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The Role of African NGOs in Prevention and Relief of Migration

Introduction

Africa is overwhelmed with forced migration problems. Forced migration in Africa is due to many factors, most of which have been internal. Such migrations have had mostly negative consequences on the continent in general and on specific countries in particular.

Conflict

Africa has been a continent characterised by conflict for many centuries and these conflicts seem to be gaining momentum. The Great Lakes Region has been the centre of these conflicts lately - both intrastate and interstate conflicts. Sudan has been in a state of civil war since 1983. Uganda too is in a state of civil war. Ethnic conflicts and wars between the majority Hutus and the minority Tutsi are a permanent feature in Rwanda and Burundi. The Democratic Republic of Congo (DRC) has of recent been the centre of conflict. The conflict has drawn the armies of most of its neighbours into war: Uganda, Rwanda and Burundi are fighting alongside Congo Rebels to oust the DRC President L. Desire Kabila; while Angola, Zimbabwe, and to some extent Namibia are fighting alongside Kabila government forces. The rest of African countries that have been characterised by conflict include Algeria, Nigeria, Sierra Leone, Angola, Mozambique, Somalia, Ethiopia, and Eritrea to mention but a few. Some leaders in Africa prefer to resort to force and wars in solving conflicts. A lot of money which could have been used for developmental purposes and to provide social services is spent on acquisition or manufacture of arms and the promotion of war.

Conflicts are ultimately political; and they may be fuelled by economic and social considerations. Some leaders have a propensity to militarize all sub conflicts to the detriment of their people.

Causes

"Since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed" (UNESCO Constitution). Today's conflicts have devastated the African continent in terms of financial and human costs. The much-needed resources for development go to military build-up. The destruction of houses lead to the flight of refugees; and an infrastructure in a deplorable condition is costly to repair. The millions of people who die rob the continent of the needed manpower.

The greatest value for any human being is one's life and the greatest duty is to preserve and promote its wholeness. This value is universally recognised. Life is a fundamental human right, which no-one may threaten or deprive another person of without justifiable reasons. However, the greatest threat to life is armed confrontation. The first duty of any state

therefore should be to maintain peace and stability and promote prosperity: Factors which enhance life.

NGOs on Conflict Resolutions

Dealing with conflicts, as already noted, is the duty of the state but things are changing, non-governmental organisations are also stakeholders in peace building and conflict resolutions. The causes of conflict in many African countries vary from country to country; but the root causes of civil and regional conflicts include:

Abuse of Power

Authoritarian leaders, including African ones, tend to use political power to crush and subdue the opposition. They become dictatorial; they violate human rights and embark on reigns of terror. Authoritarianism often forces its victims to resort to violence too; and this leads to armed conflicts, which has been the major cause of bloodshed on the continent.

Ethnocentrism

Ethnocentrism has also been for a long time the greatest threat to peace. Ethnocentrism refers to preconceived opinion or bias against or in favour of someone, some people or something. Ethnic and religious conflicts in most African countries are a result of ethnocentrism. Ethnocentrism has led to many anti-people practices such as sexism based on gender, racism based on race, and sectarianism based on tribe or religion. These forms of prejudice and discrimination create conflicts. Ethnic and religious conflicts have been common in Africa and especially in the Great Lakes Region such as in Rwanda, Burundi and now the Democratic Republic of Congo as well as Nigeria.

Besides ethnicity, religious intolerance and fundamentalism have caused conflict in the region and on the continent. Conflicts have arisen as a result of some members of one religion wanting to impose their beliefs on others. This has been a major factor in civil conflicts especially in Sudan and Algeria to mention but a few.

Suppression of Dissent

Greed for power has been a catalyst for conflicts on the continent. Conflicts have been characterised by exclusivist policies of suppression of minority groups, "winner takes all" after elections and exclusion of the opposition in participating and determining the affairs of the country. Exclusion of some groups from political participation prompts some aggrieved people into political agitation or carrying out subversive activities.

Many African leaders do not want to hand over or share power. When people realise that they have no peaceful means of removing their leader, they resort to violence.

The consequences of these conflicts have been grave on the continent. Millions of people have lost their lives while others have been forced to flee their habitual places of residence in search of safer places in their millions. Many people have become refugees, internally displaced, and urban destitutes. Conflicts have also caused brain drain.

