CHAPTER 2

Refugees and Internally Displaced Persons: From Humanitarian to Security Paradigm

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Introduction

At the beginning of 2009, the world population of refugees stood at 15 million, with another 26 million internally displaced persons (IDPs), a numerical differential that tends to suggest a growing trend toward internalization of forced displacement in the post-Cold War era. Africa’s share of this global tragedy was estimated at 2.1 million refugees and 6.3 million IDPs, which means that about 8 million individuals have been uprooted and are on the move at the present time in Africa. Although, in contrast with global trends, the number of refugees in the region is on the decline—we will recall that Africa was labeled “the continent of refugees” in the 1980s—the current situation still calls attention to the magnitude of the problem and its political, social, economic, and security implications for Africa. Of particular concern from a security standpoint, as we shall see, is the extent of protracted refugee situations (PRS) across the continent. Nearly 98 percent of refugees in Africa have been trapped in exile for protracted periods. The United Nations High Commissioner for Refugees (UNHCR) defines PRS as “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.”
Major PRS in Africa are found in Tanzania, Kenya, Uganda, Sudan, Guinea, Ethiopia, Democratic Republic of the Congo, Algeria, Burundi, Cameroon, Egypt, Rwanda, and Zambia. Methodologically, it is worth noting that to identify PRS, the UNHCR uses the “crude measure of refugee populations of 25,000 persons or more who have been in exile for five or more years.”

Refugees and IDPs represent the two faces of the phenomenon of forced displacement of populations. While the former have crossed their national state’s international borders in search of protection elsewhere, the latter have stayed within the confines of their national state. The sovereignty implication that derives from the simple act of crossing national borders is the fundamental reason why the international community has developed different sets of policies and legal instruments for each group, even though the causes of displacement and the needs for protection are often similar.

Refugees represent a long established category, protected through an elaborated institutional and legal regime supported by the UNHCR and specific legally binding instruments—the 1951 Geneva Convention related to the Status of Refugees and its 1967 protocol—which have been complemented, at the regional level, by the 1969 Organization of African Unity (OAU) Refugee Convention. The latter, among other things, extended the definition of refugee provided for in the UN instrument to include situations of mass displacement that are more characteristic of the phenomenon on the continent. By contrast, IDPs represent a newly recognized category whose protection, outside the realm of general human rights conventions, rests on a soft law instrument—the Guiding Principles on Internal Displacement—adopted by the UN Commission on Human Rights in 1998. The UNHCR has, over time, extended its protection to IDPs, even though the latter are not formally covered by the original mandate of the organization. Recently, the African Union (AU) has sought to fill IDPs’ protection gap through the adoption, in 2009, of the Convention for the Protection and Assistance of IDPs in Africa, which is however yet to enter into force.

Despite this difference in regime, both refugees and IDPs are rightly referred to as “vulnerable populations” because forced displacement, be it external or internal, leads to vulnerability often expressed in the form of gross violations of human rights, economic insecurity, food insecurity, environmental insecurity, diseases, and personal insecurity caused by physical and sexual violence, especially among the female population.

Long treated and approached primarily as a humanitarian problem—a by-product of wars and interstate conflicts that dominated world politics throughout most of the twentieth century—the question of refugees has been