

The Debate section will present responses to and comments on articles from previous issues. In this issue we present an article by Jeff Crisp and Karen Jacobsen, submitted in response to the feature section on 'people in camps' in *FMR* 2, plus a reply by Richard Black, author of the introductory article of the 'people in camps' feature.

## Refugee camps reconsidered

by Jeff Crisp and Karen Jacobsen

**T**he August 1998 edition of *Forced Migration Review (FMR)* has played a valuable role in refocusing the attention of researchers and practitioners on the issue of refugee camps.

During the 1970s and 1980s, camps were a common topic of research amongst those involved in the expanding field of refugee studies. In the first half of the 1990s, however, forced migration specialists increasingly turned their attention to issues arising in countries of origin: the situation of internally displaced people; the establishment of safe areas and other forms of

in-country protection; the return and reintegration of displaced populations; and the prevention of future refugee movements.

While such topics are still high on the humanitarian, intellectual and political agenda, the past few years have witnessed a discernible revival of interest in the question of refugee camps. This trend can be ascribed in very large part to the crisis in the Great Lakes region of Africa. For as indicated by Richard Black's article in the last edition of *FMR*, the settlements established for Rwandan refugees in Tanzania and Zaire between 1994 and 1996 were camps of the very worst kind: large, overcrowded,

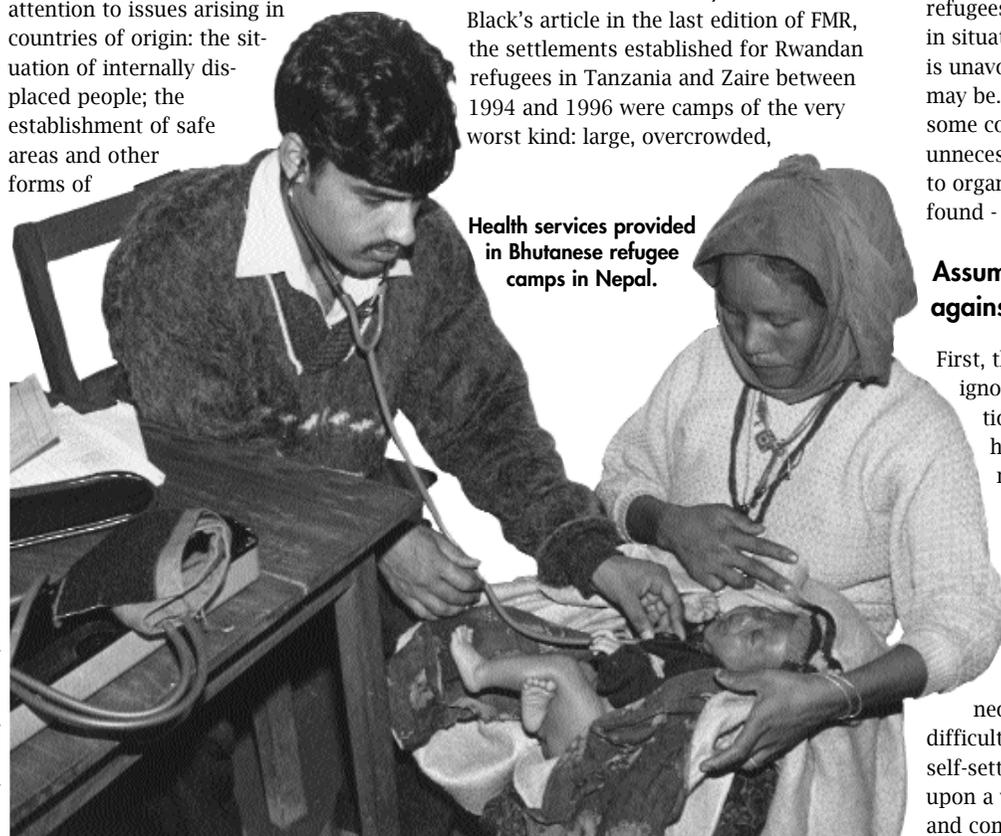
inaccessible, insecure and controlled by people who were responsible for genocide.<sup>1</sup> It would be wrong, however, to generalise too much from recent experience in the Great Lakes region. The concept of a refugee camp is used to describe human settlements which vary enormously in size, socio-economic structure and political character. To focus only on the worst-case scenario in order to construct a general case against the establishment of refugee camps is not a very helpful approach to the issue.

As the article by Edith Bowles in the same edition of *FMR* demonstrates, refugee camps can assume a far more benign form than those found in the Great Lakes region.<sup>2</sup> Organised settlements such as those established on the Thailand-Burma border until 1995 - modest in size, village-like in atmosphere and enabling refugees to retain a substantial degree of autonomy and self-sufficiency - are clearly more acceptable than those established in Tanzania or Zaire. The real question, therefore, is not whether or not there should be camps, but how to ensure that camps meet the highest possible standards and provide refugees with optimal living conditions in situations where their establishment is unavoidable. And unavoidable they may be. For the argument advanced by some commentators - that camps are unnecessary and that viable alternatives to organised settlements can always be found - is simply not a sustainable one.

