



UNHCR

United Nations  
High Commissioner  
for Refugees

# THE STATE OF THE WORLD'S REFUGEES

*A Humanitarian Agenda*



# Conclusion

## An agenda for action

As indicated in the introduction to this book, the past decade has witnessed a number of positive developments in international affairs: the democratization of many authoritarian states; the reduction of the global nuclear weapons arsenal; the resolution of several longstanding civil wars, and an improvement in the standard of living in many developing countries, to give just a few examples.

Some positive achievements have also been recorded with regard to the state of the world's refugees. During the past few years, millions of displaced people have been able to go back to their homes and to resume a more peaceful and productive life. Many states have continued to offer refuge to large numbers of people who have been obliged to flee their own country. And despite the widespread assumption that the world is suffering from 'compassion fatigue', there is actually considerable evidence to the contrary. In the words of the President of the International Committee of the Red Cross (ICRC), "never before in the history of mankind has there been such an outpouring of compassion to victims who are often far away, who are not members of our family or nation, but who nevertheless arouse a sometimes astonishing degree of solidarity because they are seen as belonging to the wider human family."<sup>1</sup>

It would be intellectually dishonest and morally irresponsible, however, to deny that the contemporary world is also characterized by some deeply disturbing trends. Indeed, the principal reason why there has been such an "outpouring of compassion to victims" in recent years is precisely because such large numbers of people have been victimized, whether by civil war, communal conflict or political persecution.

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### Looking to the future

What developments can be expected in the coming years with regard to the issues of human security, forced displacement and humanitarian action? While predicting the future is always a hazardous occupation, a number of tentative forecasts can be made with regard to these issues.

First, as indicated in the opening chapter of this book, while some analysts have suggested that the period of post-cold war turbulence could now be drawing to a close, this sanguine outlook is contradicted by the number of states around the world which are politically, socially and economically fragile, which are prone to internal armed conflict and which may well in future years be unable or unwilling to protect their citizens. The fragmentation of such states seems likely to

be hastened by the ideologies of ethno-nationalism and communal separatism, which have proved in recent years to be such an effective means of political mobilization and manipulation.

In the attempt to bolster their own position and to intimidate their opponents, governments, rebel groups and warlords in weak states will resort to the tactics of terror: arbitrary arrests, disappearances and non-judicial executions, as well as the brutalization and exploitation of civilian populations. Following the pattern already set over the past decade, these abuses seem likely to generate a complex pattern of forced population displacements, including mass expulsions, compulsory relocations, refugee and asylum flows, as well as different varieties of ethnic and communal cleansing.

### **The decline of asylum**

Second, it can be predicted with some degree of certainty that states will prove increasingly reluctant to open their borders to refugees and to provide them with effective protection. While some welcome exceptions to this rule can be anticipated, particularly in situations where the host society has ethnic, cultural or political affinities with the refugee population, the exclusionary attitude of states is now firmly established in both richer and poorer regions of the world.

Rather than offering refugees a place of safety for as long as they need or want it, states seem likely to introduce further restrictions on admission to their territory and to press for the early (and in some cases premature) return of refugees to their homeland. As a result of these trends, the number of internally displaced people around the world, and the ratio of internally displaced people to refugees, may well continue to increase.

### **The new caution**

Third, unless they have strategic interests to protect (as they did in the Persian Gulf in 1991) the world's more powerful states will prove resistant to the notion of intervening in situations of internal conflict and displacement (as they have been in Rwanda and Zaire since 1994). Such caution was clearly in evidence in May 1997, when the UN Security Council held an unprecedented debate on the provision of humanitarian assistance to refugees and victims of war. At that meeting, a number of relief organizations called on states to provide military protection for humanitarian operations in high-risk situations, and to take the necessary action to separate civilian beneficiaries from armed combatants. "Humanitarian organizations should not be left alone to solve refugee situations that are clearly politicized or militarized," the UNHCR representative explained.<sup>2</sup>

The permanent members of the Security Council did not respond very positively to such suggestions. In the diplomatic language of an official UN press release, "speakers expressed concern over the difficulty of providing international military support for humanitarian assistance operations." In the more direct words of one news agency report, "key UN Security Council states gave a cool reception to calls for military protection... Permanent members and key donor states stressed that the issues were complex and needed to be considered in a realistic manner."

