

# 3

## Addressing refugee security

Of all the reasons that drive refugees to flee their homes, none is as great as fear. It may be fear of direct physical attack, or of a conflict where rape, torture and ethnic cleansing are part of military strategy. In their attempts to escape refugees may dodge bullets in a war zone, be chased by human traffickers or risk their lives crossing stormy seas on leaky boats. Even if they survive these dangers and make it to another country, they may find that their fears continue to dog them. The conflict they tried to escape may have followed them, and their lives and dignity may still be threatened.

Ensuring the physical safety of refugees is one of the most pressing concerns of UNHCR and its partners. The refugee protection regime was created by the international community to shelter those fleeing direct threats to their lives. But this very fact has meant that refugee protection has always been profoundly affected by larger security issues. Real and perceived security threats not only influence the willingness of states to provide asylum to refugees, they also determine the quality of the refuge provided. At another level, insecure environments weaken the ability of UNHCR and allied humanitarian agencies to assist and protect refugees—and thus to uphold their basic rights.

The beginning of the twenty-first century has seen a number of new developments with regard to refugee security. For one, UNHCR has become much more involved in security issues, especially as they affect ongoing operations. For another, the emergence of new security concerns for states, such as terrorism, has led to the ‘securitization’ of practices related to asylum. Lastly, issues of migration, development and relief have become more closely linked to security.<sup>1</sup> Indeed, there is an increasingly widespread view that the viability of the refugee protection regime hinges on its real and perceived impact on international security.<sup>2</sup>

This chapter will outline the importance of security in refugee protection and illustrate the increasing interconnectedness of refugee, state and global security. It describes recent legal and operational developments related to security both at the inter-state level and on the ground. The concluding part of the chapter highlights the ways in which preventive and ‘soft’ measures integrated into refugee protection and assistance can help defuse many of the security threats faced by refugees and their hosts alike.

*In Sri Lanka, UNHCR-supported 'open relief centres' have been maintained in areas of conflict since 1990. The civilian character of these centres has been respected due to an informal understanding between UNHCR, the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam. (UNHCR/M. Kobayashi /1999)*

## Security and refugee protection

Refugees have always been a by-product of war, which is still the most clearly identifiable and direct threat to national security. Within the global refugee protection regime, security concerns motivate state responses to refugee flows and are of primary importance in UNHCR's operations. The linkage of national and international security concerns and humanitarian assistance and asylum is not new. It can be seen in accounts of the emergence of organized refugee assistance in Europe following the Second World War.<sup>3</sup> In the 1960s and 1970s, African governments in particular attached considerable importance to security concerns arising from refugee movements.<sup>4</sup>

Aware of the potential of conflicts to spill over borders via refugee flows,<sup>5</sup> the international community has always emphasized that asylum must be recognized as a neutral, non-political act embedded in a system of multilateralism. In addition to this most fundamental norm, the 1951 UN Refugee Convention contains an explicit system of checks and balances which address states' security concerns.<sup>6</sup> The system serves to provide protection to individuals and to defuse potential interstate tension.

But the challenge of integrating the differing security interests and strategies of the various parts of the international refugee regime has grown more complex. The problems arising from operating in war zones and continuing protection concerns related to refugees in protracted situations are partly responsible. So too is the rise of xenophobia and fear of asylum seekers in many countries, which has led to a tendency to see refugees not as victims but as perpetrators of insecurity. That kind of thinking has inspired more aggressive interception measures, higher barriers to entry and indiscriminate detention, all of which pose new security risks to refugees. Meanwhile, many states see their responsibility for refugees as shared with the international community. While some see this practice as an offloading of state responsibility, it also reflects recognition that the security concerns of states as well as refugees are best met by ensuring that the multilateral and humanitarian character of refugee protection is maintained.

### **Human security: establishing linkages**

All involved in refugee protection, be they states, host populations or humanitarian organizations, share some broad security concerns. Yet how they interpret these concerns can differ widely. To account for such differences, traditional perceptions of security purely in terms of a state's territorial integrity have increasingly been linked to new concepts of human security. This new thinking has been adopted by many members of the United Nations family and incorporated into the foreign-policy agendas of countries such as Canada and Japan.<sup>7</sup>

The new view of human security highlights the interdependent nature of the security threats in refugee situations. It recognizes that long-term state security is ultimately dependent on the security provided to non-state actors such as refugees and that, inversely, refugee protection may be impossible in situations of acute and continuous state insecurity.<sup>8</sup> The new perspective on human security also links the security concerns of individuals and communities to a wider range of threats including, but not restricted to, physical violence. Indeed, the concept of effective protection has evolved along with changes in the perception of the various dimensions of human security. For instance, protection now means safeguarding not just the physical integrity but also the human dignity of every refugee.

## Refugee security

Threats to the physical security of refugees emanate from a variety of sources, including organized crime, errant military and police forces, anti-government militants, local populations and the refugee community itself. The vulnerability of refugees is magnified where they have limited material and financial resources and their family and community structures have been strained or destroyed. The physical threats to refugees range from theft, assault and domestic violence to child abuse, rape and human trafficking. Furthermore, in their vulnerable state refugees may be easily manipulated for political ends.

The presence of armed elements in refugee flows and settlements poses a fundamental threat to the civilian and humanitarian character of asylum, creating serious security concerns for refugees, host communities, local authorities and humanitarian workers alike.<sup>9</sup> The task of identifying combatants within a mass influx is made harder by the vast numbers involved. Besides, members of militia groups rarely identify themselves, and often hide their weapons in order to blend in with the civilian population.

Armed groups in refugee situations have been known to divert humanitarian aid from those who need it most, either through outright theft or through voluntary and involuntary 'taxation'. Both methods have been linked to malnutrition among refugees when increased rebel activity demands higher contributions. Rebels may also engage in forced recruitment of young men and children or use refugee camps as rest and recuperation sites. Many of these problems are exacerbated when refugees reside for long periods in countries of asylum where they lack educational and economic opportunities.

The presence of armed elements can also increase the risk of armed attacks on refugee settlements by opposing forces. In some cases, armed elements may challenge the implementation of durable solutions such as voluntary repatriation and local integration. For example, in the aftermath of the 1999 East Timor crisis, pro-Indonesian militiamen used violence and false information about conditions in East Timor to try and prevent refugees in West Timor from returning home.<sup>10</sup>

## Box 3.1

### Sexual and gender-based violence

War magnifies the everyday injustices that many women live with in peacetime. During periods of armed conflict, all forms of violence increase, particularly violence against women and girls. Women forced to flee their homes are often caught in a vicious cycle of abuse, exposed to sexual exploitation throughout the refugee experience. Sexual and gender-based violence ranges from harassment, domestic violence and rape to female genital mutilation and the withholding of food or other essentials unless paid for with sex.

It is now acknowledged within the humanitarian community that displacement has very specific gender dimensions, and that the protection concerns of refugee women and girls differ in many respects from those of men. For instance, in addition to being disproportionately affected by sexual and gender-based violence, women often do not get equal access to humanitarian assistance and asylum opportunities.

#### Protection concerns

Sexual and gender-based violence can occur at every stage of the refugee cycle: during flight, while in the

country of asylum and during repatriation. For example, in Darfur (Sudan) where civil war has displaced more than a million people, gender-based violence has been rampant. In 2004, Amnesty International conducted interviews with hundreds of internally displaced and refugee women from Darfur, who had suffered rape, abduction, sexual slavery and torture. With the majority of displaced people still trapped across the border, and the widespread stigma of rape keeping many women silent, those interviewed comprised but a small fraction of the total number of victims.

Unfortunately, camps may not always be safe havens for women. Separated from the security offered by extended networks of family and community, unaccompanied women and girls may be regarded by camp guards and male refugees as sexual prey. Those who are lucky enough to flee with their family often find that the tremendous strains of refugee life increase the incidence of domestic violence. Poorly planned camps that do not take into account the needs of women and girls can also expose them to abuse; attacks are more common when women are forced to travel unprotected to

remote areas in search of food, water and firewood.

When food and other necessities are in short supply, women may not get a fair share of what is available. The United Nations Development Fund for Women (UNIFEM) has warned that women in camps get less of everything from plastic sheeting to soap. If men are the sole distributors of food and supplies, the likelihood of sexual exploitation is much higher. Sadly, there have been cases where humanitarian workers and peacekeepers, the very people responsible for the well-being and protection of refugees, have abused their power.

