

A REPORT FOR THE INDEPENDENT COMMISSION ON INTERNATIONAL HUMANITARIAN ISSUES REFUGEES: DYNAMICS OF DISPLACEMENT

A Review Essay

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Kemal Kirisci

RSP DOCUMENTATION
CENTRE

The « refugee problem » is a subject matter to which we are regularly exposed through the public media. Yet, this often is a very superficial exposure that rarely goes beyond the absorption of sensational, dramatic but effervescent information. *Refugees; Dynamics of Displacement* is a book that consciously aims at filling the gap between this limited exposure and the need for an indepth analysis of root causes and processes that force almost 25 million people to leave their homes and become « uprooted » in search of security.

The authors of the book define this phenomenon of « uprootedness » as « the loss of one's home for reasons beyond one's control and the alienation and suffering that follows from becoming displaced ». The uprooted are people who have been « forced to abandon familiar surroundings and to live in alien and frequently hostile environments ». Such a definition has allowed the authors to include in their analysis people who have not crossed national boundaries to qualify as refugees but who have nevertheless been compelled to move and become uprooted.

In view of such a definition the title of the book does not do adequate justice to its contents which in an exceptionally systematic and structured way tries to find answers to questions such as: « Why and under what conditions do these involuntary movements of populations take place? What can be done to alleviate the sufferings of those affected? Can mechanisms be developed to predict and prevent mass displacements? ».

To examine these questions the book is divided into two major parts. Firstly, there is a detailed description of who the refugees are

and why they are leaving their countries of origin. This is followed by a study of existing legal and institutional frameworks that have been set up to tackle the day-to-day problems that most refugees in the Third World face. The steadily worsening situation for refugees is attributed to many governments' reluctance to observe existing international law on refugees and to cooperate with international humanitarian assistance. The authors, beside suggesting possible ways of resolving problems arising from inadequate financial funds and training faced by international organisations, note that at its heart « refugee problems are political, and must be treated as such. The UN system has an important role to play in this process. The Secretary-General and special representatives appointed by him could act as diplomatic intermediaries specifically to resolve refugee crises. »

The problems of refugees in Western countries is also closely scrutinised. The hardening of Western governmental attitudes on asylum and the introduction of growingly restrictive measures are seen to be jeopardizing the security and liberty of many genuine refugees. In the face of such difficulties the authors suggest original ways in which the conditions of asylum seekers in industrialised countries can be ameliorated. In particular they stress the need to tighten up existing international legislation which gives an individual the right « to seek and enjoy asylum » but not the right « to be granted » one. Similarly, they also note that this legislation is frequently implemented in an arbitrary manner depending on what part of the world a refugee comes

from. However, they do warn the reader that a broader and more liberal legislation may not necessarily be the best solution. Instead they suggest that a more effective means of implementing present legislation be developed. In this respect they envisage for the UNHCR a role of an arbiter that can furnish Western governments with reliable information. They also want to see the UNHCR's mandate expanded to extend greater protection for stateless persons, refugees who have been repatriated as well as those people who have been uprooted in their own countries.

It is the second part of the book that expands on the problems that displaced people face all around the world. It discusses the many different types of methods employed by both industrialised and developing countries to control movements of people. These methods range from the tightening of immigration controls and the deportation of illegal entrants and migrant workers, to the use of coercive methods including mass deportations, particularly common in developing countries. The consequences of these methods lead many to live extremely grim, inhumane and uncertain lives. This situation is made particularly difficult by a conspicuous lack of legal instruments and international institutional arrangements for helping victims of mass expulsions and deportations. An even grimmer picture is drawn for subjects of removal and relocation programmes so popular among some Third World governments.

The authors remain highly sceptical about the reasons cited by governments in support of these programmes. Instead they note that « On close scrutiny, villagization, relocation and transmigration often turn out to be inspired as much by

military and political considerations as by development objectives.» However, they do qualify this observation by noting that not « all the diverse forms of rural relocation... involve the same level of coercion » nor do they « invariably have sinister motives. But most have the effect, it is not always the aim or motivation, or consolidating state power over rural people, usually to their disadvantage ».

