

# Introduction

Much has been written in recent years on the subject of humanitarian action. A wealth of specialist literature also exists on the legal aspects of refugee protection. But few historians have focused specifically on the issue of forced human displacement and on the development of international approaches to the problem. As the historian Eric Hobsbawm has noted in his book *On History*, why some historical experiences become part of a wider historical memory, but so many others do not, is a disquieting phenomenon.<sup>1</sup> This book attempts to address this issue by looking at the history of forced displacement in the second half of the 20th century.

During the last decade of the 20th century, governments, international organizations and the public became increasingly aware of the problems faced by refugees and internally displaced people. This was largely a result of live television reports, which provided dramatic images of desperate people fleeing from places such as Bosnia and Herzegovina, Chechnya, Iraq, Kosovo and Rwanda. It also resulted from the increased scope, in the post-Cold War era, for involvement in situations of mass displacement by humanitarian organizations, human rights organizations, multinational military forces, peace negotiators, war crimes investigators, journalists and a range of other external actors. The problem of forced displacement, however, is not new, and neither are international efforts to alleviate the suffering of uprooted people.

## International approaches to refugee protection

Throughout history, people have had to abandon their homes and seek safety elsewhere to escape persecution, armed conflict or political violence. This has happened in every region of the world. Most religions incorporate concepts such as asylum, refuge, sanctuary and hospitality for people who are in distress. But until the 20th century there were no universal standards for the protection of such people. Efforts to protect and assist them were essentially localized and *ad hoc* in nature.

It was not until the period after the First World War, when the League of Nations came into being, that the refugee issue came to be regarded as an international problem that had to be tackled at the international level. Even then, the growth of an international system to respond to and manage refugee problems was slow and intermittent. The League of Nations appointed a number of High Commissioners

and envoys to deal with specific refugee groups such as Russians, Armenians and Germans, but none of these developed into long-standing arrangements. Similarly, after the Second World War, separate bodies were established to deal with European, Palestinian and Korean refugees.

By 1950, the international community had still not established a network of institutions, systems and laws to deal with the refugee problem in a global manner. The turning-point came in 1950–51, with the establishment of the office of the United Nations High Commissioner for Refugees (UNHCR) and the adoption of the United Nations Convention Relating to the Status of Refugees. Together they provided, for the first time, a formal structure for responding to the needs of refugees and standards for the protection of refugees under international law.

The 1951 UN Refugee Convention is significant in two respects. First, although it was initially limited to refugees from Europe, it provides a general definition of a refugee as someone outside his or her own country and unable to return as a result of a well-founded fear of persecution on grounds of race, religion, nationality, political opinion or membership of a social group. This means that people displaced within their own borders do not come under the international legal definition of 'refugees'. Second, it recognizes that people who fall within the refugee definition should benefit from certain rights, and that helping refugees should not simply be a question of international charity and political advantage. The Convention places obligations upon states which are party to it, the most fundamental of which is the principle of 'non-refoulement'. This concerns the obligation of countries of asylum not to return people forcibly to situations where they have a well-founded fear of persecution.

Primary responsibility for protecting and assisting refugees lies with states, particularly the countries of asylum to which refugees flee. But UNHCR also has an important role in promoting and monitoring states' adherence to the Convention and in enabling them to offer adequate protection to the refugees on their territory.

UNHCR has a mandate to provide both international protection and solutions for refugees. Solutions to refugee problems have traditionally been divided by UNHCR into three categories: voluntary repatriation, local integration in the country of asylum, and resettlement from the country of asylum to a third country. As the chapters of the book illustrate, over the years varying emphasis has been placed on each of these solutions at different times.

While the international community has addressed the refugee problem in a more consistent and global manner since 1950, there has always been tension between different actors involved in responding to the problem of forced displacement. That tension is particularly evident in UNHCR's relationship with states. On the one hand, states are UNHCR's partners. They established the framework of international refugee law that guides UNHCR's work, they are represented on UNHCR's Executive Committee, they donate the funds without which UNHCR cannot operate, and they provide UNHCR with permission to operate on their

territory. On the other hand, UNHCR's role is often to challenge states either for causing refugee movements or for failing to provide adequate protection and assistance to refugees and asylum seekers.