### Assumptions made by those against camps

First, the 'anti-camp' argument tends to ignore that fact that local populations in countries of asylum also have rights - including the right not to be dispossessed of their land. While there is a body of evidence concerning the negative impact of refugee camps on host populations, there is little reliable data on the impact of self-settled refugees, not least because situations of spontaneous settlement are notoriously difficult to study. The case in favour of self-settlement appears to be based upon a very limited amount of empirical and comparative research. Second, those

Health services provided in Bhutanese refugee camps in Nepal.



UNHCR/22088/12.1992/A. Hollmann

who argue against the establishment of camps also tend to assume that self-settled refugees invariably enjoy better conditions of life than those in organised settlements, and that refugees would never choose to settle in a camp if they were given any choice in the matter. Such assumptions have never really been substantiated by means of empirical research.

From a refugee's point of view, a camp might actually provide a safer and materially more secure option than self-settlement. Indeed, in many mass influx situations, refugees and their leaders organise themselves into camp-like settlements before UNHCR or any other humanitarian organisation has arrived on the scene and established an assistance programme. Moreover, once a camp has been formally established and provided with international support, refugees are rarely 'confined' to their settlement in the way that is suggested by Barbara Harrell-Bond's contribution to *FMR*.<sup>3</sup> In many situations, refugees move out of their camps periodically to visit their homeland or to take advantage of wage-earning, trading or farming opportunities that exist in their country of asylum. In this respect, the crude distinction which is often made between self-settled refugees and those who live in camps should itself be subjected to greater scrutiny.

Finally, those who oppose camps fail to concede the full significance of the role of host governments in determining refugee policies. Barbara Harrell-Bond's literature review, for example, supports two assertions: that "Refugee policy in the South has been largely driven by the demands of donors and humanitarian organisations" and that "... where host governments have maintained control of refugee policy ... it has benefited both refugee and local populations."<sup>4</sup> If only the complexities of the refugee situation in Africa and other developing regions could be boiled down to these simplicities! Richard Black's article takes a more nuanced view of the issue, but also states that camps are preferred by aid agencies and implies that it is policy to put people in organised settlements. This is simply not the case, neither as far as UNHCR is concerned, nor with

respect to other international and non-governmental relief organisations. Indeed, UNHCR's policy is to avoid the establishment of camps if viable alternatives are available. This is clearly stated in the organisation's Emergency Handbook<sup>5</sup>, and will be confirmed in any conversation with the organisation's emergency response teams. In most situations, it is the host government that insists on the establishment of camps, or the refugees themselves who congregate in large groups, forming large-scale settlements which eventually become institutionalised.

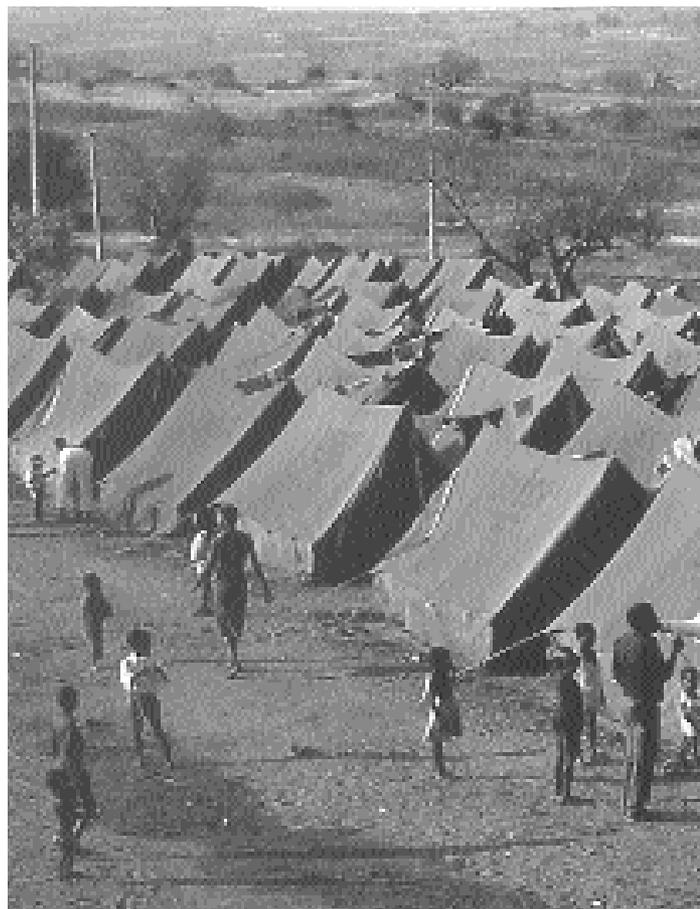
As Gaim Kibreab pointed out many years ago, the preference of host governments for the establishment of camps is not based on humanitarian concerns.<sup>6</sup> It has much more to do with their interest in preventing the local integration of exiled populations, in facilitating the early and organised repatriation of refugees, and in attracting international assistance through the creation of very visible refugee settlements. In this respect, it is both legitimate and necessary to question the motivations of policy makers who insist on the establishment of camps, especially when opportunities for self-settlement and local integration demonstrably exist. At the same time, and notwithstanding Article 26 of the 1951 UN Refugee Convention (which concerns freedom of movement), legal experts have recognised that host states do have the right to accommodate refugees in special camps or designated areas.<sup>7</sup> Given the political, economic and legal considerations which have underpinned the establishment of refugee camps, general arguments in favour of spontaneous settlement seem unlikely to have a significant impact on the policies of refugee-hosting states.