#### Prevention and response

Due to powerful socio-cultural and legal obstacles, sexual and gender-based violence is one of the most challenging issues for a humanitarian organization. It is an extremely under-reported crime in countries where victims of sexual assault are stigmatized. Women and girls remain silent due to shame and the acute fear of being shunned by their families and communities. Moreover, traditional justice systems do not always provide the victim with protection; verdicts can sometimes

The new concept of human security also raises awareness of threats to the physical security of refugees other than direct attacks or military activity. These include an understanding of the existential insecurity introduced by insufficient or irregular supplies of food because of ration cuts or other restrictions. Such shortfalls not only threaten lives but are linked to an increase in domestic or sexual violence and other crimes in protracted refugee situations. In other circumstances urban refugees, who often lack any assistance or secure legal status, may be targeted for crimes and abuse by the host population (see Box 2.4).

### State security strategies within and across borders

In the late 1990s a number of UN Security Council resolutions marked the increasing attention of states to security issues arising from refugee movements. In these resolutions, states recognized that massive population displacement could constitute a threat to regional and international peace and stability, and even represent a

result in further human rights violations. In some cultures a woman can be forced to marry her attacker.

Many countries of asylum have failed to incorporate into domestic law the provisions in international or regional human rights instruments—which they ratified—on the protection of women. Combined with gender-biased provisions in domestic law, they work to minimize women's opportunities to seek legal recourse.

Throughout the 1990s, UNHCR supported initiatives which addressed sexual and gender-based violence. Published in 1991, UNHCR's *Guidelines on the Protection of Refugee Women* went beyond conventional ideas of protection by stressing two very important points: the intrinsic relationship between protection and assistance, and the notion that the participation of refugees in the decision-making process promotes protection.

Following the *Guidelines*, UNHCR came out with a guide for protection officers on sexual and gender-based violence, increasing awareness of the issue, and established legal and counselling services in the field.

In 1993, the Women Victims of Violence Project in Kenya, later

passed on by UNHCR to CARE-Kenya, established drop-in centres that enabled women to report sexual violence. In order to reduce the vulnerability and exposure of women to assault while collecting firewood, UNHCR and its implementing partners carried out the Firewood Project in 1997. This assisted with firewood distribution, covering 30 per cent of household firewood consumption in the Dadaab camps in Kenya. In Guinea, the government collaborated with UNHCR and NGOs on education campaigns on women's issues within the refugee community. In the refugee camps for Burundians in Tanzania, UNHCR and its implementing partners focused on awareness-raising and the provision of proper legal, medical and psycho-social support to victims of sexual violence. Efforts were also made to involve more women in health and education activities.

### Conclusion

Addressing sexual and gender-based violence has proven a challenge for the humanitarian community, though considerable progress has been made on the issue. While there have been significant efforts over the last two

decades to place sexual and gender-based violence on international and national policy agendas, glaring gaps in the protection of women against abuse still exist. According to UNHCR, in 2004 alone 157 incidents of sexual and gender-based violence were reported in Bhutanese refugee camps in Nepal, 259 cases were recorded in the Dadaab refugee camp area in Kenya, and more than 1,200 cases were documented in refugee camps in Tanzania. These are just some of the instances where women have suffered violence with little recourse to medical, psychological or legal help.

Today, UNHCR is working towards a more coordinated approach to combat sexual and gender-based violence. Known as the multi-sectoral approach, it seeks change through the involvement of all actors who provide services to the survivors of sexual and gender-based violence. This approach recognizes that such women and girls may need the support of a number of sectors, including health and community services, the judiciary and law enforcement. When it comes to violence against women, all have a role to play both in preventing it and responding to it.

deliberate strategy of war. More concretely, the Security Council linked population displacement to threats to international peace and security and considered such threats grounds for international action in Haiti, Iraq, Kosovo, Liberia, Rwanda and Somalia.<sup>11</sup>

Displacement has certainly contributed to the endemic instability in Africa's Great Lakes region. The volatility here is to some extent the result of a tradition among refugee warriors of allying themselves with political factions—whether in government or opposition—in their host state and becoming entangled in that state's internal politics (see Box 3.2).<sup>12</sup> Here and elsewhere, refugees have become linked to the foreign-policy strategies of states, undermining the very notion of the non-political nature of asylum.<sup>13</sup> Indeed, while many states do not possess the resources to identify and disarm combatants within refugee groups, others actively encourage such armed elements on their soil, using them as a bargaining chip in relations with the country of origin.<sup>14</sup>

## Box 3.2

### The Great Lakes: regional instability and population displacement

It is estimated that at least 3.5 million people have perished in eastern Congo since 1998. At present, one thousand die there each day as a result of violence, starvation and disease. More than 3 million Congolese, Burundians and Rwandans remain displaced in the region. Furthermore, according to UN estimates, some 20,000–40,000 child soldiers have been recruited into the ranks of warring groups and more than 40,000 women have been victims of sexual violence. Overall, some two-thirds of the population in the Democratic Republic of Congo (DRC) suffers from malnutrition. Approximately 70 per cent of the children in the country do not go to school.

The unrest continues to revolve around the rivalries among the Tutsi, Hutu and other ethnic groups in the area that have been exploited by the governments of the DRC and its neighbours to advance their respective agendas. Porous national borders and ethnic, cultural and historical links between the inhabitants of these countries have transformed intra-state unrest into inter-state conflicts. These have assumed a regional dimension and produced massive population displacements within and across borders.

Concern about continued political instability and population displacement in the region has prompted a number of outside actors to try and contain or resolve the political and humanitarian tragedy. Beginning in 1999, the UN Security Council created a peacekeeping mission (MONUC) for the DRC. The mission's mandate and size were

gradually expanded, and by 2004 it had become the largest UN peacekeeping operation in the world. Furthermore, between 1999 and 2003, mediation efforts led by South Africa prompted neighbouring states such as Angola, Burundi, Namibia, Rwanda, Uganda and Zimbabwe to withdraw their troops from the DRC.

Despite these initial steps, the cycle of violence and displacement in the DRC intensified. The country's eastern neighbours continued to exploit ethnic cleavages and used Congolese proxies to pursue their objectives. The scale of the fighting and population displacement was particularly extensive in Ituri, adjacent to Uganda. MONUC established a limited presence in Ituri to monitor the situation. But humanitarian agencies in the region faced many obstacles in gaining access to victims because of the vastness of the territory, poor infrastructure, the impenetrability of the rain forest where many displaced people sought refuge, and intimidation and violence by armed elements. Between 1999 and 2003, more than 50,000 people were killed and some 600,000 displaced in Ituri alone, with 10,000 refugees entering Uganda. The population displacement peaked in mid-2003, by which time a total of 3.4 million Congolese had been forced to flee their homes.

A significant milestone was reached in July 2003 with the creation of the Government of National Unity and Transition in Kinshasa which included the various Congolese political factions. This arrangement was brokered with the assistance of South Africa. As a consequence,

hundreds of thousands of internally displaced persons and refugees returned to their homes. Meanwhile, negotiations between the Burundian government and several rebel groups bore fruit, resulting in a ceasefire agreement that paved the way for the return of thousands of refugees and internally displaced persons.

