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UNHCR Policy and Practice: Confronting Calls for Change

on APRIL 30, 2007 · [2 COMMENTS](#) · in [LOGAN COCHRANE](#)

Background

The first half of the 20th century witnessed two World Wars. The victors of WWII, wanting to prevent such conflicts from occurring again, established an organization of nations based upon member state coordination and solidarity. The United Nations Organization would focus upon collective security by joining together in democratic global consensus and acting as a semi-international governing force. In addition to security, the UN was to pursue, define and uphold human rights. Reflections from the post-war agreement still play a prominent role today, as the five member states with veto power are those who were the main victors of WWII.

The UN began in 1945 with the signing of 51 states. Membership now totals 192 nations—nearly every country in the world. Its origin lies in an earlier organization with similar aims: the League of Nations, which was founded in 1919. Its failure to prevent a second war resulted in the call for a new organization, which began to appear in speeches by 1942 and was developed at Allied conferences in 1943. The United Nations Organization, commonly known as the United Nations or UN, had some advantages over its predecessor, such as a mandate and an ability to keep a force of peacekeepers. Finances for the UN would be derived from member states.

Obvious horrors of war and the atrocities of genocide of the Second World War drew attention to the need for clear definitions concerning human rights abuses; thus the UN created the Universal Declaration of Human Rights in 1948.

The United Nations High Commission for Refugees (UNHCR) is a UN program financed outside of the regular budget and thus relies upon additional member-state donations. The UNHCR began in 1950 to assist the refugees of WWII. It helped return refugees to their homes or helped provide asylum in other lands. Two previous UN institutions preceded UNHCR with similar tasks and goals: first, the United Nations Relief and Rehabilitation Administration (UNRRA) that was founded in mid-WWII to aid people living within liberated areas. Its projects concluded in 1947 (Europe) and 1949 (Asia) and the organization shut down. For clarification, the title of ‘United Nations’ used for this organization was not yet associated with what today is known as the United Nations. At the time, ‘United Nations’ stood for war-time Western Allies term presented by the American President. The programs of UNRRA were later transferred to an official United Nations organization in 1946, the International Refugee Organization. This organization was created to help deal with large quantities of displaced persons as a result of WWII. In 1952 it also closed its doors, giving sole responsibility of refugee-related issues to the United Nations High Commissioner for Refugees (UNHCR), also known as ‘The Refugee Agency.’

Originally, member states did not know the extent of displacement issues or the future implications of having such an organization; thus the UNHCR was given a short operational mandate. As a result of

success and international support, the programs have been continually extended, with a goal to “lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide” (UNHCR, 2006a). In 2006, the organization was helping over 20 million people. This work was recognized as the UNHCR received the Nobel Prize in 1954 and again in 1981.

The initial target group, refugees, was defined as “people who are outside their countries because of a well-founded fear of persecution based on their race, religion, nationality, political opinion or membership in a particular social group, and who cannot or do not want to return home” (UNHCR, 2006d). In recent years the UNHCR has begun to expand its mandate to include people who have been internally displaced (IDP); however, national sovereignty has become an issue, making assistance even more difficult. During 2005, the UNHCR assisted or protected over 5.5 million of the globally estimated twenty-five million IDPs (2005a). By the following year, the number of IDPs assisted had risen to 6.6 million (UNHCR, 2006e).

Review of 2005

At the end of 2005, UNHCR’s population of concern—refugees, IDPs, asylum seekers, repatriated refugees and stateless people—rose to 20.8 million (UNHCR, 2006e). Of the refugees, numbering 8.4 million, UNHCR reached 52% and assisted large percentages to repatriate to their home countries (1.1 million during 2005, leading to a decrease in overall refugee population by 12% [ibid]). In addition to repatriation, over 30 000 refugees were resettled in 2005 by UNHCR and another 60 000 gained citizenship of their host countries (ibid). The programs also reached 6.6 million internally displaced persons (IDP), an increase of 22% over the previous year (ibid).

Protecting and aiding these populations, according to its own established standards, UNHCR continued and expanded upon regular assistance in the form of supplementary projects. One priority project was a focus upon gender and age. In order to initiate change, some areas and services altered assistance approaches in order to support increased gender awareness. Some offices have been moved, programs are being increasingly monitored, and additional information is being shared through a newly-implemented network; food distribution procedures have been altered, and sanitation services have been changed. Peer groups and committees have been created and/or supported by UNHCR in various manners relating to this field to encourage a community-based approach, with a focus upon accountability. Gender equality work continued in 2005, promoting information and empowerment via greater female participation. Trainings were given to UNHCR staff and refugees on gender violence with particular attention given to prevention and response. Targeting their priorities for refugee children, UNHCR staff conducted participatory research, which led to information sharing, peer networks, and trainings (UNHCR, 2005c).