The grimmest picture is reserved for those people that have become displaced within their own countries as a result of a breakdown in public order. « Few people realize that the plight of internally displaced people is often much worse than that endured by refugees ». This plight in some areas takes the form of « being bombed, strafed and mortared, sometimes while waiting to collect food supplies from non-governmental relief organizations ». The authors note that in spite of significant number of humanitarian institutions trying to provide help and protection for displaced people they by and large continue to remain highly vulnerable. This vulnerability seems to be exacerbated by « a considerable degree of confusion over the responsibility of various intergovernmental agencies for the protection and material status of displaced people » as well as by some governments reluctance to allow the International Committee of the Red Cross to function freely and effectively.

A thorough examination of this question of vulnerability generates an interesting discussion of possible remedies. Some are reasonably realistic such as the idea of promoting « wider knowledge and acceptance of the internationally agreed instruments » as well as the idea of mobilising regional political institutions to bring pressure on governments. Though inherent in the first idea there is a great challenge awaiting the community of states. More often than not governments can be persuaded in one way or the other to observe and respect international legal instruments. After all, it is states that are party to international law. Yet the same can not be said about the growing number of paramilitary groups that remain outside the contemporary

international legal structures. The challenge lies in devising new methods for either taking the basis of international law beyond states or persuading such groups to respect existing international law. Both are fraught with difficulties because the former questions the principle of state sovereignty while the latter calls for duties without granting any rights.

Similarly, in respect to bringing greater protection to refugees it seems the idea of broadening the role of the UNHCR through the General Assembly seems rather unrealistic particularly given the message carried by a quotation used in the concluding chapter of the book which notes the limitations of UN efforts to cope with refugee flows when there is scant respect by governments for principles of international law and UN decisions.

The final chapter tackles the problems of anticipation and action. In this regard the book warns us that the complexity surrounding mass refugee movements makes them very difficult to predict with any scientific accuracy. However, it is stressed that this difficulty is not insurmountable if there is more research done to understand « specific processes and events, and the ways in which different groups within a community respond to them » rather than try to understand solely general root causes. Once information which provides some clear indication of the size and composition of the refugee movements, and the capacity of a receiving area becomes available, contingency planning is seen as a relatively easier problem to handle. The authors note that after all « good contingency planning simply involves the initial step that an eventual relief operation might require ».

Finally, the book also addresses itself to the even more important matter of developing preventive measures to try to avert problems associated with uprootedness. The authors note that this invariably calls for the channelling of greater efforts and resources directed towards the resolving of the root causes that create environments conducive to displacement. They rightly feel that « The time is undoubtedly right for a new approach to this problem. Through their re-

sponse to the crisis in Africa, people around the world, and of every political persuasion, have demonstrated their concern for the plight of uprooted people. That concern must now be mobilized and brought to bear on policy-makers at national and international levels. Predicting and planning for refugee movements should be a first step towards preventing them from happening. And that preventive action must be taken in the political arena, where the conflicts that create most refugees begin. »

In this book there is a wealth of empirical information. Yet the book in this respect could have acquired greater strength had the authors chosen to provide the reader with some references. Throughout the book frequent references to statistical information, quotations and reports/studies have not been cited. This is rather disappointing not only because references would have brought greater meaning and credibility to statistics being used by making them verifiable but more importantly it would have given the interested reader the possibility to pursue areas of interest. The same can also be said about the conspicuous absence of a bibliography. This is particularly surprising as the book hopes to prompt further research and aims, amongst others, at the interested member of the general public, which presumably would have little familiarity with academic literature on the subject.

However, these minor points of style should not in any way weaken the value of this book, which in a very refreshing, lucid and balanced way, discussed the many facets of displacement, identifies the many weaknesses of the existing international legal and institutional frameworks designed to protect and take care of the displaced. Furthermore, the authors' determination to suggest possible solutions to the many issues associated with displacement brings an added strength to the book.

This is a book that will undoubtedly generate rich debate and should be of value not only to the political activist, the interested public but also to students of development, third world politics and international relations.

Kemal KIRESCI
Webster University in Geneva