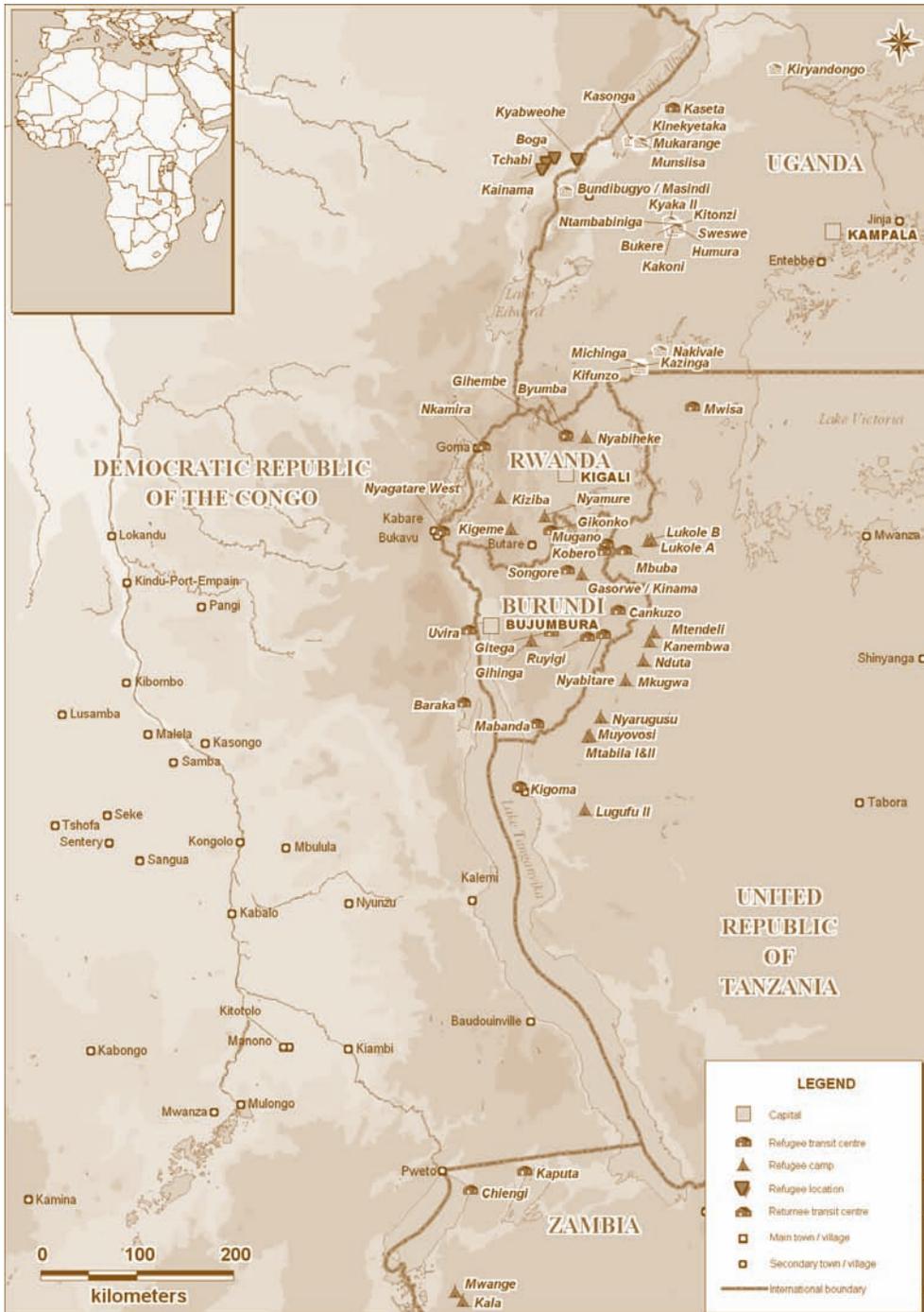
But in spite of the positive developments, the cycle of violence and displacement in the eastern part of the DRC continued. In South Kivu, a mutiny by Congolese army units in May 2004 prompted tens of thousands of people to flee the fighting, crossing into Burundi and Rwanda. Only weeks later, in July, armed clashes in Ituri between local militias led to the displacement of 35,000 Congolese. Furthermore, when Rwandan forces launched cross-border operations in the DRC to pursue Rwandan Hutu insurgents in late 2004, more than 100,000 people were displaced by the fighting; some 40,000 became refugees in Burundi and Rwanda.

The violence and displacement in eastern Congo continue to threaten regional security and the welfare of the entire population of that area. Some progress is being achieved on the political, humanitarian and security fronts, albeit in a gradual manner. Extricating the region from the spiral of destruction and displacement entails the disarming of militias by the Congolese military and MONUC. Also required are a political process that fosters reconciliation and generous measures of humanitarian assistance and development investment.

Another facet of the interplay between refugee flows and states relates to internal security and stability. This is linked to the greater availability of small arms in conflict zones, as well as potential conflicts over resources created by the presence of large groups of refugees. Rapid and massive refugee flows can aggravate instability in states facing economic problems, political uncertainty and ethnic or social tensions. Tensions between refugees and their host population may be the result of actual or

Map 3.1

The Great Lakes Region, June 2005



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations. Geographical data sources: UNHCR, Global Insight digital mapping - © 1998 Europa Technologies Ltd.

perceived competition for resources or of resentment when refugees are seen as privileged in relation to their poorer hosts. This has been the case in Kenya, for instance.

These tensions may lead to other security concerns. In Ethiopia, Kenya and Tanzania, the areas around refugee camps are prone to banditry, the blame for which often falls on refugees. Such problems are aggravated in poor states and those in which a weak governing authority is unable to exercise sovereignty effectively.<sup>15</sup> In such places, the security threats faced by refugees and the local population are often the same.

## **Host communities and humanitarian workers**

Protracted refugee situations pose additional difficulties, especially when uprooted people lack educational and economic opportunities and where their prospects for durable solutions are limited. This is often the case in host countries where local inhabitants also struggle to survive. Some 90 per cent of the world's refugees live in developing nations, where economic stagnation and unemployment are high and general opportunities low. The resulting competition, be it real or perceived, for scarce resources leads to friction between refugees and the local population. The latter often blame the former for a variety of problems, including increases in crime.

The existence of a link between high crime rates and the presence of refugees is widely accepted, even though the nature of this link is often unclear. In some situations refugees resort to illegal activities as a result of general economic scarcity—or to fill breaks in their food supply. Yet crime rates are influenced not only by refugees but also by changing patterns of conflict across borders. Furthermore, refugees' attempts to breach restrictions on their freedom of movement, economic activity or self-reliance are sometimes labelled crimes.

The security threats that host populations and refugees often share, such as rebel activity, ongoing conflict and scarcity may also bring them into direct conflict with each other. Where existing problems are exploited by politicians with intolerant agendas, the result in both rich and poor countries is xenophobia and attacks on refugees (see Box 3.4).

Conflict-prone environments also endanger the humanitarian workers who help refugees. The surge in attacks on such workers risks undermining the fundamental viability of humanitarian assistance in many of today's conflict zones. Staff of various UN agencies, the International Committee of the Red Cross (ICRC) and NGOs have been intimidated, physically threatened, kidnapped or killed while trying to carry out their duties (see Box 3.3). The UN Security Council has stressed that guaranteeing the security of aid workers is a major challenge when providing assistance to populations of concern.<sup>16</sup>

Yet, although humanitarian workers in war zones are at risk, their presence can also discourage attacks on the displaced. This was frequently the case in the Balkans and in the African Great Lakes region in the 1990s.<sup>17</sup> The dangers faced by humanitarian personnel have raised difficult questions about the role of the military and other

security forces in refugee protection. More recently, in Afghanistan and Iraq, ongoing political conflict and military intervention have risked undermining the perceived neutrality of aid workers, with direct consequences for their security.

## Developing responses

Some of the security threats outlined above are of long standing. However, in recent years there has been more awareness of the interconnectedness of various threats as well as a more concerted effort to address them. Conceiving of security as a shared concern also means conceiving of it as a shared responsibility. Under international law, a state is obliged to ensure the physical protection of all those who reside within its borders—refugees included—and it remains the responsibility of the host state to prevent the militarization of refugee-populated areas. At the same time, the security of refugees and their hosts is also a collective endeavour, both to prevent dangerous situations from occurring and to stop their escalation.

The principle of shared responsibility for refugee security among all multilateral and bilateral actors was inscribed in UNHCR's Executive Committee Resolution 58 of 1987, when international concern was focused on armed attacks on refugee camps.<sup>18</sup> Recent years have seen further acceptance of this principle both in multilateral forums and in operational practice. This acceptance can also be seen as a response to new concerns such as terrorism or sexual and gender-based violence, all of which threaten the security of refugees in multiple ways. At its worst, however, it can mean an outsourcing of state responsibility to international actors.

## Enlarging the multilateral mandate

Since the early 1990s and the crises in Bosnia and Herzegovina and Rwanda in particular, security has become a bigger issue in refugee assistance. At the United Nations, this shift is reflected in Security Council resolutions 1208 (1998) and 1296 (2000), which directly address the security and neutrality of refugee camps.<sup>19</sup> Among other things, these resolutions establish the legal parameters for authorizing action under the UN Charter, which could involve the deployment of international military forces and monitors to address insecurity in camps. In line with expanded notions of security, the resolutions also aim to link up humanitarian, political and military activities.

