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Global Perspectives on Forced Migration

Forced migration has grown considerably over the last thirty years, becoming a major political and social issue in many parts of the world. SE Asia experienced a serious refugee crisis following the Viet Nam War. More recently, the collapse of the Suharto regime in Indonesia, and conflicts in Myanmar, Philippines and Thailand have led to the creation of new populations of refugees and internally displaced persons in many areas. Forced migration is thus a significant challenge to the region.

The term forced migration includes not only refugees and asylum seekers, but anyone forced to leave their homes by violence, persecution, development projects, natural disasters or man-made catastrophes. This article is designed to provide background information for the analysis of forced migration in SE Asia, by showing the global context. I will start by providing definitions of forced migration and its various types, and presenting a statistical overview. Then I will discuss recent changes in forced migration patterns. The article will examine the 'international forced migration regime' – that is the way states, international agencies and non-governmental organisations (NGOs) respond to humanitarian emergencies. Finally, I will look at some of the underlying causes of the global growth in conflict and forced migration.¹

Defining forced migration

Forced (or involuntary) migration is distinguished in analytical and policy terms from *economic (or voluntary) migration*. Forced migration includes a number of legal or political categories, all of which involve people who have been forced to flee their homes and seek refuge elsewhere. Popular usage tends to call them all 'refugees', but in legal terms refugees are actually quite a narrow category. The majority of forced migrants flee for reasons not explicitly recognised by international refugee law, and many of them are displaced within their own country of origin.

The types of forced migration listed here should not be understood as rigorous scientific definitions. They are the result of political negotiations and decisions taken by states and international organisations over the last 60 years. Complex human situations are arbitrarily divided up into categories to meet legal and political goals. Such categories carry entitlements to differing types of protection and assistance, and are thus important for administrative purposes, but people often do not fit readily into them. Governments particularly want to make clear distinctions between refugees and economic migrants, but many people forced to flee by conflict are also motivated by the desire to rebuild the livelihoods of their families – in other words they have 'mixed motivations'. We sometimes use the term 'the migration-asylum nexus' to refer to the blurring of the distinction between economic and forced migration.

¹ This article is based on a paper presented at the PMB-LIPI/RSC Conference on Forced Migration, Jakarta 25 November 2004. I thank participants for their comments and suggestions.

Forced migrants are generally divided into the following categories.

Refugees

According to the 1951 *United Nations Convention Relating to the Status of Refugees*, a refugee is a person residing outside his or her country of nationality, who is unable or unwilling to return because of a 'well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion'. The Office of the UN High Commissioner for Refugees (UNHCR) is mandated to oversee the implementation of the 51 Convention. However, most of the world's forced migrants do not fulfil the Convention criteria, either because they have not crossed an international border, or because they are fleeing war or generalised human rights violations, rather than individual persecution. The 1969 *Refugee Convention of the Organisation of African Unity* (OAU), broadened the refugee definition to include people fleeing war. Many African states follow this practice, but most Northern states do not. Instead, in the 1990s, the notion of *temporary protection* for war refugees was introduced, especially for those fleeing the violence in former Yugoslavia. This means giving protection either for a fixed period (say 3 years) or for the duration of the conflict. After this, return home is expected and may be enforced.

The 1951 Convention was originally limited to Europe and to persons who became refugees due to events occurring before 1 January 1951. The 1967 *Protocol Relating to the Status of Refugees* removed these geographical and temporal limits. As of 2004, 145 of the world's approximately 190 states had signed either the 1951 Convention or the Protocol, while 139 states had signed both. It is worth noting that none of the South Asian countries, which have some of the world's largest refugee populations, have signed the Convention. Member States that are party to the Convention undertake to protect refugees and to respect the principle of *non-refoulement* (that is not to return refugees to a country where they may be persecuted). This may require a state to allow refugees to enter and to grant them temporary or permanent residence status. Officially recognised refugees are often better off than other forced migrants, as they have a clear legal status and enjoy the protection of UNHCR.

Persons of concern to the UNHCR

UNHCR statistics also provide a broader category: *persons of concern to the UNHCR*. This includes Convention refugees plus all persons for whom the organisation takes responsibility at a given time - that is, those who enjoy protection or assistance services provided by UNHCR. This includes some asylum seekers, internally displaced persons and returnees - but not by any means all of these groups.

