CHAPTER - II
INTERNATIONAL DIMENSIONS OF THE REFUGEE PROBLEM

The refugee problem is a phenomenon of our age and it is the consequence of not only the First World War and Second World War, modern dictatorial regimes and ethnic strife, but also of the innumerable socio-economic inequalities. There were refugees in the beginning of this century however no refugee problem in the modern sense. Modern refugee movements started in Europe and subsequently it became widespread in the Third World Countries. The refugee movements of modern times have given rise to a new class of people who are homeless and stateless and who lived in a condition of constant insecurity. They have caused great political and economic problems for the host countries. Furthermore, while in its earlier stages the refugee problem was seen as temporary and limited phenomenon, it has now been acknowledged as universal, continuing, and recurring. As a result the international community has developed a complex mechanism of worldwide co-operation involving National Governments, Private Agencies and International Organizations.

The history of human being is the history of mass migration and every year millions of men, women, and children flee from their homeland due to war violence, environment disaster and repression which have over taken their land. These People take shelter in foreign countries where they are isolated and impoverished.

Although, the problem of refugee is as old as history, it is only at the end of First World War that the International Community began to take serious note of it. Today, the problem has become a matter of acute International concern. The 20th century has been described as the
“century of homeless man”¹ or “century of uprooted”² because of tremendous increase in the number of refugees.

**Genesis of refugees**

The term refugee is derived from the Latin word ‘refugium’ meaning “shelter, security, heaven”. Its means one who flees from untenable situation to something hope to be better elsewhere across on international border.³ Originally in France in the seventh century, the refugee is regarded as having been used in 1573, referring to the grating of asylum and assisting foreigners who were escaping persecution.⁴ Intolerant nationalism and violence of dictorial regime are major causes of the permanent refugee movement.⁵ The usage of this phenomenon probably referred to the arrival of Calvinist from the adjacent low countries, a region where the reformation had gained considerable support but whose Spanish ruler were engaged in an all-out repression religious dissent. In fact from antiquity upon the present mass migration of people from one state to another has led to the development of principle of interdependence and freedom of movement.

**Refugee Problems in the 20th Century**

The 20th century has witness massive dislocation of people in almost all parts of the world. The 20th century has been called the century of the homeless persons. The member of persons permanently displaced for political reasons as results of war treaties a sometime obscure reason.

---

¹Elfyn Rees,” century of Homeless Man” International conciliation, no 155, November 1957.
The First and most important refugee movement started after the First World War. Since World War I at least seventy millions persons have led to move as result of political, military or ideological dispute. The World War I and the Bolshevik revolution of 1917 produced first massive Refugees movements of this century. After the Russian revolution and subsequent civil war in 1917-1923 created the first large groups of international refugee. Over 1.5millions Russian escaped persecution and saved their lives and personal freedom by fleeing to central and west Europe and to China. Another results of Russian Revolution was the expulsion of abort 350,000 Assyrians, Greeks, Turks, and other minority groups from southern parts of Russia. They found asylum in Turkey, Greece and some other countries.\(^6\)

Before World War I, large number of refugees from the Russian and Ottoman Empires moved to Central and Western Europe and Asia. After the Balkan wars 1912-1914 the involuntary transfers of Ethnic minority groups in that region started; 250,000 Bulgarians from Romania, Serbia and Greece, 50,000, Greeks from Bulgarians and 1,200,000 from Turkey and as result of renewed fighting it continued into early twenties.\(^7\)

In the same period in 1922-24, after the disastrous Greece defeat in Turkey about 400,000 Turkish Muslims were transferred from Greece to Turkey. The population transferred based on the treaties of versatile resulted in expulsion of some 200, 000 Hungarian from Romania of 20,000 ethnic Serbs from Hungary and Assyrians from Turkey. The Armenians fled from persecution and massacres between 1895 and 1920. About 1 million Armenians were killed by Turks. By 1923, another 320,000 had fled to neighbouring countries and to France.\(^8\)

---


\(^7\)Simpson John, no 12, pp-11-61.

\(^8\)Ibid pp.112-114.
Between 1933 and outbreak of World War II more than 50 millions civilians were forced from one place to another and since 1945 an additional 60 to 70 million have become victims of forced migration. More than 100 millions have been uprooted in first eighty years of the twentieth century million permanently displaced as a result of revolutions, divisions of countries, annexation or boundaries changes and territorial arrangements.\(^9\) A special and important place in history of refugee movement is held by Jews, who may be called the ‘nation of refugees’ most of Jews left Germany due to outbreak of World War I fleeing to Western Europe or across the seas.\(^10\)

The second important refugee movement took place during World War II. World War II, caused the most formidable displacement of population. In World War II, large new groups of international refugee were formed as result of racial religious and political persecution. There was mass movement of Germans, many of whom either fled or expelled with German defeat as were Germans in the territory that was ceded to Poland and Soviet Union after the war. Fascism forced 200,000 Italians to leave their country and about 150,000 Germans fled Nazi and Germany, both groups were seeking protection and sustenance in Western Europe.\(^11\)

East Europe witnessed massive dislocation of people during the Word War II about 1.6 million persons were displaced from East European countries during 1939-1945. The first major post war movements of refugees from East Europe was the result of communist coup Czechoslovakia in February 1948, when 60,000 Czech fled to Western zones of Germany and Austria.\(^12\)

---

\(^10\) Simpson John, no 12 pp 177-125  
\(^12\) Smith Richard F.” Refugees: American Academy of Political and Social sciences” Annals 1966, p.47.
Asia too has witnessed massive dislocation of people in this century. In 1947 creation of two separate states India and Pakistan was followed by an exodus of about 85,00,000 Hindustani and Sikh from Pakistan. Many of these transferred people remain landless and homeless decades after the exodus.\textsuperscript{13} In both India and Pakistan refugee were welcomed as citizens but there were severe land housing shortage. Many of the refugees had to change their way of life because skills of the two population were not interchangeable.

