11 The changing dynamics of displacement

The dynamics of displacement have changed greatly over the half-century of UNHCR's existence. So too, have international responses to the problem of forced displacement. UNHCR's early development took place in the tense climate of the Cold War, when the organization focused on refugees in Europe. UNHCR then played a key role during the decolonization process, not least because of the wave of international solidarity with refugees from wars of national liberation. In the 1970s and 1980s, the political and military stalemate between the superpowers diverted their mutual hostility into immensely destructive proxy wars which created millions of refugees. The scale and scope of UNHCR's operations increased dramatically as it attempted to meet the needs of many of these refugees, some of whose terms of exile stretched into decades.

The end of bipolar confrontation at the beginning of the 1990s again profoundly altered the universe in which UNHCR operated. The proxy wars ended, although several of them took on lives of their own without superpower patronage. External intervention in a conflict became less risky, since it no longer threatened major retaliation from a superpower sponsor. In many cases, the ideological motivation for conflict diminished. Often, it was replaced by identity-based conflicts built around religion, ethnicity, nationality, race, clan, language or region. Many of these conflicts were sustained by the economic interests of one or more of the warring parties.

More often than not, these conflicts took place within national boundaries, rather than across them. In many cases, they were complicated by the involvement of people of similar ethnicity or religion in other countries, including refugees and politically active diasporas further afield. Since these conflicts were no longer connected to an epic geopolitical struggle, many of the people who were driven by violence and persecution to flee their homes were marginalized by powerful states which no longer found their vital national interests at stake. UNHCR's role and responsibilities in responding to such crises developed considerably throughout the 1990s. They will no doubt continue to do so as the organization attempts to respond to the challenges of the 21st century.

The challenge of globalization

The far-reaching political consequences of the end of the Cold War added to the impact of another transformation which took shape in the 20th century and which is sweeping forward into the 21st. This complex set of technological, institutional, organizational, cultural and social changes are grouped together under the rubric of 'globalization'. The economic manifestations of globalization are a vast increase in

the speed and a decrease in the cost of transactions—particularly those involving money and information—with a resulting escalation in the volume and value of all kinds of exchanges. The cultural and social manifestations are an explosion of cheap and instant communication and some convergence of the values and expectations held by people everywhere. The spread of democratic aspirations and Disney animations are equally products of globalization.

The globalization process challenges the sanctity of national boundaries, and this has implications for refugee protection. The current structure of refugee protection was designed in and for a state-centric system. Under the terms of the 1951 UN Refugee Convention, a refugee is a person who cannot avail himself or herself of the protection of his or her own state, and who has crossed an international boundary marking the limits of the sovereign territory of that state. One is forced to question the relevance of notions such as sovereignty and national frontiers as states lose much of their ability to control what crosses their borders as well as what goes on within them.

Goods and capital now circulate with greater ease than ever before, and business personnel, tourists and students constantly move across increasingly invisible borders. In contrast, governments are still determined to control unwanted movements of people. Stringent measures to keep out unauthorized entrants often prevent people in need of protection from reaching a country where they may seek safety.

Globalization has many other consequences, both positive and negative. Although almost every part of the world has been affected by globalization, its impact has been extremely uneven. The rapid changes associated with the expansion of the global market economy have exacerbated the inequality between the world's wealthiest and poorest states. This has implications for global migration. It has also led to the increased marginalization of particular groups in industrialized states, a rise in anti-immigrant sentiment and growing hostility towards asylum seekers.

Among the most successful organizations in adapting to globalization and making the most of its potential are organized crime syndicates. The anonymity of electronic financial transactions, declining regulation, and the hugely increased volumes of trade and travel facilitate transnational criminal activity. Their revenues, whether from the cocaine trade in the Americas or the diamond trade in West Africa, are fuelling conflicts that produce millions of refugees and internally displaced people. These sophisticated networks have also been quick to realize the profit potential in human trafficking and migrant smuggling and have created a global 'service industry' to move people to countries they are not authorized to enter. A report commissioned by UNHCR and released in July 2000 shows that the very successes of measures to prevent unauthorized immigration to Europe—such as strict visa policies, carrier sanctions, readmission treaties and the like—push refugees desperate to escape persecution into the hands of human smugglers.[1]

The changing nature of conflict

When UNHCR was founded in 1950, the European refugees on which it focused its efforts were mainly people fleeing actual or feared persecution from totalitarian

governments—people displaced by fascism and those seeking to escape Stalinism. Political repression and massive human rights violations are still significant elements in today's displacements. But for the majority of today's refugees, armed conflict—which often involves persecution and other human rights abuses against civilians—is the major source of threat. Many of the armed conflicts of the post-Cold War period have proved particularly dangerous for civilians, as shown by the scale of displacement and the high ratio of civilian to military casualties—more than 9:1 in some cases.