Three or four years ago, when the world's most affluent states began to express a new degree of caution in relation to the notion of 'humanitarian intervention', there was a widespread hope that regional organizations might assume a growing responsibility in the maintenance of peace and security and protection of humanitarian assistance. Such hopes do not seem likely to be realized in the immediate future, as many regional organizations lack the capacity to intervene decisively or effectively in situations of armed conflict. Doubts have also been raised about the wisdom of this approach, as regional organizations are sometimes dominated by states which have a direct interest in armed conflicts taking place in nearby countries.<sup>3</sup> Their involvement may therefore add to the instability of the situation.

## The low-risk option

Fourth, while the permanent members of the UN Security Council and other influential states might well prefer to avoid any risky foreign engagements, their ability to ignore armed conflicts and emergency situations in other parts of the world will continue to be constrained by a number of related factors: the influence of the mass media; the power of public opinion; the activities of domestic constituencies and advocacy groups; and their own value systems. As a number of analysts have reminded us, notions such as charity, solidarity and common humanity are deeply embedded in the culture of many societies, making it difficult for them to turn their backs on the suffering of others when they are in a position to help them.<sup>4</sup> And it is precisely those sentiments which the media and advocacy groups are most assiduous in exploiting. The important question, then, is not only whether states will respond to situations of acute human suffering beyond the borders of their own territory, but how they will respond.

To extrapolate again from recent trends, it seems highly likely that in the absence of a willingness to intervene by other means, the world's more powerful states will continue to give pride of place to humanitarian assistance. Indeed, the arguments in favour of such an approach must appear overwhelming to many governments. Such assistance is financially and politically a relatively low-risk option. It satisfies the demands of the media and public opinion. It provides donor governments with some favourable publicity. And it can be used as a means of fending off demands for more decisive forms of political and military action. As a senior UNHCR official commented during the war in former Yugoslavia, "every time the question of settling the conflict came up, the donors responded by saying that they were going to give more money to the humanitarian effort."<sup>5</sup>

## Humanitarianism discredited?

Fifth, if humanitarian assistance continues to be used as a substitute for other forms of action, then there is a serious risk that it will become increasingly discredited. Indeed, there is already considerable evidence to suggest that this process has already started.

In the early 1990s, particularly after the international response to the refugee crisis in northern Iraq, humanitarian action tended to be regarded in heroic terms – as an integral part of a new world order in which the needs of persecuted and threatened populations would take precedence over the dictates of state sovereignty. Perhaps a little carried away by these developments, aid and relief organizations themselves played a significant part in promoting the notion that humanitarian action could play a decisive role in national and international affairs.

By the middle of the 1990s, a new degree of scepticism was creeping into the analysis provided by many academics and practitioners. Drawing mainly on evidence from countries such as Bosnia, Liberia and Sierra Leone, a growing number of commentators now pointed to the 'unintended' and 'negative' consequences of humanitarian action. One expert, for example, concluded that "many international aid efforts are actually contributing to and reinforcing tensions and conflict. This occurs inadvertently and unintentionally... It represents no failure of goodwill, but rather a set of conditions and choices which interact to produce negative impacts."<sup>6</sup>

Most recently, influenced primarily by the violence in eastern Zaire, commentators have started to depict the impact of humanitarian action in even more negative terms, going so far as to suggest that it creates as many (if not more) problems than it solves. "Large numbers of refugees," wrote one journalist in July 1997, "menaced by starvation and disease, make for pathos and dramatic press that attracts aid dollars from international humanitarian organizations and foreign governments. The aid that flows to the camps where the refugees are gathered can be skimmed by militants based in the camps, as well as local businesspeople and military officials of the host government. The packed camps, protected by international sympathy and international law,

provide excellent cover for guerrillas and serve as bases from which they can launch attacks."<sup>7</sup> While the article in question is a somewhat tendentious one, both empirically and analytically, its publication in the influential journal *Foreign Affairs* provides an indication of the kind of critique which is now reaching the public domain.

