

International Refugee Rights Initiative



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SPOLIGHT

Kenya, Uganda Act Tough on Refugees

Refugees are facing new difficulties in East Africa, as two unrelated but similar incidents which recently took place in Kenya and Uganda show.

Kenya is host to about 270,000 refugees. Refugees fleeing from the turbulent conflicts in Somalia, Ethiopia, Uganda and Sudan have lived in Kenya for decades. Unfortunately, the sense of generosity which allowed those refugees to be welcomed suffered a setback when Immigration minister Linah Kilimo issued an ultimatum for all asylum seekers in the country to either register or risk being deported.

The offices of the United Nations High Commissioner for Refugees in Nairobi were overwhelmed by thousands of asylum seekers attempting to beat a June 30 deadline set by the minister in April. The International Refugee Rights Initiative (IRRI) and the [Refugee Consortium of Kenya](#) protested the deadline, which many of the refugees could not meet for a variety of reasons.

Refugees and asylum seekers were forced to travel long distances in situations of great vulnerability, at a time when arrests and harassment of undocumented persons by the police was increasingly being reported.

Staff of IRRI were in Nairobi and heard first hand accounts about the situation of the refugees.

Refugees and asylum seekers did not appear to have been provided with a reasonable opportunity to comply with the registration order. Even UNHCR was not informed about the registration requirement prior to the government's announcement and was therefore not in a position to prepare appropriate support mechanisms.

Some of those refugees most adversely affected by the April Order were those whose specific country situation was originally recognized by Kenya as not requiring individualized examination of applications—under the group inclusion process. Many of these refugees have been residing in Kenya peacefully for many years.

Of the more than a quarter million refugees in Kenya, only 24,000 had registered on the eve of the deadline. At the last moment, however, the Kenyan government extended the deadline by six weeks. This extension gave less time than the Refugee Consortium of Kenya and IRRI had requested, with both organizations advocating that the deadline be extended to December 31. It is expected, however, that the August 15 deadline will give UNHCR ample time to complete the registration and accord asylum to those who are in genuine need of protection.

Meanwhile Uganda, Kenya's eastern neighbor, rejected the applications for asylum of over 1,100 Rwandans and has given them up to 90 days to file an appeal or face deportation.

David Kazungu, Uganda's assistant commissioner for refugees says that the Uganda government was not persuaded by the reasons offered by the asylum seekers during a recent verification process.

"We were not convinced by the reasons they are giving for coming to Uganda. They are only interested in land," he told IRRI.

During the interviews, Uganda's Refugee Eligibility Committee found that only 80 of the asylum seekers had "well-founded fears of persecution." The process was assessed by UNHCR to be transparent and in line with international standards. IRRI, however, is continuing to monitor the situation of the asylum seekers.

Uganda hosts an estimated 14,000 Rwandan refugees, living mainly in settlements in the southwestern part of the country.

For more information, see:

Refugee Consortium of Kenya, "[Press Release—Refugee Registration Deadline](#)," June 28, 2005.

UPDATE

Slow Progress on Darfur Crisis

In May, *Refugee Rights News* reflected on some of the measures for which IRRI, in cooperation with the [Darfur Consortium](#), has been advocating. The Consortium has campaigned for immediate action to protect civilians, a comprehensive peace agreement, and accountability for the crimes committed in the region. Over the past two months, some progress has been made towards these goals—but unfortunately these actions offer mere drops of hope to the ocean of needs of the Darfurian people.

Protecting civilians

While the protection of civilians is the primary responsibility of the Sudanese government, it is clear that effective protection for civilians will not be achieved unless a credible international force is present. Right now, the African Union mission (AMIS) is the only such international presence on the ground.

AMIS, however, is severely limited by insufficient troop capacity and the lack of a robust mandate focused on the protection of civilians. On April 28, 2005 the Peace and Security Council of the African Union decided to expand the mission's troop capacity to more than 7,000. While this agreement to commit additional troops is admirable, the African Union will face considerable challenges in deploying these troops. Some progress has been made on this front. NATO has begun to provide some logistical support, including providing transport, for the deployment of additional AU mission personnel over the next three months.

But still more needs to be done. The International Crisis Group, for example, has argued in its briefing paper on Darfur, "[The AU's Mission in Darfur: Bridging the Gaps](#)," that a minimum of 10-12,000 troops are needed immediately. The group has argued that if the African Union cannot meet this goal now, its mission should be supplemented by other international forces until they are able to sustain the needed troop requirement alone.

