**Forced Migration in the Great Lakes**

**and Horn of Africa Regions**

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**Introduction**

After a brief discussion on the nexus between the violence that accompanied the twin processes of decolonisation and state-building, the Chapter examines succinctly the causes and types of forced migration in the Great Lakes region (GLR) and the Horn of Africa (HoA) in a historical perspective. It also presents some evidence to show that the institution of asylum in the two regions is under pressure. In the absence of radical remedial actions, the stress that has been building up may over time substantially erode the viability of world civilisation’s finest achievement—asylum.

The GLR (comprising Burundi, Democratic Republic of Congo (DRC), Kenya, Rwanda, Tanzania and Uganda) and the HoA (composed of Djibouti, Eritrea, Ethiopia, Somalia, South Sudan and Sudan) broadly comprise the greater Horn of Africa, with the exception of DRC and Tanzania. All but Tanzania have over time produced refugees and IDPs. Tanzania and Rwanda have no IDPs currently. The histories of the two regions are inextricably linked with protracted crises of conflict and displacement. All the countries have also been hosting large numbers of refugees. The data in figures 1 and 2 do not include IDPs and the hundreds of thousands, if not millions, who are invisibly integrated because they share common culture, language and way of life with the hosts and therefore are indistinguishable from nationals (Kibreab 2012).

All the countries in the GLR and HoA, save Eritrea, are parties to the 1951 UN Convention, the 1967 Protocol and the OAU Convention. The countries in the GLR except Kenya, Sudan and South Sudan are also signatories to 2006 Convention on Assistance and Protection of IDPs which came into force on 6 December 2012. All the countries in the GLR are also signatories to the Pact on Stability, Security and Development signed in December 2006 which includes 10 Protocols two of which are on refugees and IDPs. Although the adoption of such frameworks is a step in the right direction, there is no evidence to show that these frameworks have led to better treatment of forced migrants. The treatment all the states accord to forced migrants falls far below the standards set in the frameworks they are signatories to.

**Causes and Types of Displacement**

The refugee problem in the GLR and HoA was inextricably linked with the anti-colonial struggles for independence and the post-colonial process of nation-building. Decolonisation unleashed new political forces that fiercely vied for power that were suppressed during the colonial period, as in Rwanda, Burundi and Sudan. There were a number of reasons why the process of decolonisation and nation-building was often accompanied with violent conflicts that generated refugees and IDPs. Firstly, the political boundaries brought together a motley of cultural groups and the dearth of carefully crafted power-sharing arrangements engendered violent conflicts. Secondly, the colonial powers pursued a systematic policy of “divide and rule” which eroded the prospect of building united post-colonial states. This was the case in Burundi, Rwanda, Sudan and even Uganda. In Sudan, northerners were even prohibited from visiting Southern Sudan between 1922 and 1946 because of the Condominium’s policy of separate development. The violent conflict that ensued in 1955 on the eve of independence was not contrary to expectation. Thirdly, the colonial powers did not effect structural transformation of the economies of the GLR and the HoA because they did not invest in manufacturing, education and infrastructure which could have, *inter alia*, created urbanised population and working classes separated from the means of production—land—and particular places. This would have contributed to the development of shared values which would have facilitated the project of nation-building based on unity.

In the following section, the causes of displacement in the particular countries that have been generating large numbers of refugees and IDPs will be discussed briefly in a historical perspective.

**The Great Lakes Region**

*Rwanda*

Rwanda was afflicted by violent conflict on the eve of its independence. Historically, the Hutu and the Tutsi shared common culture, religion language and lived side by side in peace benefiting from mutually beneficial economic relationship. All this changed during the German and Belgian rules which favoured the Tutsi. On the eve of independence, the Belgian rulers changed sides favouring the majority Hutu. In an attempt to rectify the injustice they suffered, the Hutu tried to seize power and in the turmoil that ensued, many Tutsis were killed. Rwanda became a republic under a Hutu president for the first time in its history and a vicious civil war broke out which forced over 100,000 Tutsis to flee the country to seek asylum in Burundi, Uganda, Tanzania and Zaire. Soon after, some of the refugees formed secret cells known as *Inyenzi* to overthrow the Hutu-led government. In 1963, the I*nyenzi* launched a major attack which was easily repelled but resulted in the massacre of between 10,000 and 13,000 Tutsi civilians and tens of thousands fled to the neighbouring countries.

