After World War II, the first African struggle against European colonial rule to produce significant numbers of refugees was the Algerian war of independence. It preceded the foundation of the OAU and was the first occasion on which UNHCR assistance was requested in Africa. Most of the refugees sheltering in Morocco and Tunisia were repatriated after the war came to an end in 1962. Of the three territories of mainland Africa ruled by the Portuguese in which liberation movements were active between the early 1960s and the mid-1970s, Angola has produced the largest flows of refugees.

That these have continued after independence in 1975 is due to incursions by South African forces, aimed primarily against Namibians, and the activities of the UNITA guerilla movement which opposes the MPLA government. Apart from refugees in Zaire and Zambia, the UNHCR has often reported that there are large numbers of "displaced persons" in the southern provinces of Angola - that is to say they had not crossed an international boundary and thus might well, under the prevailing UN wisdom, not have qualified as refugees.

The struggle against Portuguese rule in Mozambique produced smaller numbers of refugees, mainly to Tanzania and Malawi, probably because of the political success of the liberation movement while military confrontation continued. As in Angola, the post-independence situation currently threatens to become much more serious. The struggle in Guinea-Bissau produced small flows of refugees, mainly to Senegal, partly because of the smaller population, but partly also because of the success of the PAIGC in organizing administration and services in the extensive liberated areas that it came to control. Most returned home after self-determination had been achieved.

Even when discussing Southern Africa - let alone 'independent' Africa - the UNHCR has been known guardedly to allude to "frequent armed attacks to which the region is subjected by outside forces". Such caution is probably necessary on the part of the UNHCR, since its humanitarian non-political guidelines must be strictly adhered to if it is to continue to be invited - as it must be - to minister to refugees in all circumstances. It does, however, come all too naturally to trained diplomats (except when Israel is under discussion) and if carried to excess, may well become a hindrance to seeking solutions in other more political gatherings to the 'root causes' of refugee flows.

Struggles against white rule elsewhere in southern Africa have also produced significant numbers of refugees. Right from the days of the collapse of the Central African Federation, there have been refugees from Southern Rhodesia (later Rhodesia, later Zimbabwe). These - in the main frustrated intellectuals, businessmen and women and other economic refugees, students and, of course, self-exiled political leaders and freedom fighters - were to be found in several independent African countries. But after UDI, and particularly after the stepping up of the armed independence struggle that followed agreement in the field between ZAPU and ZANU, their numbers greatly increased. That most had returned home by mid-1980, following the Lancaster House Conference, self-determination, and independence, emphasizes yet again the importance of addressing root causes in appropriate political fora. Refugees from South Africa and Namibia are to be found in many African countries, mainly Angola, Lesotho, Botswana, Swaziland, Tanzania, Zambia and Zimbabwe. Some have ventured further afield - on UN scholarships for instance - and given the economic importance of South Africa to the west, this trend is likely to increase, despite the worsening climate for 'immigrants' in the 'developed world'.

If the refugee-producing situations described so far may fairly readily be characterized as the result of liberation struggles against minority 'settler' governments or European colonial rule, it is too tempting for African politicians and diplomats to place all other such situations into one residual category that refers only, for example, to ambiguous "strains" faced by African states as they pass through a nation-building, modernizing stage of development. The very scale of such situations, demands more perceptive and penetrating analyses, which in most instances have yet to be made.

The Katanga secession (1960-63) and the "Simba" revolt in northern Zaire produced significant refugee flows as have minority religious movements in Zambia. Tragic ethnic clashes in Rwanda did much to stimulate early OAU deliberations on the refugee question. As early as 1959, conflict between the Hutu and the Tutsi peoples had initiated an exodus of Tutsi to Uganda, Tanzania, and Zaire. Many more fled in the next few years, especially after the Hutu seizure of power in 1962. An abortive Tutsi invasion of Rwanda, originating from Burundi in 1963, led to massacres of Tutsis in Rwanda and a renewed and intensified Tutsi exodus, much of it towards Burundi. There are still Rwandan refugees in Uganda and Zaire but the 36,000 in Tanzania are said to have become citizens in 1980. Internal conflict within Zaire has also meant that it has been a recurrent producer of significant numbers of refugees. They took shelter largely in the Sudan but the 1977-78 attack on Katanga - by then called "Shaba" - was also a major refugee-producing incident and flows occurred into Zambia, Burundi, Angola and Uganda.