Security has also been the subject of informal discussions among governments following UN Secretary-General Kofi Annan's report on the causes of conflict in Africa and his two reports on the protection of civilians in armed conflict.<sup>20</sup> During this process states have called on UNHCR to provide advice, training and technical assistance to host states to help them discharge their responsibilities to refugees.

UNHCR's Executive Committee concluded in 1993 that the organization 'may monitor the personal security of refugees and asylum seekers and take appropriate

## Box 3.3

## Security of humanitarian workers

A survey of the period 1985–98 registered a total of 256 humanitarian workers<sup>i</sup> killed in the line of duty, or an average of 18 per year. For later years the counts are higher, estimates ranging from an annual average of 22 to 41 violent deaths over a seven-year period. Combined with front-page media reports of dramatic security incidents, such figures have contributed to the widespread notion that humanitarian workers today are at greater risk of violent death than before. But what do these numbers mean?

**Has the security risk increased?**

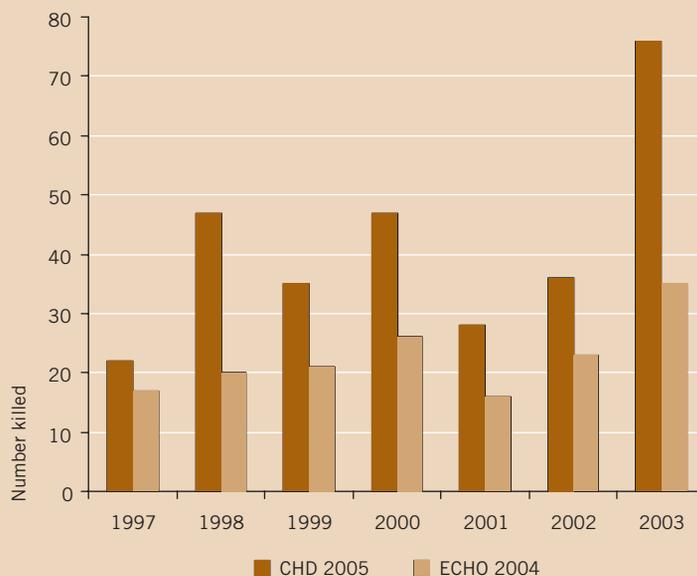
Statistics in this area are notoriously poor, making it difficult to determine trends and assess risk. It is indicative that the only two careful studies done in recent years arrive at very different conclusions. A report published by the European

Commission's Humanitarian Office (ECHO) in 2004 counted 158 violent deaths among humanitarian workers in the period 1997–2003; an annual average of 22.<sup>ii</sup> Given the vast growth in humanitarian activities—there has been a fivefold increase in international humanitarian aid in the past two decades—the conclusion must be that the security risk to the individual worker has decreased substantially. However, a similar report undertaken by the Geneva-based Centre for Humanitarian Dialogue (CHD) in 2005 and covering the same period found almost twice as many violent deaths, i.e. 291.<sup>iii</sup> Even allowing for the increase in humanitarian workers worldwide, a doubling of the annual rate of violent deaths (i.e. from 18 to 41) compared to earlier years studied suggests very significant risk.

The different conclusions demonstrate the depth of the assessment problem. There are no statistics on the number of humanitarian workers worldwide and no common reporting procedures for different agencies. The definition of what constitutes violence against humanitarian workers differs. For example, should it include a scuffle with a security guard or an assault on a local driver on short-term hire? Analysts can apply very different definitions and arrive at very different conclusions, as is apparent above. Nevertheless, some conclusions seem reasonable:

- *The increasing number of deaths reflects above all the expansion of humanitarian activities in or near conflict zones.* The most marked increase in humanitarian aid occurred after the Cold War, when the number of civil wars and new possibilities for collective

**Figure 3.1** Estimates of humanitarian workers killed 1997-2003



Sources: Centre for Humanitarian Dialogue, *No Relief*, Geneva 2005; ECHO, *Report on Security of Humanitarian Personnel*, 2004; both based on D. King, 'Chronology of Humanitarian Aid Workers Killed in 1997-2003', 15 January 2004.

**Figure 3.2 Humanitarian aid 1971-2003**

Source: OECD/DAC, Paris. Values in constant 2003 dollars.

intervention brought more aid operations into theatres of conflict.

- *The security risk to individual humanitarian workers has probably decreased.* Humanitarian aid—and therefore probably humanitarian operations as well as the number of workers in the field—has expanded faster than the incidence of violent death among humanitarian workers, even if we use the high death estimates for recent years. This is especially clear from the late 1990s and onwards (except in 2003). In good years, the security risk to individual staff members was by any measure very low. For instance, by the beginning of this century, the United Nations had some 60,000–70,000 staff around the world.<sup>iv</sup> In 2001, according to the Secretary-General, three were killed; the following year the number rose to six (not including three who died in a helicopter crash).
- *The security risk is not evenly spread.* One crisis could have a

major impact not only on the media and public opinion, but—given the overall small numbers—on the casualty statistics as well. Thus, the relative stability and even decline in violent deaths among humanitarian workers since 1997 was abruptly broken by the events of 2003. The bombing of the UN headquarters in Baghdad and violence in Afghanistan accounted for about half of the deaths of humanitarian workers that year. A decade earlier, events in two countries—Bosnia and Herzegovina, and Rwanda—similarly made the death count rise sharply in one year (1994). Overall, however, Africa is the region where the most aid workers have been intentionally targeted in recent years.

#### Threats and targets

Most humanitarian workers who die on the job are intentionally killed. Accidents (such as airplane and car crashes), bombing raids and landmines account for the rest. This

has been the pattern since the mid-1980s, but with one main difference—traffic accidents have declined dramatically from 16 per cent of the violent deaths in the 1985–98 study to only 3 per cent in later years. Increased road-safety consciousness among humanitarian organizations has evidently made a difference.

Most security incidents do not end with death. Humanitarian workers face a range of threats, variously motivated and accompanied by different kinds of violence. Banditry remains a major worry, involving theft of office property and vehicles, the ransacking of warehouses and hijacking of relief convoys. Hostage-taking, bomb threats and harassment are also widespread. A recent survey of security incidents experienced by UN agencies and four major NGOs recorded almost 3,500 in one year alone, not including accidents. According to the CHD 2005 report, most frequent were cases of theft (1,833), unspecified non-lethal violence and

assault on the agency or its personnel (1,166), harassment (302), bomb threats (40) and deaths (37).

Deadly violence takes different forms in different regions. In Iraq, humanitarian workers are most likely to be killed or injured by bombs. In Afghanistan, they face ambushes and executions. In Angola, they risk running across landmines. More local staff are killed than internationals—information from 1997–2003 suggests about twice as many,<sup>v</sup> but there is little systematic data to explain why. The number of local staff may be larger at the outset, or more exposed in the field, as in the case of security guards and drivers. Agencies may employ more national than international staff in high-risk areas such as Iraq. Local employees may be more vulnerable for political reasons than expatriates.

Until recently, most of the humanitarian workers killed were UN

staff—only a third worked for NGOs.<sup>vi</sup> This started to change in 1999, and soon the pattern was reversed, with two NGO staff killed for every UN employee who suffered the same fate.<sup>vii</sup> Lack of systematic information makes it difficult to provide precise explanations for the difference, but there may be several.

The expansion of NGO activities started in the early 1990s. However, the simple increase in numbers—and the addition of inexperienced people in the field—tells only part of the story. Different security strategies are also important. As the security environment deteriorated in the early 1990s, UN agencies sought protection by ‘hardening targets’ (erecting outer compound walls, requiring two vehicles for field missions, etc.). This may have reduced the casualty rate even before the minimum operating security standards (MOSS) were instituted in 2001. Most NGOs, however, continued to rely on good

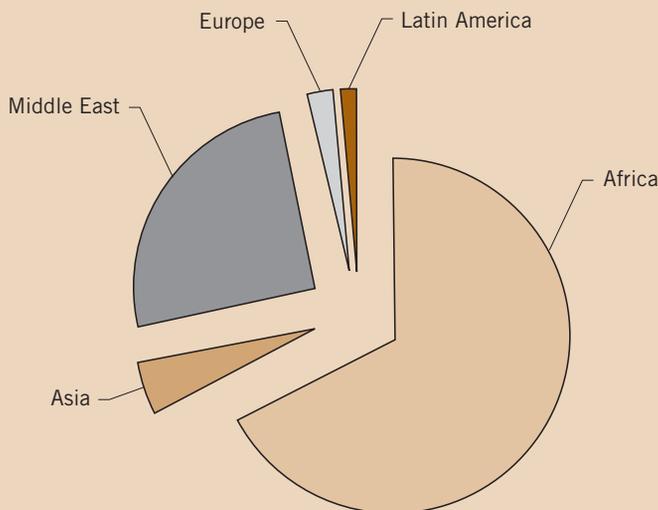
relations with the local population for protection, using the so-called ‘acceptance’ approach. From another perspective, this appeared as a greater willingness to take risks.