The movement of refugee between India and Pakistan (Bangladesh) was initially smaller perhaps 1millions. During 1950 and 1951 however religious violence drove about 4millions Hindus to India and 1million Muslims to East Pakistan. The total movement of approximately 17-20millions refugee are probably the largest in history.\textsuperscript{14} In Asia from 1950 to the mid 1960 more than 100,000 refugees fled from Tibet to India due to Cultural Revolution in communist China caused a mass exodus along with religious head Dalai Lama. The second phase of Tibetan refugees started in 1988-1989 when Tibet struggle for autonomy picked up movement again and generating fresh wave of refugees.\textsuperscript{15}

During the Arab-Israel conflict in May 1948, hundreds and thousands of Palestinian fled from their homeland to neighbouring frontline Arab states.\textsuperscript{16} Palestinian refugee became further complicated with Israeli occupation in June 1967 war. Thousands of Palestinians were rendered homeless for second time. These Palestinian refugees took shelter in Jordan, Lebanon, Syria, West Bank and Gaza strip and Gulf States. The rest are dispersed throughout the region and the

\textsuperscript{13} Gunther Beyer, no.21 pp.29-30.  
\textsuperscript{14} Crisis in South Asia- a Report of Senator Edward M Kennedy to the subcommittee to investigate problems connected with refugee and Escapes, November 1, 1971 p.7. 
These refugees who took refuge in Frontline Arab States and Gulf States are considered to be security threat to West Asian countries. The Palestinian refugee has remained a nation without a country a major cause of instability in the West Asia. The attitude of Arab host government were that the Palestinian would drag their countries in to permanent conflict with Israel and by their concern that embittered refugee could threaten their own legitimacy at home. Actually, the Palestinians refugees have impact on social, political, economic and security of the Arab World and would arouse serious resentment and opposition on the part of native inhabitants. In west Asia part Arab political and armed support for Palestinian, refugees has resulted in Arab States losing control over the formation of their own foreign and internal policies. The presence of large number of Palestinians in Frontline Arab States and Gulf State created security problem not only for Lebanon, Syria, Jordan and Gulf States but it also create problem for Israel.

The Afghan refugees pouring into Pakistan following the Saur Revolution in 1978 and socio economic changes introduced by Taraki regime. Within a year Soviet military intervention in Afghanistan in 1979 sent more than 5.5millions refugee in Pakistan and Iran or which 3.5millions refugees registered in Pakistan, most living in 340 settlement camps along the Afghanistan Pakistan border. The Afghan refugees asking for resettlement are generally highly educated. They have left everything behind they owned except their Islamic faith and strong family bonds on which they rely. Today, most of refugees live in Pakistan, North Frontier Provinces (NWFP) the remainder primarily in Baluchistan and Peshawar. The majority are Pathans tribesmen largely

\[20\] Strategic Digest, IDSA, New Delhi, 1982.p.94.
from the Eastern regions of Afghanistan, but the member of refugees representing other ethnic groups is increasing. Afghan refugees are not only noteworthy for their numbers but also for the duration of their stay. They will seek repatriation, the longer they remain in Pakistan the greater the chances of their becoming Political force in that country.

The African continent harbors the largest number of refugees in the world. The flow of refugees in Africa become an acute problem in the 1960, because most of African countries were engaged with the struggle for the attainment of independence by African States. During 1951 to 1966, around forty African country became independent. The process of decolonization brought new and powerful political forces into play and released new conflicts which created mass displacement. The ending of colonial era has inevitably brought with its enormous conflict and changes. Some of these changes are violent and keep on producing refugees. African refugee problem are different from these of Asia and Europe, more than 90% of refugee are from rural areas, fleeing in groups. Often encompassing whole villagers or regions are receiving aids according to traditions of spontaneous hospitality involved. Deep seated tribal and ethnic rivalries were rampant in most of these independent states. The economic condition of most of these countries was very bad. Economic deprivation coupled with ethnic and violence compelled millions of people to move across the borders in most part of African continent.

Issues Related to the Violation of Human Rights:

It is broadly accepted that human rights for the overall basis for protection and assistance to refugees and can be the key to find solution to refugee problem. Human rights violation are major causes of most

---

21 Hafizullah Emadi, State Revolution and Super powers in Afghanistan, Praeger, Publisher, New York, 1990 p.117.
22 Ibid, p. 118.
refugee movements today, is armed conflict or serious internal disturbances. Human rights violations combined with severe economic deprivation; usually lie at root of the conflict or aggravate it. In situation, where fear of persecution is the basis of flight, then the link between human rights violation and refugee flow, is over clearer.  

