Chapter VI

CONCLUSION
The discussion and analyses contained in the preceding chapters present here opportunity to undertake an overall evaluation as regards the expectations and experiences of the Office of the United Nations High Commissioner for Refugee in some of the most testing refugees situations in recent years.

I

The institution of UNHCR when incepted in 1951 represented humanitarian commitment to alleviate the problems faced by the wartime and immediate post war refugees. Designed as a provisional measure to manage a pressive humanitarian problem then, the UNHCR has in thirty seven years evolve, to be considered widely as an indispensable conscience keeper of the worldwide co-operative effort to comprehensively address what seems to be a never ending phenomenon of refugees. A few observations about the evolutionary character of UNHCR as a response to radically changing nature of the refugee problem are in order. In 1951 UNHCR was created to take care of 1.2 million refugees most of whom originated from and were found in different European countries. A decade later in 1960s the refugee problem was no longer European in character. The UNHCR was handling by 1960 about half a million refugees in central and east and west Africa. Soon the "old" refugees were replaced by "new" refugees. In course of time Asia, Central America and other parts of the world have appeared on the refugees map to become a major concern for UNHCR. As per the latest available statistics as many as 17 million refugees covering all continents. In other words refugees have become a global problem in term making the
UNHCR a global institutions. At the same time the fact stands out that nearly 80 per cent of refugees belong to Asia, Africa, Latin America collectively identified as the Third World. These refugees have sought shelter in foreign country owing to a variety of compelling circumstances including struggles against colonial rule, political or social turbulence, civil wars oppressive nature of ruling regims, famine and starvation etc. The effects of the growing refugees problem are understandably as noteworthy as the causes. They are evidently the gigantic social and economic costs to the host countries, the unwelcome consequences for the international peace and security in the affected area particularly in the neighborhood, and the growing deficit in the resources made available at the international level to cater to both the short term and long term needs of the refugees.

Notwithstanding the inter-toining character of the cause and effect relationship associated with the refugee problems the ameliorative role of the office of the UNHCR has provided critical inputs in managing on behalf of the world community, the relief effort. An open acknowledgment of UNHCR’s valuable service in the cause of refugees is made several times in both official and unofficial quarters. As for instance in the award of Novel peace prize to UNHCR in 1954 and 1981. The role of UNHCR has some noteworthy dimension foremost UNHCR is entrusted with the responsibility of being promoter of the refugees cause. It not only facilitates legal and physical protection but also is deeply engaged in promoting the refugees interests by safeguarding against refoulment, provision of assistance in cash and kind, exploring avenues of integration into local communities equiping refugees with vocational skills, as also working towards rehabilitation and repatriation. Secondly, the UNHCR emerges as a coordinator of multi-prone relief effort.
This involves liaison with governments, individuals, NGOs as also sister agencies of the United Nations system. In this difficult tasks the UNHCR nonetheless, relies upon its unmatched pull of experience and expertise. It is pertinent to mention here that UNHCR has network of 239 offices in 119 countries maned by nearly 5,000 qualified personnel. The third dimension of UNHCR role has a bearing on its ability to channelise the desired financial resources to the benefit of the targeted refugee populations. For instance the UNHCR has raised and channelissed in 1997 financial resources to the tune of 1.22 billion dollars in the form of voluntary contributions by 22 countries:

The basis on which the UNHCR discharges the above stated role is shaped by two inter-mingling variables. First, one is the legal framework encompassing various instruments multilaterally negotiated but binding. The king-pin in this family of instruments are the 1951 Convention and the 1967 protocol to status of refugees. Together they lay down norms regarding the basic minimum standards for a faire and non-discriminatory treatment of refugees.

Over time the scope of UNHCR concerns expanded far beyond the confines of the original legal instruments. UNHCR began providing relief to those who may not have crossed their countries borders to become refugees but displaced within their own country. Besides, the UNHCR has of late got the mandate to undertake measures not just reactive to the refugee flows, but take preventive steps in the country of origin so as to arrest a potential refugee problems. Complementing the UNHCR's legal framework is the moral milieu. The moral milieu characterises a further sub-set of dependent variables.