### Security and neutrality

Violence against humanitarian workers does not strike only at the new and inexperienced. Nor does it spare agencies that stringently adhere to the neutrality principle—the ICRC headquarters in Baghdad was bombed. Some NGOs, by contrast, have long expressed the primacy of solidarity over strict neutrality—a tradition that goes back to the Biafra war of the late 1960s—and have not been targeted for that reason. Rather, the growing violence against humanitarian workers reflects the changing context and nature of warfare as well as an assertive and expanding humanitarian response.

Not only did the international humanitarian regime grow in the 1990s, it also began to mount more

**Figure 3.3** Intentionally killed humanitarian workers, 1997-2003, by region



Source: D. King, 2004.

operations within areas of conflict. More humanitarian agencies moved from assisting refugees safely behind battle zones to working on the typically shifting front lines of conflict. Meanwhile, paramilitary forces and militias attacked civilian populations without respecting the Red Cross and Red Crescent symbols. State military forces also violated international humanitarian law.

In wars where population movement and relief supplies were strategic assets, humanitarian workers became part of the struggle. As the political element of humanitarian action became more explicit, neutrality—and the safety it was thought to provide—eroded. Seeking protection from international military forces or even UN peacekeepers, as some humanitarian workers did, further underlined the tension between the need for security and the principle of neutrality.

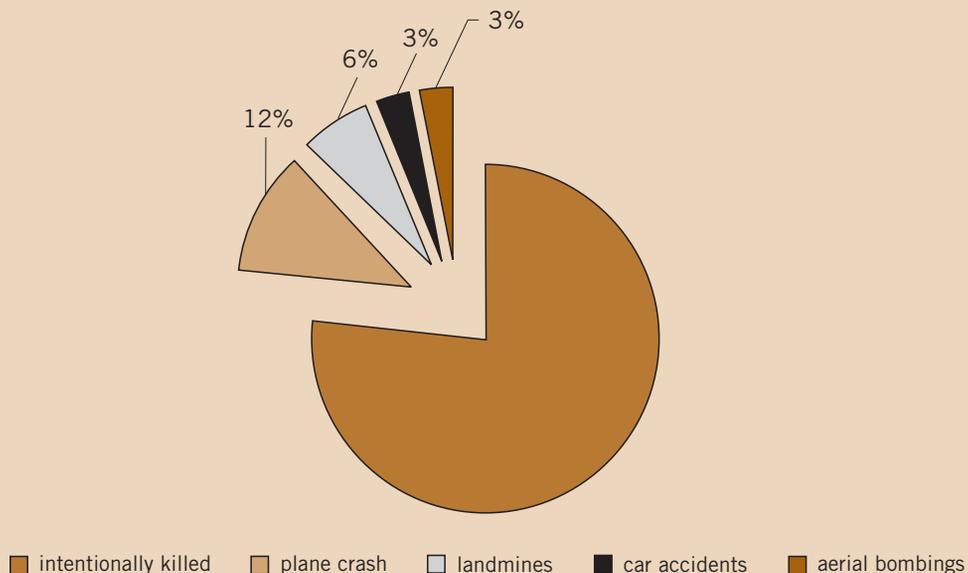
Since the first Gulf War (1991), military forces have taken on more humanitarian tasks. Western military forces provided critical logistical functions in the Rwanda refugee crisis in 1994 and built refugee camps and organized relief supplies during the Kosovo crisis in 1999. US and NATO forces have explicitly combined humanitarian, political and military operations through joint civilian–military teams deployed in insecure areas, as in Afghanistan. This militarization of humanitarian space has reduced the perceived neutrality of aid workers.

Western military intervention for purposes of regime change has intensified the neutrality dilemma of humanitarian agencies. If humanitarian workers entered in the wake of controversial and contested interventions, they risked being perceived as partisan even if their intentions were strictly

humanitarian. Funding from intervening states accentuated this perception, and insecurity increased markedly. It is striking that more humanitarian workers were victims of targeted killings in 2003—the year of high casualties in Iraq and Afghanistan—than in the three preceding years taken together.

Whether humanitarian action is perceived as a fig leaf for political inaction, as in Bosnia and Herzegovina, or as bandaging the wounds after military action, as in Iraq, the security of aid workers is compromised. Aid agencies have responded in varied ways—by withdrawing or suspending aid, hardening targets, or seeking protection from the military. But none of the responses comes without cost, and some entail limits on humanitarian action.

**Figure 3.4** Humanitarian workers killed 1997–2003, cause of death



Source: D. King, 2004.

action to prevent or redress violations thereof.’ Security Council Resolution 1208 also stressed the need for refugee-hosting countries to develop institutions and procedures to implement the provisions of international law. The resolution repeatedly called for the location of camps away from borders to prevent the involvement of refugees in the conflict from which they fled.

Furthermore, in 2002 UNHCR’s Executive Committee called on the agency to develop mechanisms to ensure the demilitarization of refugee camps. The Rwandan emergency in the mid-1990s pushed this enlarged security agenda forward by bringing home the security challenges confronting refugee operations in the absence of an existing security apparatus, be it of the host government or the United Nations.

## The ‘ladder of options’ and beyond

Wherever armed elements or combatants might be present, assuring the civilian and humanitarian character of asylum and of the areas hosting refugee populations involves a range of measures. These include disarming and demobilizing armed exiles, preventing the flow of arms between refugees, protecting refugees from attack and intimidation, and separating combatants or war criminals from refugees.

There are various ways in which the international community has tried to address this challenge, most prominently by developing the so-called ‘ladder of options’.<sup>21</sup> The ladder represents an assessment-and-response tool. It describes a series of possible and ideally *multilateral* responses to escalating threats to the civilian and humanitarian character of refugee camps and to the security of refugees and humanitarian personnel. These threats are then dealt with by a continuum of measures ranked in order of their ‘soft’ or ‘hard’ nature, depending on the local context. Most of these measures represent different ways to assure separation and exclusion of persons who—mainly because of their continuing involvement in military conflict—cannot be defined as refugees.

The ‘soft’ measures of the ladder include preventive and corrective steps which build cooperation with national law-enforcement mechanisms. ‘Intermediate’ measures include international support for national security forces and the deployment of international fact-finding missions and observers as well as international police forces. ‘Hard’ methods involve the use of regional or international military forces.

Under the harder measures, once a mandate is secured, regional and international military forces may perform a number of roles alongside national military forces. Their activities may range from monitoring and intelligence-gathering to reconnaissance and situation assessment. They may also be involved in the separation, disarmament and demobilization of combatants; border control; camp-perimeter security; and the training of national military forces.

These measures have both positive and negative aspects. On the one hand, the presence of military forces in a refugee camp undermines the humanitarian and civilian character of the camp and may increase the risk of it becoming a military



*UN aid workers, escorted by Australian peacekeepers, board a helicopter to evacuate the border town of Atambua in West Timor, Indonesia, on 7 September 2000. Dozens of foreign aid workers fled West Timor that day after a mob led by pro-Indonesian militia gangs killed three UN workers and three local people. (AP Photo/UN/P. Green/2000)*

target. On the other, the presence of a well-disciplined and well-equipped military force in the vicinity of a camp may act as a deterrent against attack and the militarization of the camp.

The deployment of ECOMIL (Economic Community of West African States Mission in Liberia) troops in August 2003 had an immediate impact, reducing security fears in and around the camps for refugees and internally displaced people in the vicinity of the Liberian capital, Monrovia. It secured the camps and forced armed militiamen to withdraw. Arguably, the rapid deployment of humanitarian and security personnel in and around refugee-populated areas during the initial phase of a humanitarian emergency helps deter armed elements from infiltrating the population or targeting refugees. The ECOMIL troops were eventually replaced by international civilian police officers.

In Nepal, the introduction in 2003 of a well-equipped security force in the area around refugee camps has reduced the movement of unidentified groups at night and prevented attacks on the camps. In Uganda, on the other hand, the lack of a fully effective military force in the north of the country has allowed the Lords Resistance Army rebels to attack settlements of refugees and internally displaced people.