As suggested earlier, the real challenge is to ensure that refugees are able to enjoy safe, secure and dignified conditions of life, whether or not they live in a camp. The following section addresses

this issue, focusing particularly on the need to avert the kind of security problems which arose in the Great Lakes between 1994 and 1996 - and which continue today in that region on a lesser scale and with far less international publicity.

### The size and location of camps

In a recent report to the Security Council, UN Secretary-General Kofi Annan recommends that "for their own security and the security of the states



from which they fled, I strongly urge that refugees be settled at a reasonable distance from the border, in camps of limited size..."<sup>8</sup> International refugee law makes no specific reference to the size of the camps or settlements in which refugees should be accommodated. UNHCR's *Handbook for Emergencies*, however, notes that "high density camps with very large populations are the worst possible option for refugee accommodation... Large camps of over 20,000 people should be avoided."<sup>9</sup>

The obvious rationale behind such recommendations concerning the size and location of refugee camps is that it is generally more difficult to maintain law and order in camps which are large and densely-populated. Such camps are more likely to be perceived as - and to become - a threat to local communities, particularly when they are inhabited by people of a different ethnic, linguistic or cultural background. Large and densely populated camps are also more likely to have a damaging impact on the natural environ-

to an international border present an inevitable threat to the security of the refugees and the states concerned. When refugee camps retain their civilian character, and when the country of origin acknowledges that asylum has been granted to its citizens on a strictly humanitarian basis, serious security problems are far less likely to arise. Such was the case, for example, with respect to the one million or more Mozambicans who took refuge in Malawi and Zimbabwe throughout much of the 1980s and early 1990s.

the situation as it develops in their homeland. Conversely, refugees may be unable or unwilling to settle in an area where they have no kind of affinity with the local population and where they would be obliged to sever their connections with their country of origin.

**Political constraints.** As already stated, it is host governments which ultimately decide whether to settle refugees in camps, and which determine the size and location of those camps. These decisions are often influenced more by political considerations than by international conventions and recommendations.

**Logistical and financial constraints.** When a refugee emergency takes place (and particularly when it involves very large and rapid cross-border movements), decisions by relief agencies have to be taken very quickly in order to provide the new arrivals with life-sustaining assistance. In such circumstances, practical and logistical considerations are liable to take precedence over all other considerations. Refugees may be allowed (or even encouraged) to settle close to their homeland and in large camps in order, for example, to reduce the distance which they are obliged to walk having crossed the border; to avert the need for the host government or UNHCR to provide them with onward transport from the border area; or to facilitate the delivery of food, tents and other relief supplies.

**Practical steps**

It would be disingenuous to suggest that the constraints identified above will be easily resolved. Even so, there are a number of practical steps that might be taken to address these problems.

First, as previously mentioned, refugee camps are not inherently dangerous or destabilising places, even if they are large and situated close to an international border. Host governments have primary responsibility for the maintenance of security in refugee camps and refugee-populated areas. Those governments must therefore be encouraged and enabled to ensure that refugee camps are managed in ways that are consistent with international standards.



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**Constraints on implementation**

In practice, international standards and recommendations concerning the size and location of refugee camps have proved difficult to implement, for a variety of different reasons:

**Environmental constraints.**

The size and location of refugee camps are often determined or influenced by the nature of the terrain in areas of mass influx. Refugees cannot be expected to settle in mountainous or rocky locations, in areas prone to flooding, where no water is available, or on land infested with dangerous insects, animals or land mines. Similarly, in countries where land is scarce, or where the land is owned or controlled by the local population or private landowners, host governments and UNHCR may have relatively

little freedom of choice in determining the location of refugee camps.