### Charity and solidarity

Sixth, as well as becoming discredited, there is also a risk that humanitarianism will become increasingly fragmented in the coming years. Not surprisingly, perhaps, given the unprecedented operational challenges and ethical dilemmas which they face, humanitarian organizations are reaching quite different conclusions about their proper role and responsibilities.

According to one school of thought, the only legitimate function of humanitarian action is that of meeting urgent human needs, wherever they exist and on the basis of consent. In the words of the ICRC President, "humanitarian action deals only with the symptoms of crisis, not the crisis itself or its causes. It seeks only to relieve the victims of suffering, not to punish their tormentors. It is essentially an act of charity, which is not necessarily a guarantee of justice."<sup>8</sup>

UNHCR, which has a clear mandate to seek solutions to refugee problems as well as providing protection to uprooted populations, provides a second and more expansive interpretation of humanitarian action. In addition to relieving human suffering, the agency has suggested, "the presence and activities of humanitarian organizations can help to stabilize fragile situations and buy time and space for negotiations." "Far from being solely a question of international charity," the High Commissioner observes, "humanitarian action can support peace and reconciliation."<sup>9</sup>

A third school of thought is to be found amongst those agencies and analysts who would replace the whole notion of charity with the principle of solidarity. According to this view, the humanitarian imperative is to be on the side of victimized populations. And to be on the side of the victimized means more than providing assistance in a neutral and impartial manner. In the words of the advocacy organization African Rights, "some people may be fed or treated – an outcome not to be despised. But this is at the cost of addressing more fundamental political and human rights concerns." "The possibility of undertaking relief work on the basis of solidarity with victims should be considered," African Rights concludes. "Relief programmes would become explicitly political, on the side of the poor and vulnerable."<sup>10</sup>

Such contrasting philosophies should not be overlaid. They are by no means a new phenomenon, and they have rarely prevented different humanitarian organizations from working alongside each other in the operational arena. Even so, in a period when the efficacy of humanitarian action is being called into question, and at a time when there is growing competition amongst the agencies concerned, there is an evident risk that these differences will sharpen and will be exploited by states.

There is perhaps an even greater risk of division between operational humanitarian organizations and human rights advocacy agencies. While the ultimate goal of such agencies – the protection of human life, liberty and dignity – may well be the same, a clear distinction has emerged in their approach to this objective. As suggested in Chapter Two, UNHCR has tended to argue that it cannot simply withdraw from operations where it is assisting large numbers of needy people, even if the basic principles of refugee protection cannot be guaranteed. Human rights agencies such as Amnesty International and Human Rights Watch, however, have argued that such a position makes UNHCR an effective accomplice to the violation of its own mandate and the principles of international refugee law. Recent exchanges on this issue suggest that it may be difficult to reconcile these two perspectives.<sup>11</sup>

## Beyond humanitarianism?

The predictions presented in the preceding sections paint a rather bleak vision of the future. If those forecasts hold true, more people around the world will be forced to abandon their homes but fewer will be able to find a safe refuge. The world's most powerful states will generally be reluctant to address the problem of internal conflict and state collapse. Public confidence in the efficacy of humanitarian action may wane, and humanitarian organizations could find themselves in growing disagreement about their objectives and operational principles.

To accept this scenario as a *fait accompli* would constitute the worst possible kind of defeatism. For the cost of doing nothing is too high. Armed conflicts, complex emergencies and forced population displacements are not only ethically unacceptable, but also represent an astonishing wastage of the world's human, social and physical resources.<sup>12</sup>

The cost of doing nothing is also too high in political terms. As events in the Great Lakes region of Africa have demonstrated so vividly, forced population displacements are not only a result of political instability, but can also create and perpetuate it. In the words of the UN High Commissioner for Refugees, "the challenge of the 21st century will be to ensure the security of people. Unless people feel secure in their own homes, the security of states will continue to be threatened."<sup>13</sup>

## Prevention: a political and economic agenda

The preceding chapters of this book have set out a wide-ranging agenda for humanitarian action, the primary purpose of which is to safeguard the security of those people who have already been uprooted or threatened with displacement: refugees, returnees, internally displaced and war-affected populations, asylum seekers and stateless people. If it were to be effectively implemented, that agenda for action would provide these groups of people with a much better level of protection than they currently experience and enable them to live a more dignified life. But to what extent can humanitarian action also avert those situations of violence and armed conflict which oblige people to abandon their homes?