Further, the briefing paper argues that the mandate of the African Union needs to be expanded in order to include a strong mandate for the protection of civilians in Darfur. The African Union needs to refocus its efforts and deliver on its promises not only to the people of Darfur, but also to the cause of peace in Africa. And NGOs must keep up the pressure on the international community to provide the necessary assistance to make these efforts effective.

Pursuing accountability

Over the past months, progress has also been made in pursuing accountability for serious crimes committed in Darfur. After receiving the referral of the Darfur situation from the UN Security Council and the evidence gathered by the International Commission of

Inquiry from the UN Secretary-General, the Prosecutor of the International Criminal Court conducted his own evaluation of the admissibility of the case.

On June 6, 2005 the Prosecutor announced that he had decided to initiate an investigation into the situation in Darfur, paving the way for a full investigation and eventual indictments.

Immediately following this announcement, the Government of Sudan announced that it would be pursuing its own prosecutions. On June 7, 2005, Decision No. 702 established the parameters of a new Special Criminal Court on the events in Darfur. An initial analysis of the new order by legal experts working with the Darfur Consortium suggests that the Order does not address the flaws in the Sudanese legal system that have prevented effective prosecutions to date.

Later in the month, the Prosecutor of the ICC made a historic first presentation to the UN Security Council. The Prosecutor detailed the progress of his consideration of the Darfur case. He stressed the fact that the investigation was proceeding cautiously, and that any form of justice would require a secure environment. The Darfur Consortium called on all states to promote a secure environment in which the investigations and prosecutions could proceed. It also called on all states to support the investigation.

The Darfur Consortium welcomed indications made on the same day by a representative of the Sudanese government that team from the Court would be allowed access to Sudan. This small blessing does not obscure, however, the practical difficulties which will be encountered by the prosecution.

In the environment of insecurity and suspicion which has pervaded Darfur since the crisis began, any collection of evidence will be difficult. Investigators working for the Prosecutor, however, will face particular challenges because the ICC's jurisdiction has been so vehemently challenged by the government of Sudan. The Prosecutor will need to tread with care.

International support will be needed to ensure that Sudan cooperates with the investigation. And this support will be even more vital if suspects are to be sent to the Court for trial.

Peace process

The fifth round of peace talks recently concluded in Abuja, Nigeria, where they had been taking place under the auspices of the African Union. The sessions produced a "Declaration of Principles for the Resolution of the Sudanese Conflict in Darfur." Although the signing of the Principles and the continuing of negotiations represent are encouraging, they are not the decisive steps needed to end the crisis.

In addition, the Principles are lacking many of those elements that might have made the most difference to Darfurians. For example, no reference was made to making existing

ceasefire arrangements effective. With regard to the protection of civilians, the only reference made is a vaguely worded statement that, “[b]road security arrangements to consolidate the restoration of the people of Darfur shall be addressed in the context of a Comprehensive Agreement.” In addition, no mention is made of the need for accountability or the ICC investigations. Thus the two concerns most commonly cited by Darfurians themselves—peace and justice—are left unaddressed.

In more positive terms, the Principles do underscore some important principles. For instance, the first operative paragraph notes that “[r]espect for the diversity of the people of Sudan is of paramount importance.” In addition, reference is made to the need for democracy, political pluralism and a vibrant civil society, as well as the need for equitable sharing of wealth and resources.

Even these positive inclusions, however, mean little in the absence of the political will to enforce them and to reach a comprehensive agreement. And the parties are clearly still far from that goal.

Overall, the developments over the last two months underscore that while some progress is being made, far more engagement will be needed to make a real difference.

ACTION AND ADVOCACY

World Refugee Survey Country Grades: A new tool for refugee advocates

On June 16, 2005 the International Refugee Rights Initiative joined with the International Rescue Committee to host a briefing launching the US Committee for Refugees and Immigrants’ (USCRI) annual *World Refugee Survey*.

The *Survey* has traditionally been a tremendous resource for refugee advocates, providing accurate estimates of the number of refugees in each country, as well as short descriptions of the conditions refugees face in most refugee-hosting countries.

Last year, USCRI made headlines by expanding their focus and launching a comprehensive campaign against “warehousing,” in conjunction with the launch of the *Survey*. The campaign aims to ensure that refugees are granted the rights guaranteed them in the 1951 UN Refugee Convention, especially those rights that make it possible for them to re-establish their lives in exile.