Implementation and Impact

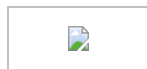
There are several current problematic situations found within UNHCR policy and field practices, based upon the following opinion-style case studies. According to British Prime Minister Tony Blair, the UN Declarations are not in need of change, but the implementation and programs are in need of reform (UNHCR, 2001). Such reform would increase the effectiveness of the UNHCR.

a. Case Study: Resettlement

Within the Turkana district of Kenya, the UNHCR operates the Kakuma refugee camp, which was first initiated in 1992. The majority of refugees are from neighboring Sudan, Ethiopia and Somalia; however, refugees from Burundi, DR Congo, Eritrea and Uganda live within this long-established refuge of war. The camp is home to approximately 65 000 refugees.

In response to the problem of the highly-publicized Sudanese ‘Lost Boys’ of the early 90’s, Kakuma refugee camp was created originally to accommodate 23,000 Sudanese refugees, 13,000 of which were in the “unaccompanied” boys classification (UNHCR, 2000). To date, refugees are provided with essential needs: food (distributed biweekly), housing materials, water supplies, sanitation centers, a hospital and health centers, as well as education services. The environment of the Kakuma area

causes difficulties for refugees and local populations. Malnutrition, access to education, harsh dust storms, and low availability of water are daily concerns.



UNHCR writes of the conditions at the camp, reporting that because of “the harsh environment and tight restrictions on refugee movement and employment, the population at Kakuma is almost entirely dependent upon outside assistance” (UNHCR, 2000). Additionally, UNHCR describes the deteriorating of Kakuma:

One of the main casualties of prioritization in Kakuma has been the ability of UNHCR to meet essential refugee needs. By and large, minimum standards have been attained, and human survival, at least, is safeguarded. However, the safety, well-being, and dignity of the refugees are not assured, and in some cases are deteriorating. (2000)

The disparity between local populations and refugees in Kakuma is also a primary concern.

a visitor to Kakuma would come upon scenes of extreme poverty and deprivation. Groups of withered and soiled adults, their hair tinted orange from malnutrition ... the people described above are not refugees – they are Kenyans in their own country ... one finds the Turkana with seemingly no choice other than to become displaced from their normal abodes, congregate in Kakuma, and beg assistance from another, more ‘privileged’ marginal community: the refugees. (UNHCR, 2000)

Considering that both groups—locals and refugees—are facing life and death struggles daily, violence comes as a surprise to none. Some Turkana have advocated violent action against the refugees and such problems continue today. The UNHCR has described the violence as “rampant”. However, efforts are being made to address this pressing crisis (2000). Claims of inequality are not denied by the UNHCR as their own reports explain:

It would appear that water standards surpass national standard – in the period 1990-96, only 53 per cent of Kenyans had access to safe water ... so too with food outputs – the refugees receive, on average, 2,100 kcal of food daily, in line with WFP/UNHCR minimum standards (2,100 kcal/person/day) and superior to the Kenyan national averages. (UNHCR, 2000)

Issues of violence have erupted concerning these matters of inequality. Removing these vast inequalities is vital to safety in the camp. This particular problem will be addressed in later sections as the UNHCR has created a response in searching for the solution.

Of greater concern are various issues that people consider while thinking about moving to a refugee camp, and those issues facing refugees upon pondering repatriation. A refugee who had lived in Kakuma for a year and a half recalled the situation in the camp, explaining:

In Kakuma, many refugees from Sudan were just happy to be in a secure place where they could get food. Those who tend to think of resettlement are those who came from non-neighboring countries such as Congolese refugees. Coming from far allows you to think of farther places, but not when your family is just across the border. (Pers.Comm., 2006f)

As Kakuma is divided by nationalities, it is important for all groups to express their own thoughts, such as the Congolese viewpoint above. The views of minorities in the camps cannot be ignored.

A second perspective from the Kakuma camp is that of a Sudanese refugee who had spent eleven years in Kakuma. He explains, “Most refugees see resettlement as a gateway to better living because nobody wants to remain stranded in the camp for eternity. But few enlightened ones will rather go back to their countries, should the situation improve” (Pers.Comm., 2006g). The answer implies that only a minority wanted to repatriate to their home countries, leaving most waiting for resettlement—an unrealistic goal. He continued to explain that some refugees enter into the camp solely for the purpose of seeking resettlement (Pers.Comm., 2006g).

