

Europe and the rebuilding of Somalia

As Somalia stumbles towards peace, should Europe assist in refugee repatriation and reconstruction?

by Kithure Kindiki

A million Somalis are thought to have fled their country as a result of fighting and the collapse of the Somali state following the overthrow of Mohamed Siad Barre in 1991. At the end of 2003 nearly 280,000 officially registered Somali refugees and asylum seekers lived in some two dozen countries, half of them in Kenya and a fifth in Yemen. An estimated 350,000 Somalis remain internally displaced.¹

Somalia's transitional federal parliament – based in the Kenyan capital, Nairobi – elected Colonel Abdullahi Yusuf Ahmed as president in October 2004. This marked a successful outcome to a two-year reconciliation process sponsored by the Intergovernmental Authority on Development. There are cautious expectations for durable peace but major obstacles remain. President Yusuf has a warlord background, his ties to Ethiopia are controversial and there are reported splits within his cabinet. Plans by the African Union to deploy peacekeepers from Kenya, Djibouti and Ethiopia have sparked an angry reaction from many Somalis, including warlords and militant Islamists. There have been only limited donor pledges of support for the peace process. Somaliland, the self-proclaimed independent state in northern Somalia, which has been the destination of most returning refugees, is barred from receiving bilateral aid as it is an unrecognised nation.

However, this fourteenth attempt to end conflict in Somalia has brought together its four major clans and most of its warlords. Significant numbers of refugees have returned as UNHCR has implemented major repatriation programmes from Ethiopia and Djibouti. UNHCR is preparing to close all but one of the refugee camps it has operated in eastern Ethiopia since 1990 which at the height of displacement were home to 628,000 refugees. It is estimated that 700,000 refugees have now returned to poverty-stricken Somaliland.

However, substantial and sustainable repatriation cannot be feasible without a major post-conflict reconstruction programme. After more than a decade of war and anarchy and years of drought, Somalia is one of the poorest countries in the world. There are hardly any trained health workers, minimal access to potable water and the infrastructure is in chaos. It has one of the world's highest rates of illiteracy. Refugees cannot be expected to return to live in dignity and peace without substantial international assistance.

The Somali refugee question has over the years been trapped in the general migration debate in countries of the North. It is widely believed that Somali nationals who may not necessarily be refugees use Kenya and other neighbouring countries as transit points to Europe. Somali refugees in camps in Kenya and Yemen uniformly aspire to resettlement in the West.

Somali refugees and Europe

Estimating the number of Somalis living in Europe is fraught with difficulty due to the large number who live clandestinely. Somalis have been among the top ten countries of origin for asylum applications to the EU for 15 years. It is therefore clearly in the interest of European countries to support or even initiate post-conflict reconstruction efforts. Attention should be given not only to the repatriation of Somalis from Europe but also to their return from Kenya and other major centres of onward movement to Europe.

Europe's commitment to refugee protection has been the subject of heated debate in local and international politics as well as in academic writing. While I do not support a number of policies adopted by European states on asylum, it is my argument that often the very useful role that European states play in providing resettlement for refugees and in

giving financial or logistical support to the refugee protection system has been lost in this debate.

Perhaps criticism of Europe's role in refugee protection stems from a rigid interpretation of existing international refugee law, which rigidly defines state responsibilities for refugees. Beyond a common duty to provide first asylum, there is no reason to expect every state to play an identical refugee protection role. Burden sharing for refugees should be seen within the framework of 'common but differentiated responsibilities', the principle of equity in international law endorsed by the World Summit on Sustainable Development in 2002.² This concept indicates that the responsibilities shouldered by states need not be identical and could usefully be widened to asylum issues

On the basis of 'common but differentiated responsibilities' some states will be willing to provide temporary protection but not be disposed to the permanent integration of refugees. Traditional immigration countries such as the states of the EU provide sites for permanent resettlement for those refugees who cannot get protection in the country of first asylum yet their countries of origin cannot guarantee safe return. Yet other states may assume a mix of these roles.

Repatriation of refugees and national reconstruction of Somalia will require huge financial, logistical and human resources not available to the states hosting refugees. Europe should be involved in post-conflict reconstruction in Somalia and in refugee repatriation efforts, not on the basis of the more informal processes of discretionary charity or voluntarism but as an avenue for European states to make a valued contribution to the international refugee protection system.

Repatriation and reconstruction requirements

The international community, and particularly the EU, should seize the

opportunity offered by this window of peace to:

- assist the transitional government to relocate from Nairobi to Mogadishu as soon as possible
- invest significantly in peace and reconstruction
- send peacekeepers to disarm militia and deny warlords opportunities to regroup and disrupt peace
- ensure that international support is coordinated with Somalia's government and promotes national ownership of the peace process
- work closely with governments of states hosting Somali refugees and asylum seekers
- channel assistance through clan elders approved by the leaders of the dominant movements in the respective areas: this could restore order and enable future district and local authorities to acquire legitimacy.

Rushed repatriation would be disastrous. Immediate large-scale return of refugees from Kenya could trigger new conflicts over access to already limited natural resources in southern Somalia. Host countries should be financially supported to implement five-year repatriation programmes. Plans should be made for phased hand-over of refugee camps and other infrastructure from the UN and NGOs to host government. Returnees should be given substantial inducements, perhaps in the form of generous start-up or equipment grants. They should not be pressured to return prematurely by any reduction in food rations or water supplies to refugee camps.