Based on what is bestowed by the legal framework the UNHCR has
devised new programmes and strategies through the means of improvisation and ingenuity. This will be commented upon with some substance in the context of evaluation of the experiences in different refugees situation taken up as specific case studies in this thesis. The second, the very nature of the UNHCR office. The office is humanitarian in character. It has no preferences or prejudices. Its ideologies is humanitarian. Therefore the perception and the image the UNHCR enjoys in the minds of the contending components of its constituency is extremely critical. By and large the UNHCR has maintained image of impartial, non-political agency without being identified with narrow/partisan interests of either donor or recipient. The extend to which the neutral image of UNHCR activities is upheld is linked to the nuance of the milieu i.e. the personality of the High Commissioner himself or herself. Fortunately all the eight incumbants have enjoyed an enviable reputation for their integrity and humanitarian commitment. This includes Prince Sadruddin Agha Khan of Iran (1965-1977) the sole occupant from the third world. However, it may be critically noted here that the principle of equitable geographical representation were to be observed these would have been more than one High Commissioner from the world.

II

It is against above backdrop that an attempt is made to examine the manner and the effect of UNHCR’s assistance activities in relation to three major refugees situations in the Third World. The study has examined in independent chapters, the UNHCR contributions with reference to the East Pakistani, the Afghan and the Somali refugees.
Interestingly each of them signifies a particular characteristic in terms of the reasons and the ramifications of the refugees flows, stretching over a period of twenty five years since the beginning of 1970s. The East Pakistani refugees were a product of a massive use of military force by a government against a vast majority of people aspiring for their basic democratic rights.

The resulting situation prompted 9.8 million to flee their country to neighboring India. This was the single largest refugee situation ever witness in the history of UNHCR. The situation in Afghanistan that lay behind the humanitarian crisis was a mix of unwanted major powers military occupation and successful resistance there to followed by nearly 6 million Afghans to seek refuge in mainly three different neighbouring countries (Pakistan, Iran and India) the problem persist with nearly tow million refugees outside of Afghanistan. Even after eighteen years "The Afghan refugees were the UNHCR's biggest single refugee caseload in the world for nearly two decades year in succession". Whereas in the case of Somalia in the region of Horn of Africa the reasons for refugees transformed in amazing succession from the fall of an unpopular regime under the weight of the end to the cold war, through massive suffering cause by famine and starvation to the "failed state" as exposed by the brutal ethnic strife devoid of any humanitarian obligations. The resulting humanitarian crisis was indeed a heralded a new generation of refugee problem: approximately 2-5 million out of the country's of seven million total population were affected.

Apparently, based on the similarities and dissimilarities there is scope to attempt a comparative perspective as to the UNCR relief effort. How can one measure the dimensions of UNHCR humanitarian assistance in the above
three situations. What can be the criteria commonly applicable to discern the effectiveness of the humanitarian assistance as channelled through the UNCR? How well does the UNHCR come out as an institutional learner to improve its track record of service from situation to situation.

The discussion in the three case studies give rise to a few parameters within which a cumulative understanding can be offered in response to the above posers. The paramenters touch upon (a) the Quantum, the purpose and the variations in the assistance channelise by UNHCR; (b) the innovation of specific strategies, approaches suiting a particular context; (c) partnerships effectively materialised with other agencies and organisations envolve; (d) the co-operation received from the host countries; and (e) the importance of the circumstances in the home countries for repatriation. The UNHCR mobilised in the context of the refugee situations in huge. It mobilised $183 million for East pakistani refugees during the gear 1971, in the case of Afghan refugees, the cumulative total since 1980 exceeds $1,000 million and in the context of Somali refugees problem, the amount spent over 1000 million dollars. The assistance programme channelised by the UNHCR was divided into two categories i.e. recurring and non-recurring. Recurring assistance covered food and medical, whereas non-recurring included shelter, transportation, sanitation etc. Besides, there is variation in the assistance. For example Afghan refugees in India who are mostly educated and belong from upper middle calss, donot like to stay in camp. As a result UNHCR provided subsistence allowance to them whereas in Pakistan and Iran, the Afghan refugees were located in camps to receive assistance in kind.
The second parameter of UNCR's assistance concerns the specific strategies and approaches undertaken to tackle the particular problems in different regions. For example during 1971, East Pakistani refugees crisis, the UNHCR was assigned the duty to act as a "Focal Point" for the coordination of assistance from governmental, non-governmental organisations, and other United Nations agencies. Similarly, cross-border program was implemented along the borders of Djibouti, Ethiopia, Kenya and Somalia with main objective to prevent population flow and creating conditions conducive to the voluntary repatriation of refugees. Likewise the quick Impact Projects (QIP) were implemented across Afghanistan as well as in Somalia in sectors of education, irrigation, transport, health, livestock and infrastructure development in home country for reintegration of returnees.