It would be misleading to answer that question in a wholly negative manner. Recent experience in regions such as the Balkans, Central America and Central Asia, for example, suggests that by establishing a presence in volatile situations, humanitarian organizations can in some instances moderate the behaviour of the parties to a conflict. By means of educational and information programmes, those agencies may also be able to foster a degree of tolerance and understanding in divided communities.

Humanitarian organizations have an essential role to play in alerting the international community to human rights violations. And in situations where wars have come to an end and displaced populations have gone back to their homes, such organizations can play a valuable role in the peacebuilding process, thereby averting a recurrence of armed conflict. But one should not pretend that such initiatives, however extensive in nature and however effectively implemented, can prevent the kind of violence which has been witnessed in countries such as Bosnia, Liberia, Rwanda or Somalia. As the High Commissioner for Refugees has acknowledged, "the prevention of the causes which force people to flee is a massive undertaking, going far beyond the capacity of UNHCR."<sup>14</sup>

The issue of conflict prevention has spawned a massive literature in recent years, and it is not the purpose of this conclusion to add substantially to that genre.<sup>15</sup> The following sections draw upon some of the most recent thinking on this question, identifying five of the most important issues which must be addressed by states, other political actors and the UN system as a whole if the objective of averting armed conflict and forced displacement is to be achieved.

## 1. Eliminating poverty

It is no coincidence that forced population displacements occur most frequently in societies where a large proportion of the population is suffering from absolute poverty or where the standard of living has suddenly declined. There are, of course, some lower income countries which have been able to maintain democratic systems of government, to uphold high human rights standards and to remain free of communal violence. But they are sadly few and far between. When large sections of a population are economically marginalized, when they develop expectations that can rarely be realized by legitimate means, and when they are obliged to compete against each other for a limited and in some cases dwindling pool of resources, violence in one form or another is a predictable outcome.

The elimination of poverty, and the sustainable economic growth which is required for that objective to be achieved, is also a far more effective (if less dramatic) means of safeguarding people's security than the provision of humanitarian assistance. Indeed, the 'silent emergencies' which are taking place in many societies around the world claim far more lives than those which are lost in civil wars or communal conflicts. As the late UNICEF Director James Grant pointed out, the international community took decisive action once it was known that half a million young Somali children had died in 1992 as a result of the war in that country. But the massive relief operation established in Somalia did nothing to save the lives of 13 million children in other states who died as a result of poverty in the same 12-month period.

While the elimination of poverty may appear to be a naive and unattainable goal, many leading experts in this field believe that such pessimism is not justified. "Eradicating absolute poverty in the first decades of the 21st century is feasible, affordable and a moral imperative," states the 1997 *Human Development Report*. While the strategy for poverty reduction will obviously vary from one country and region to another, the report suggests that there are six global priorities for action:

- empowering poor people and communities, so that they can participate in decisions that affect their lives, build upon their own strengths and gain access to assets that make them less vulnerable;
- achieving gender equality by ending discrimination against girls, ensuring that females have access to land, credit and job opportunities, and by taking action to end violence against women;
- promoting forms of economic growth which are 'pro-poor', particularly by means of policies which restore full employment, raise agricultural productivity, reduce inequalities and provide education and health for all;
- managing the process of globalization more carefully and with more concern for equity, so as to reduce the widening gap between 'winner' and 'loser' societies;
- ensuring the establishment of strong and legitimate states, which advance the interests of the poor, which foster the peaceful expression of people's demands, and which assume effective responsibility for the welfare of their citizens; and,
- providing special international support to the world's poorest countries, by means of debt relief, improvements to the quantity and quality of aid, and the opening of global markets for agricultural exports.