The Tutsi refugees who were unable to return home in safety or integrate into the host societies after three decades did not give up the hope of retuning as liberators. In 1980, some of those in Uganda joined Museveni’s NRA and occupied short-lived, but prominent positions. In response to public resentment, especially amongst the Buganda, Museveni abandoned the Tutsi refugees. The latter realised that they had no future outside Rwanda and in 1987 they formed the Rwandan Patriotic Front and attacked Rwanda in 1990. An attempt at power-sharing resulting from the Arusha agreement of August 1993 produced no results. The situation imploded in the immediate aftermath of the death of President Juvenal Habyarimana of Rwanda and President Cyprien Ntaryamira of Burundi in a plane crash on 6 April 1994. Hutu militants used this as a pretext to seize power and to unleash their wrath on Tutsi civilians and moderate Hutus: about 800,000 people were killed in five months. Approximately one million Hutus fled to Zaire and Tanzania whilst 1.5 million were internally displaced (USCR 1995: 7).

Burundi

The social and political history of Burundi is the mirror image of the preceding account. In 1972, a Hutu-led coup attempt resulted in the death of thousands of Tutsis and in retaliation, the Tutsi army massacred thousands of Hutus and over 300,000 of the latter fled to Tanzania. During the first half of the 1990s, the situation became increasingly tense. In October 1993, the democratically elected Hutu president, Melchior Ndadaye, was murdered by Tutsis and this triggered an outbreak of violence resulting in the killing of thousands of Tutsis and Hutus. To escape from the senseless violence, about 700,000 Hutus fled to Rwanda. The hostility between the Tutsi and Hutu continued unabated and a series of coups and assassinations left the country traumatised. Another coup took place in 1996 which triggered another civil war forcing tens of thousands of Hutus to flee to Tanzania.

*Zaire/Democratic Republic of the Congo*

The tragic history of Zaire is inextricably linked with its enormous resource endowment which goes back to the pillage and destruction presided over by the vicious King Leopold II of Belgium. The latter, driven by excessive gluttony, wreaked havoc and destroyed the social fabric of Congolese society engendering massive suffering and internal displacement. Independence unleashed new and powerful national and international political forces, and the country was ripped apart by conflict which resulted in the mysterious death of the first Prime Minister, Patrice Lumumba in 1960. The country was plagued by unrest and rebellion between 1960 and 1965, forcing tens of thousands into internal displacement. Many also fled to Congo Brazaville, Central African Republic, Uganda, Rwanda, Sudan, Burundi, Tanzania, Angola and Zambia. Approximately 100,000 people were killed. Mobutu ruled the country between 1965 and 1997 with an iron fist which resulted in the death and displacement of millions. After the end of the Cold War, Mobutu lost his Western allies and the country sank into internecine civil war. The situation was exacerbated by the genocide in Rwanda and interventions by governments from within and outside the region. Reyntjens has labelled the theatre of war that engulfed the country in the aftermath of the genocide in Rwanda as “The Great African War” (2009).

A variety of inextricably interlocked factors lay at the heart of the gruesome violence that afflicted Eastern Zaire. These included, *inter alia*, competition over land; fiercely contested identities in the context of sham process of democratisation in which citizenship for the purpose of voting became the single most important marker of identity and belonging; and regional and international intervention driven by ravenous greed for precious minerals. In the process of so-called democratisation, the national identity of the Banyarwanda (Hutu and Tutsi) comprising of several groups - ‘the “natives” established since pre-colonial days, the “immigrants” and the “transplanted” of the colonial period, the “infiltrators” and the “clandestines” before and after independence and the Tutsi and Hutu refugees” - was fiercely contested (Reyntjens 2009: 13). In 1993, the so-called “indigenous” inhabitants of north Kivu, such as the Hunde, Nande and Nyanga, together with their respective militias, unleashed a wave of violence directed against the Banyarwanda.