The devastating civilian toll of recent wars has prompted much discussion of the changing nature of armed conflict in the post-Cold War period. In fact, the targeting of civilian populations is not a new phenomenon in the longer perspective of human history. The Thirty Years War, which ended with the 1648 Treaty of Westphalia establishing the modern nation-state system, was a conflict which was one of the most brutally destructive of civilian life, property and social organization that Europe has known. As Norman Davies describes it, by the time it ended 'Germany lay desolate. The population had fallen from 21 million to perhaps 13 million. Between a third and a half of the people were dead. Whole cities, like Magdeburg, stood in ruins. Whole districts lay stripped of their inhabitants, their livestock, their supplies. Trade had virtually ceased. A whole generation of pillage, famine, disease, and social disruption had wreaked havoc . . .'[2] Variations of this scenario have been played out in numerous places across the globe for centuries.

What distinguished the 1990s from earlier decades was the weakening of central governments in countries that had been shored up by superpower support, and the consequent proliferation of identity-based conflicts, many of which have engaged whole societies in violence. The easy availability and growing power of sophisticated light weaponry has increased the destructiveness of even relatively low-intensity conflict. Insurgent forces now fund many of their efforts by exploiting natural resources in areas under their control, often in collaboration with international criminal organizations. The commercial potential of lucrative, lawless, globalized trade often eclipses whatever political or ideological agenda might originally have propelled them into taking up arms. The profits to be derived from war economies often become the main force perpetuating conflict—and an extremely difficult one to reverse.

Significant progress has been made since the end of the Second World War in defining the laws of war. The four Geneva Conventions of 1949, which form the basis of international humanitarian law, have been ratified by virtually every state across the globe, illustrating the importance attached to this body of law. In addition, 150 states have ratified either one of both of the two 1977 Additional Protocols to the Geneva Conventions. In spite of this, wars in which disciplined, well-provisioned armies fight each other and try to avoid damage to civilian people and property while permitting the sick and wounded to be treated, still appear to be the exception rather than the rule.

In the post-Cold War period, civil wars and communal conflicts have involved wide-scale, deliberate targeting of civilian populations. The violence of these wars is often viciously gender-specific. Women are systematically raped and young men are

Major refugee populations worldwide, 1999 Map 11.1

Algeria
There are some 165,000 refugees from Western Sahara, according to estimates by the Algerian government, who are living in camps in the Tindouf region of southwestern Algeria.

Armenia and Azerbaijan
As a result of the conflict between Armenia and Azerbaijan in the early 1990s, there are nearly 300,000 Azerbaijani refugees in Armenia and nearly 190,000 Armenian refugees in Azerbaijan. Armenia hosts more refugees per capita than any other country in the world.

China
There are over 290,000 recognized refugees in China, virtually all of whom are from Viet Nam. Most are ethnic Chinese who have been in China since 1979.

Democratic Republic of the Congo
As well as generating over 250,000 refugees, the Democratic Republic of the Congo hosts some 285,000 refugees from neighbouring countries. These include, amongst others, some 150,000 Angolans, 68,000 Sudanese, 33,000 Rwandans, 19,000 Burundians and 12,000 from the Republic of the Congo.