Israel violated the human rights in the occupied Arab territories including Palestine. It implies Israel’s grave breaches of the 1949 Geneva Convention on the protection of civilian in time of war prohibition of violation of certain human rights. Of all human rights, the most natural is the right of person to live, work and die in his own country. This right was denied and continues to be denied, by Israel to two millions Palestine in the most brutal and in human way. The Palestinian who remained under Israel occupation did not fare better. They were considered second class citizen and were subjected to various form of oppression, arrest, detention, restriction on their liberty of movements, expropriation of their properties, torture, imprisonment, deportation and collective punishments particularly in Gaza strip and west bank. Although, the General Assembly, the UN commission on Human Rights and other international organization have also condemned Israel for its violation of Human Rights in the occupied Arab territories. These organizations have not curbed Israel’s determination to pursue ts practices and policies.

In the case of Iraqi Kurds mass violation of human rights occurred in the aftermath of second Gulf War. The Gulf War resulted in Iraq’s defeat and liberation of Kuwait. Immediately, after the Gulf war the Shi’ite Kurds rose up revolt in southern Iraq. The Kurds through that time was ripe to fight for independence. In relation the Iraqi Governments used poison gas and chemical weapons against the rebel

---

Kurds. The Iraqi armed forces crushed the Kurdish rebellion and more than 1.5 million Iraqi Kurds fled to either Turkey or Iran. The international community knew all about it and refused to act. The UN commission on Human Rights and the number of western countries, urged by human rights groups introduced a resolution to condemn this and other atrocities.²⁶

In south East Asia, more than a quarter million Burmese Muslims fled from Rakhaine state in predominantly Buddhist Myanmar (Burma) to escape the brutal excesses of the military government which intensified the ruthless religious persecution of the Muslims in September 1991 Hundreds of thousands were killed, homes and mosques were destroyed and women were detained in army camps and raped. This led to a flight of a millions Burmese refugees to Bangladesh.²⁷

In case of Africa, the refugee problem in Africa arose due to conflict between dominant ethnic or religious groups. In Africa, the massive human rights violation which took place in the context of Somalia led to the flight of over 3000,000 refugees into neighbouring countries. Other civil wars and human rights violation on the continent caused millions of people to flee their home in Liberia, Mozambique, Sudan, Ethiopia, Rwanda, Burundi, and elsewhere.²⁸

In Latin America, refugee tend to be political or ideological, although in Haiti and Cuba economic factors are present. Chile, Brazil, and Argentina were guilty during the 1970’s, widespread human rights violations. Hundreds of thousands of people fled to other countries for largely political reasons. In the case of Haiti, the security forces and civilians in collusion with them have arbitrarily arrested thousands of Haitians since a military coup overthrew the democratically elected

²⁸For detail see UN Affair Volume 11 1987 pp. 626-627 also see in Refugee, UNHCR Publication, 1993 and UN Chronicle, March 1093.
government in September 1991. Many people were tortured and murdered. In case of such repression, hundreds of thousands of Haitians have fled to the United States. Amnesty International reported and arguing that the policy is blatant major human rights violations in Haiti.29

In the case of Central Americans, there has been a continuous influx of people as a consequences of the civil unrest in El-Salvador, Nicaragua and Guatemala. Of these Salvadoran accounted for the majority. Since 1979, El-Salvador had been in the midst of an internal armed conflict that had claimed some 60,000lives and led to internal displacement and international flight of many thousands more. Gross violation of human rights by government security forces and right wing death squad were well documented, as were the same what less numerous but still important human rights violation by left wing guerrilla forces.30

In the case of Afghanistan also plunged into a civil war following the subsequent soviet invasion and suppression of the guerrillas in 1979 led more than 1 million Afghan to flee mainly into Pakistan and Iran, hundreds of thousands who remain in Afghanistan have been made homeless.

Since April 1992, when Mujahidin groups took control of parts of Kabul and other cities, the human rights crisis has escalated. Thousands of civilians have been killed. Women and girls were treated as the spoils of war, being raped by armed forces and forces in to prostitution. Almost, all are beaten, deprived of flood for long periods and exposed to extremes of heat and cold.

In Europe, the massive human rights violations being committed in the former Yugoslavia particularly in Bosnia- Herzegovina have led to hundreds of thousands of people to flee and seek refuge in neighbouring

countries and elsewhere experts confirmed and investigated the allegations of widespread rape repeatedly and sexual abuses of women in Bosnia-Herzegovina. In Bosnia-Herzegovina and Croatia, rape has been used as an instrument of ethnic cleansing. In the face of such abuses, the human rights in Bosnia can only be protected by the international community. If the international community fails to stop further atrocities in Bosnia, then the human rights violations can not be stopped. The respect of the human rights rests totally in the hands of state governments and international community.