The arrival of nearly one million Hutu refugees, amongst whom were the *Intrahamwe*, mixed with peaceful civilian refugees added inextinguishable fuel to the burning fire. Not only did the *Intrahamwe* have a powerful desire to return to Rwanda and held the refugees hostage with Mobutu’s acquiescence, but they also victimised the Banyamulenge in Eastern Zaire. The Alliance of Democratic Forces for the Liberation of Congo—Zaire (ADFL) under the leadership of Lauren Kabila in alliance with the Rwandan army launched an offensive in the eastern part of the country prompting tens of thousands of Bemba who sided with Mobutu during the ADFL offensive to flee to Tanzania. Soon after, Mobutu’s government collapsed and rebel groups, neighbouring governments and a variety of state and non-state actors tried to access and control a share of the country’s resources. Between 1998 and 2003, circa 3.3 million people died and tens of thousands fled the country. As of December 2010, there were 1.68 million internally displaced persons (IDPs) in DRC. The majority were in the eastern part of the country. Between May 2012 and early 2013, the on-going fighting between the M23 militia and government forces has also displaced about 800,000 people (BBC 2013).

**The Horn of Africa**

The HoA region is located in arid and semi-arid climatic zone and hence suffers from frequent seasonal droughts and famines. The region is also conflict prone, inter alia, due to competition over scarce resources, weak and corrupt regulatory institutions, the proliferation of small weapons, and weak or heavy-handed governments that are either unable to enforce their own laws or maintain law and order or trample upon the fundamental human rights of their citizens. During the cold war, the HoA was a theatre of superpower rivalry. In the last six decades, millions of people have been fleeing their places of origin to become refugees or IDPs due to the interplay between political, economic, social and environmental factors.

*Sundan*

The problem of refugees and IDPs in Southern Sudan emerged in 1955a few months before independence, when the Southern units of the Sudanese army mutinied, resulting in bloodshed, destruction and displacement. The people in Southern Sudan are different from the northerners in terms of culture, language and way of life. These differences were exacerbated by the colonial policy of separate development, and at independence, Arabic was imposed as a national language which was rejected by politicians from the south. A guerrilla movement known as *Anyanya* was born and the conflict escalated between 1962 and 1965, generating mass internal displacement and large numbers of refugees who fled to CAR, Zaire, Uganda and later to Ethiopia. When the Addis Ababa Peace Agreement was signed in 1972, there were 166,000 refugees in the neighbouring countries and an unknown but large number of IDPs. The vast majority returned home after the Agreement through large-scale repatriation operations.

In September 1983, Nimeiri’s government introduced a new penal code which included the five canonical Islamic punishments and promised to work towards full Islamisation of the country, its laws, institutions and political system. The war lasted for 21 years and resulted in the death and external displacement of hundreds of thousands, and forced millions into internal displacement. At the end of 2010, there were 5.2 million IDPs from Southern Sudan. Between 2003 and 2011, there were 2,666,115 IDPs from northern and Southern Darfur (IDMC 2012). The Comprehensive Peace Agreement was signed in 2005 and South Sudan achieved its independence in July 2011, but independence has not stemmed the flow of IDPs. The conflict in Abyei has been generating tens of thousands of IDPs.

*Eritrea*

In accordance with a 1950 UN resolution, the Italian colony of Eritrea was federated with Ethiopia in 1952 under the sovereign rule of the Ethiopian Emperor against the expressed wish of nationalist Eritreans . After the Ethiopian government began dismantling the symbols of Eritrean autonomy, the Eritrean Liberation Front was established to fight for independence in September 1961, and in 1962, Ethiopia annexed Eritrea. The Eritreans fought a bloody 30 years war of liberation. In February-March 1967, about 30,000 Eritreans fled to Sudan after their villages were razed to the ground. From that year onwards, a wave of violence prompted tens of thousands to flee the country. During the thirty years war, nearly 600,000 people fled to Sudan. A substantial proportion emigrated to the Gulf States, North America, Europe and Australia using Sudan as a stepping stone. Eritrea achieved its independence *de facto* in May 1991 and *de jure* in May 1993 after 99.8 percent of the population voted in favour of independence in a UN supervised referendum.