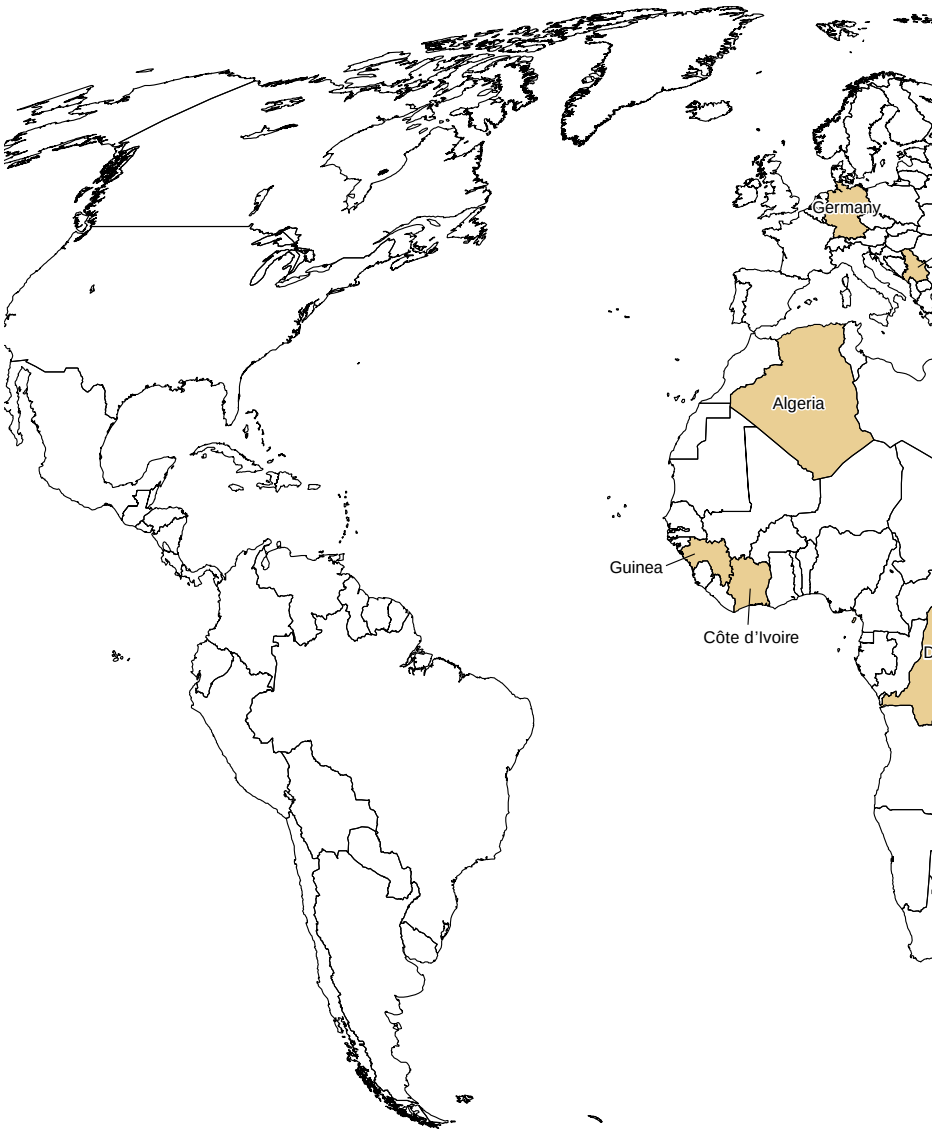
Ethiopia
Ethiopia hosts nearly 260,000 refugees, including over 180,000 Somalis, some 70,000 Sudanese, and around 5,000 Kenyan refugees.

Federal Republic of Germany
The German government estimates that it hosts almost one million refugees – the largest number of refugees of any country in Western Europe. However, not all of these have been granted Convention refugee status. Most of those who have arrived over the past 10 years have come from the former Yugoslavia, Turkey, Iraq and Iran.

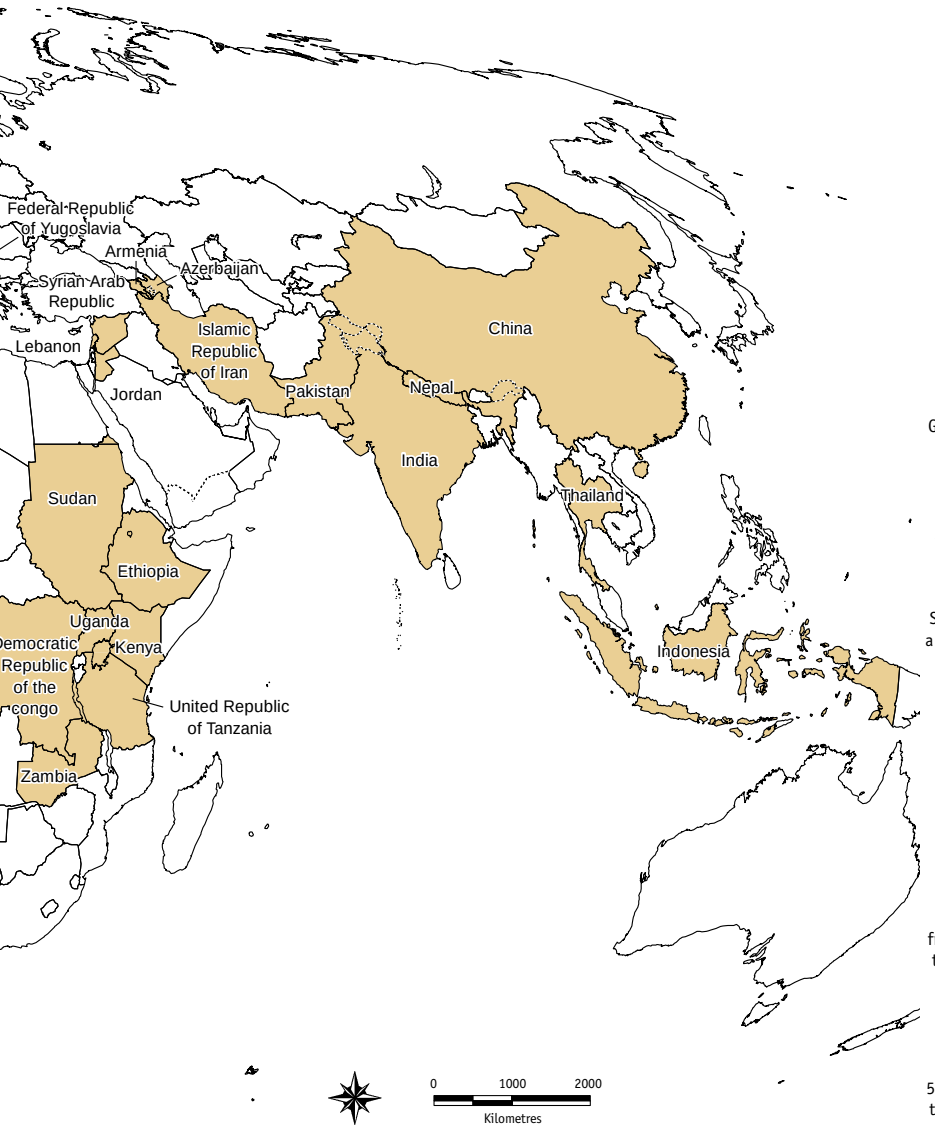
Guinea and Côte d'Ivoire
Despite being one of the poorest countries in Africa, Guinea continues to host some 370,000 refugees from Sierra Leone and some 130,000 from Liberia. Côte d'Ivoire hosts some 136,000 Liberian refugees.