The use of international civilian police (CIVPOL) monitors, authorized under the UN Charter to train and assist police in ensuring camp security, is one way the international community can support refugee security when it cannot be guaranteed by the host state. CIVPOL monitors may be deployed—without the express permission of the host state—as part of a multinational peacekeeping or peace-building force. However, they will be less effective if the host state does not acknowledge their mandate. The United Nations authorized such monitors for Angola, Bosnia and Herzegovina, Cambodia, East Timor, Haiti, Kosovo, Mozambique and Somalia. CIVPOL officers were involved in these interventions as advisers, monitors and instructors. Later, in Kosovo and East Timor, CIVPOL was replaced by armed law-enforcement officers with full executive authority, including the right to use deadly force.<sup>22</sup>

## Security packages

The aim of the ladder of options is to enhance the effectiveness of responses to security threats in refugee situations. In practice its application has been largely restricted to operations which fall broadly under the ‘soft’ end of the ladder. Frequently, due to the absence of states with the capacity or willingness to engage themselves, so-called ‘security packages’ have been implemented by UNHCR in consultation with host governments and some bilateral donors. In the best-case scenario such programmes are aimed at building and sustaining the capacity of a host state to provide and promote refugee security. However, where relationships among all actors deteriorate, these measures may introduce new security problems.

During the Rwandan refugee crisis in the mid-1990s, UNHCR hired a contingent of Zairean soldiers to support security in the Congolese camps. The move was initially successful; later, however, these troops became embroiled in the conflict as well. In Kosovo, UNHCR issued guidelines for quasi-national security forces, and in the late 1990s more formal arrangements to improve refugee security based on security packages were concluded, first with Tanzania and then with Kenya and Guinea. These experiences paved the way for similar strategies in other countries, among them Ghana, Liberia, Sierra Leone and, most recently, Chad.

Broadly, the aim of security packages is to reduce the level of insecurity and criminality in refugee camps and safeguard their civilian and humanitarian character. The packages increasingly contain specific references to a reduction in sexual and gender-based violence. They are linked to the deployment of specially trained police officers both in and around refugee settlements who collaborate with international

Field Safety Advisors (FSAs). The FSAs also liaise with the law-enforcement authorities at the district and regional levels on all security matters, monitor the deployment of police officers and their performance, and participate in the training of new police contingents. Ideally the underlying agreement with the host government also includes commitments to instruct both refugees and hosts on the refugee-related laws and regulations in the country as well as international refugee law. Security packages may be linked to provisions for joint screening and the separation of armed combatants from refugees.

The responsibilities of police in such packages include the disarmament of refugees prior to their admission to camps; the maintenance of controls to prevent the entry of arms into camps; and the identification, arrest and prosecution of criminals. The hope is that their presence alongside humanitarian actors may deter criminal or rebel activity, besides providing recourse to law when crimes are committed. Law-enforcement personnel may include national police, paramilitary forces and refugee security guards. Where such a presence does not exist, the problems are all too apparent. In Nepal, it is very difficult to get the police or members of a joint-security force to a refugee camp at night—the area around the camps is considered too insecure.<sup>23</sup> With the police reluctant to show up, crime in the camps has increased.

Another challenge is that of aligning police practices with protection. It has been shown in both Guinea and Tanzania that when security forces are trained to understand refugee law and issues related to sexual and gender-based violence they are better able to provide camp security. Codes of conduct for the police are used to define appropriate behaviour and contribute to greater accountability within the force.

With proper supervision and training, security mechanisms that involve refugee guards, wardens, patrols and watch teams can be highly effective. But such teams can be successful in maintaining security and order only if their roles and responsibilities are clearly defined, and they have good relations with the host country's law-enforcement authorities. Refugee participation is seen in a system of refugee security volunteers (*Sungu-sungus*) in Tanzania, community-watch teams in Liberia and a neighbourhood-watch system in Ghana.<sup>24</sup>

In Zambia, which hosts Angolan and Congolese refugees, neighbourhood-watch programmes have led to a reduction in crime, the identification of armed elements and improvements in aid distribution. In Sierra Leone, the active cooperation of Liberian refugee wardens with the local police has improved camp security. Overall, refugee security mechanisms function effectively when they complement or supplement the general law-enforcement system of the host country. However, if not monitored properly, both such refugee-empowerment initiatives and the introduction of external police could lead to vigilante justice or harassment of less-powerful refugees.

In this context, attention must be paid to the criteria by which activities may be judged detrimental to the civilian and humanitarian character of camps in order to

prevent arbitrary arrest or punishment. Finally, such programmes cannot succeed without continuous coordination, exchange of information and monitoring of performance.

## **Defining obligations and strengthening the rule of law**

Because of the sometimes very different interests of the many actors involved in refugee security, statements of intent are essential if policies are to be effective. Indeed, they are an essential tool in defining obligations and responsibilities and in formalizing the commitments of all actors involved. Such declarations are generally followed by agreements outlining the rights and responsibilities of the various parties. They also provide a means by which international bodies can define the extent of their support for a host country. That support may include developmental and financial components, such as provisions for training, protection workshops, the payment of allowances and the donation of vehicles and communication equipment. The statements also reaffirm the host state's responsibility for promoting the best interests of the refugee population.

When primarily financed internationally, security packages help to acknowledge and reduce the burden on the host government. However, international funding can also create dependence on the part of the host state, sometimes generating unrealistic expectations. Moreover, in some security packages operational and legal lacunae have been identified in the processing of separated combatants and the management of facilities.

Ultimately, policing alone does not provide effective security, and the range of issues linked to security packages has expanded. UNHCR is now engaged in helping with reform of the legal sector and prisons in various countries. Measures under the soft end of the ladder are increasingly used to deal with the daily issues of physical protection relating to crime, low-level violence and harassment, particularly of women. At the same time, UNHCR is focusing less on issues related to the exclusion of those deemed not entitled to protection and separation of combatants. This is partly due to the political and practical difficulties associated with exclusion and separation processes, but it also reflects an awareness of the broader range of security threats affecting refugees and their hosts. This awareness was heightened following revelations of sexual violence and exploitation of refugee women and children in East and West Africa. Those revelations made it painfully evident that a security package has to be complemented by protection and community-service activities.

The deployment of poorly paid and undisciplined police and security forces may exacerbate security problems, sexual abuse and the looting of relief supplies. State capacities to safeguard refugee security cannot therefore be enhanced without bettering the quality of law enforcement and the judiciary and promulgating appropriate legislation. The judicial system has two primary roles: it continues and concludes the work of the police and it checks for potential flaws or abuse, tackling problems that may arise. The rule of law provides an impartial arbitrator in what are

## Box 3.4

## Xenophobia and refugees

Host communities sometimes view refugees with suspicion and mistrust. Refugees are perceived as a threat to their hosts' economic prosperity, social stability and cultural identity. Even where the local population welcomes refugees, their compassion can falter if refugees increase pressure on housing, social services and the environment, or if they stay for longer than anticipated. Such conditions can create fertile ground for the emergence of xenophobia and intolerance. Furthermore, the situation could be exacerbated by irresponsible news media and manipulation of the refugee issue by self-serving politicians.

Over the past several years, conditions have deteriorated in certain countries. There has been an increase in violent attacks on refugees and harsh rhetoric from politicians who use refugees as scapegoats, blaming them for social ills and economic problems. This trend gathered pace following the events of 11 September 2001, especially in the West, where refugees from Muslim countries were vulnerable to xenophobia and discrimination. In the European Union, where there are ongoing efforts to harmonize asylum policies, media reports and public debates quite often blurred the distinction between issues such as asylum, economic migration and terrorism.

These developments prompted UNHCR to list ten areas of 'most concern'. Among them were the threat of increased xenophobia and racism, and the possibility that governments would introduce legislation that would discriminate against refugees from particular religious, ethnic, national or political backgrounds. In late 2001, UNHCR expressed deep concern about xenophobia and discrimination against Muslims, and urged 'governments and politicians to avoid falling into the trap of making unwarranted linkages between refugees and terrorism.' It also asserted that 'genuine refugees are themselves the victims of terrorism

and persecution, not its perpetrators.' Similar concerns were echoed by the UN High Commissioner for Human Rights, emphasizing the need to combat xenophobia and cautioning against weakening the international refugee protection regime.

