

# REFUGEES

VOLUME 2 • NUMBER 135 • 2004

New Europe  
and Asylum.

**WHAT  
NEXT?**



**UNHCR**  
The UN Refugee Agency

# Mixed reviews in Europe... new hope in Rwanda

**A**FTER YEARS OF OFTEN tortuous negotiations, the European Union has completed the first phase of an ambitious plan to 'harmonize' the immigration and asylum policies of its member states.

The final piece of legislation was slotted into place only a couple of days before the Union itself was expanded to 25 countries.

Hundreds of thousands of outsiders—refugees, asylum seekers and economic migrants forming part of what is known in official parlance as a 'mixed migration'—try to join this club each year and the new legislation was designed to meet this challenge.

The new rules were meant to make Europe's overall asylum system fairer and more efficient,

to more equitably share the financial and personnel burden of processing and then hosting refugees among countries, but at the same time to fully respect the 1951 Geneva Refugee Convention and guarantee people the right to seek asylum.

Advances were certainly made, but at a time when the number of asylum applicants has been falling dramatically, there was also a sense among many that this had been an opportunity lost.

Raymond Hall, director of UNHCR's Europe Bureau, wondered whether harmonization was "as ambitious and noble as we would have liked? In fact, the process has not lived up to the expectations we had when we started down this road."

But that road and phase two remain very long and ongoing. UNHCR will be part of the process and has already tabled a series of national, European and global proposals.

The underlying aim, as one official said, is to "make sure governments do not slip below the minimum standards established by the harmonization process. We must try to prevent minimum standards becoming maximum standards."

**W**ALKING THROUGH KIGALI'S BUSTLING downtown or the now empty volcanic landscapes which once sheltered hundreds of thousands of traumatized refugees, it is almost impossible to conjure up the horrors that Rwanda underwent 10 years ago.

More than 2.3 million people fled Rwanda in 1994 in what became possibly the messiest and most complex humanitarian operation in modern history. The great majority eventually returned home though tens of thousands died in exile.

But there is still some unfinished refugee business. The last of an estimated 80,000 Rwandans continue to trickle home, often on foot and still oblivious to the situation inside the country.

When Antoine Butera recently crossed the border, he was met by an elderly aunt with truly astounding news about the aftermath of the genocide in which around 800,000 persons were killed. His wife and nine children, whom he had not heard from, had all survived—a miracle he said.

Rwanda has made a truly remarkable recovery. It will still take decades of careful nurturing to complete its rehabilitation, but surprises like the one which greeted Antoine Butera give the country a reasonable chance.



Trying to find new hope in Europe.

UNHCR/E. DAGNINO/CS/ITA/1998

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**Cover:** Europe celebrates a new era. The Union's new border controls in Lithuania.

LEFT PHOTO:  
GETTY/SEAN GALLUP/DP/CZE+2004

RIGHT PHOTO:  
AFP/GETTY/PETRAS MALUKAS/DP/LTU+2004

**Back page:** Illegal African immigrants try to gate-crash the EU.

PHOTO: AP/EFE/JUAN MEDINA/DP/ESP+2004

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# REFUGEES

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Europe's new asylum challenges. And Rwanda rebuilds 10 years after that country's genocide.

## 4 COVER STORY

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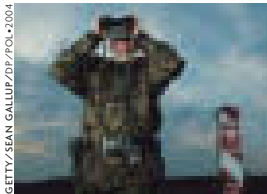
It was the fastest genocide in modern history and ten years on Rwanda is still trying to pick up the pieces.

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Seeing today's empty fields, it is difficult to recall the horror of the refugee camps a decade ago.  
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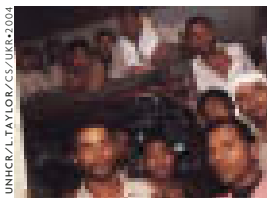
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Unfinished business as thousands of Rwandans continue to return home years after the conflict ended.  
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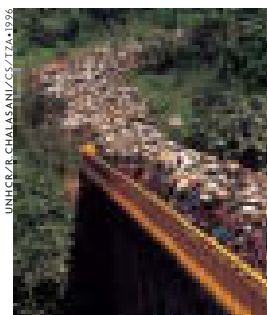
GETTY/SEAN GALLUP/DP/POI+2004

**4** Europe has completed the first phase of sweeping plans to 'harmonize' immigration and asylum procedures of 25 member states. The results have generally been mixed, but UNHCR has already tabled proposals for the next round of negotiations.



UNHCR/L.TAYLOR/CS/UKR+2004

**14** UNHCR is urging Europe to provide extra assistance to countries such as Ukraine on the 'opposite' side of the Union's new borders to help those states process asylum seekers and illegal immigrants.



UNHCR/R. CHALASANI/CS/ITA+1998

**20** Ten years after its genocide, Rwanda has made a remarkable recovery. But there is still some unfinished business as thousands of longtime exiles continue to return home.

# Europe's Next Ch



*The continent's new asylum laws get mixed reviews. Now for round two...*

**F**or two weeks the stricken vessel loaded with illegal immigrants bound for Europe bobbed uncontrollably in the choppy Mediterranean waters between Libya and Italy. With little food and fresh water aboard for a dash across the sea which was expected to take only a few hours, casualties among the passengers mounted alarmingly as the days passed and the boat drifted aimlessly. Weaker civilians began to die and their bodies were unceremoniously dumped overboard.

# allenge



A helping hand in Spain for a group of Africans who almost died in their attempts to reach Europe.

AP/R. PERALES/DP/ESP/2003

When Italian officials finally stopped the boat off the Italian resort town of Lampedusa, at least 70 bodies, probably more, had been jettisoned. Thirteen corpses were still scattered around the ship of death—but 15 others had survived, including a young African named Mohammed.

Months before, the 20-year-old had abandoned his home in the failed state of Somalia on the Horn of Africa, trekking thousands of miles across the Sahara desert to Libya and then linking with a smuggling ring for a final dash to Europe.

At times, Mohammed had survived the sea passage buried beneath other dead bodies. “I can’t sleep because I feel a terrible weight on me,” he said later, recalling his ordeal. “It is the weight of those corpses that saved my life.”

But would he risk such a nightmare again? an interviewer asked him as he recuperated. “I wouldn’t advise anyone to pass through such an experience,” Mohammed replied. He paused and then added, “But in Somalia we risk to be killed every day” a tacit acknowledgement that indeed almost any price was worth paying to escape the ruins of his own homeland in pursuit of a distant dream of a new life in Europe.

Across the continent, residents in a very different setting, in the sedate English seaside town of Portishead, were expressing their own views on foreigners trying to enter Europe.

The government’s Home Office had earlier made an innocuous planning application to use two rooms in an industrial park to interview asylum seekers, little

suspecting the storm which was about to break.

Portishead was split asunder by the proposal. Some angry residents told a packed public meeting at the local secondary school they would be afraid to let their children play in the street if asylum seekers were in town, according to *The Observer* newspaper. Sporadic attempts to speak in favor of the center were noisily shouted down. The debate became so heated the newspaper called the would-be interview room “the most controversial 120 square meters of property in Britain.”

The outbreak of local hostilities was particularly worrying because there had not been one previous incident of crime or violence involving asylum seekers in Portishead. The Home Office insisted interviews would be by appointment only, would often last only a few minutes and the applicants would then immediately leave town.

Locals, possibly influenced by a sustained and xenophobic anti-foreigner campaign mounted by some of Britain’s tabloid press, were not appeased by those assurances and clergyman John Vickers lamented, “It’s a very sad day for the town. If that’s not racist, I don’t know what is.”

The timing of the incident was hardly propitious either, coming shortly before the 15-nation European Union was enlarged on May 1 by the addition of 10 new states and 75 million new citizens.\*

### MIXED RESULTS

Amidst the pomp and the glamour of the launch of the world’s largest economic bloc with a combined population

\*Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.

**Volunteer workers in Austria await some of Europe’s early refugees from Hungary in 1957.**



UNHCR/PHOTO 19

**“THE NUMBER OF ASYLUM SEEKERS HAS DROPPED SHARPLY AND IS CONTINUING TO DO SO. THERE IS NO NEED TO FOCUS SO SINGLE-MINDEDLY ON REDUCING STANDARDS AND TRYING TO DETER OR DENY PROTECTION TO AS MANY PEOPLE AS POSSIBLE.”**

of 455 million people, the residents rebellion in Portishead and the mayhem on the high seas underscored a more mundane reality—that complex, highly emotional and often contradictory asylum, refugee and immigration issues will continue to be among the most contentious and vexing problems facing Europe.

As Julia Hall of the advocacy group Human Rights Watch said: “This is a hot button issue in every single European country” involving not only immediate asylum and migration problems, but also embracing related security, economic, budgetary and social concerns.

Humanitarian officials who see a dangerous drift in Europe’s commitment to protect individual rights were pitted against groups of politicians, journalists and others who for years warned the continent was literally being overrun by unwelcome intruders and who often deliberately distorted and twisted fundamental facts about one of the central issues of the problem—distinguishing between groups of people fleeing persecution and who, as genuine refugees, were entitled to international protection, and illegal, economic migrants who were seeking a better way of life but who, in that role, were subject to national immigration controls.

Caught square in the middle were the migrants and asylum seekers, general publics who often became confused and frightened by the relentless propaganda blitz and embattled governments who spent \$10 billion on their immigration systems last year and who, according to Irish Justice Minister Michael McDowell were afraid that “failure to deal with migration and asylum seekers could give rise to a right-wing backlash and racist politics” in Europe.

States spent years strengthening and fine-tuning national and EU-wide systems to meet these new challenges and the last of five pieces of legislation, officially known as directives or regulations designed to harmonize asylum policies among member states, was approved only days before the bloc’s formal expansion.

Perhaps unsurprisingly, the reviews were decidedly mixed. Governments congratulated themselves that their work would strengthen overall international agreements such as the 1951 Geneva Refugee Convention. Human rights activists said the legislation contained serious flaws and in some areas had actually lowered existing protection standards for asylum seekers.

According to Raymond Hall, director of UNHCR’s Europe Bureau, a first step has been taken towards a

better harmonized approach to asylum in the European Union. “But was it as ambitious and noble as we would have liked? In fact, despite some gains, it’s been disappointing overall in terms of providing greater protection to bona fide refugees. The process has not lived up to the expectations we had when we started down this road. As states transpose the Directives into national law over the next couple of years, we will need to make sure we don’t see further lowering of protection standards.”

Anti-immigration and asylum forces continued to warn their particular countries would be ‘swamped’ either with asylum seekers arriving from outside Europe or by large exoduses from the new member states, but available evidence suggested otherwise.

On the eve of the continental expansion, the number of asylum applications had dropped dramatically from a high of nearly 700,000 in 1992 to 288,000. High Commissioner Ruud Lubbers noted that despite this, some governments continued to promote the wrong kind of hard-line policies, in much the same way as generals were often accused of fighting the last war rather than any current conflict.

“The number of asylum seekers has dropped sharply and is continuing to do so,” Lubbers said in one recent speech. “There is no need to focus so single-mindedly on reducing standards (of refugee protection) and trying to deter or deny protection to as many people as possible.”

Academic research also suggested that less than 300,000 people from the 10 newest members would move to ‘old’ Europe over the next 12 months, despite scare newspaper predictions that tens of millions of people would hot-foot it to Britain and other desirable West European countries.

# Asylum seekers in Europe

The number of asylum seekers and their countries of origin vary widely among European Union states. The following table is a sampling from both established EU members and new EU nations.