Implementing this ambitious agenda for poverty reduction and eradication will not be easy. But the costs of accelerated action must be measured against the costs of delay and inaction:

continued economic stagnation and environmental degradation; further social conflict and political instability; and renewed instances of forced population displacement. As the *Human Development Report* concludes "no longer inevitable, poverty should be relegated to history – along with slavery, colonialism and nuclear warfare."<sup>16</sup>

## 2. Investing in peacebuilding

While equitable economic growth and sustainable human development are required in all of the world's poorer societies, special efforts are required to consolidate peace and bring political stability to countries which are emerging from periods of armed conflict. Without such action, there will always be a risk of a return to war.

As suggested in Chapter Four, peacebuilding requires a sustained commitment. From the experience gained in countries such as Bosnia, Cambodia, El Salvador, Mozambique, Namibia and Nicaragua, it has become clear that it is simply not enough for the international community to broker a peace settlement, to demobilize the combatants, to supervise an election and then to leave a war-torn country to its own devices.

Such an approach may produce a temporary suspension of the conflict, and may satisfy those members of the international community who believe in 'quick fix' solutions. But it will do little to address the injustices and inequities which have prompted the parties to take up arms in the first place. As the UN Research Institute for Social Development has pointed out, if that objective is to be even partially achieved, then a more comprehensive approach to the peacebuilding process will be required, combining long-term and coordinated efforts in the humanitarian, developmental, political and judicial domains.<sup>17</sup>

Of course, such efforts will require substantial resources and may appear to be unaffordable to donor states which are working within tight budgetary constraints. It is therefore essential that those countries recognize that they have a very direct and tangible interest in the stabilization of societies which have been ravaged by armed conflict.

First, if such societies erupt into violence again and if they are unable to meet their most basic material needs, then they can be expected to generate substantial numbers of refugees, migrants and asylum seekers, some of whom will inevitably make their way to richer and more stable parts of the world. If the industrialized states have a real desire to curtail such population movements, they should do so by making it possible for people to live securely in their own country, rather than by erecting physical and administrative obstacles to their movement.

Second, the investments made by the more powerful states into the future of those which are weaker has to be set against the costs which they will occur if war breaks out again. Imagine, for example, the billions of dollars which have been spent in emergency assistance, refugee relief and peacekeeping activities because of the conflicts in countries such as Angola, Cambodia, El Salvador and Mozambique. If the peacebuilding process in such states breaks down, donor governments will again be expected to foot the bill for any emergencies which occur.

Third, and perhaps most persuasively, states can serve their own economic interests by investing in peacebuilding processes. After the second world war, for example, the US government made enormous efforts to support the reconstruction of Western Europe, most notably by means of the Marshall Plan. And as one analyst has commented, by bringing political stability to the region and by providing an expanding market for American goods, the greatest beneficiary of the Marshall Plan was the United States itself.<sup>18</sup> A similar logic could and should be applied to other parts of the world. It is in the interests of all states to ensure that societies which have been scarred by war are able to develop thriving economies and to establish legitimate state structures.



### 3. Curtailing the arms trade

As the genocide in Rwanda demonstrated, you do not need sophisticated weapons to murder huge numbers of people. Even so, there is an emerging consensus that the high levels of social and political violence witnessed in many societies is sustained and reinforced (if not actually provoked) by the ease with which armaments can be procured.

It is sometimes suggested that the kind of weapons used in most contemporary conflicts are so easy to manufacture and distribute that any attempt to control them would be doomed to failure. While there is a degree of truth to this argument, it can also very easily become an excuse for doing nothing. And something can be done. First, the permanent members of the UN Security Council, four of whom account for no less than 86 per cent of all arms sales to developing countries, could set a much better example. As other states have demonstrated, it is perfectly possible to have a thriving economy without a large-scale armaments industry. Indeed, the enormous amount of resources devoted to the development of new weapons would give much better returns if they were invested in peaceful forms of scientific and technological research.

Second, while a great deal of effort has been made in recent years to disarm and demobilize the parties to conflicts once the fighting has come to a formal end, very little has been done to reduce the number of weapons in circulation in countries which are still at war or which are at risk of being engulfed by conflict. At the domestic level, efforts have been made by some of the industrialized states to establish amnesties for firearms and knives and other weapons, with the owners receiving a cash payment for any weapons they relinquish. It should not be beyond the international community's imagination to devise and finance schemes of this nature for societies in other parts of the world.