It was expected that those who were in exile would return in response to independence and Eritrea would cease being a major producer of refugees. However, independence has not stemmed the flow of large numbers of refugees. Between May 1998 and June 2000, a vicious inter-state war broke out between Eritrea and Ethiopia, killing over 100,000 people and displacing about 1.35 million IDPs in both countries, i.e. one million in Eritrea and 350,000 in Ethiopia. Even though a state of no-war-no-peace exists between the two governments, all IDPs have returned to their villages. The border dispute was referred to an international arbitration - the Eritrea-Ethiopia Border Commission (EEBC) - whose decision the two governments agreed would be final and binding. The EEBC delivered its award in April 2002. Ethiopia refused to accept the decision and the Eritrean government, using the threat of war as a pretext, has turned the national service, which requires all Eritrean men and women between 18-40 years to undertake 18 months’ national service, into an open-ended obligation. The national service has therefore degenerated into forced labour and has since then been the single most cause of forced migration. Tens of thousands have been fleeing to Sudan and Ethiopia and from there to the rest of the world to escape from what many refer to as a modern form of slavery.

*Ethiopia*

Emperor Haile Selassie’s autocratic regime was overthrown in 1974 and was replaced by a brutal military dictatorship which wreaked havoc and tore apart the social fabric of Ethiopian society, resulting in the death of thousands of innocent students, peasants, workers, members of the old regime, members and sympathisers of opposition groups, such the Ethiopian People’s Revolutionary Party (EPRP), Tigray People’s Liberation Front (TPLF), Oromo Liberation Front (OLF), Ogaden National Liberaiton Front (ONLF) and many other liberation movements; simultaneously, hundreds of thousands fled to neighbouring countries, such as Djibouti, Sudan and Kenya. In 1977-78, Ethiopia and Somalia went to war over the Ogaden, a war in which the US and the USSR were embroiled. Over half a million ethnic Somalis fled to Somalia. Siad Barre’s government invaded the Ogaden in pursuit of its goal of creating ‘Greater Somalia.’ However, its project was thwarted due to the massive supply of weapons from the Soviet Union and direct involvement of Cuban soldiers on the side of Ethiopia.

The war in Tigray also caused the displacement of tens of thousands to Sudan and many others were displaced internally. The Derg suffered a humiliating defeat at the hands of the combined forces of the Eritrean People’s Liberation Front (EPLF) and Ethiopian Peoples’ Revolutionary Democratic Front (EPRDF) in May 1991. Whilst some “voted with their feet” homewards; many members and sympathisers of the Derg and their families as well as members of the different ethnic groups that feared “reprisals” from the Tigrean dominated EPRDF fled to Kenya, Sudan and Djibouti.

**Somalia**

In 1960 the former British and Italian colonies merged and formed the United Republic of Somalia. Until Siad Barre seized power in a coup in 1969, the country was ruled by democratically elected governments. In 1977, as mentioned above, the Somali army invaded the Ogaden, the home of ethnic Somalis. After a spectacular initial success, Somalia’s army was defeated and driven out from the Ogaden in 1978 as a result of sudden shift of superpower alliances. In 1977, a leftist demagogue, Mengistu, had seized power in Ethiopia and in response the USSR and the US governments swapped sides. Soviet military advisors and Cuban soldiers, as well as massive shipments of Soviet weapons led to the defeat of the Somali army in 1978. Barre’s government never recovered from the humiliating defeat his army suffered in the Ogaden. The war sounded the gradual “death knell” not only of Barre’s government, but also of the Somali State in 1991.

Soon after, clan-based armed groups, such as the Somali Salvation Democratic Front (SSDF) and the Somali National Movement (SNM) emerged and mobilised their clan groups against the central government. In response, the government deployed counter-insurgency operations which resulted in the death and internal and external displacement of thousands and the destruction of Hargeisa town. Gradually, the legitimacy of Barre’s government was eroded and he fled the country in 1991 when Mogadishu was captured by rival clan militias. A failed state, brutal war lords who competed for resources with impunity, intra-clan internecine civil wars, proliferation of small weapons, drought, famine and Ethiopian military intervention produced a state of lawlessness and chaos which caused the death of hundreds of thousands, and the displacement of two million refugees and IDPs. As of November 2012, there were 1.36 million IDPs and 1,003,513 Somali refugees in Yemen, Djibouti, Ethiopia, Kenya, Uganda, Eritrea and Tanzania (UNHCR 2012).