International efforts in the prevention of conflicts on the continent have not yielded much result. Embargoes that have been slapped on conflicting countries or governments have not prevented conflicts. In fact they only lead to the suffering of the population in such countries. Warring factions have in most cases not respected cease-fire agreements and the population in battle areas. Some countries in the West including superpowers have continued to support conflicts on the continent by giving political support and supplying ammunition to War Lords, thus funding more conflicts because of their vested interests.

It is only in the area of establishing projects dealing with the consequences of conflict that international efforts have made a mark. The UNHCR, which cares for the refugees, is one of the successful institutions of the international community. However, it needs to widen its mandate and scope to cover also internally displaced persons who are not catered for under the UNHCR statute and convention.

Root Cause of Forced Migration: Political Conflict

Turning to the topic, the major cause of migration in Africa has been political conflict. The consequences of forced migration are huge numbers of internally displaced persons, refugees and urban destitutes. Each category has had its own problems which have in one way or another been addressed differently by various NGOs that have been assisting such people. Forced migration in Africa has been mainly due to economic and political instability, political persecution, wars, land shortage and natural disasters such as floods and earthquake. But more forced migration in Africa has been due to political conflicts.

The last fourteen years of National Resistance Movement (NRM) administration have been plagued with a persistent conflict in the Northern part of Uganda and recently, even in the Western and Central parts. The armed rebels, namely the Lords Resistance Army and the Allied Democratic Forces have sought to destabilise the regime and the latter have vowed to wipe them out!

The effects of this internal resistance have been far-reaching for Ugandan society as it has resulted in massive loss of lives, destruction of property, and rendering thousands of people internally displaced. The war has also had a devastating effect on the Ugandan economy as national spending has concentrated on national defence at the expense of the social services. The results are evident: Massive poverty, high death rates and widespread illiteracy and unemployment.

The Great Lakes Region

This unfortunate trend of events has not only been unique to Uganda as the Great Lakes Region of Rwanda, Burundi, the Democratic Republic of Congo, and Kenya have not been spared. Neighbouring Somalia and Sudan have also continued to create an influx of refugees into the region, furthering economic imbalances and human rights abuse. Our brothers and sisters in Angola are suffering. Sunday Monitor 24th September, 2000 reports that about 500 Angolan Refugees entered Zambia through the Zambezi District on the night of Thursday 21th 2000. These were ferried to the Maheba refugee camp. This camp was recently extended by 100,000 hectares to cater for the increasing number of refugees.

The UNHCR reported that an average of 900 refugees from the Democratic Republic of Congo (DRC) are entering Tanzania's Western Kigoma Region each month. These refugees are fleeing from sporadic attacks in their country.

The UNHCR further reported that food scarcity has hit over 50,000 refugees in the Invepi and Rhino refugee camps in the Arua District, in Uganda. It is reported that more incoming Sudanese refugees through the Keri border post compound the problem. There is reportedly growing insecurity in Southern Sudan, leading to the refugee influx, the majority of which being composed of women and children. Food insecurity in the region is growing because of a complex and interrelated set of political, social and economic factors. It can be argued that the unstable social and political environments that have stunted economic growth in the region lie at the heart of inadequate production; civil strife and absence of good governance structures that hindered equitable economic and social development.

The insecurity in the Great Lakes Region which normally ranges from full-scale warfare to the aforementioned cross-border clashes, has in turn resulted in the growing political and economic disenfranchisement of the majority and in the retardation of the growth of democratic institutions in government or civil society. Armed conflict has evolved as the most readily available course of political interaction.

The structures of governance in the region have not only arrested popular participation in political decision-making and spawned armed conflict, they also have directly affected development. The militarism and centralisation of power also has meant that core sectors like education are a low priority. Illiteracy rates for the region are among the highest in Africa. Let me look at each category of migration separately. Later on in the paper I will look at how African NGOs have tried to assist in prevention and relief of migration.

Refugee Problem

The United Nations Refugee Convention defines a refugee as a person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion is forced outside the country of his nationality is unable or, owing to such fear is unwilling to avail himself of the protection of that country.

The Organisation of African Unity (OAU) in the 1969 OAU Convention expanded the definition of refugees in Africa as "The term refugee shall also apply to every person who, owing to external aggression, occupation or foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality."