## France

Turkey	6, 143	12%
China	4, 587	9%
Dem. Rep. of Congo	4, 046	8%
Algeria	2, 125	4%
Russian Federation	1, 986	4%
Other	32, 473	63%
<b>Total</b>	<b>51,360</b>	

## Germany

Turkey	6, 235	12%
Serbia-Montenegro	4, 866	9%
Iraq	3, 895	8%
Russian Federation	3, 389	7%
China	2, 395	5%
Other	29, 665	59%
<b>Total</b>	<b>50,445</b>	

## United Kingdom\*

Somalia	5, 098	10%
Iraq	4, 047	8%
China	3, 446	7%
Zimbabwe	3, 281	7%
Turkey	2, 395	5%
Other	31, 102	63%
<b>Total</b>	<b>49,369</b>	

## Austria

Russian Federation	6, 715	21%
Turkey	2, 839	9%
India	2, 823	9%
Serbia-Montenegro	2, 518	8%
Afghanistan	2, 359	7%
Other	15, 088	46%
<b>Total</b>	<b>32,342</b>	

## Czech Republic

Russian Federation	4, 852	43%
Ukraine	2, 043	18%
China	853	7%
Viet Nam	566	5%
Georgia	320	3%
Other	2, 760	24%
<b>Total</b>	<b>11,394</b>	

## Poland

Russian Federation	5, 581	81%
Afghanistan	251	4%
India	235	3%
Pakistan	151	2%
Armenia	104	1%
Other	599	9%
<b>Total</b>	<b>6,921</b>	

\*These figures represent the total number of asylum applications (which may include entire families or groups), not individual asylum seekers.



PANOS/YANN MINGARD/STRATES

**Estonian border guards** along Europe's new frontiers monitor freight trains which have also been tracked by American satellites.

**On the 'other side' of Europe's new frontiers,** Belarusian guards detain two people trying to walk into Poland.

## SECURITY PARAMOUNT

In the wake of the terrorist attacks in the United States on September 11, 2001, and earlier this year in the Spanish capital of Madrid, security considerations became paramount, often to the detriment of human rights concerns. European countries spent billions of dollars strengthening both their own physical borders and toughening immigration and asylum systems. The Union channeled more than one billion dollars to new member states alone to upgrade what will now be the EU's major frontier in the East.

Trafficking of anyone willing to pay as much as \$10,000 for a one-way ticket ballooned into an annual multi-billion dollar industry and an estimated 500,000 people sneak into the Union each year.

Some, like the doomed Africans aboard the vessel bound for Italy, were prepared to gamble with their very lives. A consortium of non-governmental organizations called United Against Racism documented the deaths of around 5,000 people in the last decade who drowned, froze to death or suffocated in trucks,

AP/STR/DP/BLR-2000



ships, aircraft or impenetrable forests; who died while crossing minefields; committed suicide by jumping off bridges and cliffs or setting fire to themselves—all in a doomed attempt to reach their promised land.

Europe remained ringed by real or potential crises: Kosovo and other parts of the unstable Balkan region; Iraq and the Middle

East. And the Caucasus.

As Chechnya's agony continued, Chechen citizens became the largest single group seeking asylum in Europe, underlining an obvious but often ignored premise and distorting national attempts to meet immigration challenges—that it is not the so-called social benefits in European countries that attract genuine refugees or increasingly daunting asylum procedures that deter them, but the real situation in their home countries which forces them to flee in the first place.

## A SAFE HAVEN

Refugees have always been a part of Europe's landscape, but in the last century their numbers and the type of reception they received fluctuated dramatically, depending on the prevailing political, military and social climate.

Two global wars resulted in the flight of tens of millions of civilians across a ravaged continent. Between those cataclysmic events, millions of Armenians,

**COMPLEX, HIGHLY EMOTIONAL AND OFTEN CONTRADICTIONARY REFUGEE ISSUES WILL CONTINUE TO BE AMONG THE MOST CONTENTIOUS AND VEXING PROBLEMS FACING EUROPE.**





# Asylum landmarks in Europe

## ■ June 1921

The League of Nations, forerunner of the United Nations, establishes the High Commission for Refugees which is mandated principally to help 800,000 Russian refugees.

## ■ February 1946

In the wake of World War II, the U.N. General Assembly establishes the International Refugee Organization. Between 1947-1951 it helps 1,620,000 people, mainly in Germany and Austria.

## ■ January 1951

The United Nations High Commissioner for Refugees replaces the IRO and begins work. In July the Convention relating to the Status of Refugees is adopted and provides the most comprehensive codification of refugee rights in history. The Convention is limited to persons who become refugees before January 1, 1951. States are free to limit refugee claims to victims of events in Europe.

## ■ January 1967

A Protocol to the Refugee Convention is adopted, extending protection to all refugees, whatever the date they were forced to leave their countries and removing the geographical limitation to Europe.

## ■ June 1990

Five nations—Belgium, the Netherlands, Luxembourg, France and Germany—sign the Schengen Implementation Agreement which, when fully implemented five years later, envisages the end of border controls and free

travel between member states. All EU member states except Ireland and the UK join by the end of the 1990s.

## ■ June 1990

The Dublin Convention (*which enters into force in 1997*) is the first major step by Europe to coordinate national asylum policies, establishing the responsibility of individual countries to examine asylum requests.

## ■ February 1992

The Treaty on European Union (Maastricht) empowers Justice and Home Affairs Ministers to establish a framework for a Europe-wide asylum policy.

## ■ June 1992

Ministers adopt a Resolution on Minimum Guarantees for Asylum Procedures containing a number of safeguards for applicants, but crucially allowing states to set some of these aside in certain circumstances.

## ■ November 1994

A model 'readmission agreement' is adopted in Brussels which EU member states can conclude with non-member countries making it possible to send asylum seekers back to countries they had transited en route to Union territory. Many such bilateral agreements are subsequently signed.

## ■ March 1996

A Joint Position on the Harmonized Application of the Definition of the Term 'Refugee' in the Geneva Convention tackles the

interpretation of the definition of a refugee. It allows states to follow a restrictive approach favored by several countries which would bar victims of 'non state' persecution by groups such as armed militias from being granted asylum.

## ■ June 1997

The Treaty of Amsterdam, (*which enters into force in May 1999*), provides a detailed legal basis for the harmonization of common asylum and migration policies.

## ■ October 1999

The Tampere Conclusions establish the political objectives of a common asylum policy based on "the absolute respect for the right to claim asylum" and the "full and inclusive application" of the 1951 Convention.

## ■ 1999-2001

The European Commission submits to member states four draft directives and one draft regulation that form the heart of the first phase of asylum harmonization.

## ■ December 2000

The Charter of Fundamental Rights of the European Union enshrines asylum as a basic right within the Union.

## ■ July 2001

The first major instrument towards European-wide asylum harmonization is adopted. The Council Directive establishes burden sharing and minimum protection standards in the event of a mass influx of displaced persons.

## ■ June 2002

The Seville Conclusions focus on measures to combat illegal immigration, border management and readmission and return.

## ■ January 2003

The second of four Council Directives establishes minimum standards for the reception of asylum seekers including accommodation, health care, education, employment and legal security. States, however, are given the opportunity to opt out of some and reduce or withdraw benefits under certain circumstances.

## ■ February 2003

A Council Regulation (Dublin II), essentially a revision of the ineffectual 1990 Dublin Convention, redefines the responsibilities of member states in examining asylum applications.

## ■ March 2004

Justice and Home Affairs Ministers agree the text of a Qualification Directive which defines who qualifies as a refugee and who qualifies for a more limited or 'subsidiary' degree of legal protection.

## ■ 30 April 2004

Two days before 10 new members join the Union, the EU Council agrees the text of the Asylum Procedures Directive covering such issues as rights of appeal and the designation of so-called 'safe' countries. It is the last of the five pieces of legislation designed to harmonize asylum policies among member states.

## EUROPE'S NEXT CHALLENGE

Turks, Greeks and Spaniards sought sanctuary in other parts of Europe as genocide and conflict destroyed their own ancestral homes.

In 1921, the League of Nations, forerunner of the United Nations, appointed Norwegian explorer Fridtjof Nansen as its first High Commissioner, initially to help 800,000 mainly Russian refugees.

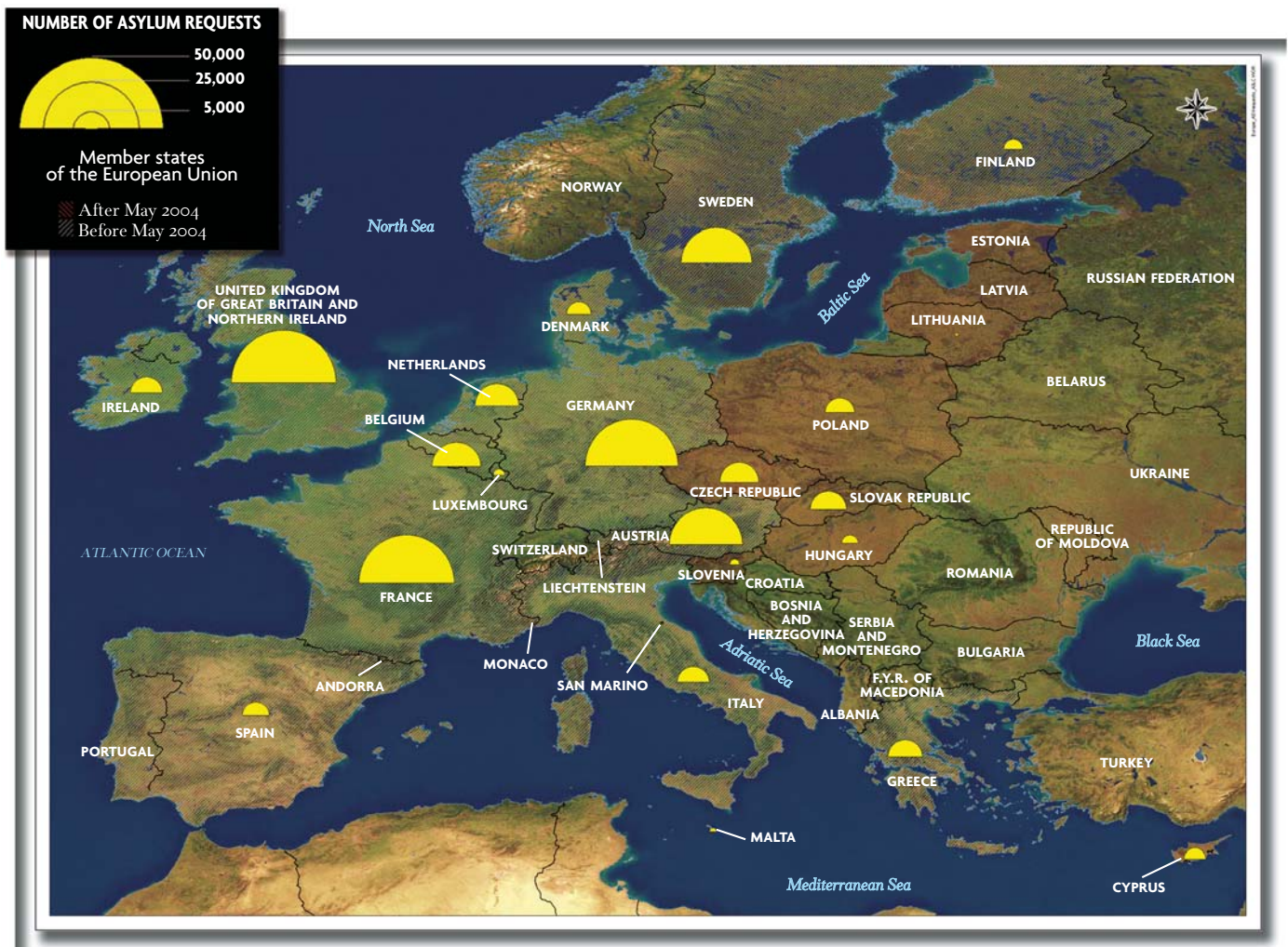
Following World War II, the establishment of the United Nations and the Council of Europe, the adoption of the 1948 Universal Declaration of Human Rights, the 1951 Convention relating to the Status of Refugees and other instruments guaranteed refugees minimal legal and human rights.