**Human Trafficking**

Not only are the countries in the GLR and the HoA major producers of refugees and IDPs, but they are also major sources, transit and destinations of unknown but probably tens of thousands of victims of human trafficking. The causes of trafficking in the regions include conflict, poverty, and lack of employment, corruption and a dearth of policing capability. In the GLR, the majority of victims of trafficking are reported to be women and children and to a lesser extent men. Women and girls are trafficked for domestic labour and forced prostitution whilst men for forced labour in agriculture, construction and crime (UN Office on Drugs and Crime 2007). In turn, in the HoA, men, women and children are kidnapped and trafficked and held hostages mainly in eastern Sudan and the Sinai. The hostage takers demand tens of thousands of dollars for their lives. Failure to pay the ransom leads to torture and death. The victims are also subjected to vicious sexual violence and organ harvesting. Currently, there are hundreds of Eritrean hostages languishing in the Sinai and eastern Sudan in the hands of Bedouin and Rashaida traffickers and hostage takers (van Reisen et al 2012). In Eritrea, as mentioned above, the open-ended national service lies at the heart of the problem.

**The Demise of Asylum?**

Even though all governments in the GLR and HoA were from the outset hostile to the self-settlement of refugees, between the 1960s and the first half of the 1980s, most of these states pursued open-door policies. This was notwithstanding that refuges were received as temporary guests. However, from the mid-1980s onwards, these governments’ policies have changed dramatically reflected, inter alia, in the increased intensity with which the policy against self-settlement is enforced. In the aftermath of the Rwandan genocide, Kenya, Uganda and Tanzania have declared an open war on self-settlement. In the following some of the indicators of major policy shifts are discussed.

*Phasing Out of Self-sufficiency Programmes in Favour of Camps*

With few exceptions, during the 1960s, 1970s and the first half of the 1980s, refugee camps housed asylum-seekers and prima facie refugees in the interim period until UNHCR with its partners and host governments identified suitable sites for land-based self-sufficiency projects. At that time, it was common for UNHCR to field expert missions to undertake reconnaissance surveys and feasibility studies to determine the suitability of proposed sites for agricultural production. The only exceptions were the 35 camps in Somalia and Wad Sherife Camp in eastern Sudan. As of 1982, there were 86 self-sufficiency projects in the GLR and in the HoA where, in the majority of cases, refugees were allocated cultivable land by host governments. UNHCR built settlement infrastructure, NGOs provided services and the World Food Programme provided food aid until the first two or three harvests. By then the refugees were expected to become self-sufficient. Between 1982 and 1985, Kagera in Tanzania, Kayaka II in Uganda, Mufaza in Eastern Sudan and 19 settlements for Ugandan refugees in Southern Sudan were established. The latter were closed down subsequent to their repatriation.

The last refugee settlement was established in 1985, but camps have proliferated since then. Not only have host governments ceased establishing self-sufficiency projects, but some countries, such as Uganda, Tanzania and Sudan have been closing down very successful refugee settlements either to transfer their inhabitants to camps or to induce them to return to their countries of origin even when the conditions that prompted them to flee have not been eliminated. Even the highly touted Tanzanian government’s decision to naturalise the Burundian refugees has been dependent on the refugees’ willingness to relocate from the settlements where they lived since 1972 (Oakland Institute 2011). The Sudanese government also closed down the relatively successful six settlements in Qala en Nahal and transferred the refugees to the overcrowded and bleak refugee camp of Um Gargour in 2004.

In Sudan many of the refugee camps, such as Wad Sherife, the three camps in Shagarab, Kilo 26, Kashm el Girba and the three camps in Es Suki have become institutionalised. Burundian refugees who arrived in Tanzania in the 1990s were also warehoused in camps rather than being settled in self-sufficiency projects as was the case in the 1970s. They were only given land for housing and small gardens. They received no land for cultivation. As we shall see below, even the so-called local settlements were designed to perpetuate refugee status rather than to promote integration.