Asylum seekers

These are people who have crossed an international border in search of protection, but whose claims for refugee status have not yet been decided. Asylum seekers sometimes live in a drawn-out situation of uncertainty and inactivity, since determination procedures and appeals may take many years. Many countries offer different types of protection - typically full refugee status for those who fulfil the 1951 Convention criteria, temporary protection for war refugees, and humanitarian protection for people not considered refugees, but who might be endangered by return. In some countries, asylum seekers are not allowed to work, and have to exist on welfare benefits (sometimes at rates lower than those for other welfare claimants). As many as two-thirds of asylum applications are rejected in European countries - yet many rejected asylum seekers stay on. In some cases, they cannot be deported

because the country of origin will not take them back, or because they have no passports. Others simply disappear into the informal economy.

Many governments, particularly in Asia and Africa, are reluctant to recognise the existence of asylum seekers, since they do not want to provide assistance to them. They may 'tolerate' the presence of asylum seekers, and leave them to fend for themselves (Abrar 2004). Such 'de facto asylum seekers' have a very insecure legal status, and may be deported at the whim of the government.

Internally displaced persons (IDPs)

IDPs may be defined as 'persons who, as a result of persecution, armed conflict or violence, have been forced to abandon their homes and leave their usual place of residence, and who remain within the borders of their own country' (UNHCR 1997, 99). IDPs tend to be poorer and have fewer social connections and are currently far more numerous than refugees, yet are often without any effective protection or assistance. There are no international legal instruments or institutions specifically designed to protect IDPs, although they are covered by general human rights conventions. The Internal Displacement Division of the UN Office for the Coordination of Humanitarian Affairs (IDD of UN-OCHA) advocates a set of *Guiding Principles on Internal Displacement*, which summarise international law in this area, and are designed to encourage governments to adopt appropriate measures. The key problem is *sovereignty*: in international law, IDPs are the responsibility of their own government, since they have not crossed international borders, yet it is often this very government that has persecuted and displaced them.

Protracted refugee situations

Many refugees have experienced exile for many years, usually in camps, with no chance either of returning home, or achieving local integration in the host country. UNHCR uses the term 'protracted refugee situation' for people displaced for five years or more, while the US Committee on Refugees uses the term 'warehoused refugees' (USCR 2004). Other observers speak of 'forgotten refugees'. According to UNHCR:

...a protracted refugee situation is one in which refugees find themselves in a long-lasting and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile. A refugee in this situation is often unable to break free from enforced reliance on external assistance. (UNHCR 2004c, 1)

Returnees

Most refugees and IDPs want to return home as soon as conditions permit. UNHCR and the international community in general see 'repatriation in conditions of safety and dignity' as the preferred *durable solution* in most displacement situations. However, the mere ending of a violent conflict does not guarantee that the place of origin is safe. Moreover, a devastated economy and disrupted government services may make the restoration of livelihoods extremely difficult. Returnees often need protection and assistance. UNHCR currently provides assistance to over 2 million returnees. This can include provision of building materials, agricultural implements, seeds and other basic needs, as well as *Quick Impact Projects* (QIPS), designed to rehabilitate infrastructure (roads, water supplies). Much of the assistance to returnees

is provided by NGOs and governments (both those of the countries concerned and donor governments).

Development displaces (DIDR)

These are people compelled to move by large-scale development projects, such as dams, airports, roads, conservation areas and urban housing. The acronym DIDR is used to refer to 'development-induced displacement and resettlement'. The World Bank - which funds many development projects - estimates that such projects displace an average of 10 million people per year. India has the largest population of development-induced displaced people in the world – about 22 million. Millions of development displacees experience permanent impoverishment, and end up in situations of social and political marginalisation (Cernea and McDowell 2000). In India, a large proportion of the displaced are tribal people (57.6 per cent in the case of the huge Sardar Sarovar Dam). When Dalits are included, the figure rises to about 60 per cent according to the Commissioner for Scheduled Castes and Tribes. Given that tribal people account for only 8 per cent of India's population and Dalits, 15 per cent, the disproportionate burden born by these politically and economically marginalised minority communities is more than evident. Growing awareness of the problem in the 1980s led the World Bank to impose conditions on its loans to ensure compensation and appropriate resettlement (McDowell 1996). Development displacees are a group larger than official refugee populations, for whom there is no adequate protective regime. Many of them end up drifting into urban slums, or becoming a part of floating populations, which may spill over into international migration.