**Factors giving rise to refugee problem:**

There are various causes of refugee movements. However, these causes are rarely similar in all parts of the world. Some may be more prevalent in one particular area than others. Some of the main causes of refugees are given below:

1) **Wars:** The main causes of refugees’ movement is war. Wars produce refugees because the armed conflict between nations compels human being to flee their homes and take shelter in other countries. For instance, World War I, World War II and Arab–Israel conflict, Vietnam War and Indo-China etc. have produced millions of refugees. There are many persons who have become refugees since World War I. After the political crises which followed the First World War, refugees assumed unprecedented portion. Before and following the World War I, large number of refugees from Russia and Ottoman Empire moved to Central, Western Europe and Asia. During World War II, 30 million or more national and ethnic German were expelled from the Eastern provinces of Germany and sought refuge in Poland. German minorities, amounting to almost 3,500,000 people were also forced to leave Czechoslovakia, Hungary, Romania, and Yugoslavia. Many of them found new home in

---

31 For detail see UN Chronicle, March, 1993 also see Refugees UNHCR publication, 1993.
Austria.\textsuperscript{33} After the World War II, the exodus of Palestinian of hundreds of thousands of refugees in WestAsia.\textsuperscript{34}

2) \textbf{Revolutions}:

Revolutions also causes refugee movements because the government that resists revolutionary movements may flight for a lengthy period before eventually is brought down. Even it is not brought down, the fighting will oppress the population in much the same way that international hostility does. A large portion of the world’s displacement also occurs as a direct result of political and social revolution. Peter Kohen has observed that revolutions are unequally powerful refugee generating events because they involve a deliberate attempt to transform social and economic relations and to construct a radically different political systems.\textsuperscript{35}

The overthrow of ruling elites, violent internal conflicts to achieve dominance and intolerance of dissent and drive for total consensus characterized, most contemporary revolution have been the source of many of the World, major refugees movements. During the past 40 years, Cuba, Vietnam, Cambodia, Laos, Ethiopia, Afghanistan, Iran, Angola, Mozambique and Nicaragua, generated massive out flows as a result of revolutionary changes in their political economic and social system.\textsuperscript{36}

Revolutionary regimes typically rely on mass exodus to rid themselves of political dissidents, potential challenges to authority and other undesirables. The communist and other revolutionary regimes have even resorted to mass expulsion to rid themselves from entire social clams of posed to the governments, or ruling party’s economic and political

\textsuperscript{33} Gunther Beyer no-21 p.29.
\textsuperscript{34} Janny Parry Clark Carey no-48 p.117.
\textsuperscript{35} Peter Koehn, Refugee problem Revolution U S policy and trial world migration, bouudder co. west view press 1991 p.9.
\textsuperscript{36} Gill Loescher, no.19 p.29.
changes. The revolution and civil war in Russia (1917-1923) created the first large groups of refugees. Over 1500,000 Russians escaped persecution and saved their lives and personal freedom by fleeing to Central and West Europe and to China. Another result of Russian Revolutions was rendered stateless by the Soviet decree of 1921. These were the Assyrians, Turks, Greeks, Bulgars, Romanians, and other minorities groups living in the southern parts of Russia. In Russia, the ranks of the uprooted were steadily swollen by masses of army deserters of civilians escaping white or red terror and just trying to get out of the way of fighting and fleeing minorities, many of whom poured into province that were emerging as successor’s states. A more realistic assessment was that the Russian Revolution created one million refugees outside the boundaries of the old empire. Many were defeated counter revolutionaries who initially made their way to Germany and France, where they evoked considerable political sympathy.

For more than three decades, internal opposition of the Cuban regime has been steadily departure of exile from the island and millions of Cuban emigrated to united states since 1959 due to Cubans recurrent political and economic crisis. Hungary in 1956, Czechoslovakia in 1968, Nicaragua in 1979 and Poland in 1980 effectively exiled large number of their dissident and political opponents, regard less of their differences between their circumstances, were cause the great deal of movement of human being in proportion to population as whole at the time of fighting was taking place. In all the revolutions, the sympathies of foreign countries ensured that same protection attention were given to those affected.

39 Leon Gordenker, Refugees in International Politics, London, 1989 pp.66-70
3) Political Warfare:

This is also given to refugee movements. During the time of tension between Nations propaganda through Radio, Television and Newspapers excites the people of enemy state to flee their home. Sometimes the cessation of hostilities between military forces may give rise to a movement of population e.g. a large scale population movements took place in Korea after defeat of Japan and subsequent occupation of the north by Soviet troops. Israel used this tactics against the Palestinians people in the West Bank and Gaza Strip.

4) Separatist Movements:

Separatist or secessionist movements in many countries of the third world have produced large number of refugees. The government in question comes down heavily on the rebels fighting for separate state of their own compelling hundreds of thousands to flee to neighbouring countries for shelter. For instance, the wars of liberation in Eritrea and the Tamil separatist movements in Sri Lanka, has produced hundreds of thousands refugees.

5) Minorities:

Minorities are also a cause of refugee movements. If minority rights are not fulfilled it may lead to revolt against the Government. The persecution of minorities ranging from minor harassment to genocide is a time honored way of promoting or cementing the solidarity of national groups. It functions to distinguish dominant nationality from the subordinate. The persecution of national minorities can be either overt or covert. Charles Keely has written that mass expulsion usually occur when a dominant groups tries to further marginalize or eject the minorities, a government seeks cultural and political homogeneity in the form of new national identity or a ruling regime imposes an alternative
ideology in place of nationalism in order to unite diverse people for the purpose of state building.\textsuperscript{40}

Minorities have often been threatened by states antagonist policies towards their religion, their languages and their culture, as the state sought to impose on hegemonic ethnic or religion identity upon its citizen. Economically successful minorities have been told that other would be given preferences in employment, a policy of discrimination which effectively made it difficult for minorities to compete on the basis of merits.\textsuperscript{41} Many governments expelled their minorities or created conditioned that induce them to leave and thereby force other countries, on humanitarian grounds or out of cultural affinity, to accept them as a refugees.