Many people in most African countries have been forced to abandon their homes, friends and livelihoods due to human rights violations, civil wars, natural catastrophes, political persecution and threats to their lives.
Africa currently shelters twice as many refugees as Europe. Uganda has been known as a generator/source of refugees since 1966 and President Amin's days. Uganda is also at the same time chief recipient of refugees in the region from Rwanda, Democratic Republic of Congo, Sudan and Kenya. The refugee problem in Africa has been mainly a result of two major causes:

- Those who have been victims of natural disasters such as earthquakes, which caused displacement of people in Kabarole District in 1994 in Uganda and recent floods in Mozambique which displaced many people.
- Man-made disasters. These include wars that have plagued the continent for several decades in countries such as Uganda, Angola, Democratic Republic of Congo, Rwanda, Burundi, Sudan and Algeria, Sierra Leone, Eritrea, Ethiopia and Somalia. Many of these countries, embroiled in wars, are geographically located in the Great Lakes Region.

Man made disasters also include repressive regimes that have converted sections of their own population to targets of state-directed discrimination, persecution and violence. The refugee problem has grown beyond what was at first anticipated when the United Nations High Commission for Refugees was set up. The statutes and convention of United Nations High Commission for Refugees were designed to solve problems of European refugees and did not foresee an even bigger problem of refugee movements in other parts of the world, in particular the developing world.

The UNHCR was set up to:

a) Promote the conclusion and ratification of international conventions for the protection of refugees, supervising their application and propose amendments thereto;
b) Promote through special agreements with governments to execution of any measures calculated to improve the situation of refugees and to reduce the number requiring protection;
c) Assist governmental and private efforts to promote voluntary repatriation or assimilation within new national communities;
d) Promote the admission of refugees, not excluding in the most destitute categories to the territories or states;
e) Endeavour to obtain permission of refugees to transfer their assets especially those necessary for their resettlement;
f) Obtain from governments information concerning the number and conditions of refugees in their territories and the laws and regulations concerning them;
g) Keep in close touch with governments and intergovernmental organisations concerned;
h) Establish contact in a such manner as the High Commissioner may think best with private organisations dealing with refugees.

These objectives were good at the time they were formulated; but some of them have been overtaken by events, especially in Africa, where the number of internally displaced has more than double that of refugees.

The legal status of refugees in most African countries is ambiguous. A close look at the Uganda legislative instrument on refugees shows that it was drafted under crisis and panic measure designed to deal with the overwhelming influx into Uganda for a large number of refugees from Sudan, Rwanda and the former Zaire now Democratic Republic of Congo (DRC). The current Alien Refugee Act (Chapter 64 of the Laws of Uganda, 1964) treats refugees as undesirable intruders rather than people in need of protection from persecution. Whereas international instruments define who a refugee is and should be, the Act gives the appropriate minister power to declare who a refugee is under the Uganda law.

Most NGOs in Africa which are dealing with the problem of refugees are foreign NGOs and the few African NGOs in existence depend on the support of foreign countries/organisations and not local support of respective governments. African NGOs mostly provide relief supplies to refugees ranging from provision of food, infrastructure, medical and other social services, as well as civic education and counselling.

The table below shows the different organisations involved in assisting refugees and the kind of assistance they offer in Uganda.

Implementing Partners Activity in Uganda:

Implementing Agency	Type of Assistance
Agency for Cooperation and Research Development (ACORD)	East/Moyo/Adjumani: Agriculture, Income Generating Activities, Forestry, Social Services
Action Contre Ia Faim (ACF)	Mongola/Maaji: Multi-Sectoral Assistance to Refugees
Africa Humanitarian Action (AHA)	Adjumani: Health & Sanitation Assistance to Refugees
African Education Fund (AEF)	East Moyo/Adjumani: Educational and Health Assistance to Refugees and Nationals
Aktion Africa Hilfe (AAH)	Palorinya/Moyo: Multi Sectoral Assistance to Refugees, Health Assistance to Refugees in Ikafe
Associazione Volontari per il Servizio Internazionale (AVSI)	Kitgum, Kyangwali: Multi-Sectoral Assistance to Refugees
CARE	Arua District: Drilling Program for Refugees
German Development Service (DED)	Rhino Camp: Multi-Sectoral Assistance to Refugees
Inter-Aid	Kampala: Urban Refugee Project Arua/Koboko: Environmental Program
Transcultural Psyche-social Organisation (TPO)	Adjumani/Moyo/Arua: Mental Health Program
Hugh Pilkington Charitable Trust	DAFI University Scholarships/Peace Prize
Jesuit Refugee Service (JRS)	Adjumani: Education
Lutheran World Federation (LWF)	Adjumani: Multi-Sectoral Assistance to Refugees
Malteser Hilfsdienst (MHD)	Arua: TB Program for Refugees
Ministry of Local Government (MoLG)	All Camps
OXFAM	Mvepi: Multi-Sectoral Assistance to Refugees
Uganda Red Cross (URC)/ International Federation of Red Cross	Mbarara: Multi-Sectoral Assistance to Refugees
Finnish Refugee Council (FRC)	Adjumani: Community Services
GTZ	Kampala: Warehouse Operation

*The World Food Program (WFP) is instrumental in providing food to all refugee transit and settlements in Uganda.