Environmental displacees

This category includes people displaced by environmental change (desertification, deforestation, land degradation, water pollution or inundation), by natural disasters (floods, volcanoes, landslides, earthquakes), and by man-made disasters (industrial accidents, radioactivity). A 1995 report claimed that there were at least 25 million environmental refugees, that the number could double by 2010 and that as many as 200 million people may eventually be at risk of displacement (Myers and Kent 1995). Refugee experts reject such apocalyptic visions and some argue that there are no environmental refugees as such. While environmental factors do play a part in forced migration, displacements due to environmental factors are always closely linked to other factors, such as social and ethnic conflict, weak states, inequitable distribution of resources and abuse of human rights. Thus it is difficult to define who is an environmental or disaster displacee, or to quantify this category in any meaningful way. The emphasis on environmental factors can be a distraction from central issues of development, inequality and conflict resolution (Black 1998; Castles 2002).

Disaster displacees

This category covers people forced to move by natural disasters (floods, hurricanes, volcanoes, earthquakes, landslides) or disasters resulting from human activities (industrial accidents, environmental pollution, radioactive emissions). Displacement by natural disasters has become increasingly significant to humanitarian agencies, following the great loss of life and destruction caused by the Asian Tsunami of 26 December 2004, and the by the hurricanes in the USA in September 2005. Problems of humanitarian assistance in such major emergencies are in many ways similar to those caused by conflicts, and often the same relief organisations are involved (Forced

Migration Review 2005). The increasing frequency of extreme natural events may be due to global warming, and is thus to some extent the result of human behaviour.

People-trafficking

A final form of forced migration is the trafficking of people across international boundaries for purposes of exploitation. The trafficking of women and children for the sex industry occurs all over the world. Women in war zones are forced into sex-slavery by combatant forces, or sold to international gangs. It is important to distinguish between people-trafficking and people-smuggling. People who wish to migrate to a country to which they cannot gain legal admission may use the services of people-smuggling organisations. This applies particularly to low-skilled persons seeking work in the informal sector in developed countries. Smuggled migrants decide voluntarily to pay a fee to smugglers for a service. They participate in a commercial transaction - albeit on unequal terms, which may lead them into debt-bondage. By contrast, the movement of trafficked persons is based on deception and coercion and is for the purpose of exploitation. The profit in trafficking comes not from the movement but from the sale of a trafficked person's sexual services or labour in the country of destination. Most smuggled migrants are men. Most trafficked persons are women and children (Gallagher 2002).

Statistical overview of forced migration

This section presents selected data on forced migration, based largely on a study carried out in 2004-5 by the Refugee Study Centre, Oxford for the British Department for International Development.² It is important to note that figures in the forced migration area are mainly estimates, which may not be very accurate, due to the great difficulty in enumerating people in difficult and transient situations. Information is only given here for people displaced by violence and persecution, not for those displaced by development, environmental change or disasters.

Refugees

The global refugee population grew from 2.4 million in 1975 to 8.5 million in 1980 and 11.8 million in 1985. Then refugee numbers increased sharply following the end of the Cold War and the collapse of the Soviet Bloc, with a peak of 17.8 million in 1992. There were marked declines from the mid-1990s. By 2000, the global refugee population had fallen to 12.1 million, and at the end of 2005 the figure was only 9.2 million (UNHCR 2005).

² Most of the data are from UNHCR statistical material. The RSC study (Castles and Van Hear 2005) gives detailed sources, and can be downloaded from the RSC website: www.rsc.ox.ac.uk
Detailed and up-to-date statistics on refugees, persons of concern to UNHCR, asylum seekers and other categories can be found on the UNHCR website: www.unhcr.ch

Table 1 Estimated Number of Refugees and Total Persons of Concern to UNHCR Worldwide
(all figures as at 31 December of each given year)

Year	Refugees	Total Population of Concern
1980	8,446,000	-
1985	11,851,000	-
1990	17,378,000	-
1991	16,837,000	-
1992	17,818,500	-
1993	16,306,000	-
1994	15,734,000	-
1995	14,896,000	-
1996	13,357,000	-
1997	12,008,000	19,788,000
1998	11,481,000	19,892,000
1999	11,687,000	20,624,000
2000	12,130,000	21,871,000
2001	12,117,000	19,871,000
2002	10,594,000	20,691,000
2003	9,672,000	17,084,100
2004	9,200,000	19,200,000

Source: (UNHCR 2004d; UNHCR 2005)

UNHCR figures do not include most Palestinians, as they are covered by the separate mandate of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). This organisation takes responsibility for over 4 million Palestinians. However, Palestinians who have sought refuge in countries outside UNRWA's sphere of involvement in the Middle East are included in UNHCR figures. For many Palestinians, displacement has lasted since 1948.