The expulsion of the Asian resident of Uganda during the early seventies was an obvious example of persecution of minorities in order to stir up national feelings. In Asia and Africa numerous problems arose from conflict between dominant ethnic or religious groups and persecuted minorities. These conflict may be ethnic as Chinese from Vietnam, Indians and Pakistanis from East Africa, Tamils from Sri Lanka, Bahais from Iran, Kurds from Turkey, Iran and Iraq, Ahmediyas from Pakistan, Chakma from Bangladesh, and in Africa Tutsi from Rwanda, Eritreans and others from Ethiopia etc.\textsuperscript{42}

6) Coup’d’Etat:

Several times coups creat refugee problem but unlike causes it involves comparatively small part of society and involves the exchanges of one elite for the other. For example a group of military officers took over the government of Surinam in 1982 and many displaced politicians

\textsuperscript{42}\textsuperscript{42} Ibid up pp. 198-209.
simply found ways to go abroad and communist coup d etat in Kabul and the subsequent Soviet intervention, over six million Afghan opponents of the regime fled and imposed a revolutionary ideology on traditional tribal culture.

7) **Economic Causes**:

Economic problems of the country also causes refugee movements. Economic depression, poverty, hunger, unemployment, and famine, compels people to move out of their country in large number. Sometimes, insistence by the ruling elite on maintaining pattern of production that supports it members but impoverished the masses would affect the population. Just as seriously as forced nationalization affect economic enterprises. According to economic theories of migration, individual will emigrate, if the expected benefits exceed the costs, with the result that the propensity to migrate from one region or country to another is viewed as determined average wages, the cost of travel, and labour market condition. Uneven economic among states and severe mal distribution of income within the states may include individuals and families to move across international boundries to take advantage of greater opportunities. In case of Haiti and Cuba, because of failure to produce any substantial economic development they faced inevitable hunger, a strong impetus to leave the country. Brutal government and ideological position, military crack-down chain of natural disasters, perennial food shortage, grinding poverty and sheer hopelessness are other factors which produce refugees.

The refugee problem will never end until and unless war, revolution, separatist movements, political warfare, coup, d, etat and economic crisis are stopped. It is not only war which turn innocent citizen into frightened refugees. It may be cyclone, an earthquake,
draught, famine, or epidemic which makes people flee in fear and seek shelter in neighbouring lands.\textsuperscript{44}

**Evolution of International Efforts for refugee problem:**

The need for organized International assistance to refugees seems really first to have become apparent during First World War when it was certain that more governments found themselves faced with arrival of thousands of refugees than ever before. In both Europe and Asia Minor especially, very large number of people fled their homeland and passed on from the countries in which they had first found themselves for the fear of persecution due to race, religion, nationality or political opinion\textsuperscript{45}. In the years 1918-1922 about 1.5 million Russian refugees were moved mainly in north central and the southern Europe and in the Far East, as a result of the Bolshevik armies in European Russia in 1919-20, the Russian famine of 1921, and the breakdown of white Russian resistance in Siberian Russia in 1922. By 1923 there were also an estimated 320,000, Armenian refugees and they scattered throughout the Near East, the Balkans, and other European countries after their flight from persecution and massacres in Asia Minor following the collapse of Ottoman Empire and the adoption by Turkey of policy of nationalism\textsuperscript{46}.

Moreover, it was not only the plight of refugee that caused concern. Many of the countries to which they had fled were themselves also destroyed by war, their economic condition disputed and their political situation were unstable and tensed. Thus, the countries of first asylum were not able to absorb the refugee into their economic life. The

\textsuperscript{44}Ishtiyaq Ahmad, “Refugee problems in 20\textsuperscript{th} century” third concept New Delhi, 1995, p.32.
\textsuperscript{45}UNHCR, A Mandate to protect and Assist Refugees: 20 years of service in the cause of Refugees - 1951-1971 (Geneva, n.d.) p. 20.
\textsuperscript{46}Ibid, pp- 21-22.
“intruders” as they were regarded in many causes, became a dangerous threat to political and economic stability in the receiving countries. Prior to 1921, efforts to cope with refugee needs were undertaken mainly by private organization, or voluntary organizations and were predominately in the form of relief. The voluntary organization, whose resources were already overstrained by their relief work, found themselves difficult, the task of meeting the needs of the disorganized masses of Russian and other refugees flooding border countries. Therefore, it was increasingly recognized that the vast World War I refugee problem could be successfully tackled only by an internationally coordinated action.

It is against this background that a more specialized regime pertaining to refugees emerged. The First initiative to expand the base of refugee operations came in February 1921, from a gathering in Geneva of representatives of private relief organization some of these agencies are represented today in the International Council of Voluntary Agencies (ICVA). Following this meetings an appeal was addressed through the President of the International Committee of the Red Cross (IRCR) Gustav Ador, to the League of Nations. He suggested to appoint a League of Nations Commissioner for Refugees and asked the League “to define the status of Russian Refugees, to secure their employment outside Russia, and to co-ordinate measures for their assistance.” He underlined the fact that “the 800,000 refugees scattered throughout Europe are without legal protection or representation.47"

The ICRC proposed that the League should consider three main aspect of the Russian refugee problem, firstly, the definition of their legal status, secondly, their settlement by repatriation to Russia, their immigration to other countries where they were residing; and thirdly, the

---

co-ordination of the various efforts already undertaken for the material relief of the refugees.