India
India accommodates a large and varied refugee population including around 100,000 Tibetans, 66,000 Sri Lankans, 15,000 Bhutanese and 14,000 Afghans. Like other countries in the region, India is not party to the 1951 UN Refugee Convention or the 1967 Protocol and does not give UNHCR access to all the refugees on its territory.

Indonesia
As a result of the violence which erupted at the time of the vote for independence in East Timor in 1999, some 280,000 people fled from East Timor to West Timor, in Indonesia. Although many subsequently returned, some 163,000 refugees remained in Indonesia in December 1999.



Note:
The countries selected are representative, not exhaustive.
The boundaries shown on this map are those used by the UN Cartographic Section, New York.



Iran and Pakistan
Iran and Pakistan continue to host the largest refugee population for which UNHCR has responsibility – the Afghans. From a peak of 6.2 million in 1990, there are now over 2.5 million Afghan refugees. This includes 1.3 million in Iran and 1.2 million in Pakistan. There are also over 500,000 Iraqi refugees in Iran which, with a total of over 1.8 million refugees, hosts the largest number of refugees in the world.

Kenya and Uganda
Kenya hosts some 224,000 refugees. The largest groups are Somalis (some 140,000) and Sudanese (some 64,000). Uganda hosts nearly 220,000 refugees, including some 200,000 Sudanese.

Nepal
There are over 100,000 Bhutanese refugees in Nepal. Many have been there for more than a decade. Nepal is also host to some 20,000 Tibetans.

The Palestinians
The Palestinians are the world's largest refugee population and over the past 50 years have spread all over the world. Some 3.6 million remain concentrated in Jordan, Syria, Lebanon, Gaza and the West Bank. The UN Relief and Works Agency (UNRWA) has responsibility for providing assistance to these refugees.

Sudan
Sudan hosts over 390,000 refugees, including over 340,000 Eritreans and some 35,000 Ethiopians. Most of the Eritrean refugees have been in Sudan since before Eritrea gained independence in 1993. Sudan has also produced some 475,000 refugees as a result of its long-running civil war, most of whom are in Uganda, Ethiopia, the Democratic Republic of the Congo and Kenya.

United Republic of Tanzania
With a total of over 620,000 refugees, Tanzania hosts the largest refugee population in Africa. This refugee population comprises some 500,000 Burundians, nearly 100,000 from the Democratic Republic of Congo and some 20,000 Rwandans.

Thailand
Thailand hosts nearly 100,000 refugees from Myanmar. Although Thailand does not regard these people officially as refugees, it does permit UNHCR and other humanitarian organizations to assist them.

Federal Republic of Yugoslavia
The Federal Republic of Yugoslavia hosts some 500,000 refugees, the largest refugee population in the region. The refugee population includes around 300,000 Croatian refugees and some 200,000 refugees from Bosnia and Herzegovina.

Zambia
Zambia hosts over 160,000 Angolan refugees. It also hosts some 36,000 refugees from the Democratic Republic of the Congo.

the targets of mass murder or forcible conscription. Child soldiers are also a common feature. The spread of terror through the practice of conspicuous atrocity continues to be used in many wars, the systematic amputations carried out in Sierra Leone by forces of the Revolutionary United Front being one of the most recent examples. Humanitarian organizations such as UNHCR have little influence over the perpetrators of such atrocities. Negotiating with them is distasteful at best, and raises real ethical dilemmas. Other states are often unwilling to intervene militarily, leaving humanitarian organizations to operate on their own in a desperate vacuum.