The *World Refugee Survey 2005—Warehousing, Inventory of Refugee Rights* takes up these issues once again. It also introduces a novel new mechanism of monitoring compliance with international law relating to refugees—a grading system. Each country was not given an overall grade, but was instead judged on its compliance with refugee rights in four major areas: asylum and refoulement, detention, freedom of movement and the right to earn a livelihood.

Some African countries scored badly under this system. For example, Zambia was granted D's in all four categories. The *Survey* explained that Zambia had deported over 130 foreigners without affording them the opportunity to seek asylum and had detained several hundred refugees and asylum seekers. In regard to the right to earn a livelihood, the *Survey* cited onerous regulations making it difficult for refugees to receive work permits in Zambia. The law required refugees to first secure a job offer and then pay about \$400 for the permit. With regard to freedom of movement, the *Survey* noted that Zambian law prohibited the movement of refugees outside of designated camps.

Kenya got an F in the freedom of movement category, with the *Survey* noting that despite the lack of a legal basis for confinement in camps, the movements of refugees were restricted in practice. Refugees faced prosecution if found outside camps without proper documentation.

The *Survey* was not only hard on African countries. The United States was granted an F and was singled out as one of the world's worst offenders in the category of asylum and refoulement. This criticism was primarily due to its policy of returning Haitian asylum seekers interdicted at sea. The US also received a poor mark (D) in the detention category. The US holds asylum seekers who arrive without proper documentation in immigration detention centers for extended periods of time, an average of ten months in one area. The European Union also fared poorly, although surprisingly, the entire EU received only one assessment. Negative assessments of policies related to detention and refoulement focused on key offenders and did not include detailed descriptions on a country by country basis.

Amid all this criticism, some countries were singled out for praise. One African country rated highly by the *Survey* was Liberia, which received an A in the asylum category. It was noted that Liberia's legislation provided for the right of non-refoulement and that group recognition had been extended to 13,000 Ivorians. Liberia also received an A in the area of detention, as there were no reported incidents in which asylum seekers were detained. Both Congo-Kinshasa and Congo-Brazzaville received A's in the right to earn a livelihood category, with both countries affording refugees the same right to work as nationals. Sierra Leone received an A in the freedom of movement category, reportedly not restricting refugees' movements in any way.

In addition to making these assessments, the *Survey* explored some issues in greater depth in a series of introductory articles. Tanzania, which received a poor assessment (two D's and two F's), was the subject of one article. Tanzania has argued that it has suffered an unfair burden due to the presence of refugees. According to the government, refugees have increased insecurity and hindered economic development.

USCRI, however, argues that the government's "warehousing" policy has only exacerbated these effects. For example, refugees have already brought some economic benefit to western Tanzania, as humanitarian organizations have improved roads and facilities. The positive impact has been limited, however, by restrictions on the ability of refugees to trade. Where roads could have created a starting point for more robust trade,

the refusal to allow the refugee population to move has hindered the ability of the western region to capitalize on these assets. In addition, it was argued that denying refugees access to livelihoods has increased poverty, which has caused a corresponding rise in insecurity as refugees and locals become more desperate and more likely to turn to crime.

It is hoped that this type of analysis will bolster the campaign that USCRI has already initiated. USRCI is looking to collaborate with other NGOs to ensure that real change occurs. One of the next steps is a planned North-South Civil Society Conference on Refugee Warehousing, scheduled for September 25-26, 2005 in Geneva, just prior to UNHCR's annual Executive Committee meeting. NGOs focusing on refugee issues around the world are invited to participate. This conference will offer an opportunity to both offer commentary on the *World Refugee Survey* and forge partnerships with other organizations seeking to promote refugee rights.

If you would like to read the World Refugee Survey 2005 online, order a copy, or find out more about the North-South Civil Society Dialogue on Refugee Warehousing, you can visit the USCRI website, www.refugees.org.

Is Charles Taylor's Time Up?

It has been more than two years since the Special Court for Sierra Leone indicted former Liberian President Charles Taylor for war crimes and crimes against humanity. Since then, Taylor has managed to evade justice, sliding from Liberia as rebels closed on the capital to comfortable exile in Nigeria. His days of safety and security, however, may be at an end if African and international NGOs have their way.