Similar reports are echoed in other refugee camps outside of Kakuma. A Congolese refugee I had spoken with said, “refugees of Congo refuse to return to Congo because they want to wait for resettlement” (Pers.Comm., 2006d). Many refugees have the same ideas concerning resettlement. While the majority of refugees did not originally enter the camp for the purposes of seeking international resettlement, many have chosen to remain in the camp for this reason.

The refugees’ desire to be resettled seemed unrealistic: with so many refugees, how could they all be resettled? They simply could not. The number of resettlements mentioned above is a minute percentage of the refugee population. The follow-up question was, ‘why would refugees consider waiting?’ A Congolese refugee living in Benin said: “the refugees know the number is small but wait because they see the opportunity as great and one-time only” (Pers.Comm., 2006d). The UNHCR has clear policies on resettlement and one can understand the vast majority will not be selected for such a program. And yet, refugees still wait.

The UNHCR “seeks long-term ‘durable’ solutions by helping refugees repatriate to their homeland and, if conditions warrant, by helping them to integrate in their countries of asylum or to resettle in third countries” (UNHCR, 2006d). The extent that refugees consider each of these options becomes important when placed in relation to their respective probability. Taking 2005 as an example, of those who left refugee camps, less than 3% were resettled. UNHCR explains that: “UNHCR encourages voluntary return by providing transportation, financial incentives and practical help such as seeds, farming equipment and building materials” (UNHCR, 2006d).

Resettlement is second to the UN’s preferred solution of repatriation and is only accessible for specific cases. UNHCR defined those able to apply for resettlement as those facing, “an ongoing threat of persecution ... In those circumstances, resettlement in a third country may be the only feasible option” (UNHCR, 2006f).

Considering resettlement, one ought to examine the reasons a person decides to become a refugee, in fleeing his/her home country. For many there was no choice; it was a matter of life or death. For a minority of others the choice is made because becoming a refugee makes life better:

there are many refugees. Why? Because there is poverty. There are political refugees and economic refugees. An example, Togolese refugees have many economic problems in Togo but in the camps those worries are solved. UNHCR gives them food and money, and even resettlement to the USA, Australia, or Canada. Listen, a factor for the motivation of refugees is economic. They live in poverty and this is a solution, to become a refugee. (Pers.Comm., 2006d)

Thus, there can be refugees of war, and additionally economic and political refugees. Another group of refugees, even though much smaller in comparison, are those who become refugees in order to seek resettlement:

The Nigerian refugees come to Benin mostly to be moved to USA. A large number are not

refugees of war, but come for business and try to take the opportunity to be reinstated in America ... some saw the refugees of Biafra become resettled in America and other Nigerians have become motivated to become refugees seeking this result ... [others related to those resettled in America] write they want to re-unite their family, and that is the reason they become refugees. Those refugees tell UNHCR that they are threatened by the military or police in Nigeria and are afraid to return. (Pers.Comm., 2006d)

The UNHCR falsely explains that the “great majority of today’s refugees would themselves prefer to return home once the situation stabilizes” (UNHCR, 2006d); however, the UNHCR’s own publications seem to indicate otherwise. A Kakuma report of 2000 writes that “the issue of resettlement preoccupies much of the camp population” (UNHCR, 2000).

In light of these concerns, this author’s call to reform highlights a current amendable problem within the resettlement program; but even more important, the future issues that may arise. If the resettlement program is both a one-time opportunity for refugees and a preoccupation within the mind of refugees, one can envision future problems concerning resettlement. The first problem relates to drawing impoverished peoples into refugee camps for economic reasons or in the hope of international resettlement. Second is the problem of allowing those who are refugees for any reason to remain so in the long-term pending the possibility of resettlement, regardless of their home-country situation. A third problem consists of peoples abusing the system, using UNHCR as a way to go to other countries since obtaining visas is quite difficult. We can see examples of all three problems within the previously-quoted interviews.

This call for reform fully acknowledges that these issues are relatively small. What makes this call for change important is that UNHCR has recently announced, to “meet today’s more complex challenges UNHCR established a so-called Agenda for Protection ... [that] introduced several other specific initiatives which included calls for an expanded resettlement program” (UNHCR, 2006f). The statement leads refugees to believe that, “in the future, there will be more refugees because of this” (Pers.Comm., 2006d).

b. Case Study: DR Congo



History had not been kind to those living in the area today known as the Democratic Republic of the Congo (DR Congo). For the purposes of this study we will briefly look at the events of the mid-nineties as the beginning of series of conflicts that would continue for the following decade.