### **UNHCR's mandate and activities**

UNHCR's core mandate has not changed since 1950. The protection of refugees and the search for solutions to the problems of refugees remain the central objectives of the organization. But the environment in which UNHCR works and the types of activity undertaken by the organization have changed significantly over the past 50 years.

First, the scale of UNHCR operations has greatly increased. The organization initially focused on finding solutions for some 400,000 refugees who were still homeless in the aftermath of the Second World War. By 1996, it was assisting some 26 million people. The organization's budget and staffing levels have also risen greatly. In 1951, UNHCR had a budget of US\$300,000 and 33 staff members; by 1999, the budget had reached over US\$1 billion and the organization was employing over 5,000 staff. UNHCR has also continually expanded the geographic scope of its activities. Initially, it operated only in Europe; by 1999, it had offices in 120 countries across the world.

Second, the range of activities carried out by UNHCR has grown. In its early days, UNHCR focused mainly on facilitating the resettlement of refugees. As the organization became involved in other parts of the world, it was drawn into a wide range of other activities. This included the provision of material assistance such as food and shelter, as well as the provision of healthcare, education and other social services. In an attempt to avoid treating refugee populations as an undifferentiated mass, UNHCR also developed special programmes to assist specific groups of people, such as women and children, adolescents, the elderly, those suffering from the effects of trauma and people with physical disabilities.

Third, the range of UNHCR's beneficiaries has steadily increased. Throughout its history, UNHCR has functioned primarily as an organization for the protection of refugees. Yet refugees are not its only beneficiaries. Over the years, the organization has developed programmes to assist other categories of people, including those displaced within the borders of their own countries, returnees (refugees or internally displaced people who have returned), asylum seekers (whose formal status has not yet been assessed), stateless people, war-affected populations and others.

The expansion of UNHCR's role to cover categories of people other than refugees is consistent with the Statute of the organization. Article 1 directs UNHCR to seek 'permanent solutions for the problem of refugees', while Article 9 provides that the organization 'shall engage in such additional activities . . . as the General Assembly may determine'. A series of General Assembly resolutions has since then provided the legal basis for many of UNHCR's activities with non-refugee populations.

Fourth, the number of international actors involved in programmes aimed at protecting and assisting refugees and other displaced people has grown significantly. In the early 1950s, UNHCR's partners were small in number. By 1999, its implementing partners included over 500 non-governmental organizations (NGOs). UNHCR has also increasingly been called upon by the UN Secretary-General to act as the lead UN humanitarian agency in emergency situations. In addition, UNHCR has found itself working side by side with other UN agencies, UN peacekeepers, other multinational military forces, regional organizations, human rights organizations, and a range of other international and local actors.

Fifth, the organization has become increasingly involved in volatile and unstable places, as well as in situations of ongoing armed conflict. Initially, UNHCR worked only in countries of asylum which were safe and unaffected by armed conflict. UNHCR staff are now often present in the midst of war. This has exposed them to new dangers and has presented the organization with a whole set of new challenges.

UNHCR's activities during its early years are sometimes described as having been reactive, exile-oriented and refugee-specific.<sup>2</sup> Reactive, because UNHCR dealt with refugee problems primarily in the country of asylum. Exile-oriented, because efforts were focused on activities in the country of asylum, and responsibility for solving refugee problems was seen as resting with countries receiving refugees rather than with those producing them. Refugee-specific, because UNHCR generally did not concern itself with other forms of forced displacement.

By contrast, UNHCR's activities in later years—particularly in the post-Cold War period—have been described as proactive, homeland-oriented and holistic. Proactive, because the organization has been much more willing to engage in activities aimed at preventing the human rights abuses and situations which give rise to the displacement in the first place. Homeland-oriented, because UNHCR's strategy has increasingly emphasized not only the duties of host countries but also the obligations of countries from which refugees flee. Holistic, because the organization has sought to promote a more comprehensive approach to the problem of forced displacement. This approach is more long-term and takes into consideration the needs not only of refugees but also of internally displaced people, returnees, asylum seekers, stateless people and others.

## History of forced displacement

This book does not set out to provide an institutional history of UNHCR but rather a general history of forced displacement in the 50 years since UNHCR's inception. Much of the book deals with crises in which UNHCR has played a central role in responding to the needs of refugees and other displaced people. But it also examines other groups such as Palestinians (most of whom fall under the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East) and Tibetan refugees in India, where UNHCR's role in providing protection and assistance has

been marginal. Throughout the book, an attempt is made to describe not only the plight of those forced to flee their homes, but the political context leading to their displacement, the politics of the international response, and the evolution in the policies and practices of governments, humanitarian organizations and other actors.