On June 30, a coalition of African and international NGOs, including Human Rights Watch, Amnesty International and the Open Society Justice Initiative launched a campaign to see Taylor handed over. In their statement, the civil society coalition said that Nigeria's refusal to deliver Taylor to justice "flout[ed] international law and [was] an affront to Taylor's innumerable victims." They called on the African Union to work with the Nigerian government to see that Taylor was handed over to the Special Court.

This campaign marks one of the most concerted efforts to push for Taylor's prosecution to date, but it is merely the latest battle in an ongoing war. Even before Charles Taylor made his way to Nigeria, human rights organizations were emphasizing the need to hand him over. In fact, many organizations have worked on this issue over the last two years.

In August 2003, as Taylor was making his move to Nigeria, Human Rights First (HRF) argued that Taylor should be handed over to the Special Court. According to HRF, international law created an obligation for states to see those responsible for the most serious international crimes brought to trial. Not only was this important for the purposes of advancing international justice, the organization argued, it was important for the purposes of upholding the sanctity of the international refugee regime.

By offering “asylum” to Taylor, Nigeria muddied already dangerous waters. Protecting an indicted criminal, Human Rights First argued, undermined the already fragile protection extended to refugees in the region—refugees who are already increasingly being viewed as threats to security.

These arguments were taken forward by the International Refugee Rights Initiative (IRRI) and the Open Society Justice Initiative in a legal brief submitted to a Nigerian court which was considering revoking Taylor’s status. The legal action was initiated by a group of Nigerian victims of the atrocities in Sierra Leone to challenge the grant of asylum to Taylor and request that he be rendered to the Special Court to face justice. The brief argued that the grant of asylum to Taylor was improper, based both on defects in the procedure and on the legal requirements for refugee status under international law. In particular the exclusion clauses state that those suspected of serious international crimes should not be allowed to benefit from the protections intended for their victims. The brief was presented to the court in November 2004. The case was argued over a period of several months and is now awaiting a decision, which was deferred until after the court’s current recess and is expected in September 2005.

Meanwhile, other groups have taken up the fight. In Liberia, the Foundation for International Dignity (FIND) has called for Taylor’s trial. In May 2005, supported by other organizations such as the *Rencontre Africaine pour la Defense des Droits de l’Homme* (RADDHO) and the Open Society Justice Initiative, it took the fight to New York, arguing for strong action by the UN Security Council.

Building on evidence gathered by the Prosecutor of the Sierra Leone Special Court and the Coalition for International Justice, they made the argument that even if the initial grant of asylum to Taylor was an appropriate step in the interests of peace, his actions while in exile in Calabar, Nigeria, have made his continued shelter in Nigeria untenable. The Sierra Leone Special Court has accused Taylor of continuing to foment instability in the region. Specifically, the Prosecutor claims to have evidence that Taylor is supporting at least nine of the eighteen parties contending in Liberia’s elections, scheduled for October 2005. In addition, there is evidence of Taylor’s involvement in a January 2005 assassination attempt on Guinean President Lansana Conte.

The Coalition for International Justice published a report, “*Following Taylor’s Money: A Path of War and Destruction*,” which bolsters claims that Taylor is undermining security in the region. In particular, the report notes that Taylor is continuing to pass hundreds of thousands of dollars to long-standing military supporters to train, equip and maintain a military force which continues to threaten the fragile peace in Liberia and the region as a whole. Speaking at a conference organized to launch the Coalition for International Justice’s report, FIND’s Regional Representative, Samuel Kofi Woods, said that the defeat of international justice would only “perpetuate a vicious cycle of impunity and bruise the faith of ordinary people.”

A few weeks later these findings were bolstered by a report issued by the NGO Global Witness, “*Timber, Taylor, Soldier, Spy*,” on June 15. Global Witness said that the

continued failure to exert control over Liberia's diamond and timber industries, along with Taylor's continuing meddling, threatened to derail Liberia's peace process. Natalie Ashworth, speaking on behalf of Global Witness, said that it was "time for the international community to stop risking the lives of West Africa's war-weary citizens for political expediency: keep the sanctions in place, take the tough action necessary to help Liberia move forward, and bring an end to Taylor's ability to undermine regional security." A Liberian organization, Liberia United for Transparent Elections, has made similar accusations.