**Social constraints.** Refugees do not move in a random or arbitrary manner; they frequently settle in areas where they have some ethnic, linguistic or cultural affinity with the local population. And they may prefer to live close to the border with their country of origin so that they can return to their farms when it is safe to do so, engage in cross-border trade, and generally keep in touch with

ment. Furthermore, camps which are situated close to an international frontier are more vulnerable to armed attack. Even if such attacks are targeted specifically at combatants (and often they are not), military raids of this kind inevitably compromise the safety of *bona fide* refugees, not to mention the local population and the personnel of humanitarian organisations.

It would be a mistake, however, to conclude that all large refugee camps close

Through their advocacy and training efforts, UNHCR and other actors should place particular emphasis on those provisions relating to the location and civilian nature of refugee camps, as well as the humanitarian character of asylum. In the course of its dialogue with actual and potential refugee-hosting states, UNHCR should also stress that national

from an international border. When such situations arise, and particularly when they become a threat to the security of refugees and the local population, the relocation of refugees to sites which accommodate fewer people, and which are situated in less sensitive locations, may be the most effective response.

In practical terms, of course, the relocation of refugee camps and the redistribution of refugee populations are also fraught with difficulties and relocation might therefore be considered a last resort, to be undertaken only in those circumstances where the protection of refugees is at evident risk.

to live in camps enjoy the highest possible standards of physical, material and psychological security.

**Dr Jeff Crisp is Senior Research Officer with UNHCR and writes here in a personal capacity.**

**Dr Karen Jacobsen is Assistant Professor in Political Science at Regis College and Adjunct Professor at the Fletcher School of Law and Diplomacy, USA.**

1 Black, Richard 'Putting refugees in camps', *Forced Migration Review*, no 2, August 1998, pp 4-7.

2 Bowles, Edith 'From village to camp: refugee life in transition on the Thailand-Burma border', *Forced Migration Review*, no 2, August 1998, pp 11-14.

3 Harrell-Bond, Barbara 'Camps: literature review', *Forced Migration Review*, no 2, August 1998, pp 22-23.

4 Ibid.

5 "The establishment of refugee camps must only be a last resort." *Handbook for Emergencies*, UNHCR, Geneva 1982, p 57.

6 Kibreab, Gaim 'Reflections on the African Refugee Problem: A Critical Analysis of Some Basic Assumptions', Research Report no 67, Scandinavian Institute of African Studies, Uppsala, 1983.

7 Goodwin-Gill, Guy *The Refugee in International Law*, Clarendon Press, Oxford, 1996, pp. 300-301, note 31.

8 'The causes of conflict and promotion of durable peace and sustainable development in Africa: report of the Secretary-General to the UN Security Council', New York, 1998, paragraph 54.

9 *Handbook for Emergencies* (second edition), UNHCR, Geneva, forthcoming 1998/99, section 3.3.2.

10 Black, Richard, op cit, p 5.

## *The way in which refugee camps are established and managed certainly needs to be re-examined.*

and regional security is best reinforced by means of a scrupulous respect for international refugee law, not least its provisions concerning the settlement of refugees at a reasonable distance from borders. UNHCR must also evidently ensure that its own emergency training programmes and emergency management tools place due emphasis on the need to ensure that camps are appropriately located and limited in size.

Greater efforts should also be made to prepare for future refugee influxes, particularly in those countries and regions which are most prone to armed conflict and large-scale population displacements. UNHCR and other humanitarian organisations should, for example, work in close cooperation with government authorities in actual and potential countries of asylum to identify appropriate sites where refugees could be accommodated in the event of a refugee influx. Such sites would be incorporated into the contingency plans established by UNHCR and the states concerned. These plans could also provide details of the practical arrangements required for the establishment of camps, and for transferring refugees to these sites.

Even if such steps are taken, there is a very strong likelihood that Africa and other developing regions will witness future refugee emergencies in which it ultimately proves impossible to establish camps which are modest in size and which are located at a reasonable distance

### **Conclusion**

The way in which refugee camps are established and managed certainly needs to be re-examined. There are many situations in which camps create problems for refugees and their local hosts, and there are equally many ways in which the welfare and safety of refugees who are accommodated in camps might be improved.

The critics of refugee camps must bear in mind, however, that refugee policies are being formulated in a political climate of increased hostility towards people who are seeking asylum, both in the industrialised and in the developing regions of the world. In such a political climate, critics must act with caution, lest their words give support and justification for the introduction of further restrictions on refugees.

In the current climate, it is highly unlikely that host states would liberalise their policies by allowing refugees to be "free to settle where they wished..."<sup>10</sup> It is much more likely that governments will refuse to host refugees at all. Rather than simply calling for the abolition of camps, academics, practitioners and advocates must try to persuade governments to pursue more positive and liberal asylum policies. At the same time, further efforts must be made by host governments, UNHCR and other humanitarian agencies to ensure that those refugees who choose or who are obliged

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