The growing complexity of population movements

People who flee their home countries out of a fear of persecution join a larger stream of migrants who leave in search of opportunities for work, education, reunification with family members, or for other reasons. It has been estimated that at the end of the 20th century some 150 million people were living outside the country of their birth, amounting to about 2.5 per cent of the world's population, or one out of every 40 people.[3] Of these, about 15 million, or 10 per cent, are refugees.

Many states have adopted explicit immigration laws and policies under which immigrants are admitted from three different 'streams': for family reunification; for employment, education or investment-related ends; and for humanitarian reasons. While the categories are neatly distinguished on paper, in reality the boundaries between them are far from clear and the connections between them are many. A member of a persecuted minority, having made the wrenching decision to leave her home, opts to seek asylum in an affluent country where the chances of being able to support herself are better. Does this make her an economic migrant? A political dissident in an authoritarian country receives death threats and tries to join his brother who emigrated to Canada. A case of refugee resettlement or family reunification? A computer programmer in a strict Islamic state joins a sect regarded as heretical, and then accepts a job offer in Europe. A refugee or a labour migrant? An indigenous subsistence farmer, after the third time his community is attacked by right-wing paramilitaries, slips across a border to the north and finds work in the fields. Refugee or illegal immigrant?

Modern states, in exercising their fiercely defended sovereign right to determine who may or may not enter their territory, have to make these judgement calls every day. The only part of the immigration flow over which governments have surrendered some discretion is the humanitarian stream, in that parties to the 1951 UN Refugee Convention or its 1967 Protocol obligate themselves not to return refugees to a country where they are likely to face persecution. Pressure on the asylum systems of advanced industrialized countries has grown as some have narrowed or closed off other channels of legal immigration. European states, for example, have virtually ended official programmes of labour migration, despite a sharp decline in the native-born workforce. Attempts by non-refugees to use the asylum channel to gain a legal foothold in industrialized countries are a real—though often exaggerated—fact of life.

Preoccupation with immigration control is a comparatively recent development in historical terms. Until roughly the time of the First World War, except for a few countries such as Japan, states placed no serious constraints on the movement of people across their borders. The early attempts that were made to control movements in Europe were aimed at preventing departures, especially of people with acquired skills and able bodies. As one author has observed:

> The creation of the modern passport system, and the use of similar systems in the interior of a variety of countries . . . signaled the dawn of a new era in human affairs, in which individual states and the international state system as a whole successfully monopolized the legitimate authority to permit movement within and across their jurisdictions.[4]

Over the past decade, many states have experienced increased immigration pressure, not least because of technological advances which have facilitated travel. Rising xenophobia in some places, and states' fears of losing control over entry to their territory, have led them to adopt increasingly stringent measures to prevent unauthorized migration. This has been the case not only in Europe and North America. Almost any country that has prospered relative to the states around it has found that one reward of success is increasing immigration pressure. Regional power-houses such as Thailand, Malaysia, South Africa or Mexico have found themselves struggling to deal with unauthorized entry from their poorer, and often troubled, neighbours.

No state has yet succeeded in developing deterrent strategies for undocumented immigrants that manage to differentiate fairly and effectively between people with well-founded fears of persecution and those with economic or other motivations for seeking entry. The same measures that make it difficult for an unauthorized migrant to gain access to the job markets of a 'land of opportunity' make it difficult for a refugee to gain access to the territory of a potential asylum country and to asylum procedures. UNHCR has repeatedly expressed its concern about indiscriminate barriers to entry, since even an asylum system which functions well cannot protect people who are unable to reach the country concerned. The result is that some refugees resort to the dangerous and costly services of human smugglers and traffickers to circumvent the high barriers—some physical, some administrative—that separate them from safety.

As the recognized categories of migrants overlap and blur, the needs of other groups of uprooted people are being acknowledged. Their relationship with established mechanisms and institutions of international protection and assistance are uncertain, even though many of them have the same humanitarian needs as refugees. A 1996 conference addressing migration and displacement in the Commonwealth of Independent States, for example, drew international attention to no fewer than nine categories of uprooted people in the former Soviet Union: refugees, people in refugee-like situations, internally displaced people, repatriants, formerly deported peoples, transit migrants, illegal migrants, ecological migrants and involuntarily relocating persons.

The category of 'internally displaced people' attracted substantial attention worldwide in the late 1990s, partly because of the enormous growth in their numbers during the decade and partly because of their particular vulnerability. The Secretary-

General's Representative on Internally Displaced Persons, Francis Deng, has focused attention on their needs and has issued a set of 'Guiding Principles' for protecting and assisting them. Even so, the internally displaced have neither a binding legal instrument like the 1951 UN Refuge Convention nor a specifically mandated institution like UNHCR responsible for their protection.[5]

In January 2000, the US ambassador to the United Nations, Richard Holbrooke, argued that there is no meaningful difference between a refugee and someone who is internally displaced. He made an impassioned plea that policy makers should 'not let bureaucratic euphemisms and acronyms allow us to ignore these people'.[6] UNHCR has in fact often taken responsibility for assisting internally displaced people, when requested to do so by the UN Secretary-General or the General Assembly, and with the consent of the host government. By 1999, the organization was assisting some five million internally displaced people in Africa, the Balkans, the former Soviet region, Colombia, Sri Lanka and other locations.