Even in countries that have had a tradition of extending a warm welcome to refugees, a change in political, economic or social conditions can lead to the emergence of xenophobia. The case of Côte d'Ivoire serves as a poignant example. Until 2002, this was one of the most stable countries in West Africa, renowned for its vibrant economy, ethnic and religious diversity, and hospitality towards the 70,000 refugees from Liberia in the country. The Liberians, who had arrived in 1989, had been well received and been allowed to reside in villages in the western provinces of Côte d'Ivoire rather than in refugee camps. Moreover, they enjoyed access to work, education and healthcare, and were free to move about the country.

But things changed in September 2002, when a coup attempt against President Laurent Gbagbo provoked a full-scale civil war that severely affected the western provinces. Suspicions that foreign countries, including Liberia, had been involved in the attempted coup led to the rise of anti-foreigner sentiment among Ivorians. Some Ivorian politicians and newspapers added fuel to the fire by accusing the refugees of aiding the rebels. UNHCR tried to ensure the safety of 43,000 Liberian refugees by relocating them away from the conflict areas and resettling the most vulnerable in third countries. Many refugees were the victims of torture, murder and forcible recruitment by both the Ivorian rebel and government forces. In spite of a subsequent peace agreement between the government and rebels, the situation remains fragile and Liberian refugees in Côte d'Ivoire now live in precarious conditions.

Across the Atlantic Ocean, two decades of conflict between the Colombian government and rebel groups has created the worst humanitarian situation in the Western Hemisphere. Some 3 million Colombians have been internally displaced, while as many as 700,000 have fled to neighbouring Venezuela, Ecuador, Panama and Costa Rica. In recent years, political and economic problems coupled with the destabilizing spillover effects of the unrest in Colombia have given rise to xenophobia in these countries. The involvement of Colombian guerrillas in violence, kidnapping and drug trafficking in the border regions has not helped.

UNHCR has pursued a regional strategy to strengthen protection and assistance for Colombian refugees and asylum seekers and counter xenophobia. It has tried to boost public awareness of the refugees' plight through radio advertisements, photo exhibits and educational programmes.

The fight against xenophobia is a global struggle. But substantive moves in the right direction have been taken by the international community. In 2001, the final Declaration and Program of Action adopted by the UN-sponsored World Conference against Racism and Xenophobia contained 15 paragraphs relating to refugees. They dealt with root causes, respect and equitable treatment, durable solutions, responsibility sharing and upholding the 1951 UN Refugee Convention and its 1967 Protocol. Furthermore, in 2003 the Organization of American States adopted a resolution at its general assembly in Santiago, Chile, calling on member states to establish national mechanisms to protect refugees and asylum seekers and combat xenophobia and racism. However, there will be no end to discrimination against refugees until politicians encourage positive attitudes towards diversity and the displaced.

frequently emotionally or politically charged environments. Both refugees and locals are more likely to feel that justice is done if they have access to a fair and impartial judicial system.

Beyond training and material support, in some cases accessibility to justice has been improved by the introduction of mobile courts which convene periodically in a camp, or through the construction of new courts close to refugee-populated areas. In this respect there is a need to ensure that refugees are aware of their rights and the appropriate channels to turn to when these rights have been disregarded. They must also be made aware of their obligations to conform to the laws of the country of refuge and abstain from actions that would compromise the security and neutrality of their camp or settlement.

## Preventive strategies

The challenge for the international community and host states is to comprehend the ways in which refugee policies and assistance may themselves help to reduce security threats. Understanding these connections has become an important step in the search for refugee security.

Separating militants from the general refugee population is frequently not as important as addressing the root causes of refugee involvement in crime, violence and military or subversive activities. Some argue that more effort should go towards ensuring good camp management and providing general physical protection to refugees. This necessitates increasingly comprehensive approaches to security measures, and strategies for a broad range of refugee situations which engage key actors at every stage of the humanitarian effort.<sup>25</sup>

## Information channels

One of the most effective strategies in reducing security risks for refugees is the effective dissemination of reliable information. Dependable information is the basis of an effective early warning and assessment system which improves refugee security by ensuring that appropriate assistance measures are put in the right place at the right time.

At the country or regional level, early warning of impending emergencies can provide an indication of the composition and needs of refugee groups. Early assessment of the general situation will help gauge requirements regarding the size and location of transit facilities, camps or settlements and other assistance centres. It will allow local and international actors to prepare for potential conflicts or risks. Ideally, it prevents security problems from arising, rather than just dealing with them when they occur. The early assessment of the security situation in the Presevo Valley in Kosovo, for instance, helped prevent an outbreak of violence in the area (see Box 4.1).

Of equal importance to refugee protection are specific assessment and reconnaissance missions designed to provide a detailed evaluation of the security situation, determine the extent of infiltration by armed elements and recommend appropriate measures. For example, a security plan would document the best means to distinguish armed elements or combatants from *bona fide* refugees; identify traditional conflicts or grievances within the refugee population or between refugees and local groups; and indicate the location of landmines or unexploded ordnance in the vicinity of settlements, among other things.

The development of effective and objective information channels as well as reporting and complaint mechanisms is crucial to refugee assistance and protection. Camp situations are often breeding grounds for rumour and misinformation. Credible information channels are therefore vital to give refugees the accurate information required to defuse tensions. Regular and non-confrontational discussions between camp authorities, humanitarian agencies and representatives of host and refugee communities would allow grievances to be voiced and develop a forum for constructive dialogue.

Keeping information channels open is a priority if programmes addressing sexual and gender-based violence are to succeed. An atmosphere of awareness is a precondition when creating an environment in which vulnerable women and children can air their concerns without fear of retribution or social stigma.

Relationships of trust are the most basic building blocks of preventive security strategies. Trust relies not only on transparent procedures but also on direct and easy access to humanitarian and protection personnel, encouraging refugees to report security incidents and fears. This in turn provides a more accurate picture of the security situation and reinforces understanding and respect for mutual responsibilities and obligations under the law.

Another dimension of information is its transformative and educational force. This applies to efforts to accurately inform host populations about the plight of those arriving in their midst, thereby helping to combat prejudice and xenophobia. In many refugee situations peace-education programmes serve a crucial role in helping to resolve conflict at all levels. Such initiatives often require that governments and humanitarian workers alike recognize the importance of refugee self-expression, and challenge them to distinguish between illicit political activity and the necessary and legitimate expression of human concerns. Efforts which aim to engage refugees in peace processes in their home countries may help prevent armed conflict by allowing the channelling of grievances peacefully and by re-establishing constructive relationships between their former homes and places of exile.

## National legislation

All states that have acceded to the international instruments relating to the protection and assistance of refugees have an obligation to implement national legislation which

is consistent with those instruments. Where a country has not acceded to these instruments, it may still have laws that support the protection of refugees and formalize the customary international norm of *non-refoulement*.

Where national legislation ignores the rights of refugees, it limits their ability to become self-reliant. For example, restrictive legislation in Kenya and Tanzania does not allow refugees to leave camps; as a result, most refugees in these countries remain entirely dependent on international assistance. Besides putting a large financial burden on the international community, this dependence contributes to a climate of idleness and apathy in the camps which may push refugees into crime or military activity.

The same dangers exist in richer countries. Here, government policies which risk undermining the principle of *non-refoulement* or take greater recourse to the detention of asylum seekers present new risks to refugee security.<sup>26</sup> Indeed, as a result of states' increasing fears of international terrorism, many countries have passed restrictive legislation that has made it more difficult for genuine refugees to reach safety. This forces refugees to turn to human smugglers and take ever greater risks in an attempt to reach safety. Indiscriminate detention poses a direct threat to the security of individuals and drives genuine refugees underground. It also links refugees and common criminals in the public mind, increasing prejudice and xenophobic responses. This is just one example of the way in which national refugee policy can create conflicts between refugees and local populations.

Put in simple terms, governments have two options in dealing with refugees: one is to restrict contact between them and the host community; the other is to enhance mutual understanding and thereby help in the creation of common control mechanisms. In this respect, the efforts of some governments to restrict refugee movement do not seem to have had the desired effect of reducing tensions with the local population. Rather, the opposite seems to be the case. Sudanese refugees have been targeted by local communities in Kenya and Uganda. In the former, the majority of the Sudanese belong to an ethnic group that has a history of enmity with the local Turkana people over cattle-rustling. In the latter, the Sudanese Acholi people have traditionally been disliked by the local population.