Refugees came from countries affected by war, violence and human rights violations. The top ten countries of origin of refugee populations at the end of 2003 were Afghanistan, Sudan, Burundi, Democratic Republic of Congo (DRC), Palestine, Somalia, Iraq, Viet Nam, Liberia and Angola. The top ten refugee hosting countries were Pakistan, Iran, Germany, Tanzania, USA, China, Serbia, UK, Saudi Arabia and Armenia.

Persons of concern to the UNHCR

The broader category of 'persons of concern to the UNHCR' (which includes refugees, some IDPs and some returnees) peaked at 27.4 million in 1994 (UNHCR 1995), but went down to 17.1 million at the beginning of 2004, before rising again to 19.2 million by the beginning of 2005 (UNHCR 2005). As Table 2 shows, the largest concentrations are in Asia and Africa. The number in Asia declined by 30 per cent in 2003, due mainly to large-scale returns to Afghanistan. The figure for Europe is quite high, reflecting continuing difficulties in conflict resolution and repatriation in parts of former Yugoslavia and the former Soviet Union. The increase in Latin America and the Caribbean is mainly due to the continuing IDP crisis in Colombia.

Table 2 Persons of Concern to UNHCR - by Region

Region	Jan. 2003	Jan. 2004
Asia	9,378,900	6,187,800
Africa	4,593,200	4,285,100
Europe	4,531,500	4,242,300
N. America	1,061,000	978,100
Latin America and Caribbean	1,047,200	1,316,400
Oceania	79,100	74,200
Total	20,690,900	17,084,100

Source: (UNHCR 2004h)

Gender and age distribution

There is a lack of data on gender and age of most categories of forced migrant, but the 2002 UNHCR *Statistical Handbook* does give a breakdown for some 10.4 million people, about half the total population of concern to UNHCR. Of these, 5.1 million (49 per cent) were women and girls. The gender distribution was fairly equal in most geographical regions, with the female share fluctuating between 45 and 55 per cent. The highest proportion of women (54 per cent) was found in Eastern Europe, where it was connected with the ageing population in this region, and the higher life expectancy of women. Only in Central Europe and the Baltic States, Western Europe, North America and the Caribbean did women make up 41 per cent or less of the population of concern to UNHCR. This was due to the over-representation of young male asylum seekers in these regions (UNHCR 2004e, 57).

Children and adolescents under 18 years make up 46 per cent of populations of concern to UNHCR for which data are available. 13 per cent of the total are aged 1-4. The proportion of children is highest in regions of Africa, where it ranges between 43 and 52 per cent. Children make up 30-40 per cent of populations of concern in Asia, 24 per cent in Central America and Mexico, but only 7 per cent in Eastern Europe and 2 per cent in Western Europe. Such variations are due partly to higher birth rates in less-developed countries and partly to age-selective asylum migration to industrialised countries (UNHCR 2004e, 57).

Asylum seekers

Asylum applications have fluctuated considerably over the last two decades. Annual asylum applications in Western Europe, Australia, Canada and the USA combined rose from 90,400 in 1983 to 323,050 in 1988 (UNHCR 1995), and then surged again with the end of the Cold War. In the peak year, 1992, 892,150 asylum applications were submitted in the 36 industrialised countries (UNHCR 2004b). Applications then fell sharply to 480,000 in 1995. Nearly the whole of the decline can be explained by changes in refugee law in Germany (438,200 applications in 1992, but only 127,900 in 1995) and Sweden (84,000 in 1992, 9,000 in 1995). There was a new increase in the late 1990s, peaking in the early part of the new century and then declining again. In 2003, 809,000 people applied for asylum worldwide, and the overall total of claims pending (including those remaining from earlier years) was nearly 1 million. Over half the 2003 claims (463,000) were filed in the 36 main industrialised countries. Altogether, 8.2 million asylum applications were submitted in these countries from 1990 to 2003 (UNHCR 2004b).

Table 3 New Asylum Applications in Selected Industrial Countries

Year	2001	2002	2003
United Kingdom	91,600	103,100	61,100
United States	59,400	58,400	60,700
France	47,300	51,100	59,800
Germany	88,300	71,100	50,600
Austria	30,100	39,400	32,400
Canada	44,000	39,500	31,900
Sweden	23,500	33,000	31,300
Switzerland	20,600	26,100	20,800
Belgium	24,500	18,800	16,900
EU (14 countries)	378,000	370,000	288,000
36 Industrialised countries	615,000	579,000	463,000

Source: (UNHCR 2004b, Table 1).