The movement of large numbers of uprooted civilians continued, but often in a relatively orderly and politically welcome way. During the Cold War, refugees became both political pawns and political capital. Western Europe and countries further afield

such as the United States and Australia warmly greeted escapees from Soviet communism who were rapidly granted asylum and easily integrated.

Starting in the late 1970s, the continent was exposed for the first time to the large-scale arrival of non-Europeans when thousands of Indochinese boat people were granted sanctuary in the wake of decades of war in that region. In the prevailing political climate they, too, were openly embraced even in such unlikely places as Iceland.

For a quarter of a century the number of asylum seekers arriving in Western Europe remained relatively stable at under 100,000 annually. But as more people arrived from Africa, Asia and the Middle East as well as Eastern Europe, the figures climbed inexorably, doubling in 1986 to 200,000, to 316,900 in 1989 and peaking during the early stages of the war in the former Yugoslavia at 696,500 in 1992.



**SPIRALING ASYLUM FIGURES, THE LARGE INCREASE IN THE NUMBER OF PEOPLE SEARCHING FOR A BETTER ECONOMIC LIFE, EUROPE'S PLANNED EXPANSION AND THE GLOBAL WAR ON TERROR SHAPED THE CONTINENT'S ASYLUM DEBATE.**

## UNHCR INSISTED THAT ONLY A MULTI-FACETED APPROACH IN COMING YEARS CAN HELP SOLVE EUROPE'S IMMIGRATION AND ASYLUM CHALLENGE.

### SHAPING A DIFFERENT FUTURE

It was those spiraling asylum figures, the large increase in the number of people moving across the world in search of a better economic life, Europe's planned expansion and, in the last few years, the deteriorating security situation and the global war on terror, that shaped the continent's asylum debate and its latest raft of legislation.

In essence, the proclaimed objectives were designed to produce a level playing field among very diverse national asylum systems—in official parlance member states would 'harmonize' their policies. In practice, this would produce a more streamlined, efficient and humane European-wide system benefiting both governments and the people seeking sanctuary.

A harmonized system would allow countries, for

based on "the absolute respect for the right to claim asylum" and the "full and inclusive application" of the 1951 Convention. Other treaties and legislation including the five directives and regulations mentioned earlier added legal muscle to the framework.

But the migration conundrum—the movement of peoples across borders and the authority of governments to control them—is one of the most delicate and fundamental tenets of sovereignty. According to UNHCR's Raymond Hall, countries had not fully responded to the challenge of shaping new policies and a new direction.

As a result, there was a glaring paradox at the center of the continent's attitude toward asylum and immigration, he said: While national capitals recognized the only effective way to tackle those issues was by fully harmonizing their individual systems, they still remained unwilling, after years of debate and discussion, to cede the degree of national sovereignty necessary to bring that about.

To be sure, there were welcome advances in the new legislation. The so-called Qualification Directive spelled out a common definition of who could qualify as a refugee, hopefully ending years of confusion and disagreement on who was and who was not entitled to sanctuary. It explicitly included victims fleeing not only from the more widespread and common form of political, religious and other persecution committed

by governments, but also from guerrillas, irregular militias and other 'non state' actors. Some governments in the past had excluded such victims from their safety net.

There was further agreement for other groups to receive so-called 'subsidiary' protection, including those fleeing from armed conflict and generalized violence.

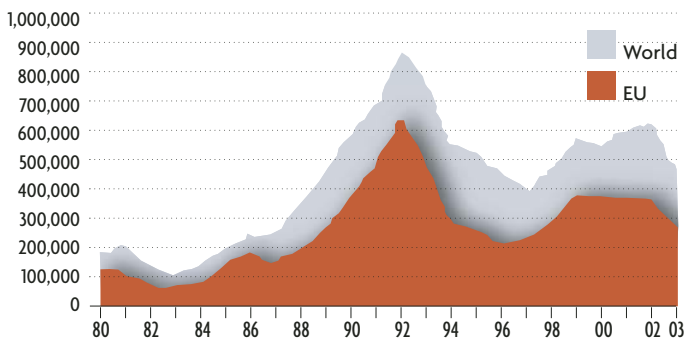
Persecution based on gender was recognized.

Fixed minimum levels of social benefits, employment and health care were established. Reception facilities for migrants and asylum seekers and administrative procedures were strengthened, especially in the new member states.

### THE DOWNSIDE

However, UNHCR and human rights organizations expressed major reservations about other parts of the new legislation, particularly those dealing with asylum appeals, so-called 'safe countries', and the de-

ANNUAL ASYLUM APPLICATIONS  
IN 36 INDUSTRIALIZED COUNTRIES 1980 - 2003



instance, to more easily sift out genuine asylum seekers from economic migrants and also halt a practice known as 'asylum shopping' whereby applicants moved from country to country seeking the best deal possible. Conversely, however, the basic rights of applicants would also be strengthened.

In June 1990, governments meeting in the Irish capital approved the Dublin Convention, the first major step by Europe to try to coordinate national asylum policies by establishing the responsibility of individual countries to examine asylum requests. This proved ineffectual and 13 years later, the role of member states was redefined under what became known as Dublin II.

In the interim, the 1992 Treaty on European Union (Maastricht) empowered Justice and Home Affairs Ministers to establish a framework for a Europe-wide asylum policy. The 1997 Treaty of Amsterdam provided a legal basis for the development of common policies and two years later the Tampere Conclusions established the political objectives of such policies

## Asylum requests:

in European Union countries in 2003, including the 10 latest states that joined in May 2004

United Kingdom	61,050
France	51,360
Germany	50,450
Austria	32,340
Sweden	31,360
Belgium	16,940
Netherlands	13,400
Greece	8,180
Ireland	7,900
Italy	7,280*
Spain	5,770
Denmark	4,560
Finland	3,080
Luxembourg	1,550
Portugal	110

Czech Republic	11,390
Slovakia	10,320
Poland	6,920
Cyprus	4,410
Hungary	2,400
Slovenia	1,100
Malta	570
Lithuania	180
Estonia	10
Latvia	10

\* 2002 data.



**Refugees are unwelcome in some parts of Britain.**

portation of failed applicants.  
People in future could be expelled even before the results of any appeal they might lodge is known, despite the fact that in some European countries between 30-60 percent of refugees were only recognized after an appeal.  
They might be returned to countries through which they had earlier traveled but which were considered 'safe' by the expelling authorities, without the asylum seeker having an opportunity to rebut that presumption. Under an even more draconian regulation, some could be refused the chance to even make an asylum application if they had transited a new category of country designated as 'super safe' by a particular European country.  
The refugee agency warned that in some cases this could spark a string of chain deportations through a series of countries with the unlucky applicant eventually dumped back in his or her home state where they

faced a very real risk of persecution.  
Other concerns were also tabled.  
The new legislation might result in countries with the most fragile asylum systems and the least resources—the new member states in Central Europe—processing a disproportionate number of migrant and asylum applications, with the very real threat that their systems could then simply collapse.  
Other restrictive and highly controversial practices currently contained in the national legislation of individual countries could eventually make their way into the legislation of all 25 EU states.  
All in all, many human rights and refugee organizations said the European Union had missed a major opportunity to adopt high asylum standards and instead had opted for the lowest common denominator.  
High Commissioner Ruud Lubbers warned on several occasions through the lengthy negotiating process, that parts of the draft legislation as it then stood fell short of recognized legal standards, could lead to the erosion of the global asylum system and jeopardize the lives of future refugees. It could also send the wrong signal to other states, especially poorer ones, giving them an excuse to lower their own levels of help.

**THE REVIEWS WERE MIXED. GOVERNMENTS CONGRATULATED THEMSELVES THAT THEIR WORK WOULD STRENGTHEN AGREEMENTS SUCH AS THE 1951 CONVENTION. HUMAN RIGHTS ACTIVISTS SAID THE LEGISLATION CONTAINED SERIOUS FLAWS AND LOWERED PROTECTION STANDARDS.**



UNHCR/H.J. DAVIES/CS/GBR/2004

“It would be a real pity if Europe were to undermine the great tradition of protecting real refugees,” Lubbers said. In rebuttal, in a meeting early in 2004, Irish Justice Minister McDowell argued: “UNHCR and others are saying the EU is dismantling the 1951 Convention. I don’t see it that way. I think we are taking practical steps to deal with the realities. These (rules) will offer protection to refugees and others in need of protection... and will help to build confidence in our individual asylum systems.”

#### THE FUTURE

May 1, 2004 marked the end of the first phase of Europe’s grand harmonization project. On UNHCR’s role Raymond Hall said, “A lot of questions can be asked about the level of protection and the degree of harmonization actually achieved. But overall, our interventions have had a positive impact. Things may have been a lot worse had we not been involved. The European Commission also played a very positive role throughout the entire process, as did the Irish Presidency in the final difficult stages of discussions.”

The next round of harmonization may offer better prospects for a truly common European asylum system based on high protection standards. New actors such as the European Court of Justice and European Parliament will become more involved. The European Commission will take over part of the role until now undertaken by individual states and majority decisions rather than the need for unanimity should make it easier to forge compromise decisions.

In the meantime, states themselves will take the next couple of years or so to meld their own national and EU legislation and the refugee agency will also shift its focus somewhat back to this national level to, as one official said, “make sure governments do not slip below the minimum standards established by the harmonization process. We must try to prevent minimum standards becoming maximum standards.”

UNHCR insisted only a multi-faceted approach in coming years could meet Europe’s immigration and asylum challenge. More resources had to be allocated to crisis areas, either to prevent fledgling conflicts

spinning out of control or, if that failed, to help the resultant refugees and immediate host countries in the region.

Though substantial funds had already been earmarked, further assistance was needed to strengthen not only the still fragile Central European member states, but also nations immediately on the other side of the new frontier such as Ukraine (see story page 14).

With Europe itself now moving into a second stage

of immigration and asylum reform, there was a fresh chance to refine or strengthen legislation particularly in such areas as sharing the refugee burden more equitably between countries and creating a common system for asylum processing to produce both fairer and faster decisions for people trying to enter the bloc.

More ambitiously, UNHCR has already tabled a set of national, European and global proposals. These include the establishment of centralized reception centers where certain categories of asylum seekers entering the EU would be processed speedily and efficiently by multi-national teams. Rejected applicants would be returned promptly to countries with which Europe had already negotiated readmission agreements, again under EU rather than national auspices. So-called burden sharing among states would be improved so that individual countries would not receive a disproportionate number of refugees. Eventually, an EU asylum agency and an asylum review board to manage centralized registration and processing systems would be established.

Nationally, immigration and asylum systems would be strengthened. Additional resources would be earmarked to help build capacity in poor countries in Africa, Asia and elsewhere who receive the bulk of the world’s uprooted peoples and the refugees themselves—the message being that if this project was successful and protection standards in regions of origin improved, the number of asylum seekers traveling further afield to Europe would be reduced.

“We are now in a position to concentrate on the quality of our asylum systems in industrialized countries and on improving conditions in the refugees’ region of origin so that those who go home are able to stay there, and fewer are forced to leave in the first place,” High Commissioner Lubbers recently told a global audience. “It is time to shift away from a largely negative approach—closed borders, detention, interception at sea, cuts in benefits—to one which focuses on continuing the ancient tradition of welcoming refugees.”

That will be the next challenge—in Europe and across the globe. ■

**But England for the first time has officially begun to resettle small groups of refugees, including this youngster with a new teacher in the town of Sheffield.**

# UKRAINE ON THE OUTSIDE LOOKING IN

*“We are doing Europe’s dirty work. Europe must understand this and help us.”*

Ukrainians boast that the Carpathian mountain region is the real geographic center of Europe and it has witnessed some of the continent’s most important and traumatic events. During two world wars millions of people were killed and wounded here as foot soldiers, tanks and warplanes of the day’s greatest armies, the Germans and Russians and their allies, wrestled for supremacy, and in the event turned it repeatedly into Europe’s killing fields.

In the last century alone towns and villages swapped their names or their allegiances at least 13 times, mirroring the ever changing political and military realities of a particular time.