The book does not attempt to provide an exhaustive account of all movements of refugees and displaced people in the last 50 years. Instead, it comprises a series of case studies. Each case study highlights certain aspects of forced displacement and shows how different experiences have influenced the development of organizations such as UNHCR. The advantage of this approach is that it allows for particular situations of forced displacement to be analyzed in some depth. The disadvantage is that a number of important cases and some thematic issues are covered only briefly or not at all.

The book covers the period up to 31 December 1999. Unless otherwise explicitly stated, no events after this date are discussed or referred to. The structure of the book is largely chronological, though certain chapters focus on particular regions or thematic issues. It is based on first-hand accounts from UNHCR staff members, extensive use of the UNHCR archives, a series of interviews with people outside the organization and a wealth of literature—much of which is cited in the endnotes and in the list of further reading. For the early years, the book has made extensive use of Louise Holborn's important two-volume work, *Refugees: A Problem of our Time: The Work of the United Nations High Commissioner for Refugees, 1951–1972*.<sup>3</sup>

### Early focus on Europe

Chapter 1 begins by assessing briefly the antecedents of UNHCR, including the first High Commissioner for refugees during the League of Nations period, Fridtjof Nansen, the UN Relief and Rehabilitation Administration (UNRRA, 1943–47) and the International Refugee Organization (IRO, 1947–52). It examines the establishment of UNHCR and the conflicting views on the purpose of the organization, as well as the July 1951 Conference of Plenipotentiaries which led to the adoption of the UN Refugee Convention.

Throughout the 1950s, UNHCR focused on refugees in Europe. Since UNHCR's establishment coincided with the onset of the Cold War, the solution generally envisaged for refugee problems at the time was resettlement. Clearly, what Western governments had in mind when UNHCR was created and the UN Refugee Convention was drawn up were refugees fleeing communist regimes. Given the tense East–West relations of the period, UNHCR's early steps were cautious. They were confined mainly to Western Europe and to work of a legal nature, such as helping European governments to adopt laws and procedures to implement the 1951 UN Refugee Convention.

UNHCR's first major challenge was the exodus of some 200,000 refugees from Hungary in 1956, following the Soviet suppression of the Hungarian uprising. This refugee crisis was resolved by the resettlement of most of the refugees in Western countries. At this time, UNHCR was an overwhelmingly Eurocentric organization doing little, for example, for the hundreds of thousands of Chinese refugees who

arrived in Hong Kong or for the Tibetan refugees who fled to India in the same decade. In its first years, UNHCR barely touched the world outside Europe, with the exception of the assistance it provided to European refugees stranded in Shanghai by the Chinese revolution.

## **The 1960s and 1970s**

Chapter 2 discusses the decolonization process in Africa which gained momentum in the 1960s. This process ushered in a new era for UNHCR in which the focus moved away from Europe. In particular, the organization became involved in assisting the refugees from the war of independence in Algeria who fled to Morocco and Tunisia. When Algeria achieved independence from France in 1962, some 250,000 refugees returned to their country. This was the first mass repatriation operation in which UNHCR was involved. The chapter goes on to examine other cases of forced displacement in sub-Saharan Africa. In particular, it focuses on UNHCR's role in assisting Rwandan refugees in the Congo and elsewhere.

These refugees were different in many ways from those envisaged in the 1951 UN Refugee Convention. In most cases, they were people who had fled their homes not because of a fear of persecution but because of war and violence related to the process of decolonization. Most of them did not seek to integrate in the country of asylum, but wanted to repatriate when their own countries became independent or when the environment became more secure. Rather than dealing with individual refugees on a case by case basis, UNHCR now found itself dealing with mass flows of refugees.

The chapter describes how in 1967 the geographical and temporal limits of the 1951 UN Refugee Convention were removed by a new Protocol, which made it universally applicable. In 1969, the Organization of African Unity adopted a regional refugee convention of its own, expanding the definition of a refugee to include not only people fleeing persecution but also those fleeing war and communal violence.