Internally Displaced Persons (IDPs)

It is estimated that the number of IDPs world-wide rose from 1.2 million in 1982 to 14 million by 1986, and to over 20 million by 1997 (Cohen and Deng 1998). The number of countries with IDP populations increased from five in 1970 to 34 in 1996 (UNHCR 1997, 120). The long-lasting war in Sudan between the Muslim-Arab North and the African-Christian South has generated 4 million IDPs. In Afghanistan, Sri Lanka, Angola and the Sudan, some people have lived as IDPs - often in great insecurity and poverty - for over 20 years. The Global IDP Project³ estimates that there were nearly 25 million IDPs in 52 countries at the end of 2003. More than half were in Africa.

Table 4 Internally Displaced Persons (estimates, as of end-2003)

Region	No. of countries affected	IDPs (millions)
Africa	20	12.7
Asia-Pacific	11	3.6
Americas	4	3.3
Europe	12	3.0
Middle East	5	2.0
Total	52	24.6

Source: (Global IDP Project 2004b).

The largest numbers of IDPs in 2003 were in Sudan (4 million), DR Congo (3 million), Colombia (2.9 million), Iraq (1.1 million) and Burma (up to one million) In

³ The Geneva-based Global IDP Project is sponsored by the Norwegian Refugee Council. Together with the Brookings Institution in the USA, it is the most reliable source of information on IDPs.

2003, more than three million people were newly displaced, mostly in Africa. In 2004-5 the Dafur emergency led to internal displacement of around 1 million further people in Sudan. UNHCR only assists IDPs when there are close links with refugee or returnee situations in which the organisation is involved. At the beginning of 2004, 4.4 million IDPs were recognised as ‘persons of concern to UNHCR’ - less than one fifth of the global total. Interestingly, these were mainly in middle-income countries, while the majority of the world’s IDPs are in low-income countries.

Table 5 Ten Largest Populations of IDPs

Country	Number of IDPs	Estimate Date
Sudan	4,000,000	March 2004
DRC	3,400,000	Dec. 2003
Colombia	3,100,000 since 1985	Oct. 2003
Uganda	1,600,000	April 2004
Algeria	1,000,000 since 1992	March 2004
Turkey	1,000,000	April 2004
Iraq	900,000	Jan. 2004
Myanmar (Burma)	600,000-1,000,000	April 2004
Côte d'Ivoire	500,000-800,000	Nov. 2003
India	650,000	Oct. 2003

Source: (Global IDP Project 2004a)
(n.b. no estimate available for Rwanda)

Protracted refugee situations

Using the criteria of refugee populations of 25,000 persons or more in exile for five or more years, UNHCR estimates that there were 6.2 million refugees in protracted situations in 2003 - about two thirds of all refugees. UNHCR identified 38 such situations, of which 22 (affecting 2.3 million refugees) were in sub-Saharan Africa. However, the largest such situations were in the region comprising Central Asia, South West Asia, North Africa and the Middle East, where eight major protracted refugee situations affected 2.7 million refugees. The hopelessness faced by many refugees is underlined by the fact that the average duration of all major refugee situations has increased from 9 years in 1993 to 17 years in 2003 (UNHCR 2004c). However, UNHCR figures underestimate the gravity of the situation, since they do not include the 4 million Palestinian refugees covered by UNRWA, whose displacement now spans generations.

Table 6 Top Ten Protracted Refugee Situations in 2003

Country of Origin	No. of Refugees
Afghanistan	1,950,000
Sudan	549,000
Burundi	490,000
Palestine (not covered by UNRWA)	410,000
Viet Nam	300,000
DR Congo	284,000
Angola	280,000
Liberia	266,000
Azerbaijan	240,000
Somalia	234,000

Source: (UNHCR 2004c, Annexe 1).

Forced migration and poverty

It is noticeable in the various statistics given above that poor countries, especially in Africa, are amongst the main countries of origin of refugees, the main refugee-hosting countries and the main areas of internal displacement. Evidence of the connections between forced migration and poverty is provided in Table 7, which links countries' experiences of forced migration to their position in the World Bank Economic Classification. It is noticeable that the various types of forced migration are mainly concentrated in low-income countries, although some major displacements also concern middle-income countries. High-income countries are only to be found within the category 'countries of asylum' where they make up three of the top ten.