When victorious Soviet troops marched in in the wake of the Second Great War, in the words of the late British Prime Minister Winston Churchill, an Iron Curtain descended through the heart of Central Europe, splitting the communist East from the democratic West European states for more than half a century.

But another great political and social experiment is again afoot among the mountains, meadows and monasteries of the Carpathians in the western corner of Ukraine, and the impenetrable Iron Curtain has been replaced by what some pundits now call a more porous ‘Lace Curtain.’

When 10 new countries joined

the European Union on May 1, the bloc’s outer frontier was effectively moved hundreds of miles to the east. Old communist allies such as Poland and Hungary, now ‘inside’ Europe and Ukraine, Moldova and Belarus on the ‘outside’ eye each other warily but non-belligerently across this electrified ‘Lace Curtain.’

And what happens here in the next few years and how relations between the ‘ins’ and the ‘outs’ evolve will undoubtedly have a major influence on how successful Europe’s ‘big bang’ expansion will be.

The EU in the last few years provided its new partners with more than one billion dollars to both physically strengthen their borders with better hardware such as trucks, computers, weapons and night vision goggles, and their immigration and asylum systems with improved data bases, better personnel training, reception and detention facilities to process many of the hundreds of thousands of people—a mixed flood of economic migrants, refugees and asylum seekers—annually trying to enter Europe.

In comparison, their eastern neighbors, who are among the continent’s most impoverished countries, have received ‘just peanuts’ according to one western asylum official, to try to bolster their own border controls.

That may reflect cold political reality. Political families, after all, look after their own first.

But UNHCR, which is heavily involved in asylum and refugee issues here, and other organizations believe bolder moves are necessary including closer cooperation between border states and further resources for both sides of the frontier.

The premise is simple: if countries such as Ukraine and neighbors Moldova and Belarus can strengthen their borders and immigration systems and elevate them to the European level, everyone wins.

The vast flow of ‘illegals’ will be reduced and processed even before they reach Europe’s new frontiers. Genuine refugees and asylum seekers would be treated more fairly and effectively by high-grade systems. Security on both sides of the border would be enhanced.

But if the imbalance in resources continues, it may well trigger the opposite effect: increased numbers of people reaching Europe illegally,

Watchtower and a Soviet World War II monument stand guard over Ukraine’s new border with the European Union.

embittered neighbors unable or unwilling to control the flow, refugees and asylum seekers submerged by and abused in the subsequent chaos.

### CHANGED CIRCUMSTANCES

When Ukraine was part of the Soviet empire, heavily fortified frontiers and intimidating and brutal security and immigration organizations were erected to meet challenges diametrically opposed to those the country faces today—keeping its own restless population quiescent and preparing for the possibility of violent conflict with the West.

But in just a few short years Ukraine, Moldova and Belarus—the so-called Western Newly Independent States (WNIS)—have made what one report recently called “remarkable progress” in meeting the new immigration and asylum challenges now facing their countries.

All have acceded to the 1951 Geneva Refugee Convention. Kiev adopted a new refugee law three years ago. The U.N. refugee agency and the Swedish Migration Board in 2001 launched the so-called Söderköping Process aimed at promoting first dialogue and then practical measures between countries on both sides of the new frontiers. An EU-funded secretariat was established last year to add administrative muscle to the process.

UNHCR promotes a range of other activities, legally assisting asylum seekers, often through local partner agencies; helping recognized refugees to integrate successfully in a foreign and often mysterious local society; providing funds to help construct desperately needed reception centers; promoting on-the-job training and underwriting such basic but often unaffordable local necessities as interpreters’ fees, gasoline for local asylum officials and even the costs of photocopying applications and official documents.

“There has been major progress in Ukraine,” says the agency’s representative, Guy Ouellet. “But there is still a long, long way to go. There is a lot of work to be done here.”

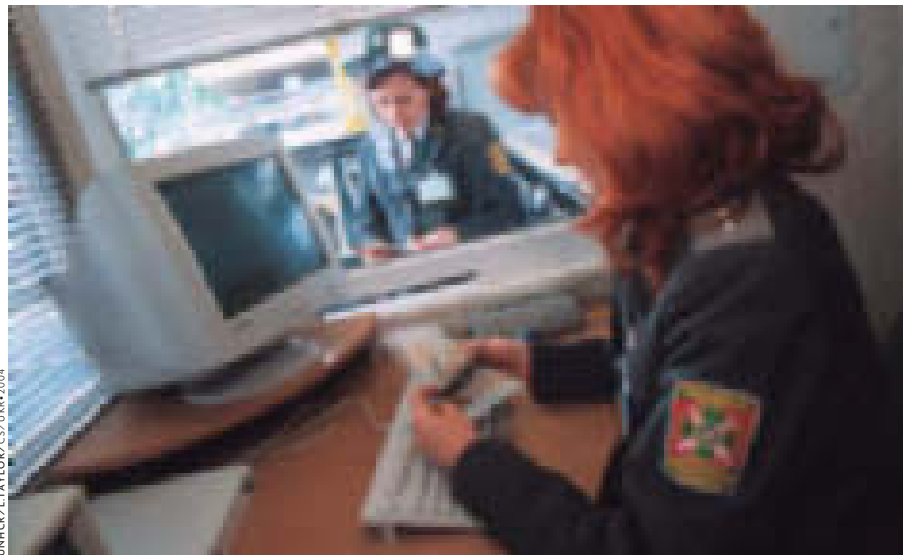
In the capital, Kiev, and along the country’s borders with neighbors such as Russia, Moldova, Poland, Hungary and Romania, migration and asylum are hot-button issues. Many politicians complain that Europe treats them as poor country cousins. Currently, Ukraine serves mainly as a simple transit route for tides of people from as far away as China, India, Pakistan, Bangladesh, Iraq, Palestine and Syria, trying to reach Europe. But there is a widespread fear that it could soon become a permanent dumping ground for those refused access to the West.

Some officials warn darkly that in future Ukraine could simply allow the great majority of transiting mi-

grants across its own borders into Europe without any checks at all. As one Interior Ministry official recently told a visitor: “This is Europe’s problem, not ours.”

The criticisms have resonance in a state where the average wage is \$150 per month (in comparison, people trying to reach Europe from China pay as much as \$10,000 to traffickers to help them) and more than five million Ukrainians have themselves moved overseas to find better jobs.

One recent newspaper headline colorfully predicted “Ukraine may become a sludge tank (dumping ground) of illegal migrants for the whole of Europe.” A xenophobic website called Fortress Kiev, invoking



UNHCR/L. TAYLOR / CS/URR-2004

ironic allusions to Fortress Europe, routinely spouts racist rhetoric that foreigners are destroying the country.

Other major legal, bureaucratic, administrative and budgetary problems bedevil the system.

Reception and detention centers are either non-existent or are in appalling condition. There is a plethora of government departments involved in immigration and asylum issues, resulting in overlap, waste and inefficiency. There are virtually no funds to move people out of the country if they are deemed to be illegal and as many as 45 local laws must be harmonized with the 1951 Convention and other international instruments if those asylum seekers allowed to stay are to enjoy their full rights. It could take years to clear the backlog of still pending asylum applications.

After the country’s new refugee law was promulgated at the start of the millennium, not a single person was allowed to even apply for asylum for an entire

**Border guards check vehicles leaving Ukraine for Hungary.**

**THE IMPENETRABLE IRON CURTAIN HAS BEEN REPLACED BY WHAT SOME PUNDITS NOW CALL A MORE POROUS ‘LACE CURTAIN.’**

year. Most would-be applicants continue to be refused access to the procedure by immigration officials enforcing a hard-line regulation which stipulates that everyone must apply within a maximum five day period of their entering Ukraine.

In an unusual move, UNHCR, which has worked closely with the government to strengthen its asylum procedures, nevertheless also took it to court dozens of

Hungary introduced new European visa restrictions months ago, and in view of that perhaps surprisingly the number of 'legal' movements in both directions doubled last year and looks set to double again in 2004 according to commander Zhdanenko.

Cross-border trade along these routes has been a



**Illegal immigrants and asylum seekers in detention along Ukraine's western borders.**

times and successfully challenged many decisions. Recent statistics suggest that asylum officials have now begun to relax the rule's implementation. "It has taken two years to win this modest concession," Ouellet said. "But it is progress."

#### **A VIEW FROM OUTSIDE**

A visitor recently toured Ukraine's western borders to assess the view from 'outside' the European Union looking in:

Ukraine means borderland and in the current circumstances the name is appropriate. The frontier post between Ukraine and Hungary at the town of Chop is full of trucks, cars and buses going in both directions. With some of the modest amount of money allocated by the EU to Ukraine to upgrade its border facilities, buildings here have been modernized and expanded and a new computer system installed. Commander Zhdanenko Alexander Anatolievich, who oversees 200 kilometers of border with 2,000 guards, takes out a stopwatch and times the clearance of each vehicle.

"It used to take at least three minutes to clear each car," he says proudly as a pretty female guard and her colleague examine passports and check them on a computer. "Now it can take as little as 30 seconds."



way of life for centuries and many small-time Ukrainian traders have been hard hit by the new restrictions which make it more expensive and time consuming for them to enter Hungary. The government in Kiev said the new barriers could cost the country millions of dollars in lost trade and export.

But at Chop more and more Hungarians are coming to Ukraine to shop for food, clothing and other items which are now cheaper here than in Europe.

"No, there's really little change" even with the new immigration regime several civilian drivers at the border agree.

That may be true in one sense, but commander Zhdanenko said the number of border guards under his command had almost doubled in the last few months, the aim being both to bolster Ukraine's own security and an agreement with the EU. Unsurprisingly, the number of illegals apprehended since the beginning of the year had also increased, by 50 percent.

The frontier on each side of the crossing point consists of a rusting 8-foot tall chain link barrier installed by the Soviets decades ago and a more recent electrified fence which administers a mild shock to anyone trying to penetrate it. A 10-foot wide barrier of ploughed earth highlights telltale footprints of anyone approaching the wire.

During this visit a group of women from the embattled Russian republic of Chechnya are apprehended in broad daylight as they try to walk to Europe. Last year, Ukrainian guards detained 2,150 migrants who tried to illegally cross its western borders into Europe,



but the number of people who successfully make it is unknown (an estimated 500,000 people enter the European Union illegally each year from all directions).

There are few ready facilities to house the Chechen women, a group of Pakistanis caught the same day in the border town of Uzhgorod or people surrendering to authorities and asking for asylum.

A local organization, NEEKA, assisted by UNHCR, rented a four-storey building nicknamed The Dormitory from the railway authority and it houses 42 illegal immigrants and 20 asylum seekers. Until 1997, women and children were simply allowed to wander the nearby streets, but conditions inside The Dormitory are also minimal. Twenty-three Chechen women live in one room under light guard. They are not allowed outside to exercise, nor are their children. Some have been separated from their husbands for months and there is only occasional contact via a recently installed telephone.

### WHY STOP NOW?

Having escaped the destruction of their homeland, and in their own naïve and innocent world, the Chechen women do not understand why the border guards keep them under lock and key rather than helping them on their way to Europe.

After only a few minutes in the presence of a visitor they are all weeping and worrying: “We want to go to Europe,” one says. “Why are they stopping us here and not helping us?” Another woman points to a young orphaned girl who smiles vacantly into space from her bed. “What is going to happen to her?” she demands. “Who is going to care for her?”

The local border commander insists in a separate interview that the women will all be deported back to Chechnya as soon as possible—but only once he can find money to buy them tickets. What he does not mention is that this action is in breach of both national and international law.

While the European Union agreed to help finance the construction of several new detention and reception facilities for migrants and asylum seekers, it flatly refused to underwrite repatriations. The Ukrainians say that most of the time they simply have no money to buy return tickets. Unwanted and unable to move, detainees end up languishing in horrid conditions for months.

A few miles away, deep in the forest, a former military barracks at Pavshino houses nearly 300 illegal migrants and asylum seekers, all of them men.