The covenants of the League of Nations did not include any specific provision for international aid and protection for refugees, except for the general purpose. To promote international co-operation and to achieve international peace and security, Article 23 and 25 of the Covenant were cited by those in favour of the League’s accepting responsibility for refugees.

**The First High Commissioner:**

Dr. Fridtjof Nansen, a Norwegian national, was appointed by the council of the League, as “High Commissioner on behalf of the League in connection with the problems of Russian refugees in Europe.” He became the first international civil servant to deal with the refugee problem. The council agreed to pay the administrative expenses and to put its machinery at the disposal of the government involved with the understanding that it would not be responsible for organization or financing of relief, and that its work should be considered temporary.

The organization established for coping with the refugee problems was designed to provide the High Commissioner with channels to the host countries, to private voluntary agencies giving money and undertaking relief, and to the refugees themselves. The League of Nations, under the leadership of Dr. Fridtjof Nansen, took part in the resettlement of Greek, Turks, and Bulgarian refugees. Through an agreement 1,300,000 Greeks were transferred from Asia Minor, while 400,000 Turks were moved from the Balkans to Turkey. He also carried out some emergency relief for Bulgarians who had been turned out of Western Thrace. Dr. Nansen was constantly concerned with the question of the final disposition of refugees either by repatriation, employment in the countries of refuge, or resettlement in other countries.

---

The main aim of the office was to turn as quickly as possible from relief and charity to measures which would enable refugees to become self-supporting. For any long-range and permanent solution, the primary need of the refugees was a legal status that would give them standing in the country of refuge and thus permit employment or enable them to travel from one country to another in search of opportunity. An intergovernmental conferences was called in July, 1922 to consider a proposal for a legal status for registered refugees which would be acceptable within and between countries. This proposal was endorsed in the conference for a special certificate of identity to be issued by individual governments to Russian refugees in their territory. Fifty four governments agreed in principle to accept this certificate was known as a “Nansen Passport”.

The Nansen Passport was an identity and travel documents for one year and renewable. Its crucial feature was that it gave the holder the right to return to the country issuing the document and thus permitted the refugee to travel elsewhere. Through this first international identity paper, refugees to specified categories – became the possessors of a legal and juridical status. By an arrangement of May 31, 1924 the same provisions were extended to Armenian refugees. In 1928, the provisions were extended to Assyrian, Assyro-Chaldean and Turkish refugees.50

**The International Nansen Office:**

A new comprehensive organization, “The International Nansen Office for Refuges” was established with the stipulation that its work to be concluded at the latest by December 31, 1938. The post of High Commissioner was abolished and the supreme authority in the new International Nansen Office was exercised by a governing body whose President was nominated by the League Assembly. However, four unforeseen problems arose during the period of this office which made it

impossible to carry out the original plane of setting the remaining refugees in a 10 year period.

The first was the worldwide economic depression which seriously affected the employment of refugees, who were expelled from some countries and refused admission to others. A second major problem was the decline in the prestige and moral influence of the League due to the failure of the collective security in the Sino-Japanese and Etalo-Ethiopian conflicts. In the third place, the entrance of the Soviet Union into the League strengthened the tendency to reduce League activities on behalf of refugees, since the Russian representatives bent their efforts to restricting endeavours on behalf of Russian refugees. The fourth factor was a new refugee problem that arose in Germany from 1933 onwards.

The refugee coming from Germany after January 1, 1933 included both political refugees and persons who feared persecution on account of their Jewish extraction. The Assembly of the League decided in October, 1933 to appoint another High Commissioner for Refugees coming from Germany.\textsuperscript{51} The mandate was confined to the improvement of the legal status of refugees and to finding refugees employment was extended to refugees coming from Austria following its annexation by Nazi Germany. The humanitarian work was left to the voluntary agencies. In order to avoid offence to the German Government, the Assembly formally made the High Commissioner independent of the League and accountable to his own governing body. But, Germany subsequently resigned from the League and the High commissioner was made responsible to the Assembly. Similarly in 1938, Soviet Union in turn objected to any kind of League protection for the few Russian citizen who were able to flee Stalin ‘s’ purges and collectivization campaigns\textsuperscript{52}.

\textsuperscript{52}Ibid.
The High Commissioner secured a travel documents arrangements for the German refugees relating easily, but the problem remained of security legal and political protection similar to the provisions for the Russian and Armenian refugees laid down in the arrangement of 1928. Therefore, a legal convention in 1933. According to the 1933 Convention, “Refugees shall be insured the enjoyment of civil rights, free and ready access to the courts, security and stability as regards establishment and work, facilities in the exercise of the profession of industry and commerce, and regard to the movement of persons, admission to school and Universities.” In this way, the convention restricted the practice of expulsion, ensured the enjoyment of civil right, and secured most favourable treatment in respect to labour, welfare, relief and taxation.

In September, 1938, the Assembly decided to club the two refugee office e.g. the International Nansen office and the High Commissioner for Refugees coming from Germany, into a single. “High Commissioner for Refugees under the protection of the League of Nations.” It was a period of five years. The new High Commissioner was entrusted with the task of coordinating the humanitarian opportunities, and of supervising the application of the various arrangements and convention in the field of international protection. However, the new High Commissioner was denied the power into any legal commitment whatsoever on behalf of the League of Nations, and the League assumed no responsibility, legal or financial for his activities. He had no power engage in material assistance.