Table 7 Main Countries Affected by Forced Migration in Relation to World Bank Economic Classification

Forced Migration Category	Low Income Economies	Middle Income Economies	High Income Economies
Origins of Ten Largest Refugee Populations	Afghanistan Angola Burundi D.R. Congo Liberia Somalia Sudan Viet Nam	Iraq, Palestinians (not covered by UNRWA)	-
Origins of Top Ten New Refugee Arrivals 2003	Angola Burundi Central African Rep. Côte d'Ivoire D.R. Congo Liberia Rwanda Somalia Sudan	Russian Federation	-
Top Ten Refugee-Hosting Countries	Pakistan Tanzania	Armenia China, Iran Saudi Arabia Serbia and Montenegro	Germany UK USA
Top Ten IDP Populations	Côte d'Ivoire D.R. Congo India Myanmar Sudan Uganda	Algeria Colombia Iraq Turkey	-
Top Ten Protracted Refugee Situations	Afghanistan Angola Burundi DR Congo Liberia Somalia Sudan Viet Nam	Azerbaijan Palestinians (not covered by UNRWA)	-

Sources: own calculations from (Global IDP Project 2004b; UNHCR 2004a; UNHCR 2004c; UNHCR 2004d).

The changing character of forced migration

The statistics reviewed in the previous section show how forced migration has increased and grown more complex over the last twenty years. During the Cold War, the main emphasis was on refugee flows. Those escaping from communist countries (especially in Eastern Europe) were often welcomed and offered permanent resettlement in the USA, Canada, Australia or Western Europe. On the other hand, refugees from colonial liberation wars in Africa and Asia generally ended up in camps in these regions, with little hope of resettlement (Chimni 1998; Keely 2001). The large refugee outflow from Indochina following the Viet Nam war found a mixed reception, although many were eventually resettled through the Comprehensive Plan

of Action. With the end of the Cold War around 1990, conflicts about the formation of new states led to wars in former Yugoslavia and parts of the former Soviet Union, while internal wars in several regions of Africa and Asia grew in number and in brutality.

The increase in displacement was due to new types of warfare, in which mass displacement of the population was a deliberate objective, as in Bosnia, Kosovo, Chechnya, Rwanda or Burma. Combatants in the new wars (Duffield 2001; Kaldor 2001) targeted the civilian population through genocide, ethnic cleansing, mutilation and sexual violence (Summerfield 1999). This led to large new flows of refugee and asylum seekers, but the governments and people of potential receiving countries were often reluctant to allow them to enter. European countries adopted a range of *containment measures* (including visa rules, carrier sanctions, safe third country rules and restrictive interpretation of the 1951 Convention) to keep asylum seekers out. African and Asian countries, some of which had been quite open to refugees in the past, became far more restrictive.

It is this strategy of containment and closure to refugees that is behind the trends revealed by the statistics. Refugee numbers have been declining in recent years and the 2004 total is the lowest since 1981. Similarly, the number of 'persons of concern to UNHCR' has declined. Asylum seeker flows to industrialised countries grew considerably until recently, but now appear to have peaked. IDPs, by contrast are more numerous than ever. Similarly, the number of long-term exiles in 'protracted refugee situations' has grown, and for many of these situations no solution is in sight.

Data on countries of origin of refugees, main host-countries and countries affected by IDP situations all indicate a concentration of such issues in the poorest regions of the world. The most recent flows reinforce this pattern. With resolution of some of the worst situations in Asia, the concentration of serious forced migration problems in sub-Saharan Africa is growing. Nonetheless, serious displacement problems remain in Asia, Central America, the Middle East and parts of Europe. The overwhelming concentration of forced migration problems in Africa and other poor regions of the world is indicative of the links between conflict, forced migration and underdevelopment.

International arrangements to protect and assist forced migrants

Since the 1980s, there has been a dramatic increase in the frequency and severity of humanitarian crises in many parts of the world. Such developments have led to criticism of the arrangements that exist at the international levels to deal with forced migration. The *international refugee regime* developed in the context of post-1945 mass population displacement and the beginnings of the Cold War. There has been considerable change in the post-Cold War period and critics argue that some of the basic assumptions and structures no longer meet current needs. This has led to constant debates about the need for reform.

The international refugee regime consists of a set of *legal instruments*, a number of *institutions* designed to protect and assist refugees, and a set of *international norms* concerning the treatment of refugees. The core of the regime is the 1951 United Nations Convention Relating to the Status of Refugees, which defines who is officially a refugee and what rights such persons should have. The most important institution is the Office of the United Nations High Commissioner for Refugees (UNHCR), but many other international organisations play a part. Many intergovernmental agencies are involved, including the World Food Programme

(WFP), the United Nations Development programme (UNDP), the United Nations Children's Fund (UNICEF), the International Organisation for Migration (IOM) and the International Committee of the Red Cross (ICRC). In addition, hundreds of NGOs play a key role. These include for instance Save the Children, OXFAM, the International Rescue Committee and Médecins Sans Frontières. States and their appropriate agencies as well as national humanitarian organisations may also be seen as part of the regime.