The complex had been empty for eight years and until recently there was no heating in the two-storey barracks in a region where winter temperatures drop to

minus 30 degrees. Inmates shower once a week. There is no money for food and the guards are often forced to share their own rations with the detainees. NEEKA now provides a daily food package of bread, soup and occasionally apples and other fresh foodstuffs, but even the modest funding for this project currently provided by the Swiss will end shortly.

During the visit, 63 Indians were crammed into two small dark rooms, two persons forced to share each military-style steel bed. Last year the situation was worse and three persons had to take turns sleeping in each bunk.

Virtually every inmate—with the exception of a group of stoic Chinese who slept their way through the day refusing to communicate with anyone—crowded the stairwells and corridors shouting for attention and help as guards looked nervously on. “Please, we must get out of here,” they said. “You must help us. Let us give you our names.”

The isolation, lack of news and difficult conditions led to riots and mass escapes both here and at the nearby Dormitory in 2002 and 2003.

Such incidents play well on some television channels, feeding a latent xenophobia not dissimilar to situations in some West European countries. There is the perception that foreigners are troublemakers who receive better medical facilities and food than poor locals.

With an eye towards his local constituents Lazar Vasil Ivanovych, the head of the sub-region’s administration said, “Europe is interested in keeping these people out. We are doing Europe’s dirty work for it. Why should we carry the burden? Europe must understand this and help us.”

In the city of Uzhgorod (City on the River) only a couple of kilometers from both the Slovak and Hungarian borders, Igor Mikhayeyshyn, a senior Ministry of Interior official adds his own perspective. “You can build as many walls as you like,” he said referring to the recently introduced border controls and tighter security along the nearby frontiers. “But this will not stop people trying to reach Europe. Walls are no match for poverty and desperation.”

He then added, “But it is nice to have a rich neighbor. We need the money. You need our help. We can work together.”

At one point along the border, a massive 70-foot memorial to the soldiers who fought in World War II glowers menacingly over vehicles moving slowly in and out of Ukraine. The electrified frontier fence cuts through a field of vines to an old-style watch tower.

They are stark reminders of a dark era which lasted for a half a century, but they already seem to be anachronisms. This region again finds itself at the center of European affairs, but with a new set of problems to overcome. ■



UNHCR/L.TAYLOR/CS/UKR+2004

“UKRAINE MAY BECOME A SLUDGE TANK OF ILLEGAL MIGRANTS FOR THE WHOLE OF EUROPE.”

# NETHERLANDS

## Tolerance and fear collide IN THE NETHERLANDS

*Long deemed a nation of liberal values, it plans to deport 26,000 asylum seekers amid concerns that immigrants pose a threat to Dutch culture*

BY JEFFREY FLEISHMAN

**T**HE WORLD LIVES ON West Kruiskade Street: Turkish butchers slip into clean morning aprons, dreadlocks lift in the breeze and steam whirls from Chinese kitchens before vanishing amid scents of African spices and salted fish.

Then comes the night. Storefront shutters slam tight. The falafel boys shelve their pita bread and girls in head scarves drift toward home amid sputtering neon. It is the time of junkies and pickpockets and dark-skinned men with silver in their smiles.

The night worries the Dutch. Long considered one of Europe's most tolerant societies, the Netherlands these days is casting a harsh eye toward immigrants. In a move condemned by human rights groups, the nation's parliament voted in February to deport 26,000 foreigners who requested but were denied political asylum. The decision underscores fears—amplified by the Madrid bombings in March—that the nation is failing at integration and poor, frustrated immigrant communities are threatening Dutch culture.

"The Dutch have become less tolerant," said John Kanton, who came here from Suriname 40 years ago as a boy. "The Madrid bombings have the Dutch thinking, 'Hey what's going on? What's happening to our way of life?'"

Barry Madlener, a member of Livable Rotterdam, the dominant political party in the City Council, isn't ashamed of feeling that way.

"We have had this political correctness in Europe," he said. "But now there is anxiety and strange feelings about foreigners coming here who do not want to live in a Western way... We want the national government

to say we as a country can only handle so many immigrants. We want zero immigrant growth."

### EUROPE IN MINIATURE

This clanging port city on the Rotte River is a study in European immigration. One-third of Rotterdam's population of 600,000 are minimally educated immigrants with little command of the Dutch language. If trends continue, according to a city government study, the non native community will grow about 58 percent by 2017—a dramatic demographic shift in a nation where half a century ago there were few foreigners.

As a young man, Kanton boxed on these streets of cawing seagulls and grizzled brick.

His father brought the family to help rebuild a city splintered by World War II. The Kantons now own five boxing equipment stores—all named Hercules—throughout the Netherlands. Kanton, 45, is a well-built middleweight with coils of gray in his hair. He speaks Dutch, German and English. He understands Turkish.

One needs such skills to navigate the syntaxes on West Kruiskade, which is as much a narrative of changing cultures as it is a street.

"You have Chinese, Moroccan, Portuguese," he said, walking toward a boxing event poster on his wall. "Look at these fighters. Turkish. Yugoslav. Suriname. Everyone comes to this street. Rents are cheap, and over the years you can watch the different groups come and go."

"When I first came, there were mainly just immigrants from Italy and Spain," he said. "But now you've got them from all kinds of countries, and that makes a difference."

The Netherlands welcomed guest workers in the 1960s and 1970s. And the Dutch, priding themselves on their embrace of human rights, accepted tens of thousands of refugees and asylum seekers escaping wars and turmoil in Iraq, Bosnia-Herzegovina, Koso-



AP/DUSAN VRANIC/DP/NLD.2004

"WHEN I WAS A KID, THE OLD DUTCH LADIES USED TO MUSS UP MY HAIR AND GIVE ME CANDY. NOW WHEN

vo, Africa and Afghanistan. Thousands of petitions for asylum have been rejected over the years, but the Dutch government did not have a clear policy on repatriation. The new asylum law—opposed by the nation's churches—will deport 26,000 people over the next three years.

"The Madrid bombings will mean a green light for the Dutch government extradition policies," said Mohammed, a Sudanese reluctant to give his last name because his asylum petition was pending. A political activist, Mohammed escaped Sudan on a boat after death threats from security police. He now worries that his dramatic story won't win him refuge in the Netherlands.

### ASYLUM AND REALITY

The quandary over the fate of asylum seekers such as Mohammed coincides with rising unemployment and crime in immigrant communities. Criminals with foreign backgrounds make up 55 percent of the country's prison population. The unemployment rate for non-Western immigrants is 14 percent, compared with a 4 percent rate among the native Dutch population. Joblessness among Moroccans and Turks, two of the largest minorities, went from a ratio of one unemployed for every 11 workers in 2001 to one in six in 2003.

"Europeans don't like us anymore," said Said Kallah, 27, a Moroccan shopkeeper on West Kruiskade Street, whose father immigrated to Rotterdam in the 1970s. "They're afraid of us. The Muslims did this. The Muslims did that. They needed us to help rebuild after the world war. Now, they don't... I never felt Dutch because they never let me feel Dutch."

Anxiety over immigrants, who make up 4.4 percent of the population, found its voice in Pim Fortuyn, a populist politician whose slogans, "Norms and Values" and "Holland is full," resonated with Dutch voters. Fortuyn was assassinated before the 2002 elections, but his philosophy resonates with Livable Rotterdam, which last year backed a City Council bill requiring new immigrants to earn at least 20 percent above minimum wage before they can receive a residency permit.

"We have to be selective on who we let into the Netherlands," said Madlener, who has a Croatian girlfriend. "We are the only party right now saying this. A Muslim woman in a head scarf doesn't talk to a white man. The third-generation immigrants are not mixing, and that's a sign of no integration. They have their own mosques, schools, butchers and other things. They don't fit into Western society. They don't believe in it, but they come here anyway."

Sadik Harchaoui, director of Forum, the Institute for Multicultural Development, said young, educated immigrants were increasingly frustrated over not being able to penetrate and prosper in Dutch society. More troubling, he said, was how anti-immigrant fer-

vor was sweeping not only right-wing camps but also leftist political parties as Europeans tried to resist rapidly changing demographics.

### RADICALIZED

"There is an explosive mixture," Harchaoui said. "Second and third-generation migrants were getting integrated little by little, but now it's slowing and children are falling back to their own ethnic backgrounds. There is a danger of a radicalization of young people. They will rise up."

Koshen Dini ordered a kebab and sat in the sunlight on West Kruiskade Street. The girls were pretty, and boys swaggered in baggy jeans and turned-around ball caps. Some leaned on motorcycles; others twirled through traffic. Dini, a big man with a happy demeanor, took a bite of lunch and charted his family's history of continental hopscotching.

"My father was born in Ethiopia," he said. "I was born in Somalia. My son was born in Holland, and maybe his son will be born in England. It's very tough in Holland to get a job. I worked in a cheese factory. Now, I'm in a secondhand clothing store." He wiped his mouth and sipped a soda.

"People in Europe think the Muslim is their enemy," Dini said. "Before all this trouble, immigrants were invisible here. Look at the streets now. We're visible, and the Dutch are saying, 'We like to help you out, but we're overcrowded and it's costing our taxpayers a lot of money.'"

Dini finished his kebab and returned to work. Shadows stretched across the street. Police foot patrols appeared; so did the men lifting paper bags to their mouths. Kallah sat in his Mars Telecom store, selling phone minutes to faraway places to the lonely and the homesick.

"This street has always been international," said Kallah, a slender man wearing a gold chain and a blue sweater. "One time it was Bosnians and Algerians, and about four to five months ago I started noticing Poles and Hungarians."

A man from Africa rushed in to call home. A woman from Moldova asked for an open line. Kallah logged it in to his computer.

"When I was a kid, the old Dutch ladies used to muss up my hair and give me candy," he said. "Now when they see me, they wrap their handbag twice around their arm."

He talked about how his father worked the coal mines of Germany before tugging the family north to the Netherlands.

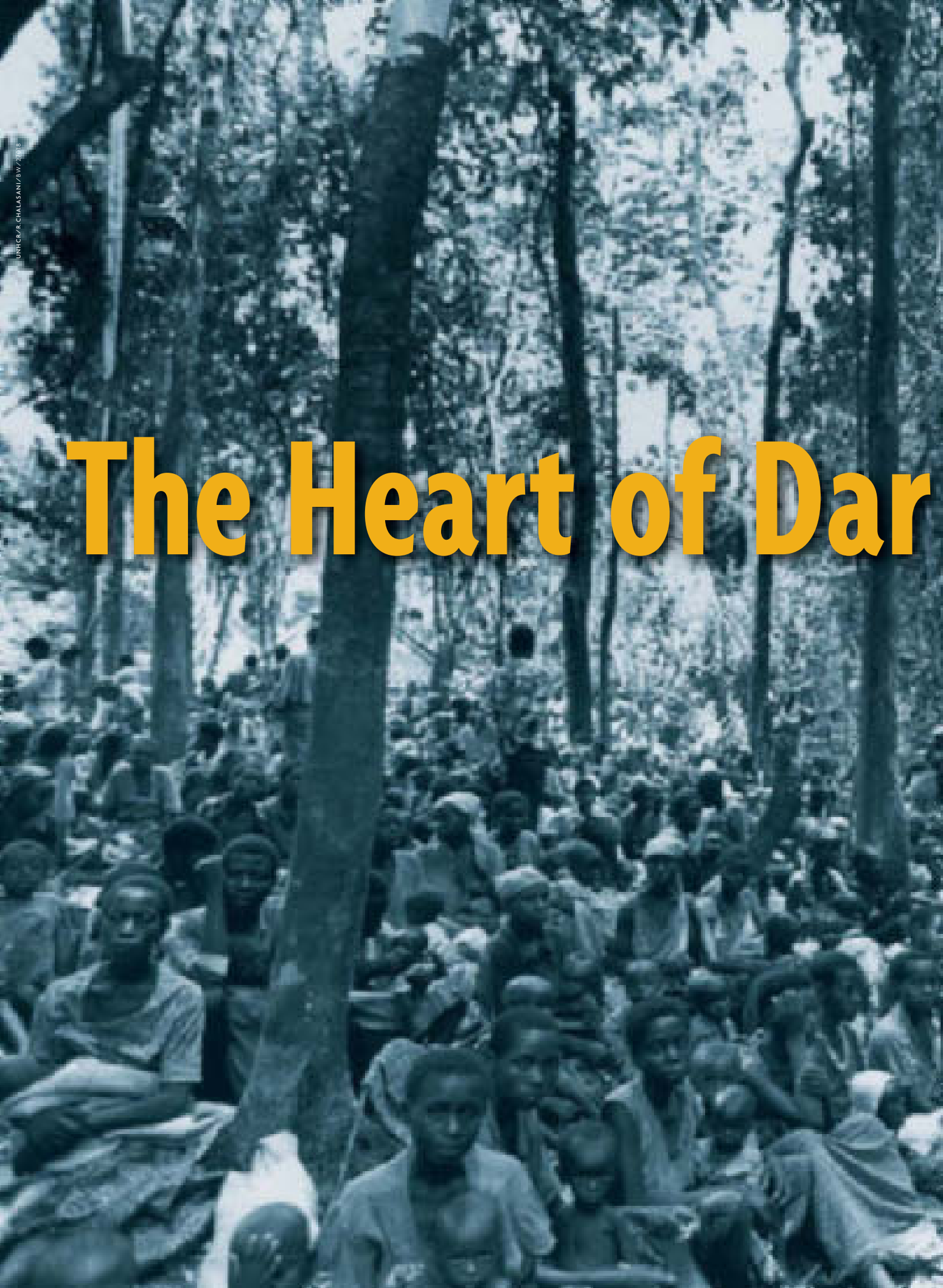
"My dad saw what was happening, how the Dutch don't want us," he said. "He went back to Morocco." ■