Some observers see a danger in obscuring the distinction between refugees and internally displaced people. Refugees, defined in the 1951 UN Refugee Convention as people who are outside their countries of origin, are the bearers of certain rights under international law. Most importantly, states have obligations under the Convention not to return them forcibly to a place where they have a well-founded fear of persecution. In an international system still organized around sovereign states, there is a world of difference between being within the jurisdiction of the state where persecution takes place and being outside it. Conflating refugees and the internally displaced would, in the eyes of some observers, eradicate this vital distinction and the protection that flows from it.[7] Others also point out that such a solution fails to address the needs of all civilian victims of armed conflict, whether or not they are displaced.

The changing nature of humanitarian action

Humanitarian action has grown over the course of the last half-century into an increasingly costly and complex undertaking. The cast of characters has expanded to include a plethora of actors, from United Nations agencies to small local non-governmental organizations (NGOs), from national military forces to private contractors, from religious organizations to professional associations. They differ profoundly in their resources, mandates, philosophies and capabilities. Coordinating the efforts of disparate actors is a challenge in high-profile humanitarian crises. It has been a particular challenge for UNHCR, which has often been called on by the UN Secretary-General to act as the lead UN agency in humanitarian emergencies.

Armed conflict is now the driving force behind most refugee flows, and the challenges of operating in the midst of ongoing violence are commonly encountered by UNHCR and other humanitarian organizations in their daily operations. Refugee movements are no longer side effects of conflict, but in many cases are central to the objectives and tactics of war. Humanitarian assistance to refugees, as a result, is no longer necessarily seen as a neutral act apart from and above the dynamics of conflict.

UNHCR and other humanitarian actors are increasingly perceived by parties to a conflict as taking sides, particularly where one party is a more obvious perpetrator of atrocities which produce displacement.

In violent and politicized settings, UNHCR faces excruciating dilemmas in its mission to protect refugees, sustain them, and find solutions to their displacement. During the Bosnian war, for example, it was feared that the removal of endangered minorities to safety would abet 'ethnic cleansing'. In the former Yugoslav Republic of Macedonia in 1999, it was feared that humanitarian evacuation could undermine the principle of first asylum. In the Rwandan refugee crisis of 1994–96, many critics called upon UNHCR to withdraw from the refugee camps in eastern Zaire and Tanzania, arguing that the organization was feeding those who were responsible for the genocide, and that it was fuelling further conflict. In places such as Angola and Somalia, meeting the extortionate demands of armed elements was frequently the price of access to people in need. UNHCR has dealt with such dilemmas again and again in its history, and particularly in the past decade. In practice, applying the principles of refugee protection is much more difficult than upholding them in the abstract. In some situations, there may indeed be no satisfactory options available, and humanitarian actors must choose whether to do nothing or to pursue the least harmful option.

Critics have also increasingly drawn attention to the potential dangers of providing relief. Humanitarian assistance can inadvertently prolong conflict, sustain the perpetrators of human rights violations, and undermine local institutions of self-reliance. And yet the price of suspending assistance to avoid these unintended consequences may be paid in the suffering and death of innocent people. UNHCR is increasingly called upon to make fine judgements about when it is appropriate to continue operating in less than ideal circumstances, and when persevering in the attempt to do so may actually contribute to the suffering of the intended beneficiaries in the long run. These are inherently political decisions.

The visibility of refugee crises has changed radically in the information age. Mass displacement and other disasters are today routinely played out in 'real time' on the television screens and, increasingly, on the websites of the world. Much has been made of the 'CNN effect' in shaping public opinion and, through it, driving the policy response to refugee crises.[8] The hugely increased public awareness that comes with media exposure generates support for humanitarian action, but the media is selective in its approach and neglects some emergencies. Where there is substantial media coverage, this puts humanitarian agencies under increased pressure. The effect may be salutary. Public criticism of slow or inadequate responses has prompted UNHCR and other humanitarian organizations to re-evaluate and reform their emergency response procedures, set new standards for assistance, and improve coordination mechanisms. But the pressure to be visible in high-profile emergencies has also spurred unproductive competition among agencies and has short-circuited careful planning in some instances. Working with the media to enhance the protection of refugees and the internally displaced has now become an essential element of humanitarian action.