However, the majority of forced migrants in today's world are not covered by the refugee regime, and there are no comparable international regimes for IDPs, asylum seekers or returnees. Attempts have been made to address such gaps by applying general principles of international humanitarian and human rights law to other kinds of forced migrants. Similarly, UNHCR has become increasingly concerned with other types of forced migrant over the last 20 years, leading to expansions of its mandate (Loescher 2001, Chapter 9). The value of such ad hoc measures has been questioned by some observers, leading to calls for institutional and legal changes to provide systematic protection and assistance for all the groups affected by complex humanitarian emergencies (Helton 2002; Martin 2004).

Such a step is unlikely to come about in the foreseeable future, due to strong resistance from international agencies and states. At present, therefore, it would be more accurate to speak of a *number of regimes* at varying stages of development for various types of forced migrants. The refugee regime is well established - but even that is much criticised and in constant flux. Regimes for IDPs, returnees and other types of forced migrants exist only in fragmentary, incipient forms, and therefore provide limited and often inadequate protection. Lack of clear rules and institutional responsibilities is clearly at the heart of the problems faced by the international community at present, so it is important to identify gaps, overlaps and deficiencies, in order to work towards more comprehensive and effective solutions.

The volume of funding for humanitarian action raises the issue of *proportionality*: i.e. is assistance given out on the basis of need, and is it roughly equal for different groups of beneficiaries with similar needs? Figures on disbursements for a range of recent emergencies indicate large variations: per capita grants ranged from \$2 in Ethiopia (2000), to \$5 in Burundi (2001), \$9 in Somalia (1995), \$12 in Afghanistan (2001), \$19 in Rwanda (1995), \$47 in Kosovo (1999) and \$116 in Bosnia-Herzegovina (1993) (ALNAP 2004). Such differences indicate that need is not the only (or even the main) factor in deciding on the level of humanitarian action. Other possible factors include strategic or political importance of a region, geographical proximity to donor nations and media exposure given to a specific situation.

The most serious gap in international protection concerns the largest category of people displaced by conflict: internally displaced persons (IDPs). Development of arrangements for protection and assistance have been hampered by several factors, including the principle of state sovereignty, poor cooperation between agencies with differing mandates, and reluctance to mobilise adequate resources to meet the needs of the large populations involved. Under international law, the state of the country in which the IDPs are found is responsible for protecting and assisting them. But that state may be involved in displacing and persecuting the people concerned. In other cases the state may be unwilling to grant international organisations access to IDP populations, on grounds of national sovereignty. The UN has made significant attempts over the last 15 years to improve arrangements for IDPs. Current initiatives to strengthen the role of the UN OCHA Internal Displacement Division and to develop a collaborative approach with the Representative of the Secretary General on

the Human Rights of Internally Displaced Persons (RSG-IDP) and other agencies and NGOs seem promising.

Another major problem is coordination of the large numbers of organisations - including state agencies, intergovernmental organisations, NGOs and civil society organisations (CSOs) - involved in humanitarian action. This applies particularly in complex humanitarian emergencies (situations involving multiple forms of conflict and displacement), where a wide range of actors with differing mandates are involved. At the field level, leadership and coordination of UN Country Teams in crisis situations has sometimes proved ineffective. Coordination needs to be improved through better coordination structures and leadership within the UN system, as well as improved collaboration with other humanitarian actors.

A key issue in reform of the international forced migration regime concerns arrangements to bring about durable solutions to situations of conflict and displacement. These need to be linked to long-term development efforts, to improve economic, political and social conditions in conflict areas. However, protection and assistance of existing forced migrant populations must not be neglected while durable solutions are being sought (CASTLES and VAN HEAR 2005).

Why has forced migration grown in recent times?

Refugee movements and other types of forced migration are nothing new: they are as old as human history, and have been a frequent result of war, conquest, economic change and political conflict. The imagery of flight and exile is to be found in the holy books of most religions, and is part of the founding myths of countless nations. But, as previous sections have shown, forced migration has increased rapidly and changed in character in recent decades. The most common explanation for this involves the major political and political shifts since the end of the Cold War. But forced migration started growing before this, as a result of colonial liberation wars and struggles about the formation of new states and their place in the world (Zolberg et al. 1989). We need to look for the causes of conflict and displacement not just in local and regional affairs, but in broader patterns of global change, especially in economic globalisation and in the emergence of a new global power system based on the dominance of a single superpower (Castles 2005).