JEFFREY FLEISHMAN is a reporter for the *Los Angeles Times* newspaper where this article first appeared.



THEY SEE ME, THEY WRAP THEIR HANDBAG TWICE AROUND THEIR ARM."

# The Heart of Dar





# kness Revisited

*It was the messiest humanitarian quagmire since World War II, but ten years on Rwanda has made remarkable progress in piecing itself together again*

**The agony of Rwanda's exodus. In the forests of the Congo basin.**

## The Heart of Darkness Revisited

**T**HE PHONE CALL LASTED LESS THAN two minutes, but its repercussions would change the face of Africa and global politics. Alessandro Bolzoni, an Italian aid official, had only recently joined the U.N. refugee agency, and on this particular evening was enjoying a quiet dinner with eight colleagues when the telephone rang just before 9 p.m.

It was from the wife of the chief of security at Rwanda's international airport in Kigali. As Bolzoni's host answered, his face whitened and he screamed, "The president's aircraft has crashed?" There was an immediate recognition in the room about what the diners were hearing. "We were plunging into catastrophe," Bolzoni remembered.

He was among the first group of foreigners to hear that the aircraft carrying Presidents Juvenal Habyarimana of Rwanda and Cyprien Ntaryamira of Burundi had been shot down that night, April 6, 1994, their deaths triggering a 100-day genocide which would claim the lives of an estimated 800,000 people in the tiny central African nation.

In the ethnic cauldron that was central Africa, UNHCR was already struggling with an earlier regional crisis, helping some of the 700,000 ethnic Hutus who had fled to Rwanda and other countries from neighboring Burundi following the murder of that country's president the previous October.

But the unfolding events in Rwanda overwhelmed everything around it. Rumors of newly-formed death squads had swept Kigali for weeks and within hours of the presidential aircraft being downed tracer bullets arched high over the city and the killings began, directed by an extreme ethnic Hutu leadership against the minority Tutsi population and other moderate Hutus.

On direct orders from New York, Bolzoni and his humanitarian colleagues were hurriedly evacuated. Reports of fighting between government forces and an advancing army of exiled Tutsis, mass murder and mass flights of civilians approaching biblical proportions swirled through the region for the next three weeks, but details were difficult to pin down.

### THE EXODUS BEGINS

Maureen Connelly, in charge of UNHCR field operations in neighboring northern Tanzania, remembers visiting the border area daily in search of refugees but noted: "There was no movement. Just silence. Had the genocide swallowed these people up as well?"

On April 28, 1994, she visited the Rusumo Bridge

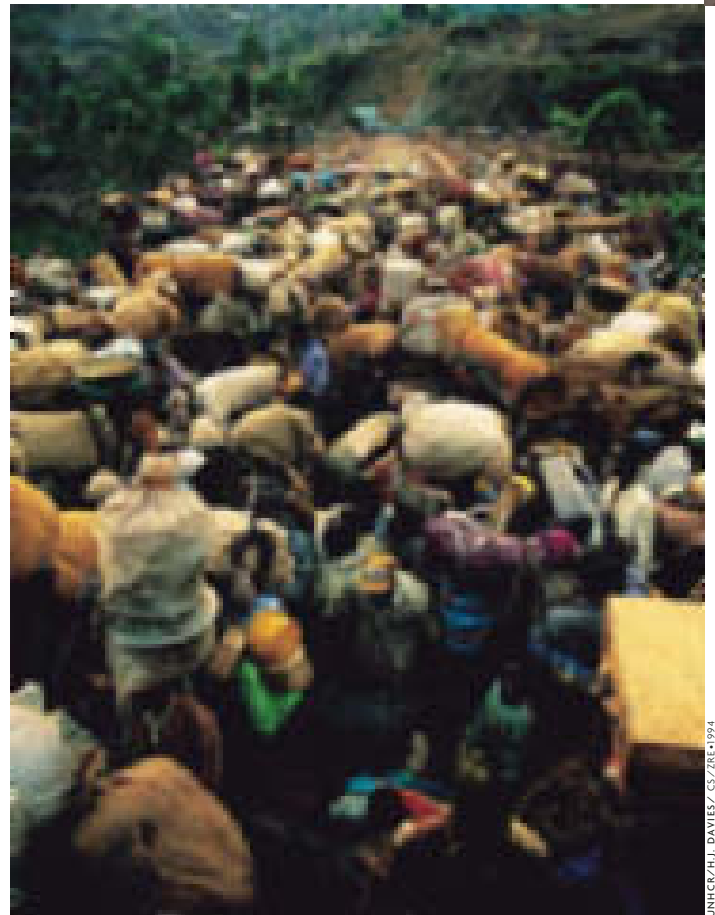
frontier post on a routine inspection and everything had changed. "We looked up at the Rwandan hills. There was nothing but people," she said. "The entire African landscape was awash with people, all headed our way."

More than 200,000 Rwandans crossed into Tanzania in 24 hours through that single border post at the start of what has been described as the fastest and largest exodus of refugees in modern times.

Three months later, the tide of people fleeing for their lives abruptly changed direction, from Tanzania in the east, towards neighboring Zaire in the west.

On an inspection tour of the region, UNHCR's

**The Rwandan-Congo border: Fleeing in 1994. Returning ten years later.**



Filippo Grandi was ordered by his Geneva headquarters to immediately head for the Zaire town of Goma and was told, "It's gonna be big."

### RIVERS OF PEOPLE

As his light aircraft circled the frontier between Zaire and Rwanda, confusion and chaos reigned below. "There was a mass of humanity everywhere, as far as the eye could see," he said. "It was an unstoppable river of movement that lasted for four days." More than one million people—newly born babies, women, children, old men, and driving and controlling all of them, soldiers from the defeated Rwandan army and



UNHCR/B. HEGEV/07/RWA-2004

their militia colleagues, the infamous *interahamwe*.

In Switzerland, UNHCR's Japanese High Commissioner Sadako Ogata recalled, "We were not expecting so many people. There was a solid human river 25 kilometers long and we didn't know exactly what to do. I remember saying to myself 'This is going to be very bad.'"

In fact, the Great Lakes crisis which lasted throughout the 1990s and into the new millennium, transformed central Africa's political and military landscape.

A new, Tutsi-dominated government seized power in Rwanda. Zaire's dictator Mobutu Sese Seko was toppled, the country was renamed the Democratic Republic of Congo and became the scene of what was later dubbed Africa's First World War as armies from several countries fought over its riches and its borders. The ethnic war in Burundi rumbled on. Old resentments between Francophone and Anglophone 'spheres of influence' resurfaced and other new regional and international alliances were forged.

The dreaded 'G' word—genocide—and the international community's refusal to acknowledge it, permeated the corridors of power in New York, Washington and Paris for years with a foul smell.

In purely humanitarian terms, the emergency turned into the messiest quagmire since the modern refugee protection regime was established in the wake of World War II.

### PROBLEMS AND DILEMMAS

Aid agencies faced appalling logistical problems—and equally difficult moral dilemmas. Huge camps, some containing hundreds of thousands of people, sprung from the red dust plains of Tanzania and the unforgiving black volcanic rock of Goma. At least two billion dollars worth of assistance was pumped into Zaire in the first two weeks of the emergency alone, but still 50,000 people died from cholera. And it quickly became clear that members of the old regime and their gunmen controlled the sites, the refugees in them and much of the assistance meant to alleviate their suffering.

Too, many of the camps were within gunshot of

Rwanda's vulnerable borders allowing the militias to recruit volunteers and launch hit-and-run raids across the border, a situation which helped spark a broad military conflict two years later.

Though hundreds of agencies poured into the region, their flags, banners and decals turning camps into some type of squalid medieval pageant, it was obvious that only military logistical muscle, eventually supplied by the United States, France and others, could meet the overwhelming humanitarian needs.

In 1996, a fledgling rebellion in eastern Zaire, supported by a Tutsi government in Kigali frustrated by the ongoing insecurity and persistent raids, destroyed the camps. In the next several weeks many of the uprooted civilians were cut off from the outside world and the international media talked about "one million missing refugees." In November, an estimated 600,000 civilians flooded back into Rwanda in chaotic scenes reminiscent of the original exodus. Several hundred thousand people—though some governments at the time insisted for political reasons that virtually everyone had returned home—fled in the opposite direction, deeper into the rain forests and toward the key town of Kisangani.

Retreating refugees, *interahamwe*, soldiers from the collapsing Zaire government, rebels intent on bloody revenge and aid agencies intent on saving lives played a deadly game of chase and catch-up across central Africa.

There was evidence of widespread massacres and when UNHCR field staff did find pockets of survivors, gunmen were often close by ready to kill them too.

Filippo Grandi's crisis moment came in the killing fields around Kisangani. "I called the High Commissioner directly in Geneva, the first time I had done so in 10 years," he said. "The camps were being cleansed. I told her 'You have to tell me what to do. We can go public, condemn the killings and be thrown out.' But our withdrawal would have doomed more people to die."

"Several times I wanted to pull out," Ogata says. "But we were the last hope of the refugees. We stayed."

Eventually, more than 260,000 civilians were plucked from the rain forests. An estimated 62,000 of them were flown home in the largest humanitarian air-bridge in African history.

Around Kisangani and throughout the crisis in Zaire and Tanzania, UNHCR faced a fundamental protection headache: under what circumstances should the Rwandans be returned? A cornerstone of repatriation is that it should at all times be 'voluntary' but in the heat and chaos of the Great Lakes most refugees were faced with a stark choice: almost certain

**"WE LOOKED UP AT THE RWANDAN HILLS. THE ENTIRE AFRICAN LANDSCAPE WAS AWASH WITH PEOPLE, ALL HEADED OUR WAY." IT WAS THE FASTEST AND LARGEST EXODUS OF REFUGEES IN MODERN TIMES.**



UNHCR/HQ/07-0165/PALEMOYNE

**A harsh life in exile.**

**Things get back to normal.**  
Downtown Kigali.

**A survivor remembers the victims.**

death in the rain forests, forcible repatriation at the point of a gun, or an assisted return by UNHCR to an admittedly uncertain future.