Turning to South Asia, chapter 3 examines the Bangladesh refugee crisis which led to UNHCR's first involvement on the Indian sub-continent. In 1971, the war which led to the independence of Bangladesh caused an estimated 10 million Bangladeshi refugees to flee to India in what became the largest single displacement of refugees in the second half of the 20th century. This involved UNHCR in its largest humanitarian emergency to date. During the crisis, the UN Secretary-General called upon UNHCR to act as the 'Focal Point' for coordinating UN and other international humanitarian assistance. This was the precursor of the 'lead agency' concept used in later years. After hostilities ended, UNHCR assisted in organizing a mass repatriation of refugees to Bangladesh. Most refugees returned by the end of February 1972. In 1973, UNHCR was also instrumental in organizing the movement of large numbers of people between Bangladesh and Pakistan—one of the largest population exchanges in history.

While the chapter focuses primarily on the Bangladesh refugee crisis, there is also a brief description of Tibetan refugees in India, UNHCR's involvement with

Rohingyas from Burma who fled to Bangladesh, and UNHCR's role in assisting Asians expelled from Uganda by President Idi Amin in 1972.

## Expanding refugee protection

Chapter 4 describes the flight of refugees from Cambodia, Laos and Viet Nam which followed the political upheavals there in the mid-1970s. The exodus from Indochina continued for more than two decades, during which time over three million people fled their countries. Unlike the refugee crises in Algeria and Bangladesh—which had been followed by large-scale repatriation operations—resettlement was seen as the preferred option for most of the Indochinese refugees, as had been the case with refugees in Europe in the 1950s. Altogether, with UNHCR's assistance, some two million people from Indochina were resettled in other countries—around 1.3 million of them in the United States alone.

UNHCR played a lead role in assisting refugees throughout this massive and sustained crisis. The organization greatly expanded the scope of its activities during this period, becoming involved in the construction and management of refugee camps for Cambodians, Laotians and Vietnamese, and in helping to set up innovative anti-piracy and rescue-at-sea measures to protect Vietnamese 'boat people'. Between 1975 and 1980, UNHCR's budget increased from US\$76 million to US\$510 million and the number of staff more than doubled.

During the 1980s, Western governments became concerned about the large number of Indochinese people arriving in their countries. They came to view them increasingly as economic migrants rather than refugees. Under pressure from these governments, new measures were eventually adopted by states in the region to control departures and to facilitate repatriation. The Indochinese exodus tested the limits of Western states' willingness to provide asylum, even to people fleeing communist regimes.

Chapter 5 focuses on the 1980s, when the Cold War intensified and super-power involvement in civil wars in different parts of the world turned these into intractable proxy wars. These conflicts produced new waves of refugees and displaced people, particularly in the Horn of Africa, Asia and Central America. The country to produce the largest number of refugees during this period was Afghanistan. Following the Soviet invasion of the country in 1979, war eventually caused over six million Afghans to seek refuge in Iran and Pakistan.

This was the decade of large refugee camps. States had clear strategic interests in granting asylum, but they showed little interest in finding long-term, durable solutions for the refugees. On the contrary, the refugees were used as pawns in geopolitical games to destabilize regimes and to encourage insurgency in their countries of origin. This was the case with Afghan *mujahedin* in Pakistan, the Cambodian Khmer Rouge in Thailand, Eritrean and Ethiopian opposition movements with bases in Sudan, and rebels in Central America. It was in this decade that the term 'refugee warrior' became commonplace.

UNHCR continued to grow rapidly during the 1980s, as it responded for the first time to major emergencies on three continents at the same time. In the tense atmosphere of the Cold War, UNHCR found itself working in highly politicized situations. During this period, UNHCR also became involved to a greater extent than before in providing assistance to local people in refugee-affected areas.

This chapter also looks at UNHCR's first significant involvement in South America. The overthrow of the democratically elected government of Salvador Allende in Chile in 1973 and the installation of a military junta in Argentina in 1974 produced thousands of refugees. In both cases, considerable numbers were resettled in Europe, North America and elsewhere.

Chapter 6 goes on to describe the optimism which surrounded the end of the Cold War. A number of large repatriation operations took place and there was hope that lasting solutions might be found for many of the world's refugee problems. From 1989, a series of United Nations peacebuilding operations were established in Namibia, Cambodia, El Salvador, Guatemala and Mozambique. In each of these cases, UNHCR played a major role in facilitating voluntary repatriation. Unlike previous repatriations, where UNHCR's involvement ended soon after the refugees returned to their countries, the chapter describes how in Cambodia, Mozambique and El Salvador UNHCR expanded its role and became involved in a wide range of protection and assistance activities to help returnees and others to reintegrate and rebuild their lives.