The efforts of these NGOs evidently had an impact. On June 21, 2005, the Security Council adopted Resolution 1607, singling out Taylor. The Resolution expressed "deep concern at information that former President Charles Taylor and others still closely associated with him continue to engage in activities that undermine peace and stability in Liberia and the region." The Resolution also specifically noted that sanctions on Taylor and his immediate family, intended to prevent his further meddling in Liberian affairs, would remain in place and called on the UN Mission in Liberia (UNMIL) to work with the Economic Community of West African States (ECOWAS) and the transitional government in Liberia to more effectively implement these provisions.

While the Security Council's action constitutes a positive step, it has not induced the Nigerian government to change its policy. On July 4, Nigerian President Olusegun Obasanjo, speaking at the AU Summit in Sirte, Libya, complained that Nigeria was being harassed for a decision it had taken in consultation with the international community and to end bloodshed in Liberia. If the "harassment" did not end, he warned, he would bring the matter back to the AU, but Nigeria could not hand Taylor over. As recently as July 21, Nigeria's foreign minister, Oluyemi Adenji, reiterated that Nigeria had no intention of handing Charles Taylor to the Special Court.

Much more remains to be done. In particular, there is a need to show African civil society support for handing over Taylor to the Special Court. It is hoped that other civil society voices in Africa will lend their voices to those who have already spoken out.

Read more:

Coalition for International Justice, "[Following Taylor's Money: A Path of War and Destruction](#)," May 2005.

Global Witness, "[Timber, Taylor, Soldier, Spy](#)," June 2005.

Human Rights First, "[The World's Most Wanted Refugee](#)," August 2003.

Open Society Justice Initiative, "[Amicus Curiae Brief in the Matter of David Anayaele and Emmanuel Egbuna v. Charles Ghankay Taylor and Others](#)," November 2004.

NEWS AND ANALYSIS

Rwanda, Burundi Refugee Deportation Causes Uproar

When the meeting between Burundian and Rwandan government officials on Saturday June 11 ended, a decision had been reached. The two sides had decided to re-name asylum seekers from both countries as “illegal immigrants” and treat them accordingly. What followed was a quick operation to deport thousands of Rwandan asylum seekers from Burundi.

About 5,000 asylum seekers were returned to Rwanda from the Songore transit camp in Burundi’s northern Ngozi Province in a period of two days. The return was overseen by Burundi’s minister of the interior, Jean Marie Ngendahayo, and Rwanda’s minister of local administration, Protais Musoni.

The UNHCR and local refugee organizations were denied access to refugee camps and were only able to monitor repatriation process from afar. Despite the lack of organized monitoring, eyewitnesses reported seeing Rwandan asylum seekers jumping out of the trucks bringing them back to their country.

The return of the asylum seekers, as well as lingering questions about the agreement and its future implementation, has left the UNHCR and others in the international community uneasy. The return operation certainly did not meet international standards requiring that refugee returns be voluntary.

The international refugee rights regime requires that everyone seeking asylum have the opportunity to have his or her claim assessed before being returned. The UNHCR has lamented that no individual investigations were taken into asylum seekers’ claims and that it was denied permission to monitor the repatriation operation. Under these circumstances, UNHCR announced that it could not consider the repatriation voluntary and that, therefore, it “constitutes a violation of the principle of non-refoulement.”

International humanitarian organizations called for increased monitoring of the situation in Rwanda in the aftermath of the repatriation. In a letter to US Secretary of State, Condoleezza Rice, the NGOs urged the US government to push the Rwanda government for assurances that of the safety and dignity of the returnees.

The asylum seekers who were repatriated from Songore were, according to the United Nations, among over 8,000 Hutu Rwandans who have sought asylum in Burundi since March of this year. One of the most frequent concerns cited by the asylum seekers was the threat of unfair prosecutions at the hands of the *gacaca* tribunals, traditional communal courts that have been set up to try extremist Hutus linked to the 1994 genocide. The Rwandan government claims that the asylum seekers are merely trying to evade justice, but those who have fled say that the courts are being used manipulated against them.

The *gacaca* court system was officially launched in March of this year (after a nearly three-year pilot phase which touched only 10 % of the country). *Gacaca* is based upon a traditional form of communal public hearings used to resolve conflicts. The aim of the *gacaca* is both to condemn those involved in the 1994 genocide, and to begin to pave the way to reconciliation. It also represents perhaps the only realistic chance for many suspects to receive a timely trial.