The international displacement of conflict occurred as rebels based attacks from eastern DR Congo during the genocide, and established military camps. In addition, Rwandan refugees fleeing the conflict came to DR Congo, thus expanding the conflict outside of Rwanda. Refugees were grouped in camps within DR Congo, which were composed of both Hutu and Tutsi ethnicities. Attacks soon began occurring within these camps. Joining in with these attacks would be Laurent Kabila, then living in exile in Tanzania. These movements escalated the problem in Rwanda into an additional conflict: Hutu rebels joined arms with Congolese military (then known as Zaire, and the military as the Zairian Armed Forces, FAZ). Mobutu, then Congolese president, supported the Hutu ethnic group and the previous Hutu government of Rwanda, which was run by Habyarimana before Kagame’s coup. The Mobutu-Hutu partnership was formed to prevent genocidal acts similar to those in Rwanda. While these camps were protected, a full conflict emerged in Congo (then Zaire), merging the political and ethnic problems. Politically, the Congolese had had enough of Mobutu’s dictatorial and plundering ways; and, as a result, Kabila was accepted on political grounds. Kabila claimed to be a politician, but in reality he was also engaged in an ethnic war.

This ethnically-driven conflict remained largely out of the international news until Tutsi rebels completed a coup d’etat: overthrowing the long-standing Congolese Mobutu government. The change

of government did not occur before Ugandan and Rwandan militias fully joined their cause (both were supported financially by the US and all parties agreed that with Kabila's ascension each would be given access to Congo's vast mineral resources). Failed peace talks in 1997 led to Mobutu's fleeing of the country and Kabila's uncontested entrance into leadership. At this point Zaire again became DR Congo.

The attempt at a peace agreement of 1999 failed and two years of continued fighting led to the assassination of Laurent Kabila. His son, Joseph Kabila, succeeded him and called for a second attempt at peace talks. Within his first few months of office, a peace deal was signed and foreign military forces left DR Congo, soon to be replaced with a massive force of United Nations Peacekeepers (MONUC) – this would culminate to be the United Nations largest mission, having over 17,000 peacekeepers in the country.

One year later, in 2002, conflict re-ignited in the northeast and both Uganda and Rwanda marched in their militaries. Kabila agreed to share power with the rebels, leading to the departure of the Ugandan military. This latest move left only Rwandan soldiers on Congolese soil. Conflict continues today, but mostly within the eastern regions. Some reports relate this conflict to the immense wealth of diamonds, gold, and other minerals in the area. In particular, the involvement of Uganda and Rwanda seems tied to such resources as the various minerals tend to flow in their direction for sale to the larger international market.

Ten years after the conflict officially began the future did not look so dim. Conflict still existed, but a new constitution was approved by an election and the following governmental elections of July 31st 2006 passed basically without incident. The elections, without much surprise to many, re-elected Joseph Kabila. This election occurred only after an estimated 3.9 million people died and hundreds of thousands sought refuge in other countries with an unknown number of people internally displaced as a result of the conflict.

With stability, and the hopes of peace, in the foreseeable future refugees have begun to return home. One place of particular interest is Baraka, a central refugee repatriation location in eastern DR Congo. Refugees enter via the port either to stay or as a transition stage for further movement. In terms of refugee camps for Congolese, neighboring Tanzania plays a massive role. Across Lake Tanganyika and a few hours inland exist two large camps: Lugufu, actually separated into two camps (Lugufu I and Lugufu II), having approximately 120,000 inhabitants; and Nyragusu, a temporary (ten-years in most cases) home for an additional 60,000 refugees. In total, these 180,000 refugees largely remain within these camps but some have ventured back to DR Congo, about 25,000 since 2003 (UNHCR, 2006b).

A Congolese, who lived in Lugufu refugee camp (Tanzania) until he moved, has returned to his home of Baraka in eastern DR Congo and spoke of the camps:

In Lugufu camp the UK Christian outreach [CODE left Lugufu in 2002] and UNHCR and UN Peacekeepers all frequently visit refugee prostitutes. It is true. They give with one hand and take with the other. People all over the world are different, some who come and do bad work. The international organizations, for example the men workers take wives, they give them food and oil – it is no better than paying them as prostitutes. (Pers.Comm., 2006a)

Claims of a similar tone had been made common recently as Save The Children (BBC, 2006) put out a report from their experience in West Africa. The year before saw a UN scandal as this type of activity was exposed in DR Congo (BBC, 2004a; BBC, 2004b), among other “sex-for-aid” scandals (BBC, 2002a; BBC, 2002b; BBC, 2005a; BBC, 2005b).