It is imperative to note that every refugee is entitled to international protection. But the international system that is supposed to protect refugees is in crisis. In recent years the number of refugees has increased from around eight million a decade ago to over 15 million today as human rights crises have proliferated. It is also imperative to note that refugees

continue to eke out a precarious living and often depend on unreliable food supplies. African refugees who have managed to escape to neighbouring countries have not been free either. They continue to be at a risk of violence either from their own nationals or from the security forces or citizens of the country of asylum. Most refugees are mostly confined to areas close to the borders, of their countries of origin. As such they are, on the one hand, vulnerable to cross-border attacks from their home; and on the other, they are tempted to join in attacks against their country of origin.

At the same time, host governments' commitments to offering asylum is dwindling as is their political will to solve crises from which people have been forced to flee. Such governments have tended to avoid or evade their international obligations towards refugees particularly because of limited resources. As the Western world closes its borders to African refugees, there remains only one way out: African peoples need to formulate their own solutions. Such solutions can in no way consist of a mere provision of relief but must happen through encouraging public debates, awareness seminars, lobbying the international community governments and to address legislatures on the plight of refugees and most important sensitising African governments on the importance of respect of human rights and democratic governance. This will be the only way on how the problem of refugees can be solved/prevented on the continent. It is in this way that the ever-threatening refugee problem on the African continent can be seriously addressed and eventually eliminated.

The Case of the Internally Displaced Persons

This is the most unfortunate category of migration. The Internally Displaced Persons (IDP) are vulnerable to further abuses. The internally displaced mostly flee from armed conflicts and end up in camps or settlements. These camps are very insecure, economically unviable and prone to a host of abuses including sexual and child assaults. The camps have been targets of armed men who enter to demand food, abduct individuals and to rape and abuse women and girls. In towns the internally displaced continue to face extreme discrimination and abuse.

Worldwide the number of people displaced within their own countries exceeds the number of those who have crossed international borders and become refugees. Recent statistical estimates indicate that the internally displaced population is at over 20 million while the refugee population is at 15 million. The major cause of this problem is, similar to the cause of the refugee problem. It is however, heart-breaking to observe that the International Community has not taken seriously the needs of the IDP.

There is also at the moment no internationally agreed definition of the internally displaced. Only in 1992 was a working definition of the internally displaced people given by the United Nations Secretary General as:

"Persons who have been forced to flee their homes suddenly or unexpectedly in large numbers as a result of armed conflicts, internal strife, systematic violations of human rights or natural or man-made disasters; and who are within the territory of their own country. Vulnerable and unable to find places of safety, the internally displaced suffer persistent violations of fundamental human rights and their basic needs often go unmet."

Despite the pressing nature of the problems facing the internally displaced which do not differ from those faced by refugees - where the difference only lies in the definition, their plight as

uprooted people has not been looked into. For instance there is not even a comparable treaty for the protection of the internally displaced; and no specific institution is mandated to address their needs. While the international refugee law can be used by analogy for standard setting, it is not directly applicable for the IDP.

Furthermore, the internally displaced people have no guarantee of food, water, clothing and housing. Although in theory international law prohibits any government from discrimination in provision of essentials needed for survival against any citizen, several African governments continue to discriminate against the IDP in the provision of social services, including food. In some cases African governments have even periodically destroyed or prevented relief supplies from camps in areas they knew this would affect certain ethnic groups for example the Acholi and Karamajong have been victims of this scenario.

The internationally displaced people continue to suffer profound physical and psychological trauma due to displacement. They are always on the run and often without documents. They have been more readily subjected to roundups, forcible resettlements in concentration camps and arbitrary detention. They are more vulnerable to forced conscription and sexual assaults and more regularly deprived of food and health services.