These changes in global economic and political structures are leading to profound social transformations in less-developed countries, Such transformations in turn often lead to violent conflicts, which cause large-scale forced migration. Globalisation means increasing penetration of national and local economies by global capital. In this process some local groups are included in new modes of production and experience higher incomes, while other groups find their workplaces destroyed and their qualifications devalued. Globalisation brings about vast increases in human insecurity and inequality. In 1970 the 'advanced countries' (according to the IMF classification) received 68 per cent of world income while the 'rest of the world' got 32 per cent. By 2000 the 'advanced countries' received 81 per cent of world income, while the 'rest of the world' got 19 per cent. (In the same period the world population share of the advanced countries fell from 20 per cent to 16 per cent) (Freeman 2004).

One aspect of this is North-South inequality, but growing inequality is also to be found within all regions, with new elites in the South gaining from their role in the transnational circuits of capital accumulation, while workers in former northern industrial centres lose their livelihoods. Thus economic globalisation means profound transformation of societies. Structural adjustment policies imposed on less-developed

countries by international financial institutions may exacerbate the social consequences of such transformations and reduce the capacity of governments to deal with them. US economist Joseph Stiglitz argues that ignorance of this connection on the part of the IMF and similar bodies led to failures, which 'have set back the development agenda, by unnecessarily corroding the very fabric of society' (Stiglitz 2002, 76-7).

Today, forced migration is both a result and a cause of social transformation in the South. Situations of conflict, generalised violence and mass flight emerged from the 1960s, in the context of struggles over decolonisation, state formation, and incorporation into the bipolar world order of the Cold War. Local conflicts became proxy wars in the East-West conflict, with the superpowers and their satellites providing modern weapons to their protégés. Such conflicts escalated in frequency and intensity from the 1980s. The context of this trend was the inability to achieve economic and social development and the failure to build legitimate and stable states in large areas of the South. This led to internal wars connected with identity struggles, ethnic divisions, problems of state formation and competition for economic assets. But such wars are simultaneously transnational as they involve diaspora populations, foreign volunteers and mercenaries, and international intervention forces. They also draw in international journalists, UN aid organizations, NGOs, and regional organizations.

Northern economic interests – such as the trade in oil, diamonds, coltan (a mineral essential for producing mobile phones) and small arms – play an important part in starting or prolonging local wars. At a broader level, trade, investment and intellectual property regimes that favour the industrialised countries maintain underdevelopment in the South. Conflict and forced migration are thus ultimately an integral part of the North-South division. This reveals the ambiguity of efforts by the 'international community' (which essentially means the powerful Northern states and the intergovernmental agencies) to prevent forced migration. In fact the North does more to cause forced migration than to stop it, through enforcing an international economic and political order that causes underdevelopment and conflict.

Violence and forced migration also causes social transformation. Conflict destroys economic resources, undermines traditional ways of life and break up communities. Forced migration is thus a factor that deepens underdevelopment, weakens social bonds, and reduces the capacity of communities and societies to achieve positive change. Post-conflict reconstruction rarely leads to restoration of the pre-conflict situation, but rather to new and often problematic social relationships. Thus, to fully understand the causes and effects of forced migration, there is a need for a political economy analysis which links global economic and political causes with the way these impact at the local and national level. Micro-level political economies of conflict can show how the supply-chains for specific commodities (like diamonds, oil, timber or coltan) link local conflicts with the global economy. Similarly, research on the survival strategies and livelihood adaptations of groups affected by conflict can help us understand how forced migration changes economic and social structures and behaviour (Collinson 2003).

The studies presented in this special issue provide studies of local experience of conflict and displacement in SE Asia. They also show how local conflicts have interacted with emerging regional and global patterns in the period of turbulence precipitated by such factors as the aftermath of the Indo-China conflict, the end of the Cold War and the Asian Financial Crisis of 1997-99. These events had major consequences, including the fall of the Suharto regime in Indonesia and the ensuing

struggles about the future shape of Indonesian state and nation. Conflicts in the Philippines and Thailand reveal a similar interaction of local, regional and global factors. Deep historical and cultural roots create differing forms of path dependence in the various societies and communities, leading to complex forms of response to global economic and political forces. It is these multi-layered and often contradictory patterns of conflict and forced migration in SE Asia that the studies presented here seek to unravel.

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