Refugees also began moving out of disturbed areas in the southern Sudan from the mid-1950s on as they are doing again in the mid-1980s. As the scale of the conflict between Sudanese Government forces and the Anya-Nya of the south mounted, refugee flows into Uganda, Ethiopia, Kenya, and elsewhere increased, to be curtailed and reversed only in 1972 by the Addis Ababa Agreement, which to all intents and purposes terminated hostilities for a decade. Unfortunately, the mid-1980s have seen this problem resurface.

The inhabitants of parts of northern Uganda - particularly West Nile - have historically moved very freely to and fro across the present boundaries, but numerically significant refugee flows from Uganda began only after the

seizure of power by Idi Amin in 1971. Massacres of Acholi and Lango soldiers and civilians in 1972 led to a flow of refugees into Sudan. However, massive movements - most from ethnic groups that had supported Amin - began only with Amin's fall at the beginning of 1979. These also affected Zaire. The Sudanese Government recorded a further influx early in 1982 and large flows followed counterinsurgency operations in West Nile conducted by the reconstituted Uganda Army towards the end of that year and in 1983. A mini-self-determination movement in the Ruwenzori Mountains has also contributed a token number of displaced persons.

Later refugee flows from Burundi and Equatorial Guinea were prompted by independent Africa's own brands of intense political violence. In Burundi, massive Tutsi reprisals after a Hutu attempt to seize power in 1972 led to the flight of thousands of Hutus to Tanzania, Zaire and Rwanda. In Equatorial Guinea, the government of Francisco Macias Nguema pursued increasingly violent policies from the early 1970s on. Most of the Nigerians employed on plantations left for home in 1975. Native Guineans soon began to follow - between a quarter and one-third of the population. Gabon, the largest recipient was the only one to seek UNHCR assistance. Other refugees took refuge in Cameroon, Nigeria and Spain. Only with the fall of Nguema in August 1979 did the refugees begin slowly to return home. How vital is the restoration of human rights!

Disturbances in Chad in 1970-74 created an initial flow of refugees into Sudan. In 1974, a UN fact-finding mission reported that they constituted the largest - and most undernourished - proportion of the immigrant population in western Darfur (followed by Nigerians and smaller numbers from Niger, Mali, Cameroon, and Mauritania). Further major flows also affecting Nigeria and



Cameroon followed the intensification of civil war from 1979 on. Some were eventually to be resettled while others chose repatriation. Others were affected by the Nigerian government's January 1983 decision to expel over a million "illegal" aliens - actually economic refugees, mainly from Ghana, attracted by a temporary 'oil boom'.

Soon after the departure of the Spanish colonialists in 1975, the Polisario Front - a movement fighting for the independence of Spanish Sahara (Western Sahara) - could claim that it controlled two-thirds of the country. The struggle against the Spanish had not created significant flows of refugees. Spain's decision to withdraw, however, brought in the combined armies of Morocco and Mauritania who at first intended to divide the territory between them. The Sahrawi population was subjected to all the horrors of modern warfare, including napalm; and a large number of refugees fled to settle in camps in the Tindouf area of Polisario's ally, Algeria. Conflict continues between the Polisario and Morocco - which enjoys substantial military support from the United States, partly in return for gestures towards Israel and Egypt. UNHCR does not assist the refugees displaced from Western Sahara but the self-help efforts there are impressive if militaristic.

Exiles from Guinea are to be found in various West African states, and, following disturbances associated with the 1982 Sierra Leone elections, refugees crossed into Liberia. Ghanaian exiles too have taken refuge in Cote d'Ivoire and until disturbances in 1986, in the Republic of Togo. Here again internal stability, political liberty, economic confidence and human rights are very fundamental issues.