Roberta Cohen, the author of the World Refugee Survey 1996 "Protecting the Internally Displaced", observes (Page 24) that the highest mortality rates ever recorded during humanitarian emergencies have come from situations involving IDP.

African NGOs, dealing with the problem of internally displaced, are not only few but lack the financial capacity and a legal framework of operation. They have tried to do the needful but such constraints have always held them backwards.

However on the whole, finding solutions to the problem of the internally displaced requires addressing to the root causes. The agencies that work with the internally displaced must have a long term vision about preventive action and resolution of issues that lead to migration. Programmes only aimed at providing humanitarian relief assistance cannot solve the problem of the aspects of migration. Such agencies must envision a lasting contribution that taps into the development aspects. The programmes for the victims of migration must address the root causes of the displacement and even engage the governments in implementing the necessary reforms.

The Case of Brain Drain

The Problem of 'Brain Drain' as an aspect of migration has also affected the African continent greatly. Brain Drain in Africa is due largely to repressive governments, unemployment and poor economic conditions of living and poor social amenities. There are no specific NGOs addressing this problem.

Other aspects of migration such as returnees and asylum seekers have not been effectively addressed by African governments; and non-governmental organisations have addressed the problems only marginally.

All in all for the aspects of migration to be addressed well, there is a need for specific elements to be in place. These include:

1. Signing contracts with governments, which set out minimum conditions for engagement;
2. A well planned layout for data collection and dissemination on migration issues;
3. Human rights monitoring and advocacy on migration aspects and
4. Encouraging public debates, awareness seminars, workshops and conferences on migration issues.

Justification for an Independent Migration Programme

Amnesty International (1997) reported that the system devised to protect refugees has fallen into disarray, with states showing increased reluctance to host refugees. Every day governments are violating the principle of non-refoulement, the fundamental basis of refugee protection. UNHCR, the agency set up to guarantee international protection for refugees, appears unable to ensure that states fulfil even their minimum obligations towards those forced to flee their country. People usually become refugees because their human rights are at grave risk. They sever the link with their own state, and seek the protection of another state, because their own government is persecuting them or cannot be relied on to protect them. When refugees seek the protection of another state, they rarely receive a warm welcome. Many are turned back at the border without a hearing; detained as "illegal immigrants"; subjected to further violence or squalid conditions in refugee camps; put through summary and unfair asylum procedures; or sent back to the country they fled. (See the East African Newspaper dated September 25th – October 7, 2000 where "Fatigued" Dar May kick out 700 Somali refugees hit the headlines.) This justifies the argument that there is need for another programme to bridge the gap.

At the international level, there is no co-ordinated scrutiny or monitoring of refugee protection, and considerations other than human rights often drive refugee policies. The crisis in refugee protection and related human rights issues are not being addressed comprehensively.

Concerning individual asylum procedures, the lives of asylum seeks are put at stake when asking for sanctuary. The personnel deciding the asylum claim not to personally interview the claimant or does not have sufficient objective information about the conditions in the asylum seeker's country of origin, a thing that is problematic and which needs to be rectified.

Several NGOs have cropped up to bridge the gap to cater for the internally displaced and the refugees. NGOs like Catholic Relief Services (CRS), The United Nations Centre for Human Settlements (UNHCS) – Habitat, Inter-Aid, UNHCR and others provide services to the displaced and some of these to guarantee that protection is ensured.

However the existing NGOs have not addressed the human rights issues, which is a pre-requisite to handling the crucial issues related to root causes of refugees, migration, the internally displaced people and brain drain. These NGOs have not provided assistance for addressing external forces that supply arms, personne1 and expertise to protagonists known to disregard human rights. They have not provided programmes advocating for end of transfers of equipment and training for military, security or police forces which are used to commit or facilitate human rights abuses.

They have not set up programmes for building awareness and public support programmes for the rights of refugee programmes that discourage practices that prevent or deter asylum

seekers pursuing claims. Most of these NGOs lack programmes that provide refugees with a fair and satisfactory asylum procedures.

Such NGOs do not have repatriation programmes based on human rights standards, and which ensure that the internally displaced people are protected.

The **Forum for Migration Issues in the Great Lakes Region** aims at addressing the above concerns essentially taking in two dimensions: First, the plight of refugees, asylum seekers, forced migrants and the internally displaced persons; and second and more fundamental, the root causes the above phenomenon in the Great Lakes Region, especially with respect to domestic law, policy and governance.