Many human rights organizations, however, have concerns about the process. In a December 2002 report, Amnesty International warned that the success of the *gacaca* tribunals and the entire national reconciliation process at large depended on the government's capacity to implement adequate international human rights standards in the *gacaca* process. On the contrary, Amnesty found that arbitrary arrests, unlawful detentions and false allegations have been characteristic of Rwanda's post-genocide justice system.

Attendance at the *gacaca* tribunals is reportedly low and many people are reluctant to testify. In fact, some of this fear is well founded as there have been several high profile killings of witnesses. Some claim that the Rwandan government has done a poor job in explaining the objectives and workings of the *gacaca* to the population—and this may account in part for its unsuccessful implementation. However, many Rwandans assert that the *gacaca* trials are often unfair and corrupt.

Instead of promoting national reconciliation, experts now fear that *gacaca* may have the opposite effect, increasing fear, suspicion and distrust within communities and exacerbating the divide between Tutsis and Hutus.

The Rwandan government has dismissed these concerns, saying that unsubstantiated rumors and the desire to evade justice are the root causes of the flight of Rwandan Hutus. If those who had fled Rwanda are, in fact, merely trying to avoid legitimate prosecutions for their actions, they would not be eligible for refugee status. Moreover, international law specifically prohibits the grant of refugee status where there are "serious reasons to consider" that the individual may have been involved in serious international crimes.

In the context of the serious concerns raised about *gacaca*, as well as documented breaches of human rights, it is probable that at least some of those who fled had experienced genuine threats to their security. Neighboring countries must balance their obligations both to ensure justice for the genocide and to protect the rights of genuine refugees by examining each case individually. The process should be designed to adequately assess whether certain asylum seekers should be excluded for refugee status because there is reason to believe that they participate in carrying out the genocide.

It is unclear whether the agreement between the Rwandan and Burundian governments will mark the beginning of a new refugee policy between the two countries, or if it is simply a reaction to this specific influx. Rwanda hosts 6,623 Burundian refugees. According to the agreement between the two countries, they too have been labeled "illegal immigrants." In addition, it is unclear what will happen to an estimated 2,000

Rwandans who are reportedly still in Burundi, either having evaded the repatriation or entered the country more recently.

High Hopes for New High Commissioner for Refugees

On May 26, 2005, Former Prime Minister of Portugal Antonio Manuel de Oliveira Guterres was elected as the 10th United Nations High Commissioner for Refugees. Mr. Guterres, who replaces Mr. Ruud Lubbers, assumed his duties on June 15, 2005 with a five-year mandate.

Mr. Guterres comes to the position with extensive international experience. He served as Portuguese Prime Minister from 1996 to 2002. During his extensive political career, he served as President of the European Council in 2000, as a member of the Portuguese Parliament and of the Parliamentary Assembly of the Council of Europe. Since 1999, Mr. Guterres has been President of the Socialist International, a worldwide coalition of socialist, social democratic and labor parties.

Prior to taking up his post as UN refugee chief, Guterres' experience with refugee issues included teaching mathematics to refugees in evening classes and helping to establish the Portuguese Refugee Council in 1991.

Guterres has also had experience in pushing for international intervention in crisis areas. Working with world community to provide necessary international intervention during East Timor's fight for independence from Indonesia, was, according to Guterres, the finest hour of his time as Portuguese Prime Minister.

Guterres seems also to have embraced the importance of seeing first hand the situation of those on behalf of who he advocates, traveling to refugee camps in Uganda just days after assuming his post.

However, despite his extensive political experience, Mr. Guterres does not face an easy task. He will need to guide UNHCR through some very difficult times. The attitudes of many states towards refugees have changed over the past few years, particularly in the wake of the events of September 11, 2001. Despite decreasing numbers of refugee and asylum seekers, many states, especially in the West, have passed restrictive laws and measures which make it harder for refugees to reach their borders.

While fighting to preserve space for asylum in these increasingly hostile environments, the UNHCR needs also to pay more attention on the increasingly prominent issue of internal displacement. Internally Displaced Persons (IDPs) now outnumber refugees, and their situation is made all the more desperate because they are not afforded the protection of an international convention such as the 1951 Convention. A UNHCR evaluation found that the organization was inconsistent in its engagement with crises of internal displacement and that there was a clear need to clarify its role in this area. The new High Commissioner will be challenged to adopt a clear policy on this issue without overstressing the resources of an already constrained organization.