## **The challenge to asylum**

Chapter 7 examines the evolution of asylum policies in the industrialized world, focusing primarily on countries in Europe and North America. In the 1980s and 1990s, large numbers of asylum seekers began to arrive in these countries, and suspicions about the motives of many of these people led governments to adopt increasingly restrictive measures to deter arrivals. Much of the chapter focuses on the impact on asylum seekers of measures taken by countries in Europe to harmonize their asylum policies and procedures. The chapter then goes on to examine the development of asylum policies in countries such as Australia, New Zealand and Japan.

Legislative changes which have been introduced in industrialized countries have seriously affected the ability of asylum seekers to gain access to asylum procedures and safety. A number of issues are addressed in the chapter, including the illegal trafficking and smuggling of people, the way in which asylum seekers—including unaccompanied children and family groups—are often kept for prolonged periods in detention centres, and the difficulties which refugees often face in achieving family reunification. Policies to deter irregular migrants from reaching industrialized countries have in many cases led to a blurring of the already problematic distinction between refugees and economic migrants. Such policies have often contributed to the stigmatization of refugees as people trying to circumvent the law.



While acknowledging that states have legitimate interests in controlling access to their territory, the chapter emphasizes that states also have international obligations to provide protection to those fleeing persecution in their own countries. It insists that the fundamental right to seek asylum—as enshrined in the 1951 UN Refugee Convention—needs to be preserved.

## After the Cold War

Chapter 8 examines the massive population movements which took place following the dissolution of the Soviet Union in 1991 and some of the complex interconnections between migration and forced displacement. Up to nine million people found themselves on the move in the 1990s. These movements included the repatriation of people who found themselves outside their 'homelands' following the erection of new national boundaries, and the return of thousands of people who had been deported by Josef Stalin in the 1940s.

Inter-ethnic and separatist armed conflicts in the South Caucasus and Central Asia also created waves of displaced people and refugees in the first half of the decade, leading UNHCR to set up large relief operations. The chapter describes the Armenian–Azerbaijani conflict over Nagorno-Karabakh, the conflicts in the Georgian autonomous territories of Abkhazia and South Ossetia and the civil war in Tajikistan. It also describes the displacement caused by conflict in Chechnya in the latter part of the decade, which involved UNHCR in dangerous and complex relief operations in the North Caucasus.

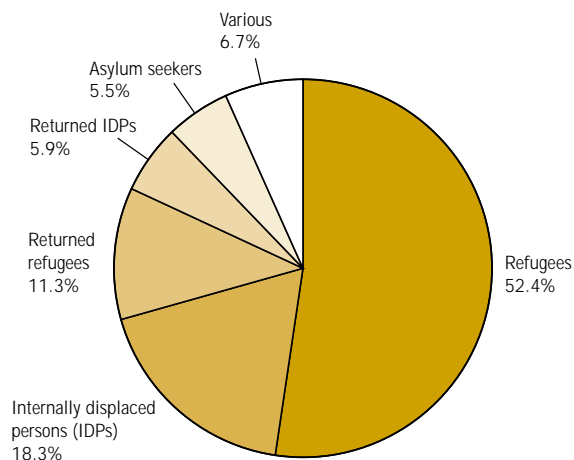
The upheavals of the 1990s saw a rapid expansion of UNHCR's functions and operations, as the international community frequently looked to it to address some of its most acute dilemmas. The organization became involved in situations of ongoing armed conflict and started working side by side with UN peacekeepers and other multinational military forces to a greater extent than ever before. UNHCR also became increasingly involved in assisting internally displaced people and other war-affected populations.

Chapter 9 focuses on two major refugee emergencies in the 1990s in which UNHCR coordinated large-scale relief operations while working closely with multinational military forces. The first involved the mass flight of Kurds from northern Iraq in 1991, following the Iraqi government's suppression of a rebellion which took place at the end of the Gulf war. The Turkish government's refusal to grant asylum to the Iraqi Kurds caused US-led coalition forces to mount a huge relief operation for people stranded on the mountain passes on the Iraqi–Turkish border. Subsequently, the coalition forces set up a 'safe haven' for them in northern Iraq. The relief operation, which was then taken over by UNHCR, proved to be a watershed for the organization. It marked the beginning of a trend towards greater involvement in 'countries of origin' as compared with 'countries of asylum'.