Third, progressive efforts must be made to outlaw the most destructive instruments of war and to curb the introduction of new weapons technology. While such objectives may appear idealistic, and while they certainly will not be achieved overnight, there is no excuse for not trying. A large number of states have already accepted the international ban on chemical weapons. The campaign against anti-personnel land-mines, initially led by the ICRC, is rapidly gaining support from politicians and the public. Wider restrictions on the manufacture, sale and use of deadly weapons must be a long-term goal.

### 4. Promoting democracy and human rights

The issues of democracy, human rights, armed conflict and forced displacement are inextricably linked. As the Carnegie Commission on Preventing Deadly Conflict has observed, "countries that govern themselves in a truly democratic fashion do not go to war with each other. Democratic governments do not ethnically cleanse their own populations, and they are much less likely to face ethnic insurgency... Precisely because, within their own borders, they respect competition, civil liberties, property rights and the rule of law, democracies are the only reliable foundation on which a new world order of international security and property can be built."<sup>19</sup>

This is not to propose that every political system should assume an identical form, nor to suggest that notions such as democracy and pluralism have an identical meaning in different cultural contexts. But it must not be forgotten that the most important international instrument regulating the relationship between citizens and states is explicitly referred to as the 'Universal' Declaration of Human Rights. One can therefore quite legitimately oblige all governments to respect its provisions, including, for example, the right to freedom of thought, opinion, expression, peaceful assembly and participation in genuinely free elections.

The question of how democracy and human rights might most effectively be promoted is, of course, a complex and sensitive issue, raising as it does the whole question of sovereignty and

interference in the domestic affairs of states. In situations where countries are emerging from periods of authoritarian rule and wish to reform their own political and economic structures, external support and involvement may be welcomed. Many of the new (or restored) democracies in Africa, Latin America, Eastern and Central Europe, for example, have been eager to draw upon the experience of other states and the advice of international organizations such as the UN Centre for Human Rights. But there are other states – often those which are most affected by the problems of violence and forced displacement – which are less eager to seek such assistance.

The international response to such situations might assume a number of different forms. First, there is considerable scope for the use of positive incentives to encourage democratization and human rights observance. Diplomatic recognition, membership of international and regional organizations, and access to development assistance and trading agreements, for example, can all be made conditional upon the behaviour of states towards their citizens.<sup>20</sup>

Second, even in situations where states are resistant to change at the level of central government, there is often a great deal that can be done to introduce democratic principles and participatory practices at the local level. Humanitarian assistance operations, community development programmes and larger-scale aid projects should always be organized in a manner that promotes what the Global Governance Commission describes as 'neighbourhood values': liberty, justice, equity and mutual respect.<sup>21</sup>

Third, while recognizing that punitive measures may cause a backlash when they are applied to authoritarian states, the international community should not shy away from the use of diplomatic, economic and military sanctions in situations where governments are responsible for blatant violations of human and minority rights. As the Carnegie Commission on Preventing Deadly Conflict has pointed out, it is now possible to establish a very long list of countries where such pressures have induced governments to introduce democratic change. South Africa may be the best known example, but it is by no means a unique case.<sup>22</sup> At the same time, it is clear from the example of countries such as Burundi and Iraq that the imposition of sanctions can have a negative impact on the poorest and most vulnerable members of society, a consequence which must evidently be weighed in the balance when decisions are taken in this area.

## 5. Ensuring accountability

The notion of state responsibility has become a well established concept in the vocabulary of refugee organizations and analysts. A recent resolution adopted by UNHCR's Executive Committee, for example, "emphasizes the responsibility of states to ensure conditions which do not compel people to flee in fear..." "The essential condition for the prevention of refugee flows," it continues, "is sufficient political will by the states directly concerned to address the causes which are at the origin of refugee movements."<sup>23</sup>

Two comments are required in relation to such statements. First, it has become increasingly clear that the principle of responsibility must now be used in a more inclusive manner, applied not only to states but also to all of those other actors which play a significant part in national and international affairs: rebel groups, political leaders and parties, warlords and military factions, religious bodies and commercial enterprises, to give just a few examples. In the context of countries such as Afghanistan, Bosnia, Colombia or Liberia, it is simply not possible to understand – let alone avert or resolve – the problem of forced displacement without taking account of such actors and seeking to influence their behaviour.