Although he has been at his post for less than two months Mr. Guterres has already had several opportunities to speak out about his ideas on the key priorities for the organization and the qualities he feels that he could bring to the organization. During the selection process of the High Commissioner, the International Council for Voluntary Agencies (ICVA), a Geneva-based NGO focused on humanitarian policy, gave all the candidates an opportunity to express their views in the organization's newsletter, *Talk Back*. Mr. Guterres' answers provide an indication of his views and qualifications. In addition, Guterres has already had the opportunity to address his staff and make his first field visit. While it is too early to gauge his leadership, these opinions may provide a glimpse of the direction UNHCR will take under his leadership.

An important role for the new Commissioner will be to guide the UNHCR towards new roles in the 21st century. Guterres has already noted the need to uphold the mandate of UNHCR to protect refugees even as political climates change. He has argued that only effective protection can help curb new negative attitudes from both governments and ordinary citizens in host countries. UNHCR can achieve effective protection by remaining neutral, keeping its mandate precise, building positive partnerships with states and expanding cooperation with NGOs. Guterres noted that collaboration with NGOs is essential, not only in field operations assisting refugees and distributing aid, but also in advocating for the protection of refugee rights.

NGOs and other observers will probably not expect any major rifts in UNHCR's policies with Guterres at the helm. In his first address to UNHCR's staff, Guterres assured them that he was "not going to shoot in all directions or to launch any cocktail bomb of new projects," but would focus instead on "consolidating and improving what has also been developed." He has also described himself as a "reform minded man," noting that he would not "make any revolution, but ... accelerate the implementation of what is being done."

Read more:

ICVA, [Talk Back](#), Volume 7-2a, April 14, 2005.

Publications

The following is a selection of recent publications relating to refugee issues in Africa. Please contact Olivia Bueno (olivia.bueno@refugee-rights.org) at the International Refugee Rights Initiative if you know of any publications which may be of interest to our readers.

<p>Amnesty International, "Refugee Rights at Risk: Human Rights Abuses in and Returns to and from Burundi," June 2005.</p> <p>Baruti Amisi and Richard Ballard, "In the Absence of Citizenship: Congolese Refugee Struggle and Organization in South Africa," April 2005.</p> <p>Micah Bond Rankin, "Extending the limits or narrowing the scope? Deconstructing the OAU refugee definition 30 years on," April 2005.</p> <p>Roberta Cohen, "The international response to Darfur," <i>Forced Migration Review</i>, May 2005.</p> <p>Heaven Crawley, "Europe Looks to Africa to Solve 'Asylum Problem,'" <i>Forced Migration Review</i>, May 2005.</p> <p>International Crisis Group, "The AU's Mission in Darfur: Bridging the Gaps," July 6, 2005.</p> <p>Miriam Bibi Jooma, "We Can't Eat the Constitution: Transformation and the socio-economic reconstruction of Burundi," Institute for Security Studies, May 2005.</p> <p>Loren Landau, "Transplants and Transients: Nativism, nationalism and migration in inner-city Johannesburg," Forced Migration Working Paper Series #19, July 2005.</p>	<p>J.P. Misago, "Responses to Displacement in Africa: The Irrelevance of Best Practice," Forced Migration Working Paper Series #18, June 2005.</p> <p>Claudia McGoldrick, "Internal Displacement in Nigeria: an urgent challenge," <i>Forced Migration Review</i>, May 2005.</p> <p>T. Polzer, "Adapting to Changing Legal Framework: Mozambican Refugees in South Africa," Forced Migration Working Paper Series # 17, May 2005.</p> <p>David Stone, "Enhancing Livelihood Security among Mauritanian Refugees—Northern Senegal: a case study," Evaluation and Policy Analysis Unit, June 2005.</p> <p>Refugee Law Project, "Peace First. Justice Later: Traditional Justice in Northern Uganda," Working Paper No. 17, July 2005.</p> <p>UNHCR's Evaluation and Policy Analysis Unit, "How to Manage Evaluations: Seven steps," May 2005.</p> <p>Joris van Wijk, "Dutch 'Safe Zone' in Angola," <i>Forced Migration Review</i>, May 2005.</p> <p>Women's Commission for Refugee Women and Children, "Don't Forget Us': The Education and Gender-Based Violence Protection Needs of Adolescent Girls from Darfur in Chad," July 2005.</p>
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