**The Inter- governmental Committee on Refugees (IGCR):**

The great difficulties created by the World War II, hampered the activities of the High Commissioner, on December 31, 1946 the mandate of the High Commissioners of the League of Nations was terminated. On

---

December 31, 1946 the mandate of High Commissioner of the League of Nations was terminated. On January 1, 1947, the Intergovernmental Committee on Refugees (IGCR) assumed responsibilities outside the purview of the League of Nations. This committee was the creation of an Evian (France) conference held on the initiative of President Roosevelt in July, 1938. Its primary task was to negotiate with Germany about Jewish migration.\textsuperscript{54} For next eight years, until 1946 the IGCR existed alongside the League of Nations office of the High Commissioner for Refugees. The IGCR conference held in London, in which a travel documents for those refugees who came within the mandate of the IGCR and were not covered by the previous agreements, was approved. The provisions were somewhat similar to those of travel documents contained in the Arrangements for the Nansen refugees and the convention of 1938.

Despite this development of the institutional framework for dealing with the problem, the international community’s respond to the plight of Jews in Europe remained limited. The IGCR tried to work with Germany to achieve an orderly exodus of Jews, who would be allowed to take their property and possession with them. But Germany did not allow. Western countries were not willing to finance a resettlement programme or to increase immigration quotas, and the migration of Jews to Palestine was sharply curtailed by the British. Avenues of exit from Germany and entrance to Western countries were closed. In 1946, its mandate was extended to all refugees subsequently covered by the Draft Constitution of the International Refugee Organization (IRO) which took over all responsibility for refugees on 1, July 1947.

**United Nations Relief and Rehabilitation Administration (UNRRA):**

By the end of the World War II, millions of people were outside their home country and in need of assistance. A report prepared in early

\textsuperscript{54}Ibid, p.45.
1945 describe the situation in Europe at the end of the War as, “one of the greatest population movement of history taking place before our eyes. As the German retreat has rolled westward before the oncoming Soviet troop and as the Allies have pushed eastward on the western front, millions of people have been uprooted and are fleeing towards the center of Germany\textsuperscript{55}. In light of the magnitude of the tasks, plans were developed to establish an international organization for relief and Rehabilitation Administration (UNRRA) was established by 44 nations in November, 1943 as an operational and temporary UN specialized agency. UNRRA, which was set up before establishment of the United Nations, became the first United Nations agency to deal in a comprehensive way with refugees and displaced persons.

Working directly under Allied military command, UNRRA was given a very limited mandate. It was to extent aid to civilian nationals of the Allied nations and to displaced persons in countries liberated by the Allied armies. UNRRA had no power to resettle refugees and displaced persons to third countries. Relief and rehabilitation in Europe were to be for short term only. Once people were repatriated and adequate resources for rebuilding were provided, it assumed that Western European states would be able to stand on their own feet again and deal with their own problems. From its inception in November, 1943, until its disbandment in June, 1947, UNRRA spent over $ 3.6 billion ((of which the United States contributed $ 2.8 billion) and about seven million persons had been returned home through organized repatriation by UNRRA\textsuperscript{56}.

A major dispute arose over whether UNRRA was obliged to provide assistance to displaced persons who refused repatriation. The United States remained strongly critical of UNRRA operations, in particular its repatriation policies and rehabilitation progammes in eastern bloc countries, which is left only served to consolidate Russian

\textsuperscript{55} Eugene Kulisher, (1948), Europe on the Move, New York, p.305.
\textsuperscript{56} Loescher, n.48 p.47.
political control over Eastern Europe. The eastern bloc asserted that assistance should be given only to displaced persons who should be free to decide whether or not to return home, without prejudicing their right to assistance.

Towards the end of 1946, United States, which provide 70 percent of UNRRA funds, took action to kill UNRRA by refusing to provide further grant. Though the Soviet bloc favoured the retention of UNRRA, the United States worked to create a new organization which had its chief function not repatriation but the resettlement of refugees and displaced persons uprooted by World War II and its aftermath.

The International Refugee Organization (IRO)

The IRO was created as a non- permanent Specialized Agency of the United Nations to deal with all categories of refugees which had been the concern of other organization up to that time. There was a difference between East and West blocs over the mandate of IRO. The western bloc insisted that the mandate of the IRO be broad enough to offer protection to individuals with “valid objection” to repatriation, including objections based on persecution of fear, based on reasonable grounds of persecution because of race, religion, nationality or political opinions and objections of a political nature, judged by the organization to be valid.  

Previously, international organizations had dealt only with specific groups such as Russian or German refugees and governments had never attempted to formulate a general definition of term refugees. For the first time, therefore, the international community made refugee eligibility depend on the individual rather than on the group and accepted the individual’s right to flee from political persecution and to choose where he wanted to live.