In the task of meeting the multiple needs of refugees in all the three situations studied, UNHCR received assistance and co-operation from a number of United Nations agencies, particularly WFP, UNICEF and WHO. Here the UNHCR was responsible for necessary co-ordination. On it not only coordinated the activities of United Nations agencies but also the governmental organisation and voluntary agencies. During East Pakistani refugees problem in India the about 31 voluntary organisations donated US $ 25.4 million whereas United Nations agencies donated $ 4.3 million. Similarly in Afghanistan and Somalia UNHCR coordinated the activities of a number of United Nations agencies, including UNICEF, WFP, WHO and ILO and some 30 international voluntary agencies such as the Belgian Medical Team, Help the Aged (UK) CARE (USA) etc. Apart from it, UNHCR ensured coordination of the international assistance with food supplies channeled mainly through WFP. The International Committee for Red Cross (ICRC) and the
International Organization for Migration (IOM) are also important partners of UNHCR in operations around the world. In all, more than 200 non-governmental organization cooperated in UNHCR's relief and legal assistance programmes in all these three major refugee problems.

The co-operation from host countries is also very important parameter. All the host countries namely, India, Pakistan, Iran, Ethiopia and Kenya have adopted a remarkably receptive approach in caring for refugees even though, they are not a party to the United Nations Convenction relating to the Status of refugees or 1967 Protocol. The relief assistance provided by the hosts i.e. Pakistan, Iran and India was in itself monumental. Hundreds of Afghan refugees in Pakistan and Iran were reintegrated, thanks to the co-optation from the host country concerned.

The repatriation of refugees is only possible when the normale takes place in the country of origin. It is true that most of the refugees leave their countries only under extreme duress and are keen to return as soon as circumstances permit. The UNHCR helps refugees in returning home voluntarily, in safety and with dignity. Repatriation was achieved in all the three cases with varying degrees of success. For example 9.8 million East Pakistani refugees were repatriated to East Pakistan after the emergence of independent Bangladesh. The repatriation of more than 3 million Afghan refugees was arranged from Pakistan and Iran after the vacation of the foreign occupation of the home country and installation of a transitional government. Indeed repatriation continued through at a diminished level, even during civil war, because seemingly there was a modicum of government in place to cooperate with UNHCR on the other hand in Somalia, the repatriation was
minimal, owing essentially to the collapse of structures of government and the delay in reviving those structures.

III

In conclusion, it may be useful to revisit the research questions raised in the introductory note, in the light of the above summery observations.

The office of UNHCR is growing strong both in terms of its capabilities and credibility, as the tallest refugee relief organisation notwithstanding its frequent problems of coordinations with sister agencies and the fluctuations in the donor countries confidence. Although the procedure regarding election of the High Commissioner is not governed by an otherwise widely followed principle of equitable geographical representation, there is no evidence to show that the UNHCR office would be more sensitive to Third World refugee problems if the incumbent were to belong to a developing country.

The office of UNHCR in a way succeeded in overcoming the constraints arising from the somewhat dated provisions of the 1951 Convention and the 1967 Protocol with the help of resolutions of United Nations bodies from time to time and also through innovative approaches/steps occasionally. The challenge of East Pakistan refugees paved the way for UNHCR to be designated as the "Focal Point" for coordinating the multi-agency relief effort in India and Bangladesh. The satisfactory experience inspired resort to the emulation in other situation as in Cambodia. Similarly the UNHCR's experimentation with the "Quick Impact Projects" has gained wider acceptance in the operations that followed.
Like wise Somalia experience proved to be the testing ground for the "cross-border" approach of UNHCR. However well-meaning some of the UNHCR strategies like "cross-border approach" aimed to prevent, or at least contain, the refugee flows from the home country, the UNHCR's experience so far in Ethiopia, Kenya, etc. does not reassure sceptics about the practicability of this "innovative" approach.

Finally, more the host countries in the three refugees situations is a party to the 1951 Refugees Convention. And yet they found no obstacle either in taking care of the refugees on their own within their respective constraints or in cooperating with UNHCR. In other words the host governments are guided in their attitude to refugees more by humanitarian considerations as well as the geographical, cultural, religious, affinities than the legal obligations.

Hence the key to effective relief operations by UNHCR is likely to rest more own its moral stature than its formal power.