Long-term and quite massive movements of populations across the Sahel into the Sudan, known collectively as 'Falata' and including Fulani, Hausa, and Bornu peoples, have been frequently described by travellers and historians, since throughout the recorded history of the Sahelian belt, population movements have been frequent. Some settled in the last century after service in the armies of the Mahdi but this pattern of eastward migration has always been loosely associated with the Hajj - and more recently the Sahelian drought.

In more recent years, the Sudan, as the 'cross-roads of Africa' has received substantial numbers of refugees from Zaire, Chad, Libya and Uganda. However the great majority of the refugees in north eastern Africa and the Horn are the product of conflicts within Ethiopia. The former Italian colony of Eritrea had been federated with Ethiopia by decision of the UN General Assembly in 1952. Its forcible incorporation into the Ethiopian empire ten years later sparked off a 'liberation' struggle - Africa's longest war - which to date the OAU declines to recognize. Hundreds and thousands of refugees have crossed into the Sudan. The fierce rivalry between the Tigray and Amhara peoples for control over the Ethiopian empire is of long standing. In its modern form, comparable activities on the part of the government in Addis Ababa and the Tigray Peoples' Liberation Front have each caused refugee movements into the Sudan. Whole peoples were decimated and displaced when they resisted the formation of the modern Ethiopian empire in the last and in the present centuries. The peoples most affected were the Oromo and the Somali but the lands of other smaller groups such as the Sidama were also overrun. Again in the modern equivalence, the activities both of the Ethiopian army and airforce, and of the Oromo Liberation Front, the Western

Somali Liberation Front, etc. have encouraged vast refugee flows. Yesterday it was colonization by Christian highlanders that displaced people: today it is Socialist Ethiopia's policies of resettlement and villagisation.

The interrelationship between climatic change and political factors - in the case of Somalia - has already been mentioned, as have xenophobic reactions to economic distress. Mass movements on the scale that have occurred, in the last decade, particularly in north-eastern Africa, have obvious ongoing effects on the environment. The many factors which determine ecological change, particularly the degradation of vegetational cover and desertification, is an obvious area illustrating the 'unity of the sciences'. It cannot be fully understood without the human and historical factors.

Soon after independence was restored to former British and Italian Somalilands, special arrangements had to be made by the united Somali government, particularly following incidents in 1960 and in 1964, to house all the wretched and homeless who flooded across the de facto borders. Again during what Somalis refer to as the "long-tail drought" of 1973-1975 which, together with the Sudano-Sahelian drought of the early 1970s, struck with devastating effect large areas of both western and eastern Africa; many a family suffered. They had to be cared for in a series of hastily established reception and resettlement centres. This proved a precedent, for the harrowing experiences of those years were nonetheless minor compared with the vast scale of more recent problems. Really massive flows did not eventualise until the late 1970s, when the intervention of the Soviet Union and Cuba initiated a renewed period of oppression in the Ogaden. Regrettably the refugee presence, unrealistically completely denied by Ethiopia for several years, became a polemical factor in General Assembly and other debates. There is equally little doubt that figures

put forward by the Somali government were on occasion quite unreliable. In early 1982, the UN General Assembly sent an inter-agency assessment mission to Somalia. Based on the 1981 census, it was agreed between the members of this mission, the donor community and the Somali Government to use a supposed camp population of 700,000 as a planning figure. This figure is also probably inflated - but on the other hand the large number of urban refugees are disregarded and refugee flows continue in 1986. And the anguish goes on and on.

After several years of urging the international community to recognise the historical roots of what is often termed the "Ogaden problem", (it involves Somali groups other than the Ogadeen and also the Oromo nation) the Somali government appears to have faltered. Internal dissent, inter-clan rivalries, mounting opposition - some of it externally based and supported if not inspired - together with other kinds of pressure in the form of fairly substantial offers of aid, may well be causing the present Somali regime to settle for an uneasy status quo and the repatriation of refugees, in despair of securing a just settlement. It seems clear that international pressure is demanding a 'durable solution' to the refugee problem throughout north east Africa - without the corollary of addressing its root causes!