### NO EASY ANSWERS

Ogata remains unrepentant on possibly the most contentious issue during that period, the continued feeding of both refugees and the gunmen who controlled the camps. UNHCR is a non-political, purely humanitarian agency without any military or security apparatus of its own. In refugee situations, host governments are responsible for the safety of refugee camps.

When Zaire was unable or unwilling to provide this safety net, Ogata, through then U.N. Secretary-General Boutros Boutros Ghali, asked as many as 50 governments for assistance. All of them declined, a point deliberately ignored by several journalist-authored books with their own political axes to grind which simplistically blamed the agency for the entire political mess.

“Of course we were aware of the terrible security situation,” Ogata said. “But could I just say ‘We are leaving. Someone else take care of the women and the children, a million people.’ Of course not. We were doing the work we were mandated to do. The failure was elsewhere.”

When the agency also suggested moving the camps away from the volatile borders, the international response was the same—no interest and no support.

Ogata acknowledged that UNHCR had ‘compromised’ over the issue of voluntary returns, especially from Tanzania. “There were innocent refugees, but there were also killers in those groups,” she said. “The situation was full of contradictions. The Tanzanians were determined to send them back, but the refugee leaders resisted.” UNHCR went along reluctantly with the Tanzanian government but “I think we failed,” she said. “There is no excuse. We could have been tougher” in defending the refugee mandate.

The issue of humanitarian-military cooperation and how closely two basically opposite groups should

during the emergency. But humanitarian agencies also helped save the lives of other untold numbers of innocent victims, though as Filippo Grandi said, “In the process we lost most of our own innocence.”

More than 2.5 million people had fled Rwanda starting in 1994. But by early 2004, 3.2 million had gone home, many with the help of UNHCR. They included not only people uprooted by the genocide, but those who had left the country in earlier crises.

### RETURN TO NORMALCY

Today, the camps and the killing fields have largely disappeared. Meadows of bright green grass cover the unforgiving volcanic rock at Kibumba, north of Goma, where several hundred thousand people squatted and died for two years, corpses sewn into bamboo or cloth shrouds and left daily alongside the road for collection.

At Mugunga camp, thousands of displaced civilians whose homes were destroyed by the eruption of nearby Mount Nyiragongo in January 2002, long after the refugees returned home, have replaced those earlier squatters, but their huts of plastic sheeting, wooden bits, twigs and breeze bloc are eerily reminiscent of that earlier, dark age.

Signs now warn of the dangers of crevices in the volcanic rock where noxious gases from nearby Lake Kivu seeped through and killed unknown numbers of





refugees. A network of yellow, orange and red flags are hoisted to alert the population to the possible dangers of another volcanic blast.

Goma, once a glamorous retreat of the region's wealthy and then the nerve center of a multi-billion dollar humanitarian operation lies partially buried by the recent lava flows. Two-storey buildings, now reduced to only one level, and rusting vehicle hulks lie trapped forever in the hardened rock.

Nearby frontier crossings which once witnessed the frenzied movements of hundreds of thousands of traumatized civilians and piles of bloodstained machetes, clubs and rifles, sway to a more languid African pace of peaceful cross-border trade these days.

In the aftermath of the genocide, Rwanda, which until then had been the most crowded corner of Africa, was a place haunted by fear, dead bodies, empty fields and deserted towns and villages.

But even there a surface vibrancy has returned. Tea and coffee plantations luxuriate under a

but when this flow reversed itself two years later, the agency refocused its attention toward helping to reintegrate more than three million people into a shattered society.

An initial priority, monitoring the safe return of refugees, a difficult role at the time in a country still deeply traumatized by the genocide and where untold numbers of revenge ethnic killings undoubtedly took place. Monitors were at great physical risk and relations with a government incensed at what it considered the disproportionate help given to genocidaires rather than innocent Tutsi victims, was often spiky.

Eventually, UNHCR spent almost \$200 million on a variety of projects including the construction of 100,000 homes, the rehabilitation of water systems and schools, training a new judiciary and encouraging small-scale economic activities.

The agency has now reverted to its more traditional role of assisting nearly 40,000 mainly Congolese and some Burundi refugees who live in Rwanda.

And tying up the last loose end of the genocide and its aftermath by assisting between 60,000 to 80,000 Rwandans still living in surrounding countries to finally come home (see separate story page 30).

### RWANDA'S FUTURE

At the start of 1994 Rwanda was already one of the world's poorest countries and also one of its most densely populated. During that year, out of a population of some 6.5 million, nearly one half were either murdered or fled the country. Of those who stayed, three-quarters were forced from their homes. Most of the country's basic infrastructure was destroyed. With the possible exception of Somalia, no state was nearer to total meltdown.



UNHCR/B. HEGER/DP/RWA/A-2004

tropical sun, fields are full of crops and villages hum with life. Kigali has undergone a modest building boom, including construction of a sparkling Intercontinental Hotel. Another hostel, the Mille Collines, which became a sanctuary for at least a few enemies of the regime at the height of the slaughter, underwent a facelift and once more the city's elite gather around the swimming pool for cocktails on lazy Sundays.

### A UNHCR ROLE

The U.N. refugee agency played its own modest part in piecing the country back together again. Under the terms of its mandate, the organization had concentrated on helping people fleeing the country in 1994,



UNHCR/B. HEGER/DP/RWA/A-2004

A decade on, though massive problems do remain, the country's efforts to overcome the most dreadful type of violence perpetrated against a perceived ene-

my, that of genocide, have been admirable.

On pain of imprisonment, ethnic incitement has been eradicated from government identity cards, school books, official documents and radio and television broadcasts.

The country has a culture of entrenched obedience and in a recent tour of the country, virtually everyone interviewed repeated the government line that “There is no ethnicity here. We are all Rwandans.” Or, as UNHCR Representative Kalunga Lutato explained, “Whichever way you turn, that is the song that is being sung.”

Sheikh Abdul Karim Harerimana, a Member of Parliament and Chairman of the Joint Commission

### LIFETIME SCARS

Rwanda and its fallout scarred everyone—victims, officials and humanitarian workers—for life.

Alessandro Bolzoni, the UNHCR field officer who was one of the first persons to hear about the presidential air crash which triggered the genocide still feels “guilty, guilty, guilty” for leaving Kigali in Rwanda’s greatest hour of need. “In those early days, we as field workers couldn’t do anything. We followed orders. It was very, very painful.”

U.N. Secretary-General Kofi Annan, in launching an action plan to prevent future genocides said recently, “We must never forget our collective failure to protect at least 800,000 defenseless men, women and

## A DECADE ON, THOUGH MASSIVE PROBLEMS DO REMAIN, RWANDA’S EFFORTS TO OVERCOME THE MOST DREADFUL TYPE OF VIOLENCE, THAT OF GENOCIDE, HAVE BEEN ADMIRABLE.

for the Repatriation, and Reintegration of Rwandan Refugees added a note of caution: “We don’t want to forget the genocide. Once you do that, it can happen again.” And fellow MP Ms. Odette Nyiramirimo added: “Forgiveness is very difficult. The problem is not yet solved. In my deep consciousness, I feel it will not happen again across the breadth of the country. But there are incidents. People are still being killed.”

Sheikh Abdul used a different rough rule of thumb to measure material progress.

“We have been 95 percent successful in repatriating our people,” he said in an interview. “But so far, what we have achieved in reintegration is less than 40 percent.”

Some 200,000 families still need homes, though the numbers have decreased sharply from 500,000 in 1996. There are few hospitals or clinics and many returning children don’t even speak the national language, Kinyarwanda. Because their parents were killed, at least 100,000 children, some not even in their teens, are now ‘head of households’ being responsible for the care and well-being of their even younger brothers and sisters.

Before the events, each family had an average of two hectares of land to farm, but as the population actually increased to more than eight million, that has been halved. More than 90 percent of the population live off the land.

“When people first began to return everyone was willing to share—homes and land,” according to Ms. Nyiramirimo, a former government secretary of state. “Everyone had been a refugee of one sort or another and they understood,” she said. “But that changed and people began to say ‘I won’t share the land I have. Why should I?’”

Sheikh Abdul Karim Harerimana, however, quoted a Rwandan proverb which he said will help the situation: “The skin of a rabbit can accommodate five people.”

children who perished in Rwanda.” But in a separate, earlier interview, asked how the international community would respond in a similar situation, he admitted: “I’m not sure. I’m really not sure. I’m really not sure that it would shape up differently.”

Former U.S. President Bill Clinton admitted in a *mea culpa*: “We did not act quickly enough after the killings began. We should have not allowed the refugee camps to become safe havens for the killers. We did not immediately call these crimes by their rightful name: genocide.”

Remembering the shrouds of Goma containing so many bodies, Filippo Grandi says he has recurrent nightmares: “Every time I see a bundle, I think of those bodies.” Sadako Ogata said simply, “I never felt so much alone as in trying to manage that operation.”

Responding to the criticisms of ineptitude levelled against aid agencies, UNHCR field officer Kilian Kleinschmidt said: “I still do not know what we could have done otherwise, as humanitarians, as human beings.”

Emmanuel Murangira, a Tutsi, lost 50 members of his family, including his wife and five children in one of the 1994 massacres. He was severely wounded in the head and only survived by playing dead beneath piles of other bodies.

Murangira represents both the lingering fears and the tentative hopes for today’s Rwanda.

He remarried after ‘the events’ but when his latest child died earlier this year, killed by his enemies through witchcraft, he said, he decided that enough was enough. He would not foster any more children and put them at risk. “No more,” he said.

But after some hesitancy and despite his own horrific history, Murangira expressed cautious optimism that Rwanda’s shattered society could slowly be patched back together. “Before the genocide we (Tutsis and Hutus) lived together,” he said. And “after the genocide, we live together.” ■



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# Exorcising the Demons

*Cholera, death and murder... and finally a little laughter in this benighted place*

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BY RAY WILKINSON

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**T**HE MASS GRAVE AT THE EDGE of the airfield into which French troops and African Boy Scouts poured untold numbers of bodies is a flourishing banana grove today. But is it purely my imagination or a trick of the light that makes the green leaves here seem greener and the deep red earth redder than anywhere else?

Further along the rutted highway, amidst the splendor of towering volcanoes, tropical rain forests and hide-outs for the world's last strand of majestic gorillas, the memories and the nightmares which all revolve around death, jostle for attention.

The willowy blond Dutch volunteer, Deborah, toiling for days at the world's most thankless job—trying unsuccessfully to bury an increasing mountain of dead bodies of Rwandan refugees. Corpses stacked like cordwood in the blistering heat as a tractor scratches

ineffectually at the unyielding volcanic rock.

Another veteran loads bodies onto a truck. One 'dead body' suddenly rises from the pile of other corpses and tries to sit up. In his weakened state, he loses his balance, falls from the vehicle, cracks his skull and dies. The aid worker laughs uncontrollably before fleeing the scene.

At Kibumba camp, where hundreds of thousands of people perch on the jagged edges of old lava fields, other corpses are sewn into cloth or bamboo shrouds and dumped along the main road. A bus, a gift of the Japanese government, crunches over a pile of them, their bones cracking and spitting like lighted sticks in a camp fire. I will never enjoy that sound again, however innocent.

One man of indeterminate age pushes his bicycle slowly towards me, drops quietly to his knees and dies still clinging upright to the handlebars. In a daze, I move him gently to the side of the road.

**Harsh life in the camps.**



UNHCR/B. HEGGER/DP/RWA/2004

**The latest inhabitants at Mugunga camp, victims of a volcano eruption two years ago. Warnings about the dangers of living there.**

A pretty girl who somehow has retained her youth, she is in fact beautiful among such ugliness, suckles a baby. A mother with wizened breasts asks her to feed her own child. The young woman refuses. She hasn't enough milk for both, she says.

One must escape from this madness every few hours or it will totally overwhelm you. En route back to Goma town, the nerve center of an operation trying to save literally hundreds of thousands of lives, an out-of-control truck plows into a group of aid workers who have stopped at the scene of an accident. Two people at my side are killed.