UNHCR's changing role

The preceding chapters have traced the evolution of UNHCR through some of its most formative episodes. Each crisis drew new responses from the international community and new roles for UNHCR and its partners. UNHCR broke from its early focus on individual refugees when its services were called upon during the mass flight of Hungarians from their country in 1956. It then broke from its Eurocentrism in the 1960s, at the time of the wars of independence in Africa. The negotiation of the 1967 Protocol to the 1951 UN Refugee Convention put the stamp of permanence on this departure from the founding framework.

UNHCR first played a larger coordinating role, within the UN system and beyond, during the South Asian crisis of the early 1970s, which created independent Bangladesh. It greatly expanded the scope of its activities in Indochina, building and managing refugee camps for Cambodians, Laotians and Vietnamese, and assisting with the resettlement of some two million Indochinese people—mostly from Viet Nam—in the United States and elsewhere.

UNHCR's role and responsibilities then increased again in the 1980s, as a result of simultaneous crises in Indochina, the Horn of Africa, Central America and Afghanistan. At the end of the Cold War, as many conflicts came to an end, UNHCR took on not only the physical repatriation of refugees but also the much more complex task of trying to ensure that this solution would indeed be durable. More and more people from conflict zones in Africa, Asia and Latin America sought asylum in Europe and North America during the 1980s, putting pressure on existing asylum systems and prompting governments to introduce increasingly restrictive measures aimed at deterring entry. As a result, UNHCR found itself confronting the states that were its major donors and political supporters.

The early 1990s saw a breakthrough in UNHCR's relations with the successor states of the former Soviet Union, which through most of its history had been hostile to UNHCR. UNHCR opened offices throughout this vast region to assist governments and people confronting the immense complexity of migration flows and forced displacement. The major crises of the mid-1990s—in northern Iraq, the former Yugoslavia and Rwanda—forced UNHCR to operate on an unprecedented scale and in the midst of armed conflict.

This 50-year trajectory has taken UNHCR far beyond what its founders envisaged. The organization started out as a small and modestly funded organization, with limited responsibilities and a focus on Europe. Today it employs over 5,000 people in some 120 countries, and has a budget of around US$1 billion a year, which it spends in the pursuit of a complex and sometimes bewildering menu of tasks. Still, its size and operational capacity are small compared to the needs it seeks to address. Today UNHCR is dealing with greatly expanded categories of people, some of whom have protection needs that differ from those of refugees—for example, stateless people and those whose citizenship and nationality is disputed. Others, including many internally displaced people, inhabit regions where there is no competent authority to protect them.

The road ahead

To address the contemporary challenges facing refugees and other displaced people, UNHCR has formed new kinds of strategic partnerships, with human rights organizations, military forces, the private sector, and a range of other actors. It has become involved in a number of activities which might previously have been considered beyond its mandate: environmental protection, mine clearance, community development projects, and anti-racism campaigns—to name but a few. What these activities have in common is that they aim to ensure that whatever solutions UNHCR helps refugees and other displaced people to find are indeed durable. But there is still much work to do to make these wide-ranging partnerships more effective and to improve coordination mechanisms.

UNHCR has long been concerned with the discontinuity between emergency relief and longer-term development assistance. Poverty, particularly in places where there are wide discrepancies in living standards, is fertile ground for conflict and displacement. Refugees and internally displaced people who return to their homes in post-conflict situations often suffer greatly from the lack of resources to re-establish a sustainable livelihood. This in turn can provoke the recurrence of conflict and renewed displacement of people. UNHCR is therefore working with the World Bank, key donor governments, and other UN agencies to bridge the institutional and funding gaps between emergency relief and longer-term development efforts.

But physical and economic reconstruction is not the only element needed to fill the gap between emergency and development assistance. The international community also needs to make more systematic and substantial efforts to strengthen democratic institutions and to ensure good governance in countries making the transition from war to peace. Helping weak states strengthen their institutions as quickly as possible is a crucial factor in ensuring the protection of returnees and in establishing lasting peace. In many situations the first priority should be to strengthen the law enforcement capacity of the police and the judiciary.

UNHCR has become increasingly involved in efforts to build peace in countries which have been affected by war or communal violence. In its earliest days, UNHCR's activities ceased when refugees were resettled in new countries or when they repatriated. By contrast, in recent years it has been deeply involved in a number of peace negotiations. For instance, it participated in the extensive consultations which led to the Paris Peace Agreements for Cambodia in 1991, where repatriation was recognized as an essential element of the settlement; it played an important part in the International Conference on the Former Yugoslavia during the conflict there; and it advised on repatriation issues when the Dayton Peace Agreement was drawn up in 1995. As High Commissioner Sadako Ogata has pointed out: 'Peace processes do not end with peace agreements. In the best circumstances, they start there.'[9]

Another important component of human security is the successful coexistence of people who must reconstitute communities that have been deeply divided by violent civil conflict. This is a critical issue for refugees and internally displaced people when they return to their homes. Few goals are more difficult. Encouraging

and assisting divided communities to live together and opening the path to their reconciliation may be one of the most crucial challenges for humanitarian organizations in the 21st century.