The other major emergency was in the Balkans. The violent break-up of Yugoslavia, which began in 1991, led to the largest refugee crisis in Europe since the Second World War. The chapter describes the dilemmas faced by UNHCR and other

**Total population of concern to UNHCR,  
31 December 1999\* (Total = 22.3 million)**

**Figure 0.1**



\* For details and explanations, see Annex 2.

humanitarian organizations in confronting 'ethnic cleansing', the difficulties of protecting vulnerable civilians in an active war zone, and the decision by the international community to establish 'safe areas' in Bosnia and Herzegovina—which eventually ended in tragedy with the fall of Srebrenica and Zepa in 1995.

Throughout the Bosnian war, UNHCR coordinated a massive emergency relief operation. Numerous obstacles were faced by humanitarian organizations in gaining access to vulnerable populations. Staff were exposed to extreme dangers and many were injured or killed. To a large extent, the UNHCR-led humanitarian operation became a substitute for other forms of political or military action. The chapter then describes the first four years after the signing of the Dayton Peace Agreement in December 1995, during which time repatriation made little progress in reversing the process of ethnic separation.

Chapter 9 also describes the refugee crisis which took place in the southern Balkans in 1999, when some 800,000 Kosovo Albanians fled to Albania and the former Yugoslav Republic of Macedonia (FYR Macedonia). It examines UNHCR's attempts to coordinate international assistance to the refugees, the trend of increasing bilateral assistance, the role of the NATO-led military force in constructing refugee camps and in providing other support for the humanitarian operation, and the 'humanitarian evacuation programme' which was set up to take refugees from FYR Macedonia to third countries. It then assesses the situation in Kosovo since June 1999, when the Federal Republic of Yugoslavia formally accepted a peace plan under which all its military, police and paramilitary forces withdrew from the province, leading to the deployment of a NATO-led force in Kosovo. Within three months, some 200,000 Serbs and other minorities left Kosovo in a process which became known as 'reverse ethnic cleansing'.

Turning to refugee emergencies in Africa during the 1990s, chapter 10 describes the exodus of over two million Rwandans to Zaire, Tanzania, Burundi and Uganda following the Rwandan genocide in 1994. It focuses mainly on the situation in Zaire (renamed the Democratic Republic of the Congo in 1997) and Tanzania, describing the many dilemmas faced by UNHCR and other humanitarian organizations as they attempted to assist refugees in camps largely controlled by members of the former Rwandan government and its army, which had been responsible for organizing the genocide in the first place. The chapter explains how many of the refugees in the camps were effectively held as political hostages, and how they were used as a 'human shield' by those who had carried out the genocide. Various attempts were made by UNHCR to improve security for the refugees and to ensure the civilian and humanitarian nature of the camps. The chapter illustrates how the politicization or militarization of refugee camps and settlements can result in armed attacks and incursions into neighbouring countries, which can destabilize entire regions in the process.

Chapters 9 and 10 also provide brief descriptions of other major emergencies of the 1990s, including the conflict in Somalia which led to mass displacement and a large diaspora, the refugee crisis in East Timor in 1999, and refugee emergencies in West Africa. These chapters also examine policies towards internally displaced people, the subject of international criminal justice, the problem of militarized refugee camps, and the issue of refugees and the AIDS pandemic.

Finally, chapter 11 looks at some of the challenges of the 21st century. It considers the process of globalization, the changing nature of conflict, the growing complexity of population movements and new forms of humanitarian action. In particular, it analyzes UNHCR's evolving role in responding to the needs of refugees, internally displaced people and others. The chapter stresses the continuing need to find lasting solutions to problems of forced displacement, emphasizing that international peace and stability are dependent on human security.

## Endnotes

Many of the documents cited in the book are drawn from the UNHCR archives. These references give the author, recipient (if appropriate), the title or subject of document, file, unit, date, and fonds and series number (e.g. F/HCR 11.2).

### Introduction

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### Chapter 1

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- 5 See in general, Loescher, *Beyond Charity*, pp. 47–9.
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