It has often been said that those who do not read history are doomed to relive it. About a century ago negotiations took place between governments in London and Addis Ababa supposedly to establish certain lasting frontiers in the region. The Somali people of the region were neither involved nor informed and in due course they murdered some of those who sought to mark out such boundaries on the ground. Whatsoever the factors that are influencing decisions in Addis Ababa and Mogadishu in 1986, lasting peace in the region cannot be achieved

without the acquiescence and participation of the peoples involved.

It is well to note also that the wider consequences of Ethiopia's 'internal' wars include not only vast refugee flows in all directions - Sudan, Somalia, Djibouti and Kenya - but foreign involvement on the part of the United States, Israel, the Somali Democratic Republic, the Soviet Union, and Cuba. Although this is beyond the scope of this paper, it is far from being unconnected to the root causes of the refugee problem that, it is suggested, demand more serious study.

The case of the tiny state of Djibouti - with an estimated population of some 220,000 back in 1976, and which grows none of its own food - deserves special mention for it is there that the controversial supposed 'durable solution' of 'voluntary' repatriation was initiated in Africa and has been recently renewed. Its 'voluntary' nature has been repeatedly and seriously called into question (see annex IV) and this is important, for there is little doubt many see it as an universal panacea. Perhaps not universal; it is, of course, a third world remedy: no-one suggests that refugees from the Soviet Union should be repatriated from their countries of asylum owing to conditions in the country of origin having become 'settled' - nor do they endeavour to curtail resettlement in third countries; quite the reverse.

The current vogue for the encouragement of voluntary repatriation must be seen at least in part as a response to budgetary constrictions. Clearly 'voluntary repatriation' is the 'durable solution' most to be preferred, but it should never take place until the conditions which caused the refugee's flight in the first place have been ameliorated. Voluntary repatriation by its very

nature should not need to be organized, merely facilitated.

Since the early 1980s this trend has emerged from behind the scenes discussion between the UNHCR, the major donors and the countries of origin and asylum. Despite furore in the press, the world public has had no direct access to the decisions made and the options planned. Rehabilitation centres have been set up before refugees in the area have been advised of their option to 'voluntarily' opt for repatriation. Clearly UNHCR officials have then been cast in a most unsatisfactory role as advocates of repatriation. Since refugees naturally regard the major duty of the UNHCR as that of protection, the propensity for the erosion of confidence and even graver misunderstandings is apparent. It is disadvantage enough that the Executive Committee of the UNHCR is made up of representatives of 41 governments. Countries of origin as well as countries of asylum are present as members or as observers and they can and do frustrate any discussion of root causes of mass exoduses - and even human rights.

Diplomats are inclined to take at face value statements by their colleagues in the direct service of governments which relate to amnesties and allegedly favourable political and social conditions in their countries. Refugees are much more sceptical - and realistic. Yet they are excluded from all UN deliberations. Perhaps the most important element that is overlooked here is that refugees themselves are individuals, a corollary of which is certainly not that they are unskilled. It is a curious facet of a supposedly post-colonial period that consultation with refugees on their own welfare and future and their participation in relevant decision making processes has been scarcely developed. But then diplomats are used to representing governments not minorities. Only the liberation movements approved by regional

organizations, in this instance the OAU, may speak. When spokesmen for liberation movements unrecognized by the OAU have sought to present an opinion, as members of humanitarian delegations, or as individuals, as often as not they have been forcibly ejected by UN security staff and in some cases detained.