The United Nations High Commission for Refugees (UNHCR “The Refugee Agency”) says that their goal is to “lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide” (UNHCR, 2006a). The activities of thousands of workers in various locations are difficult to control and monitor and thus will not be examined within this paper. Similar criticisms have been

made by many, including Easterly (2006), Sogge (2003), Maren (2002), and Lancaster (1999).

Instead of following this concern, attention will be given to more mundane and subtle aspects of refugee life. A local man, who had been internally displaced but had not crossed an international border to become a refugee, explained:

The people who stayed in Baraka get no help, only the refugees. The people who stayed in Baraka need ways for development, for example in cultivation, medicine, and sport ... Life is better today for the returning refugees, in general, than those who lived in Congo during the war. The life is harder for those who remained in Baraka than for those who became refugees because they are helped by the international organizations. (Pers.Comm., 2006a)

All of the international organizations working in Baraka were focused solely on refugees. There were some exceptions: for example, Médecins Sans Frontières (MSF, Doctors Without Borders) focused on locals as well, but their office was in the process of closing and handing over services to the government. One could say without argument that the vast majority, if not close to all, international organizations in Baraka were working with (repatriated) refugees.

The United Nations Universal Declaration of Human Rights states within its first article that “all human beings are born free and equal in dignity and rights” (UNHCR, 1998). This is a statement the UNHCR strives to fulfill, in that it tries to “create conditions which are conducive to the protection of human rights and the peaceful resolution of disputes” (UNHCR, 2006c). But, the UNHCR’s focus solely upon the plight of refugees can directly create conflict (see above, an example in Kakuma Turkana) and can also have unforeseen implications and results. Congolese who had not become refugees pointed out the refugees as the ones who were better off in society and received the benefits of international focus. The situation was thus of a minority (repatriated) refugee population being served by a plethora of international organizations, while a vast number of Congolese were suffering equally as much, if not more, and were not helped by any of the organizations.

A local fellow explained about the past and present, as he worked as a volunteer guard for a locally based organization, from colonial times to his displacement from, and return to, Baraka. He provides a perspective of a displaced, non-refugee person in Congo:

Why don't the international organizations see the problems of the poor? They only see the problems of refugees. The people who live here, they are given no services. Here, the people that went to the camps were better off than those who stayed because we [those who stayed in DR Congo during the war] faced the rebels who stole everything – and the military too. All things we had were taken. The people who stayed have large problems than those who became refugees. When refugees return they are assisted, they are given metal roofs for their houses before they even have a house and those who stayed during the war get nothing. (Pers.Comm., 2006b)

Local populations were suffering on a level equal to that of returning refugees. People like this local man became internally displaced and impoverished, but had no help from international organizations. The rebels and militaries not only stole goods, but destroyed houses. Just like the refugees, the non-refugee Congolese were without shelter.

On one level it might seem that the UNHCR is only working within its mandate as a refugee agency; however, in the case of repatriation, returned Congolese people are no longer actually refugees but returned or repatriated refugees, just like those non-refugee citizens of DR Congo with status akin to that of other Congolese. The UNHCR works solely with this minority population even though Article 2 of the Universal Declaration of Human Rights encourages assistance with the greater population:

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without

distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs. (emphasis added, United Nations, 1998)

According to this UN declaration, to which UNHCR adheres, the origin of a person does not justify different treatment, but repatriated refugees were being treated much differently than non-refugee people of the same nationality and within the same nation. Additionally, the status of a person as a refugee or non-refugee cannot be used to distinguish people, according to UN policy. These UN statements contradict the work of one of its organizations—the UNHCR. In the process of its projects in countries of post-war situations the UNHCR works only with refugees on the sole justification that the international status at one point was different than the local populations.

Returning refugees knew, and were protected by the idea, that in times of trouble they could meet with the UNHCR or one of the many partner organizations in Baraka to find a solution. For example, in a situation of insecurity or even of school fee difficulties, refugees can rely upon the international organizations and UNHCR to help them. Previously, they had been refugees, and this argument is being used to determine (discriminate against) which persons with DR Congo receive help.