*Local Settlements*

Contrary to UNHCR’s, analysts’ and practitioners’ mistaken assumptions, I argue that the aim of “local settlement” is to prevent the integration of refugees into host societies. Indeed, the aim of local settlements is to keep refugees in spatially segregated sites until the factors that prompted them to flee are perceived to be eliminated. Local settlements are therefore designed to perpetuate rather than to bring to an end refugee status. There are a number of reasons why host governments in the two regions place refugees in spatially-segregated sites and round-up, harass, detain, mistreat and deport self-settled refugees to countries of origin even when the conditions that promoted them to flee persist. These are discussed below.

*Maintenance of Separate Refugee Identity*

One of the major objectives of local settlement in the two regions is to prevent integration contrary to the spirit and letter of the Statute and the 1951 UN Convention. Integration is a function of social and economic interactions between refugees and host populations. Refugees and asylum-seekers residing in camps and settlements lack freedom of movement and residence and therefore cannot interact with host populations. Freedom of movement is a *sine qua non* for the enjoyment of other rights, such as education, employment, self-employment and choice of residence.

Keeping refugees in spatially-segregated sites enables governments to isolate refugees from host populations indefinitely. In the GLR and HoA, the segregated sites are designed to prevent integration. For example, Ahmed Karadawi, Sudan’s former Assistant Commissioner for Refugees, stated: ‘… how realistic is the approach that aims at helping the refugees to settle permanently in the Sudan and become Sudanese? *The strategy of what is called “integration” by the aid agencies is a European import oblivious to the local processes that have brought refugees into the Sudan’* (quoted in Kibreab 1996: 140, emphasis added). Equally, Hassan Attiya who was Commissioner for Refugees in Sudan during the second half of the 1980s also told UNHCR’s *Refugee* Magazine:

*If you talk of integration as a sort of naturalization, this is completely rejected in Sudan... Being a refugee in a country for 20, 30 or 100 years, I don't think will deprive you of your own nationality, your own origin... That is why in Sudan you hear... this policy of local settlement, rather than local integration* ... (quoted in *Ibid.*: 142, emphasis added).

As such, the aim of “local settlement” is to provide refugees a confined geographical space where they can maintain and perpetuate their “Otherness” without being able to intermingle with nationals. In Attiya’s own words,

*Refugees should be given a certain place to live in, to continue their own sort of relations with their own people [not of course with Sudanese], not to forget their country, because we are not interested that they will forget their countries; they have to go back. We don’t want more population in this country: it is enough* (in *Ibid*., emphasis added).

This is universally true throughout the GLR and HoA. The Tanzanian Minister for Foreign Affairs went much further by asserting:

Experience has proved that such measures as granting of permanent refugee status, permanent settlement are not a formula for a permanent solution to the refugee crisis. The solution indeed lies in the countries of origin rather than in the countries of asylum which are burdened with obligations on the refugees (quoted in Rutinwa 1999).

*Securitisation*

In the aftermath of the Rwandan genocide, all states in the region have placed refugees in the security agenda. That is the main reason why governments keep refugees in specially-segregated sites where their movements and political activities can be controlled. For example, in the 1990s Tanzania restricted the movement of refugees in settlements to a four-kilometre radius from the centre (IRRI 2008). The head of the Sudanese State Security accused the self-settled refugees of representing a threat to national security (quoted in Kibreab 1996). The Vice-President also declared that ‘The government has …decided to phase out spontaneous settlement’ (in *Ibid.*: 142). Securitisation often results in unrelenting rounding up, extortion, arbitrary detention, harassment and eviction of self-settled refugees and, in the worst case scenario, *refoulement* to countries of origin (HRW 2007; Karadawi 1984; Kibreab 1996). The measures emanate from the assumption that refugees represent a socio-economic burden and danger to national and societal security. The best way to avert the burden and the risks is said to be by placing all asylum-seekers and refugees in spatially-segregated sites where their political activities can be controlled, their freedom of movement blocked and their possibility to make ends meet by competing with nationals thwarted.