Second, if the notion of corporate or collective responsibility is to have any real meaning, it must be underpinned by the principle of individual accountability. Refugee movements and other forms of forced displacement do not happen by chance. Nor are they the result of anonymous and abstract historical forces. They occur because certain individuals decide to violate the rights of

others, to put the lives of those people at risk and to make it impossible for them to remain safely in their homes. Indeed, as previous chapters have pointed out, the displacement of civilians has in recent years become a direct objective of political and military decision-makers in certain parts of the globe.

As the world has begun to recognize following events in the Great Lakes region of Africa and former Yugoslavia, massacres and mass expulsions will continue to take place for as long as the perpetrators believe that they can escape from justice and punishment. The international war crimes tribunals established in relation to those situations have certainly experienced a range of problems, not least of which is their inability to try many of the most important suspects. But those difficulties should not be allowed to obstruct the establishment of a permanent international criminal court. As one author has written, "a culture which allows total impunity for the past is a culture which will not be able to prevent humanitarian disasters in the future."<sup>24</sup>

### **The continued relevance of asylum**

The agenda for action presented above is an admittedly ambitious one. Even the most optimistic observer would acknowledge, for example, that abject poverty and the widening gap between rich and poor are unlikely to be eradicated in the foreseeable future. Billions of dollars have already been spent on peacekeeping and peace plan operations in countries where conflicts have diminished in scale or come to an effective end. But as the examples of Bosnia and Cambodia suggest, it is not easy to foster real democracy and high standards of governance in fragmented states and divided societies. And while human rights issues have certainly attracted growing international attention in recent years, progress in this area continues to be thwarted by many authoritarian governments, supported in too many instances by affluent states which are reluctant to sacrifice any lucrative trade and investment opportunities.

Given these constraints, as well as the unintended and negative consequences of humanitarian operations which are undertaken in zones of active conflict, there is an compelling need to restate the importance of asylum as a means of safeguarding human security.

There is now a disturbingly widespread assumption that refugee protection is a thing of the past, a phenomenon which has become irrelevant to states with the passing of the cold war. While there may be some truth in that assertion, it should not be forgotten that asylum continues to have a very direct relevance to people whose lives and liberty are at risk and who can only find any kind of security by seeking sanctuary in another country. As one refugee specialist has argued, "humanitarian assistance inside the country of origin is no guarantee of safety... As inconvenient as it may be, and as imperfect as conditions of asylum often were, we ought to return to the principles of refugee protection... Until permanent solutions can be found, keeping borders open to people in harm's way will save lives."<sup>25</sup>

### **Peace and tolerance**

When it was written in 1945, the Preamble to the UN Charter enjoined states and citizens around the world "to practice tolerance and live together in peace with one another as good neighbours." The prevention of armed conflict, the maintenance of high human rights standards and the protection of refugees and other people who are at risk thus constitute the very purpose of the United Nations.

But what exactly is the United Nations? In recent years, there has been a tendency for both politicians and the public to associate the world body with the work of the Secretary-General and his staff, as well as specialized organizations such as UNHCR. But the United Nations is actually a far more inclusive entity, encompassing all of its member states and the billions of people who are citizens of those countries.

If the agenda for action presented in this book is to be effectively implemented, then greater effort and commitment will be required by all members of the international community, irrespective of their differing ideologies, cultural traditions and institutional mandates. Political leadership has a central role to play in this process. On too many occasions in the recent past, governments and other actors have interpreted the notion of 'national interest' in an unduly narrow and insular manner. As well as failing to acknowledge their broader responsibility to the protection of human welfare, they have also ignored the fact that their longer-term interests would actually be served by respecting and promoting the principles embodied in the UN Charter.