Another local opinion, from a man of non-refugee origin, who had not been displaced from Baraka during the war, elaborates on the situation in his home town:

The people returning as refugees are helped by UN and also during their time at the camps. Those who stayed got no help at either time. Although both faced the problems of the war. They are helped with school, food, houses, and metal roofs – but nothing for the people who stayed here. I think the people returning are living better than the people who stayed because they all [both groups] became poor but now only the refugees are helped. Many people say that if they have a problem again, all of them will leave so that they will be helped by all the organizations. I was not a refugee, but would be one if there was another problem ... some refugees say the UN aid was good, even some Congolese return to the camps [after repatriation] because of all the help.

When the refugees return they go to a transit camp and they [aid organizations] find a place for them to live, they [refugees] return to the villages with food, house materials, and other things ... The refugees and those who stayed both had their houses destroyed in the war – only the refugees are helped. When they return (repatriate) the UN continues to give them food, clothes, and a metal roof. If they [refugees] have a problem they are helped by other NGOs that work with refugees. There is no one here for those who lived and suffered during the war.

Our [those who stayed] only hope is trying to work for the NGOs or the projects like making the camps for the refugees. We'd work for them from 8am to 6pm and get 1\$ per day ... In Baraka, the poorest people today are those who stayed here [during the war]. The refugees today live better because of all their help – their life is better. For example, I stayed during the war, my house is destroyed. If I want a house I have to do it myself. Those who arrive as refugees, they get help from the UN and other organizations. (Pers.Comm., 2006c)

Although the UNHCR, “actively seeks to consolidate the reintegration of returning refugees in their country of origin, thereby averting the recurrence of refugee-producing situations,” within Baraka that reintegration meant that refugees would be selectively helped to an extent where they lived at a higher position in the community (UNHCR, 2006c).

Refugees are focused upon because they are the organizations' target group; however the organization should also uphold the UN charter: “UNHCR also promotes the purposes and principles of the United Nations Charter: maintaining international peace and security; developing friendly relations among nations; and encouraging respect for human rights and fundamental freedoms”

(UNHCR, 2006c). Recalling that all people are equal, that all children have the right to free elementary education, and everyone has the right to a standard of living adequate for the health and well-being of themselves and their families, how can UNHCR justify the selective processes of only working with returning refugees in devastated areas such as DR Congo? A UN report sheds light on their loyalty, but nothing relating to such contradictions: “The international refugee instruments are all grounded in the Universal Declaration of Human Rights, and its affirmation of the principle that ‘human being [sic] shall enjoy fundamental rights and freedoms without discrimination’” (UNHCR, 2000). This glaring problem is outside of the UNHCR’s sight:

UNHCR’s assessment teams on the ground in Uvira, Baraka and Fizi confirm the returnee committee’s conclusions. Each village shows the same pattern of destroyed houses and neglected infrastructure. Immediate assistance is needed in the areas of shelter, access to drinking water, basic health assistance and food security. In October 2004, UNHCR re-opened its office in Uvira, just north of Baraka, and started distributing basic relief items to vulnerable returnee families in eastern DRC. Its partner agency, the World Food Programme, is also providing one-month food rations for 1,500 families who returned via the Uvira transit centre. (UNHCR, 2006b)

The excerpt does not address the problems associated with selective aid. The programs request ‘immediate assistance’ but deal only with ‘returnee families’ while fully acknowledging the vast destruction of villages faced by all Congolese.

These problems may not seem too pressing, but only 25,000 of nearly 400,000 Congolese refugees have returned to DR Congo. The current program helps refugees to an extent where they enjoy higher living standards than non-refugees: a future conflict could arise from this policy. It favors some and discriminates against others. Non-refugee Congolese are quick to point out their state of poverty and of the eagerness of organizations to help only the (returning) refugees. A Congolese refugee declared, “in the future there will be a grand problem. I think they will conflict because the UNHCR is only assisting some” (Pers.Comm., 2006d).

One of the causal factors involved within the Rwandan genocide was related to economics in selective assistance by a foreign group. It could be argued that it was the core factor; and it must be acknowledged that economics played an influential role in the reasoning and justification of violence. At one time, a foreign group gave special rights to a select minority group and privileged this group with special political, social, and economics privileges. Decades later, these dividing factors lead to genocide of nearly one million people. Today UNHCR is following the prototype of colonial privilege and is creating a similar type of situation with a minority group of privileged peoples having unique economic (via aid) and political (via rights lobbying) situations with unforeseen consequences for the future. A Congolese refugee explains:

“it [only helping refugees] can be indeed a big problem. They [non-refugees] will be jealous. The majority will be jealous against the other. What is genocide? An expression of anger against another group. It is possible this could be creating a conflict. They [UNHCR] are promoting a minority and the majority will be jealous, which can lead to anger” (Pers.Comm., 2006e).