A continuing challenge in the years ahead will also be that of finding ways to ensure the security of refugees, the internally displaced and other people of concern. Areas populated by refugees or internally displaced people are typically prone to high levels of insecurity. Beyond the crime and violence associated with large, poor, dense settlements in which normal social structures have been disrupted, refugee settlements often become militarized owing to the presence of combatants intermingled with civilians. Rebel movements, host country governments, and other states often manipulate these populations for political and military gain, drawing them into dangerous confrontations. In some cases, the displaced are themselves willing participants in ongoing conflicts, compromising the neutrality of their places of refuge. In others, they are virtual hostages. Pervasive insecurity affects the displaced, the communities they enter, and the staff of humanitarian agencies who work to provide assistance and protection.

States are becoming increasingly reluctant to send in their own military forces to provide security to humanitarian operations, not only because they are financially and politically costly, but also because they have on a number of occasions proved to be blunt and ineffective instruments for the purpose. UNHCR—together with the UN Department of Peacekeeping Operations, governments, regional organizations and other humanitarian organizations—has therefore been examining alternative mechanisms for improving security. Between large-scale military intervention and inaction, an expanded range of options is being developed, including the deployment of public security experts, the strengthening of local policing in host countries, and the provision of support to regional security organizations.

Ensuring the security of humanitarian personnel in conflict situations has also become a major challenge. Increasingly, they have become victims of direct attacks, with frequent examples of assault, murder and kidnapping. Managing the risks to staff and determining the acceptable threshold of risk will be an ever-present challenge for humanitarian organizations in volatile regions.

Fifty years of humanitarian action have demonstrated time and time again that humanitarian organizations alone cannot resolve the fundamental social, economic and political problems that lead to displacement. They have also demonstrated that unresolved displacement may fatally complicate the resolution of wars and the stability of peace. UNHCR's mandate to seek durable solutions for refugees is embedded in the larger framework of human security. Not only does insecurity impel people to flee in search of refuge, but the persistence of conflict and displacement has weakened the commitment of many states to uphold internationally agreed principles of refugee protection.

The decline in the willingness of states to provide asylum is a major challenge for people fleeing their countries in search of safety and for organizations attempting to assist them. In a world where serious human rights abuses cannot always be prevented, it is important to ensure that those who have to flee are able to find safety.

Asylum must be upheld as a fundamental instrument of protection. Access to asylum therefore remains a primary goal of UNHCR's strategy for international protection. One of the main challenges now is to frame concerns for the protection of refugees more firmly within the wider framework of the complex migration challenges facing states, and to promote responses that take into account the links between migration and asylum.

Under the existing terms of international law, and based primarily on the 1951 UN Refugee Convention, an important distinction is still made between refugees who cross international borders and people who remain displaced within their own countries. While UNHCR's mandate to provide protection and solutions for refugees has not changed over the last 50 years, its involvement with the internally displaced has grown considerably. The extent to which UNHCR is called upon to assume further responsibilities in relation to the internally displaced will be a key issue in the future development of the organization.

International responses to the problem of forced displacement have evolved steadily over the last 50 years, and they will continue to evolve. Year by year, the legal framework and institutional arrangements for protecting and assisting refugees and other displaced people have also developed, and they will also continue to do so. It is our collective responsibility now to learn from the lessons of the past in developing new mechanisms for responding effectively to the challenges of the future. Meeting the needs of the world's displaced people—both refugees and the internally displaced—is much more complex than simply providing short-term security and assistance. It is about addressing the persecution, violence and conflict which bring about displacement in the first place. It is about recognizing the human rights of all men, women and children to enjoy peace, security and dignity without having to flee their homes. This is the task ahead for governments, international organizations and the people of the world in the new millennium.

Endnotes

Chapter 11

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5 *UNHCR, 'Internally Displaced Persons: The Role of the United Nations High Commissioner for Refugees', 6 March 2000.*
6 *R. Holbrooke, speech to Cardoza Law School, New York, 28 March 2000.*
7 *G.S. Goodwin-Gill, 'UNHCR and Internal Displacement: Stepping into a Legal and Political Minefield', US Committee for Refugees, World Refugee Survey 2000, Washington DC, 2000, pp. 25–31.*
8 *The term 'CNN effect' refers to the growing power of television stations such as the Cable News Network (CNN) to dictate policy agendas.*
9 *High Commissioner S. Ogata, 'On the Humanitarian Frontlines: Refugee Problems Between Changing Wars and Fragile Peace', lecture at the University of California at Berkeley, 17 March 1999.*