In 1980, according to UNHCR figures, nearly 60 percent of the refugees in Africa were sheltering in states adjacent to Ethiopia in the Horn of Africa. Refugees in the strict sense of the term within the boundaries of Ethiopia - mainly Sudanese, South Africans and Kenyans - are not numerous, but there are many thousands of internally displaced persons. These are 'internal refugees' from the conflicts in Eritrea, Tigray, Oromia, Sidamo and Western Somalia. The resistance or 'liberation' movements currently contesting the Marxist successors of the erstwhile imperial authorities are among those not recognized by the OAU, nor, therefore, by the United Nations. Their hope is to achieve at least a measure of self-determination - up to or including independence, to paraphrase Lenin - whether they are recognised or not.

Since the root cause of mass movements is almost invariably, in one form or another, the denial of human rights - including this right to self-determination - African states which have not yet done so should be urged to ratify their own African Charter of Human and Peoples Rights. From time to time the United Nations Organization issues statements listing the nations that have acceded to and/or ratified international instruments, including those apertaining to refugees. Clearly it is desirable that all states, not only those in Africa, ratify the international refugee instruments and - what is equally important - adhere to them in spirit as well as letter. In this context it is clearly most desirable that domestic legislation incorporate international documents in

the manner best suited to the local circumstances. But the evolutionary nature of international law notwithstanding, it is clear that the 1951 UN Refugee Convention and its 1967 Protocol are in need of further amendment. The definition of the term 'refugee' has been found in practice to be too narrow. This is why United Nations General Assembly Resolutions have had to use terms such as 'displaced persons', 'returnees', 'economic migrants' and even 'persons of concern to the UN High Commissioner'. Significant amounts are spent by the UNHCR merely to define who is and who is not entitled to assistance. At the grass roots level - and the importance of this level cannot be overemphasised since every refugee represents a human tragedy - considerable resentment is aroused against the international community as a whole when 'legal officers', who are in practice often also 'protection officers', have to advise refugees that their situation does not fall within the mandate of the High Commissioner's office. In the experience of this writer, such decisions are often arbitrary but they are nevertheless far reaching - governments and private organizations often demand UNHCR endorsement before they will assist individual cases. In Kenya only 2 out of 8 applicants for asylum are currently granted it. Lucky rejects have until recently been able to take advantage of hostels set up by the American Marianist Mission but these are in danger of closing down.\* Likewise many Oromo and others from the southern areas of the Ethiopian empire-state have endeavoured to become absorbed in Kenya's Turkana population, an exercise which normally involves the bribery of some Turkana chief for appropriate documents. It is currently possible to purchase probably forged refugee identity cards from government officials for some 240 shillings. Even so, many refugees in

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\* Nor has the lot of refugees, particularly from Ethiopia, been eased by the tragic death of a white Kenyan philanthropist, Dr. Hugh Pilkington, who dedicated practically all of his time to the service of refugee communities.



Nairobi walk the streets in perpetual fear of being accosted by the police and being unable to satisfy them as to their legal right to be in the country. Others are driven to crime and prostitution in order to raise the money. Despite massive unemployment, UNHCR assistance is curtailed after 6 months.

There has been considerable - but to date largely ineffectual - debate at the ICARA conferences and at sessions dealing with Africa's chronic economic crisis on 'burden sharing'. It is all too easy for the 'developed countries' to take such pride in the financial and economic contributions which they make to the point of ignoring the drain which vast refugee flows represents on the economies of the countries of first asylum. Some such countries - including the Sudan - have in effect waived the whole of their development budgets and seriously deflated their national resources, food reserves and often the personal incomes of individual citizens in response to the needs of victims of natural and man-made disasters. Yet such nations and individuals in Africa have only marginal resources with which to be generous. In view of the increasingly restrictionist application of refugee law current in the developed nations, some agreed form of words on international burden sharing would certainly be helpful.

Meantime the system of accountability for the UNHCR is itself less than satisfactory. Relevant resolutions are based on bartering by diplomats representing national interests before they are rubber stamped by the United Nations General Assembly. UNHCR officials come from the diplomatic services of their countries. They are trained in the brokerage of power and they quickly realize at the important grass roots level that refugees have none. A case can be made that a diplomat must be highly paid in order to maintain a

certain social standard of living properly to represent the dignity of his country. But the cost of maintaining often unsuitably trained and sometimes unsuitable people in a style, which is inevitably in marked contrast to that of the refugees which they are supposedly seeking to help, consumes a significant proportion of the UNHCR's declining resources.