In contrast, in some areas of Pakistan the government has successfully established a number of informal community-cooperation arrangements to enhance relations between encamped refugees and surrounding communities. In Sierra Leone, where locals have generally regarded the refugee population with suspicion, the separation of armed elements and the direction of resources towards local communities have defused these tensions.

## Refugee camps

Camps may be a convenient way to channel and distribute humanitarian aid to large groups of refugees. At the same time, they are unnatural, closed environments which can leave refugees vulnerable to manipulation and exploitation, with the danger

## Box 3.5

## HIV/AIDS and refugees

While the refugee status should not be equated with an increased risk of contracting HIV, the nature of a refugee environment may increase the vulnerability of people—especially women, adolescents and children—to the disease. HIV/AIDS spreads faster where there is poverty, lawlessness and social instability; these are the conditions that often give rise to, or accompany, forced displacement.

The link between the respect and protection of human rights and effective HIV/AIDS programmes is clear. People will not seek HIV-related counselling, testing, treatment and care if lack of confidentiality, discrimination, *refoulement*, restrictions on freedom of movement or other negative consequences could follow a positive diagnosis. For these reasons, an essential component in refugee protection is the creation of a legal and ethical environment which is protective of the human rights of HIV/AIDS victims. Towards that aim, in June 2004 UNHCR became the tenth co-sponsor of UNAIDS, thereby helping to broaden and strengthen the UN response to the global epidemic. Since then, UNHCR has collaborated with other organizations to advocate the inclusion of refugee issues in countries' plans, proposals and policies related to HIV/AIDS.

Examples of such cooperation include:

- Nigeria: UNHCR received funds from UNAIDS for an HIV/AIDS prevention project at Oru Camp.
- Pakistan: UNHCR and other sponsors provided funds to support a National HIV/AIDS programme officer for three years.
- Indonesia: Training of asylum seekers on HIV/AIDS prevention was supported by UNAIDS.
- Yemen: A joint UNAIDS–UNHCR mission to assess the prevalence of HIV/AIDS among refugees in Yemen was undertaken.
- Great Lakes Initiative on AIDS: The UNAIDS Secretariat, the World Bank and governments in the region have cooperated extensively on this innovative and important sub-regional initiative.
- Mano River Union (MRU) Initiative on AIDS: UNHCR has increased collaboration with the UNAIDS Secretariat, UNFP, the African Development Bank and the Governments involved in the MRU.

Given the movements of displaced populations, UNHCR emphasizes a sub-regional approach linking countries of asylum and origin. These initiatives acknowledge two

key points. The first is that refugees and other migrant populations have frequent and sometimes sustained interactions with surrounding host communities. This regular contact places both groups at increased risk of contracting or transmitting HIV. The second is the inherent mobility of these populations. The frequent movements of refugees and other migrant populations often make it more difficult to provide them with the HIV services they require. The creation of regional and/or sub-regional plans will help to ensure that refugees, returnees and other migrant populations find care throughout their travels, potentially reducing the risk of HIV transmission in the host-country population.

Sub-regional and regional HIV/AIDS plans provide services to people who might not otherwise receive regular care. They allow more mobile populations, such as refugees and those in the transport sector, to continue to be treated. More comprehensive interventions, such as anti-retroviral therapy, are also made possible. The ability to provide and sustain such treatment has become increasingly important in moving toward the goal of providing access to HIV/AIDS treatment to all those who need it.

increasing where such situations are prolonged.<sup>27</sup> Where encampment cannot be avoided in the first instance, planning is essential to ensure that the size, layout and organization of a refugee camp are conducive to the maintenance of security, especially for vulnerable groups such as female-headed households, single women, unaccompanied children and the elderly.

Here size and location can make a difference. In Kenya, the huge refugee camp of Kakuma, with 90,000 refugees, and the three camps of Dadaab (Dagahaley, Ifo and Hagadera) with more than 35,000 people each, are quite difficult to manage in terms of aid distribution and oversight.<sup>28</sup> To mitigate some of the adverse effects of encampment, guidelines advise that a camp's population should not exceed 20,000 and that it should provide at least 45 square metres per person.<sup>29</sup>

Furthermore, adequate access to basic services such as water, latrines, distribution points and educational facilities can help enhance security, as can proper lighting at night.

Placing or relocating refugee camps a significant distance from national borders or areas of lawlessness helps improve security. But this can only be done with the approval of the host government. In 2003, the Government of Guinea accepted the relocation of refugees from the south to more central locations in order to reduce the threat posed by combatants infiltrating the settlements.<sup>30</sup> In Panama and Chad, relocation has helped ease security concerns for Colombian and Sudanese refugees, respectively.<sup>31</sup> Often, however, host governments are reluctant to have camps moved to, or established in, locations away from the border for political reasons. They may fear that the further from the border the refugees are, the more difficult it will be to send them home.

In some contexts, resistance to relocation may come from the refugees themselves. They may share ethnic, linguistic, religious or cultural traits with local communities closer to the border, making assimilation or cohabitation easier. Indeed, locating camps in areas where a sense of community can be fostered is beneficial to both local and refugee populations. The trade-offs inherent in such decisions must be carefully evaluated in consultation with the refugees.

## **Improving refugee–host relations**

Real or perceived competition for scarce resources is bound to breed mistrust and intolerance and sometimes open aggression. In this sense, effective refugee protection needs to address the relationship between refugees and their hosts; ideally it would integrate the needs and rights of both populations to the greatest extent possible. In developing countries this means minimizing disparities between the standards of living of refugees and host populations. Improvements to the infrastructure for water, sanitation, health and roads must benefit the entire local community if refugees are not to be perceived as a privileged group and thereby resented. Communication strategies must link material assistance to the themes of co-existence and respect for human rights, while public-information programmes teach the local population about refugees.<sup>32</sup> Local authorities should be helped to communicate with refugee representatives to promote trust between the communities and provide a mediation mechanism in case of conflict.

The establishment of programmes to raise ecological awareness in large refugee populations can help stimulate the local economy and minimize the impact of refugees on the environment, thereby reducing potential conflicts with the local population. Programmes in which firewood is harvested from sustainable sources or purchased from local contractors and supplied to the camps may help to dissuade refugees from sourcing it themselves, again reducing conflicts with the local community.

## Empowerment of refugees

Ultimately, the ability of people to act on their own is critical to human security.<sup>33</sup> It enhances the credibility of information and allows people to exercise their potential as individuals and to re-establish or reintegrate into peaceful and functioning communities. The participation of refugees in the physical planning and management of a camp is thus as essential as their involvement in the mechanisms governing assistance and protection. This applies to the smallest unit of human organization, the family unit, which is a vital mechanism for security and stability in a refugee camp. Parental responsibility enhances the safety and discipline of children and youths. Moreover, it increases the protection of women and children from sexual abuse and prevents the recruitment of youths for military purposes.

In this context, educational opportunities and training programmes not only provide opportunities for the future but also help prevent the recruitment of youths by armed and subversive elements. In protracted refugee situations primary and secondary education, vocational training and income-generating programmes help refugees become economically self-sufficient and restore their self-esteem. Such initiatives are generally seen to have a positive impact on security both in the short and long term.

## Future concerns

UNHCR's mandate is to uphold the human rights of people who lack national protection. It has remained constant since the organization was established in 1950. Yet the challenges it meets in addressing these basic principles have changed over time, and past experiences have provided lessons for the future. The refugee protection regime was not established to address the root causes of conflict that create refugees, but the nature of the task of refugee protection will ensure that security issues will always be an integral part of it.

Today, security has multiple and interdependent dimensions. Expanded notions of human security recognize the importance of non-state agents and redefine a range of interventions as relevant to security. The awareness of these dimensions is fundamental to addressing the security concerns involved in refugee assistance. However, it risks evaluating the problems of refugees purely through the lens of security.

It is also important to remember that the many dimensions of security cannot always be integrated into one response. Almost all refugee-security strategies underline the need of the host state to fulfil its obligation to protect refugees within its borders. If a host state is unwilling or unable to do so, United Nations practice suggests that some type of international response may be an option. Security packages, while ameliorating some threats, often risk trying to do too many things at once. They cannot, ultimately, respond to the problems of militarization of refugee camps or cross-border conflict. These are issues which cannot be resolved solely through humanitarian response, but rather require intervention at the political level.

### Chapter 3

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### Chapter 3 boxes

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