The wide range of IRO functions made it possible for the first time to approach the refugee problem in all its dimensions. For example,

\[57\] Ibid; p.50.
identification and classification care and assistance, and repatriation or resettlement, were brought under the mandate of the IRO. The situation facing the IRO was considerably different from that which had faced the Allied armies and UNRRA previously. When the IRO took over operations on July 1, 1947, refugees and displaced persons under the IRO mandate where spread over a wide geographical area and their total number estimated was 1.5 million.\textsuperscript{58}

The difficulties facing the IRO in its performance of worldwide operations had a direct impact on the minds of the refugees and demanded great flexibility and adaptation. There were some 30 different nationalities involved, the majority being Poles, Ukrainians, Latvians, Lithuanians, Yugoslavia, Estonians, Romanians and Hungarians. They were spread over 20 countries e. g. in Africa, North and South America, Asia, Europe, the Middle East and the Far East.\textsuperscript{59} Such complex operation could be accomplished only through joint effort by the member governments of the IRO, the governments of asylum and of resettlement, the international and national voluntary agencies, and several United Nations Organizations. They worked together in a three-phrase effort towards a final settlement of refugees: (1) temporary relief activities of care and maintenance; (2) the movement of refugees out of the countries of temporary hospitality through either repatriation or resettlement; (3) the establishment of the refugees as a person possessing full citizenship and thus adequate legal protection and the means of earning livelihood.

During its four- and- a- half years of existence, the IRO developed more formalized and closely intertwined co-operation among these partners, enhancing the concept of collective responsibilities. It brought into effect a truly combined effort which enormously increased the


\textsuperscript{59} Ibid, p.198.
organizational resources which could be mobilized. However, the IRO
was not able to liquidate the refugee problem. The major difficulty
which the IRO faced in the performance of its function was the constant
change in international politics and economic conditions. In setting up
the IRO, the United Nations members had considered the refugee
problem unsolved. For example, material assistance for whom
resettlement or repatriation was not feasible, for the continuing influx
new refugees etc.

United Nations efforts for refugees:

Problem of refugees and displaced persons as well as demands for
relief and rehabilitation on massive scale exist in Africa and Asia.
Similar problems also exist in Latin America considerable strain is
imposed on fragile economics of countries that receive large numbers of
refugee and they naturally expect assistance from International
Community to share the burden they carry.

To deal with such situation the United Nations has long standing
humanitarian programme and agencies like UNHCR (United Nations
High Commissioner for Refugees). It is thus obvious that the UNHCR
has played a vital role in trying to ameliorate the conditions of refugees,
globally. It has successfully tackled problems faced by many among the
developing/ under developed countries. The efforts of the UNHCR to
meet specific challenges are being reported in full elsewhere.

Unfortunately, most of the great human tragedies of our time are
deply rooted in political and military developments. In the face of
human misery on the scale which exist in the part of world, it is essential
to provide humanitarian assistance even through a political solution has
yet to be found. All the governments are well known about this problem,
and to assist the humanitarian efforts of the UN system and associated

---

Economic and Social Council (ECOSOC), E/211, July 1952.
international and voluntary organization to provide assistance on a non-
discriminatory basis to the affected civilian population.

The international community can encourage the participants of
armed conflict or civil strife to respect human rights and humanitarian
law. The International committee of the Red Cross (ICRC) has long
pursued a leading role in working for the application of humanitarian
law during the period of armed conflict or civil strife. The UN
commission on Human Rights, the International court of Justice, the
Inter-American Commission on Human Rights and several others inter-
governmental organization also have occasionally attempted to use their
influence to seek the protection of human rights violations during the
armed conflict or internal strife. Since adopting the Universal
Declaration of Human Rights in 1948, the UN has helped enact more
than 80 comprehensive agreement on political, civil economic, social
and cultural rights. By investigating individual of human rights
violation, the UN Human Rights Commission has focused world
attention on the cases of torture, disappearance and arbitrary detention
and has generated international pressure to be brought on governments
to improve their human rights records. The UN has also sought to
prevent genocide, abolish slavery, combat torture, and eliminate all
forms of discrimination based on race, sex, religion or belief. And the
UN has offered succors to new beneficiaries ranging from refugees,
stateless persons to the physically or mentally disabled. It has worked to
protect prisoners, migrant workers and their family and indigenous
people.

Large scale violation of the human rights in non-democratic states
is a major factor for the creation of millions of refugees around the world.
Major refugee problems have occurred due to war, revolutions, ethnic
strife, minority persecution, coup’d’ etat, economic crisis, natural
disasters and new state formation. The human rights violations are found
at peak when such victims are denied their basic rights because of security perspective and over-burden of states human rights violation occur when the fact are disregarded.

The violation of human rights can be protected by the international community. It should provide them with unconditional support and assistance and create better international environment for their survival and development. If the international community seriously tackle, and care about further atrocities in the world, then the human rights violation can be checked. The greater respect of human rights is essential to prevent new refugee crisis. In order to provide, the deterrents, greater commitment is needed to identify, persecute and punish those responsible for war crimes and human rights violations.

The refugee management process in the region is not uniform and there have been shifts in terms and policy framework and strategy to mitigate its adverse impacts on the society, its policy, economy and the environment. Three factors- humanitarian, economic responsibility and national security largely shape state’s’ attitudes in either accepting or declining the refugees but interestingly all South Asian countries adopt haphazard and ad hoc policies on this complicated issue. The realization that refugees are people, they need family support and reunion and that they too need freedom, seldom dawns in the outlook of the refugee generating countries and the end result is delay and separation, and a useless life in pitiable life in conditions behind barbed wire.

*****