The United Nations is going through a lean period. Care must therefore be taken not to encourage ill-considered and destructive criticism; and it is also true that the present UN High Commissioner, who took office only on 1 January 1986, has a Red Cross, rather than a diplomatic background; (his home country Switzerland is only an observer at the United Nations). But could it be, at least in the field, that caring for the wretched of this world would be better left to others more at home with poverty and suffering - and less embarrassed by talk of 'human rights'?

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(N.B. A fully annotated version of this paper can be made available from the writer.)

ANNEX I

Refugees in Africa, Recognized by the UNHCR

Algeria	167,000	Morocco	800
Angola	91,500	Mozambique	700
Benin	3,700	Nigeria	4,900
Botswana	3,500	Rwanda	19,000
Burundi	267,500	Senegal	5,500
Cameroon	35,200	Somalia	700,000
Central African Republic	29,900	Sudan	1,164,000
Congo	1,200	Swaziland	10,700
Côte d'Ivoire	800	Tanzania	212,900
Djibouti	17,000	Togo	2,000
Egypt	1,100	Uganda	150,000
Ethiopia	85,700	Zaire	283,000
Kenya	8,800	Zambia	103,600
Lesotho	11,500	Zimbabwe	62,800
		TOTAL:	3,444,300

Source: UNHCR, Geneva, Nov. 1986

The UNHCR notes that the figures do not include Palestine refugees under the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), by virtue of the United Nations General Assembly resolution 302 (IV) of 8 December 1949.

The figures above - for reasons argued in the text - should be regarded as the absolute minimum.

ANNEX II

Contributions to the UNHCR by the EEC Countries and the United States

	10 EEC Member Countries	EEC Commission	EEC Total	USA
1980	67,047,988	78,017,364	145,065,352	122,852,417
1981	62,706,493	50,727,683	113,434,176	135,120,284
1982	52,485,064	59,273,106	111,758,170	122,044,584
1983	62,148,707	31,030,371	93,179,078	107,587,457
1984	73,329,852	28,607,528	101,937,380	113,354,732
1985	85,096,028	51,744,952	136,840,980	126,312,708
1986	67,144,829	39,420,101	106,564,930	58,284,518

(currency - U.S.\$)

(Source - UNHCR, UK office, May 1986)

See notes on following page.

Notes:

1. The EEC membership increased from 10 to 12 in 1986.
2. These above figures are not global, since they do not include contributions to the Voluntary Agencies by non-governmental institutions and the general public.
3. The major donors, with the important exceptions of Canada, Scandinavia and Japan, are as above. It is relevant to note that the Eastern bloc countries, with the exception of Yugoslavia and China, hardly ever contribute to the international refugee effort. A statement, with limited circulation, issued by the USSR at the ICARA I Conference is illustrative of their position:

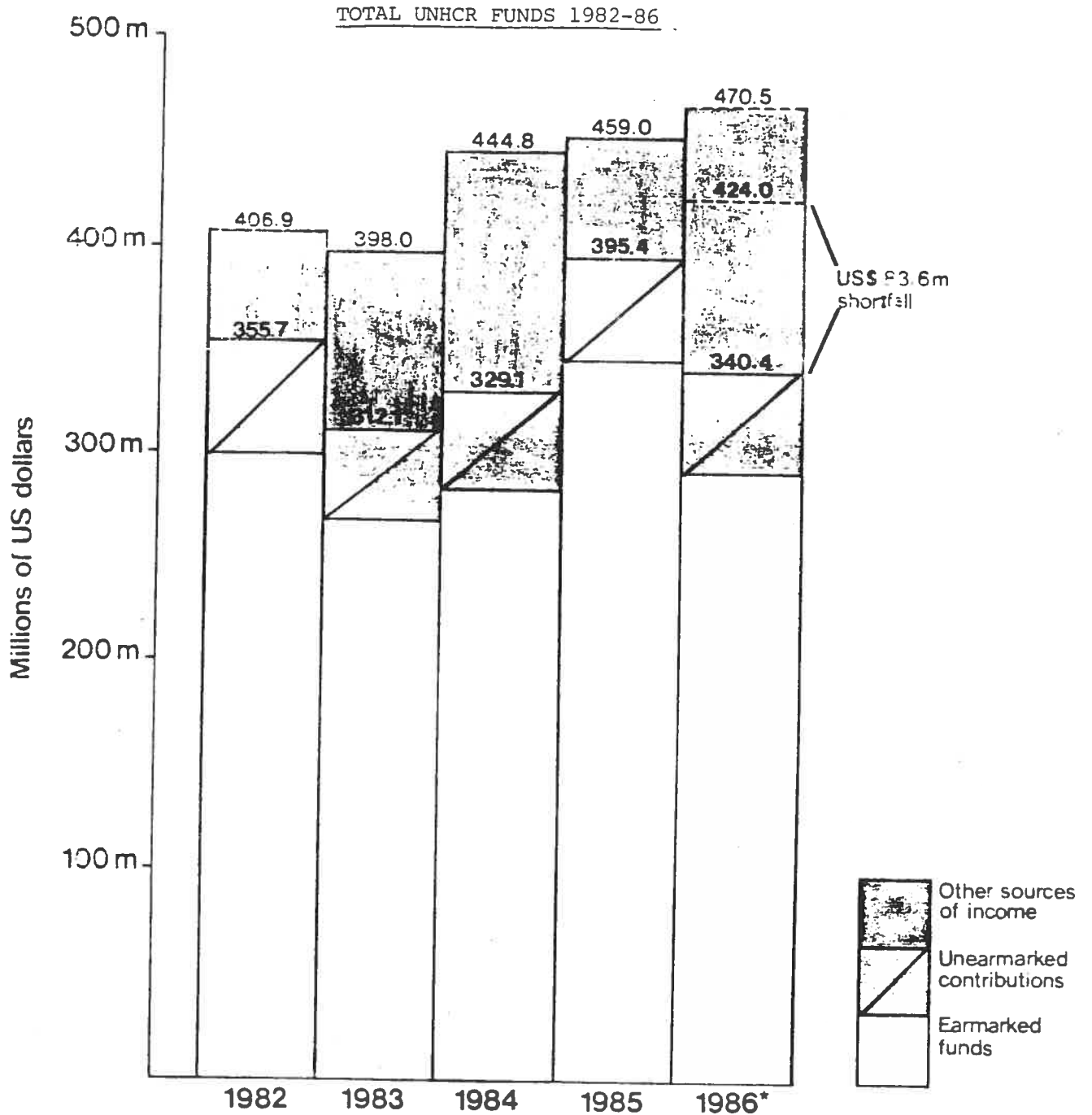
"The Soviet Union views with understanding the efforts of the Organization of African Unity aimed at convening the Conference on African Refugees. It does not however consider expedient changing its traditional practice of helping friendly nations on bilateral basis. In this connection it does not participate in the work of the Conference.

As for the main causes of the appearance of the refugee problem in Africa, the Soviet Union considers them to be the legacy of colonialism and the activities of the imperialist countries on this continent.

A decision was taken to distribute aid to the drought affected countries of Angola, Mozambique, Tanzania and Ethiopia through the Soviet Red Cross and Red Crescent Society in the form of supplies of medicine, nourishment for children, tents and blankets in order to alleviate refugees' sufferings.

The decision was taken with due consideration of the talks with the delegation led by Mr. Onu, Under Secretary-General of OAU, held in Moscow in late March 1981."

ANNEX III



Source: UNHCR, Geneva. (Figures as 29 Sept. 1986.)