In regard to research, the conclusion has been made that, “humanitarian assistance often disregards the local context of development. In order to have a balanced analysis it is also necessary to look at the living conditions of host communities,” but this has yet to be realized in implementation of programs while it faces similar issues (UNHCR, 2006g).

Solutions

According to the first case study above, some refugees enter or stay within camps for reasons not

defined within the area of protection. First to be addressed are programs of information. Refugees know very little of their home countries and even less about their own areas or towns. Informational programs can occur, and in fact have occurred, in some creative ways. For example, in a camp for Burundian refugees in Tanzania, repatriated refugees were used as a teaching tool within the camp. They had returned to the camp to tell other refugees about their home country. The program was created in collaboration between the Burundian government, the Tanzanian government, and the UNHCR. In addition they aimed to have refugees “go-and-see” to help disseminate information on “the real situation in their country” (Refugee Informational Gaps Bulletin, 2006). One of the refugee returnees talked about, “how the country is being reconstructed after war,” in order to make refugees reflect seriously about voluntary repatriation (Ibid). Clearly this type of information sharing is necessary for any refugee considering repatriation. Such programs are not occurring in many other areas. In fact refugees of Kakuma had mentioned that most did not know what the situation was like in their home countries. Such programs would be cost-effective in the long run as more refugees would resettle (especially considering the continued movement toward peace in DR Congo and Southern Sudan). Presentation groups could be set up as one-week seminar-style presentations held within various locations/villages of refugee camps, making sure to reach a large portion of the refugees.

Second, information relating to resettlement policy can be made more available to refugees. Misunderstanding of resettlement adds to its mysteriousness and to misconceptions. For example, a Congolese refugee in Burundi told me that all I needed to do for him was give a letter of recommendation and he would go directly to Canada. Refugees, in general, do not know that the probability for resettlement is very low and restrictive. This misunderstanding allows for long-term resettlement hope, and for the idea of resettlement to remain a refugee preoccupation. A secondary information program of this nature could be nearly cost-free via simple billboard initiatives. Information relating to resettlement, translated into various languages, could be posted around the camp and at the UNHCR offices so that refugees could access it easily and repeatedly. In cases where the problem is of greater concern, such as in Kakuma, the UNHCR could have a small outreach team hold educational programs relating specifically to resettlement. Again, such efforts would be cost-effective in the long run as fewer refugees would consider waiting for resettlement and alternatively focus upon the more viable option of repatriation.

Both examples presented are cost-effective solutions for the long term, so as to overcome current problems and prevent the additional associated problems in the future. Additionally, the reasoning behind their implementation coincides with the UN mandate, in that, “UNHCR actively seeks to consolidate the reintegration of returning refugees in their country of origin, thereby averting the recurrence of refugee-producing situations” (UNHCR, 2006c).

The second case study presents the UNHCR with a much greater and daunting problem: suffering of a much larger scale. In the Kakuma case study, efforts to overcome disparities and violence have already occurred and ought to be expanded to additional host communities as a move of prevention, rather than waiting to implement changes as a solution to a problem. For example, the Turkana around Kakuma refugee camp have been both vocal and violent, a situation which has forced reform by the UNHCR.

Although “UNHCR cannot and should not assume a “Turkana caseload,” it has altered policy such that, “Kakuma Turkana and their displaced brethren have access to all the facilities available to the refugees” (UNHCR, 2000). Although, “the UNHCR is not responsible for them ... UNHCR has gone a long way towards helping the local community” (UNHCR, 2000). A refugee of the Kakuma camp explains the program in detail:

“I witnessed fighting between refugees and the local population on two occasions. On both occasions, refugees were accused of having stolen some cows and other livestock from the local population. However, there has not been any confirmation from the UNHCR and it’s believed there’s some resentment from the local population due to the “free” food and services received by refugees. And it’s a bit true that refugees seem to be better off there than the local

population. They receive good health services and most activities happen in the camp due to the money brought by NGOs. To solve conflicts between refugees and the local population, the UNHCR has required all NGOs serving refugees to allocate 10% of all their resources for the benefit of the local population. In this case, the local population is allowed to work in the camp and they should represent 10% of the lower staff members. The local population is also allowed health services to a certain extent though this access is limited due to lack of intermediaries to serve them" (Pers.Comm., 2006f).

What can be gained from the experience of Kakuma is that local host-communities need to be taken into account when designing programs. A neglect to do so could result in violence against both the UNHCR and refugees. Problems have occurred and a solution has already been provided by the UNHCR. The solutions need to be extended to all other refugee camps to prevent further problems.