As the 21st century approaches, therefore, we must ensure that humanitarian organizations have the ability to respond quickly and effectively to complex emergencies and other situations in which people are forced to flee for their lives. But we must also recognize that such a capacity is of limited value unless it is accompanied by vigorous advocacy and longer-term action on behalf of victimized and dispossessed populations. In striving to develop and implement a humanitarian agenda, our ultimate goal must be to establish a world in which the current and coming generations of people can live together in peace, security and dignity.

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## NOTES

1 C. Sommaruga, introductory address to the humanitarian forum, Wolfsberg, June 1997.

2 The following account of this meeting is drawn from A. Penketh, 'Security Council cool to appeals for humanitarian enforcement', AFP despatch, 21 May 1997.

3 These doubts are expressed in M. Goulding, 'United Nations reform: new approaches to peace and security?', Olof Palme Memorial Lecture, Stockholm, June 1997.

4 See, for example, T. Weiss and C. Collins, *Humanitarian Challenges and Intervention: World Politics and the Dilemmas of Help*, Westview Press, Boulder, 1996, pp. 13-18.

5 *Working in a War Zone: A Review of UNHCR's Operations in Former Yugoslavia*, Central Evaluation Section, UNHCR, Geneva, April 1994, p. 8.

6 M. Anderson, 'International assistance and conflict: an exploration of negative impacts', Cambridge, Mass., 1995, p. 4.

7 B. Barber, 'Feeding refugees, or war?', *Foreign Affairs*, vol. 76, no. 4, 1997.

8 C. Sommaruga, *op cit*.

9 S. Ogata, 'Peace, security and humanitarian action,' Alastair Buchan Memorial Lecture, International Institute for Strategic Studies, London, April 1997.

10 African Rights, 'Humanitarianism unbound? Current dilemmas facing multi-mandate relief operations in political emergencies', discussion paper no. 5, November 1994.

11 See, for example, Amnesty International, 'Rwanda: human rights overlooked in mass repatriation', report no. AFR47/02/97, January 1997, and 'Great Lakes region: still in need of protection: repatriation, refoulement and the safety of refugees and the internally displaced', report no. AFR02/07/97, January 1997.

12 This theme is explored in detail in M. Cranna (ed), *The True Cost of Conflict*, Saferworld and Earthscan Publications, London, 1994.

13 S. Ogata, 'Assuring the security of people: the humanitarian challenge of the 21st century', Olof Palme Memorial Lecture, Stockholm, June 1995, on *Refworld* CD-Rom, UNHCR, Geneva, 1997.

14 S. Ogata, statement to the Third Committee of the UN General Assembly, November 1994, on *Refworld* CD-Rom, UNHCR, Geneva, 1997.

15 See, for example, the ConflictNet website, <<http://www.igc.apc.org/conflictnet/>>.

16 United Nations Development Programme, *Human Development Report 1997*, Oxford University Press, New York, 1997.

17 See 'Rebuilding war-torn societies', Chapter Seven of *States of Disarray: The Social Effects of Globalization*, United Nations Research Institute for Social Development, Geneva, 1995.

18 J. Whitman, 'Those that have power to hurt but would do none: the military and humanitarianism', address given at the Royal Military Academy, Sandhurst, January 1997, *Journal of Humanitarian Assistance*, website <[www.jha.sps.cam.ac.uk](http://www.jha.sps.cam.ac.uk)>.

19 L. Diamond, *Promoting Democracy in the 1990s: Actors and Instruments, Issues and Imperatives*, Carnegie Commission on Preventing Deadly Conflict, New York, 1995.

20 See M. Weiner and R. Munz, 'Migrants, refugees and foreign policy: prevention and intervention strategies', *Third World Quarterly*, vol. 18, no. 3, 1997, pp. 43-47.

21 Commission on Global Governance, *Our Global Neighbourhood*, Oxford University Press, New York, 1995.

22 L. Diamond, *op cit*, pp. 51-59.

23 'Comprehensive and regional approaches within a protection framework', UNHCR Executive Committee conclusion no. 80 of 1996, on *Refworld* CD-Rom, *op cit*.

24 W. Shawcross, statement to the Wolfsberg humanitarian forum, Wolfsberg, June 1997.

25 B. Frelick, 'Unsafe havens: reassessing security in refugee crises', *Harvard International Review*, Spring 1997.