There is well-thought out reasoning underlying the notion of securitisation in the two regions. Once an issue is framed in security terms, it justifies any measure taken to ward off the actual or the imagined threat. In the absence of such a threat, the measures host governments take would be regarded as a violation of international human rights standards. Once an issue is securitised, it is presented as a question of life and death which “justifies any means”: ‘Something is presented as existentially threatened, and on this basis it is argued that “we” must use extraordinary means to handle the threat’ (Waever in Kibreab 2000: 271). Mandel argues that ‘Portraying concerns as security issues can elevate them into crisis requiring extreme emergency measures that may be unwarranted …’ (1994: 16), and Buzan (1991: 11) underscores the same view noting that ‘The appeal to national security as a justification for actions and policies which would otherwise have to be explained is a political tool of immense convenience for a large variety of sectional interests in all types of state.’ It was under the pretext of the protection of national security that Tanzania and Uganda expelled Rwandese and Burundian refugees and other states restricted the movement of refugees in their territories.

*Undue Pressure*

Governments in the GLR and the HoA have been putting self-settled refugees under much pressure to induce them to return home. For example, in Tanzania, asylum seekers and refugees are required to remain in spatially designated sites with no freedom of movement and choice of residence (section 17 [5]), and noncompliance is a criminal offence (section 17 [6]). This requirement is pitilessly enforced by the authorities, including by the armed forces (see HRW 2007). For example, on 5 December, 1996 a joint statement of the government and UNHCR declared that ‘…all Rwandese refugees in Tanzania are expected to return home by 31 December 1996’(quoted in Whitaker 2002). The Foreign Minister in a similar vein as the Sudanese Commissioner for Refugees declared: ‘We are saying enough is enough. Let us tell the refugees that the time has come for them to return home and no more should come’ (quoted in Rutinwa 1999).

In Uganda, residence outside refugee camps and settlements is also considered as a criminal offence. Asylum-seekers and refugees found residing outside government designated camps and settlements in the 1990s were charged with treason. Researchers found thirty such refugees in Luzira Upper Prison detained together with persons accused of capital offences (Lomo 1995: 5). Lomo states that these refugees committed no crimes, but were ‘apprehended because they had been found to be out of their settlements. Some had been arrested in markets where they were trading their rations for basic necessities or simply moving along a road between their settlement and the market’ (*Ibid*.) This shows that the severity of limitation imposed on refugees’ freedom of movement is as harsh in Uganda as in Sudan and Tanzania. Since 2009, Rwandan refugees in Nakivale and elsewhere in Uganda live under imminent threat of deportation (IRRI and RLP 2010).

In Kenya the majority of refugees and asylum seekers are confined in spatially-segregated camps and the prospects for integration of those who reside outside of camps without being able to render themselves invisible is bleak. This is also true for those urban refugees residing in Nairobi (see Campbell 2006; Pavanello et al 2010). In the refugee camps of Kakuma and Dadaab where the majority of refugees reside, there is no freedom of movement and residence. In 2006, the Government of Kenya passed a Refugee Act, but its provisions fall far below the standards enshrined in the 1951 Convention. Consistent with its “encampment” policy, the government expects all refugees to reside in camps. The government’s “encampment” requirement is not accompanied with the designation of specific places for such a purpose, and this therefore creates confusion and renders many refugees vulnerable to arbitrary detention, harassment, extortion and gross violation of their rights at the hands of the police (Pavanello *et al* 2010): ‘There is a widespread belief within the police that refugees should be restricted to camps... Police officers also typically assume that refugees are criminally minded, while Somalis in particular may be suspected of links with terrorist organisations’. Even those with a recognised status are not receiving meaningful protection (Pavanello *et al* (2010: 17).

**Concluding Remarks**

Even though many of the states in the GLR and the HoA pursued repressive policies that prompted tens of thousands of their citizens to flee in search of protection, prior to the demise of the bipolar division of the world, the states in the GLR and the HoA pursued relatively “open door” policies towards those who fled their countries in search of safe haven and succour. It seems that the end of the Cold war has sounded the “death knell” of such a generous refugee policy. Most governments in the two regions have been gradually, but surely, rejecting the once touted “local integration” (read local settlement) as the “second most durable solution.” Most governments in the region have also declared war on self-settlement of refugees which has hitherto been working by enabling hundreds of thousands, if not millions, of asylum-seekers, refugees and mixed migrants to be integrated into host societies informally.

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