The UNHCR notes that the general trend that has developed during the past few years has been towards a larger number of specific contributions with a higher incidence of earmarking. In response to UNHCR's increasing financial requirements in a wider range of programme areas, many Governments have been compelled to divide greater parts of their resources into larger numbers of earmarked contributions. Other sources of income include funds carried over from the previous year, cancellations of earlier obligations, refunds of unliquidated obligations, and interest.

ANNEX IV

Original version: French

CIRCULAR FOR ALL THE REFUGEES IN THE REPUBLIC OF DJIBOUTI

For many years you have been warmly welcomed by the authorities and the people of Djibouti who have, with the help of the international community, offered you assistance and protection at no small sacrifice to themselves.

You are meanwhile aware that this generous hospitality cannot be continued indefinitely and due to lack of resources, of land, of employment possibilities and of infrastructures, the Republic of Djibouti cannot offer you the means to settle permanently on its territory.

The time has now come for you to reconstruct your life and that of your children who have no future in a refugee camp nor on Djiboutian soil.

Furthermore, the majority of you left your country for reasons which have ceased to exist today and therefore you should no more be considered as refugees.

Thus, in close consultation with the Government of Ethiopia and with the United Nations High Commissioner for Refugees, we have decided to help all those who wish to go back to their native land and families in Ethiopia to do so.

In 1983 the Government of Ethiopia had promulgated an amnesty law in favour of all the repatriants thereby assuring their security and peace. Recently again on the occasion of the twelfth Anniversary of the African Refugee Day, on 20 June 1986, Lt. Col. Mengistu Haile Mariam launched a warm appeal to all the Ethiopian refugees abroad to return home. Upon their arrival to Ethiopia the repatriates will enjoy again their full citizenship.

The High Commissioner for Refugees for his part will make sure that your security is guaranteed and facilitate to the extent his limited means permit, your reintegration in Ethiopia.

All those who do not accept to repatriate voluntarily to Ethiopia, must request individually the continuation of their refugee status. A special Committee will be created by the Djiboutian Authorities to examine those requests and will take decisions rapidly which would not be subject to appeal.

In any case, those who will retain the refugee status will be issued a new refugee card to replace the old card which will not be valid any more. This new card will indicate, inter alia, the names of the dependent children of the refugee who must report any births or deaths to the competent authorities so as to modify the information contained in his card. Furthermore, in the near future, it is envisaged that all refugees without any exceptions who will be issued new cards, will be settled in a new refugee camp in the region of Obock.

All those who will have lost their refugee status must leave the Djiboutian territory. They will not receive any assistance of any kind as opposed to those who will repatriate voluntarily.

As of 1 January 1987 all old refugee cards, ration cards and asylum seekers attestations will not be valid anymore.

As of 1 September 1986 all candidates for repatriation may register in the following places:

- The Voluntary Repatriation Office in Kikhil.
- The Voluntary Repatriation Office in Ali Sabieh.
- UNHCR Branch Office in Djibouti (only for those refugees residing in Djibouti town).

In the meanwhile and with immediate effect all programmes of assistance for resettlement to third countries are suspended.

(Signed)

YOUSOUF ALI CHIRDON

Minister of Interior, Post & Telecommunication

Djibouti on 29 July 1986.

Extract from the Address of Ismail Omar Guella  
of the Republic of Djibouti, before the 37th Session of the  
Executive Committee of the UNHCR, Geneva, 6-13 Oct 1986.

"In Djibouti, there are now about 18,000 refugees. Information campaigns are currently being carried out amongst this community for voluntary registrations with a view to programming more departures shortly.

However, if the refugees wish to remain on the territory of the Republic of Djibouti, despite the guarantees obtained both as to security and as to the material arrangements for their rehabilitation, then I request the international community to keep up the aid currently granted to the Republic of Djibouti. We cannot, in fact, meet any further expenses because the Republic of Djibouti must meet the most basic needs of its nationals who have suffered and are still suffering from the drought in the country. The herds have been decimated and it will take several years to build them up again."