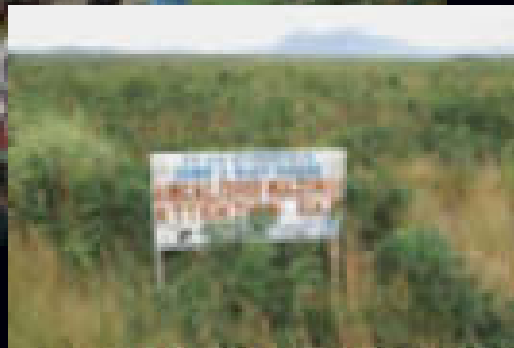
The runaway truck smashes into a nearby field and bodies are hurled from the back of the vehicle. It is another corpse carrier. Only drink will exorcise my demons this night.

Goma is a media circus. Each morning on the terrace of the Hôtel des Grands Lacs, humanitarian spokespeople brief the press. Our numbers increase daily—two, ten, twenty—and we become like fair-ground barkers touting the latest ghoulish sideshow. As briefers take turns, some engage in unscrupulous games of one-upmanship, deliberately raising casualty figures in an attempt to win tomorrow's headlines or interview and the media exposure which translates into dollar donations.

Late in the afternoon television crews set up on a little hillock alongside the main road and as I move from camera to camera, the interviewer often gasps and points behind me: another refugee has just died on the road.

The airport compound is off limits to the refugees, but someone forces a young child through the barbed wire into my arms. Panic. What can I do now? The

mother has disappeared and I am an instant adoptive father. I take the little girl to the nearby French military hospital. A sour faced nurse demands, "What will happen if everyone starts throwing their children over the wire?" "Just this one. Please." The girl is accepted onto the ward. She dies in the night anyway.



UNHCR/B. HEGGER/DP/RWA/2004

## REMORSE AND GUILT

If there is any time or strength left for reflection, it is often one of remorse, guilt and anger.

The camps, after all, are only the fallout of genocide. Some of the people we are feeding are murderers, their

supporters or close family. How can their suffering—and at least 50,000 die from cholera in a matter of weeks—be compared with that of innocent victims still being bludgeoned and macheted to death inside Rwanda?

Defeated soldiers cradle their rifles and machine guns, lolling alongside the road, smirking or glowering at aid workers. Gangs of slickly dressed young men, decked out in dark sunglasses, rolls of cash in hand, guard the entrance to camps, eager to bankroll the continuing carnage. They remind me of nothing less than African replicas of Haiti's infamous Tonton Macoutes. But they are even more bloodthirsty.

There are, however, also innocents in these camps. Surely we can help those and do our duty, while the local government and the international community which is pouring billions of dollars of humanitarian aid into this situation, do theirs.

Shamefully, they refuse to send the only people trained to handle such situations—soldiers—into camps bristling with weapons to sort out the killers from the refugees, while perfectly willing to allow unarmed aid officials to work there. The sorry chapter of global inaction over the Rwandan tragedy continues.

Parts of the media buy into a slick PR campaign hatched in distant capitals which somehow turns logic on its head and manages to blame the humanitarians for the political and military quagmire that the 'suits' and diplomats refuse to tackle. Where are the political leaders when we need them?

Later, even deeper in the heart of the African rain forests journalists like Jane from the BBC and others,

## A MOTHER FORCES A YOUNG CHILD THROUGH THE BARBED WIRE INTO MY ARMS. I TAKE THE LITTLE GIRL TO THE NEARBY FRENCH MILITARY HOSPITAL WHERE A NURSE DEMANDS, “WHAT WILL HAPPEN IF EVERYONE STARTS THROWING THEIR CHILDREN OVER THE WIRE?”

drop their pens and cameras to physically help pull people from the bush and then get out the word that aid officials cannot officially disclose about ongoing massacres. Honor restored.

### RECALLING EVIL

Revisiting the camps a decade later, I find it almost impossible to reconcile yesterday and today. Kibumba is deserted, a flat plain of grass stretching to the foothills of the nearby mountains, the panorama broken only by a few low lying walls which the refugees had built around their hovels of plastic sheeting and twigs.

Did so much evil and death really permeate this place just a few years ago? And whatever happened to the pretty young girl and the baby she was breast-feeding when I last passed this way? Hopefully, they survived, which would help to place the overall tragedy into some kind of graspable human perspective.

At another camp, Mugunga, a link with the past is more evident, but death remains a constant visitor.

It was here that the *génocidaires* made a last stand in 1996, holding hundreds of thousands of refugees captive until advancing Zaire rebels, backed by soldiers of the new Rwandan army, smashed their resistance. The camp broke apart as tidal waves of humanity rolled eastwards back into Rwanda or westerwards deeper into the rain forest. Only refuse and some mounds of dead bodies remained then.

Two years ago Mount Nyiragongo which casts a brooding shadow over Kivu, erupted in its full fury and buried the surrounding area in a molten flow. The authorities decided to move thousands of homeless civilians to the Mugunga site where they have constructed shanty towns of plastic sheeting, sticks, mud brick and breeze block strikingly similar to the earlier refugee cities.

Do Mugunga's latest residents know the history of

this place? Do they remember the people murdered here? They are certainly aware of the bizarre fate of some refugees who took shelter in fissures in the volcanic rock and who were then poisoned by deadly gases seeping under the ground from the nearby Lake Kivu.

Today, signs warn of the dangers of living on the rocks. Flags, yellow, orange and red are hoisted to indicate the status of another possible volcanic eruption.

But there is one unfamiliar noise here. Laughter. More than 300 seven to 12-year-olds are attending



UNHCR/B. HEGGER/DP/ARWA\*2004

school. These kids have virtually nothing and old pens proffered by a visitor become instant precious gifts. As they line up for class, the children begin to sing and the gentle rhythms waft across the former killing fields.

It is only a fleeting moment of hope plucked from a far darker tableau, but the sheer exuberance of the kids provide a wonderful antidote to my overpowering memories of death and destruction. ■

Ray Wilkinson was spokesman for UNHCR in Goma in 1994 and 1996

# IS IT SAFE TO COME HOME YET?

*A decade after Rwanda's genocide, some refugees are only now learning they can go back*

BY KITTY MCKINSEY

**T**HE DATE IS ETCHED FIRMLY ON Antoine Butera's mind: January 4, 2004. That's the day, more than seven years after he fled the ongoing chaos and slaughter of Rwanda's genocide, that news finally filtered through to the 56-year-old woodworker that it was safe to go home and search for his long-lost family.

Butera had spent those intervening years of exile hiding deep in the rain forests of the Congo river basin, eking out a solitary subsistence living as an odd-job laborer, literally cut off from news of any events beyond the nearest village clearing, fearing that the bloodbath at home continued unabated.

A chance broadcast by a United Nations station, Radio Okapi, picked up by a neighbor earlier this year, alerted Butera that things had in fact altered radically in Rwanda.

"It was the first time I heard there was peace," the grey-haired man with a grey-flecked beard explained recently as he waited patiently to board a truck taking him back from his long exile. "I was very happy. I prayed to God to show me a path to go home" to search for a wife and nine children who had remained inside Rwanda when he

left in 1996 and of whom "I don't even know if they are dead or alive."

More than 2.3 million people had fled the tiny landlocked country at the height of the mass slaughter in 1994, and tens of thousands of others followed in the next few years as political and military instability continued. The great majority returned home by the end of 1996, but currently between 60,000-80,000 remain scattered throughout several neighboring states. Most live in established refugee camps or are known to local authorities and are expected to be repatriated by the end of 2005.

## RAIN FOREST SURVIVORS

But perhaps the most poignant histories are those of the "survivors of the rain forests" like Butera who disappeared into the interior of Rwanda's huge neighbor, the Democratic Republic of Congo, and are rarely heard from again unless and until, like some of the Japanese soldiers who staggered out of the Philippine jungles decades after the end of World War II, they suddenly and unexpectedly emerge from the triple-canopy foliage.

Survivors tell similar tales of harrowing escapes into the forest in the 1990s as they fled their towns and villages, a knife-edge existence for many years seemingly lost to the world, and even when news finally reaches them of peace in Rwanda, a reluctance sometimes lasting for years to return to a country where they might be accused of being accomplices to mass murder.

Many of those now repatriating had initially fled to border camps just inside Congo, but then trudged on foot deeper into the Congo basin in 1996, pursued by Rwandan and other military forces intent on taking revenge on the *interahamwe* and their followers. Untold thousands were killed or died of exhaustion and illness in a bloody chase across the waist of Africa.

Some walked for thousands of kilometers and, after months of wanderings, crossed the entire continent east to west and reached the Atlantic Ocean. Most settled in the interior where women gave birth by themselves in the forests and sometimes married local Congolese who could provide them with shelter and protection from rape. Many refugees became small-time laborers for local villagers. Some stayed in the forest, in homemade huts of twigs and leaves, foraging for berries and other fruits. Until word began reaching them that things had changed in Rwanda.

## THE END

To try to bring closure to one of the last remaining threads from one of history's most traumatic and confused humanitarian crises, UNHCR recently launched a so-called mass information campaign to encourage remaining pockets of Rwandans to leave the forests. The U.N. Radio Okapi also beams similar



UNHCR/B. HEGER/DP/RWA/2004



UNHCR/B. HEGGER/DFP/RWA-2004

messages which obviously have influenced some Rwandans like Butera, but is unlikely to persuade an estimated 17,000 and 30,000 hard-core *interahamwe* and their supporters still at large.

The refugee agency established a series of centers on the fringes of the forbidding interior to welcome the several hundred refugees who arrive each week from the forest. They are mainly women and children, most of these youngsters having been born in exile and never even seen 'home.' They are registered, provided basic help and moved along a by now well oiled logistical train to transit centers inside Rwanda and then to their home communes.

Former Rwandan soldiers and *interahamwe* militias are separated out and sent for several weeks to a reeducation camp where they are indoctrinated into the rules of the 'new' Rwanda, with particular emphasis on the fact that separate Tutsi and Hutu ethnicities and mutual animosity are things of the past.

According to Brigitte Bampile, a nurse in the Congolese town of Bukavu who examines returnees, many of the women and children bear the marks of their harsh existence, suffering from malaria, respiratory infections, skin problems, sexually-transmitted disease and AIDS.

And they face other hardships once they get back to their ancestral homeland. Rwanda is the most densely populated state in Africa and one of the world's poorest countries. Ninety percent of the population live off the land, but there is not enough of it for everyone. Tens of thousands of people still need homes. Children born in exile often speak Swahili

rather than the local language, Kinyarwanda.

#### A MINOR MIRACLE

And then there is the shadow of genocide hanging over everyone. "I was told if I came back to Rwanda, I would be put into prison, so I stayed over there," 32-year-old Sebastien Mazimpaka, a Hutu, said before he finally came back to Buremera in southwestern Rwanda, a mixed village of Tutsis and Hutus.

"It's good with the neighbors," according to Lorence Mwitende, a Tutsi neighbor. "But there are other difficulties, just to find something to eat is difficult." She may earn the equivalent of 34-50 U.S. cents a day as a farm laborer, but from that she must feed four children, often with nothing but leaves from a neighbor's manioc plants. Another child died recently because her mother couldn't afford a doctor.

Back at the Rwanda-Congo border, Antoine Butera has just crossed the frontier. In 1994 this ramshackle post and the military bridge across the Ruzizi River was clogged with tens of thousands of frenzied refugees trying to escape the carnage.

In direct contrast on this particular day, the small group of returning refugees is processed in less than one hour with no fuss or delay. An elderly aunt has met the UNHCR convoy with astonishing news. "I've no idea how many convoys she came to meet, but she was there today looking for me," Butera said. "And my whole family is alive and living in Kigali. All nine children and their mother are alive—10 people total!"

In the horror that was Rwanda, that an entire family survived could surely be considered a modest miracle. ■

**After years in exile, heading home earlier this year, above, from the Congo and, left, from Uganda.**