The main issue of the second case study was that of repatriation. It seems that the UNHCR has two options in regard to this field: it can provide assistance 1) only in the camp and not within the repatriations area; or, 2) both in refugee camp and within repatriation areas, with the latter being based for the community as a whole and not only for refugees.

The first option seems unrealistic as a UNHCR policy and in light of the issues facing repatriating refugees. Refugees return and need assistance since in many cases they have resided outside of their home country for many years, and in some cases their entire life. In terms of a viable solution it does not seem to be a candidate, leaving the second option. The second option acknowledges the clear need of assistance towards refugees returning in their home country, as well as incorporating the local population. This is also the case for surrounding host-communities of refugee camps. Looking at the example of DR Congo the selective assistance is clearly creating a division in society:

Organizations are protecting the refugees, not the population. Even if they cannot be involved with the majority they ought to do something. Or else, it may lead to conflict. (Pers.Comm., 2006e)

The UNHCR encounters a problem, one which they currently face elsewhere. In this case, there is an additional problem that could emerge in the future. Just as the UNHCR states, "Refugees should receive at least the same rights and basic help as any other foreigner who is a legal resident ... economic and social rights are equally applicable. Refugees should have access to medical care, schooling and the right to work" (UNHCR, 2006f). It should grant local populations the same rights as refugees; however, financial limitations hold back the full-fledged delivery of assistance in additional communities and thus such a mandate unrealistic.

The idea of helping local populations to the best extent possible can be learned from Kakuma. At this point suggestions can be made that would not too heavily burden UNHCR financially or logistically. They originally come from a refugee:

the international community needs to expand its work as all are suffering. At the base is poverty. Listen, if the minority are benefiting it creates a problem. The first problem is integration. They will not integrate because others will not accept them. In the long-term, the international community will create a second problem because only a minority is helped – it causes a difference and resentment between the minority and the majority. The solution for me is this: they need to help the population in general with agriculture for the movement of local development. After agriculture small income-generating projects and a co-operative bank. If the population is waiting for outside help, they are resting and poverty expands. Listen, with agriculture and finances the people help themselves. (Pers.Comm., 2006d)

Projects in such areas could occur in stages. A program for local empowerment via sustainable action

could be created, beginning with agriculture. Such a program could start with agricultural and vocational training seminars, a program that would be open to all members of the community, not just refugees. The participation of refugees and non-refugees would additionally aid in the problems associated with (re-)integration. In places like Baraka, where farms have been destroyed, projects of this manner would allow for long-term locally-based sustainable change.

The critic of these ideas may already have thought the possibility of the suggestions relating to the second case study are unrealistic, strictly in terms of financial capacity; however, if we take the example of Kakuma refugee camp and the 10% rule it applied into working with the local population, these ideas suggested fall well within such a budget. This initiative has already been successful in Kakuma. The information-based projects derived from the first case study are neither labour intensive or costly to implement. Community-based sustainability initiatives based in host and communities are more financially burdening but not beyond reach. Using a stage program, a small fund could allow small projects to run constantly. The consistent offering of projects for all community members (both refugee and non-refugee) allows for an opportunity to be assisted, offered avenues for holistic integration of community members, and thus reduces the problems associated with current selective assistance efforts. The UNHCR repatriation programs would be operational; and in effect, their selective programs would continue, but in conjunction with community-based programs. In places like Baraka in the DR Congo organizations are working solely with refugees, but additional community-based efforts would help to remove the discriminatory selective policy. These changes would also help overcome the problem of a minority with economic and political advantages by offering assistance to all members of society, and would increase the long-term possibility of peaceful integration. Currently many of these issues are within their infancy stage, but if something is not done soon the situation could escalate beyond control.

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2 Responses to *unhcr policy and practice: confronting calls for change*

melanie says:

May 15, 2007 at 8:51 am

This website was sent to me at work and this was the first article that popped up, making me think of you.

REPLY

Georgina says:

May 28, 2007 at 3:19 am

Having worked in resettlement for several years throughout the world, I couldn't agree more. It serves as a pull factor that debilitates efforts to repatriate refugees. In fact, it works against efforts at repatriation, which are often occurring simultaneously. That said, for UNHCR employees, resettlement is the least agreeable part of their mandate (for myriad reasons, not the least of which being the fraud that accompanies resettlement) and more often not it is pressure from the donors that Refugee resettlement is the pursued course of action for resettlement. Resettlement needs to be vigorously re-examined if it is not to continue to serve as a pull factor that ultimately hurts the refugees.

REPLY

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