There is a need to facilitate fact-finding delegations from each host country, comprising refugee representatives of the major clans (including women) to visit potential areas of return as soon as the new government establishes a base in Somalia. They could assess the situation on the ground and discuss with their communities the modalities of return.

Alongside support for repatriation, European and other Northern countries should continue to

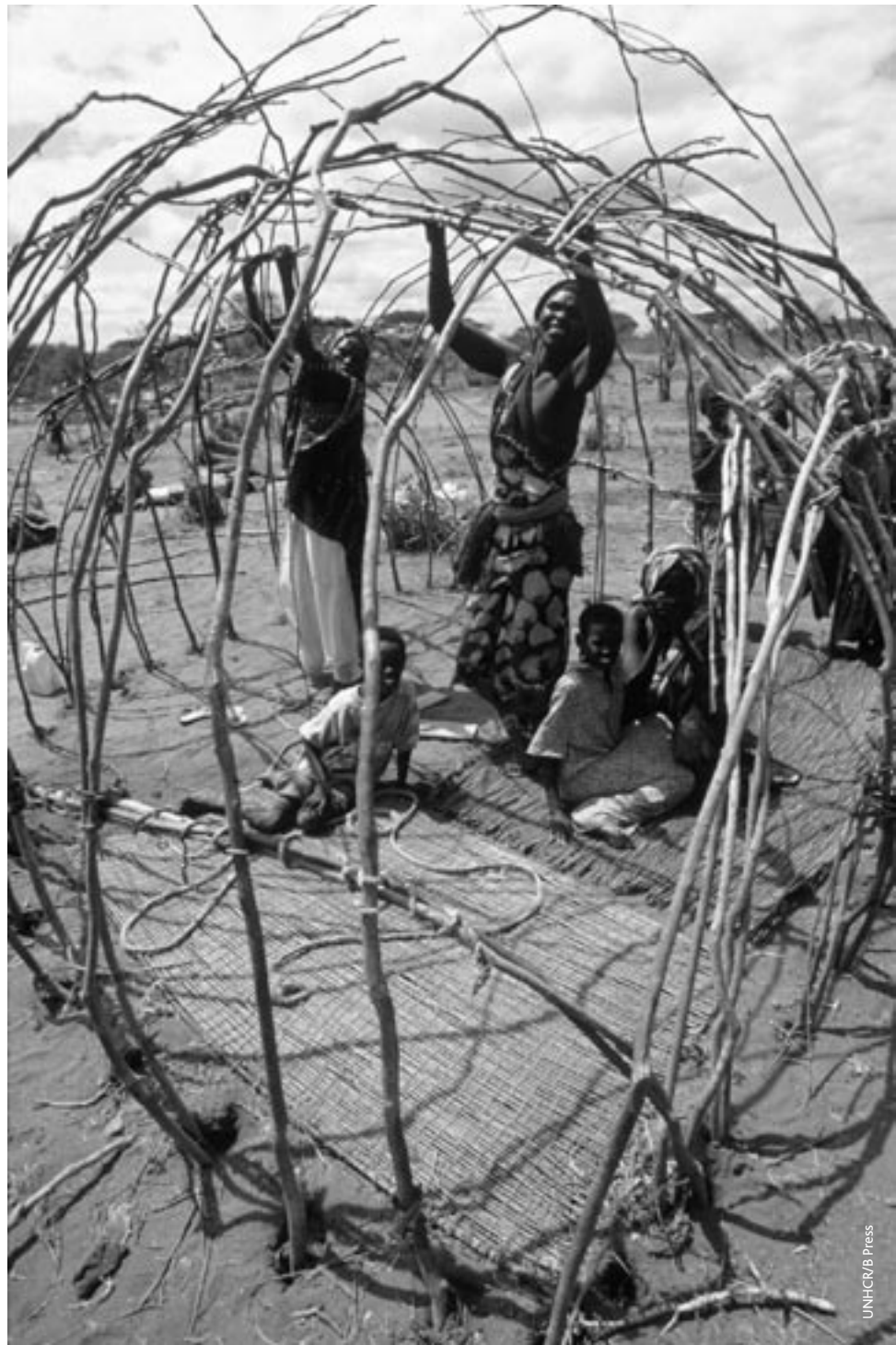
accept resettlement submissions for individual cases of Somali refugees who meet the resettlement criteria, and for whom resettlement and not repatriation is the most appropriate durable solution. However, publicised programmes such as those promoting group resettlement to Europe, America, Australia and other developed countries should be put on hold once the mass repatriation programmes commence. Local integration should be promoted for those Somali refugees who are too old to return or who have established strong social or economic links in the asylum countries.

Refugee repatriation will not succeed unless additionally supported by a

sustained post-conflict strategy. Rehabilitating Somalia's battered roads, ports and other infrastructure, re-establishing education and health services, undertaking effective demining and demobilisation, establishing property restitution mechanisms and building civil society and public sector capacity can only happen if there is substantial international assistance.

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1. *World Refugee Survey 2004*: www.refugees.org/article.aspx?id=1156
2. www.cisd.org/pdf/brief_common.pdf



Somali refugees at Hagadera camp, Kenya.