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Significant Refugee Crises Since World War II and the Response of the International Community

James L. Carlin*

INTRODUCTION

There seems to have been more change on the international scene in the thirty-six years since World War II than in the whole century preceding it. The intensity of change has also been more dramatic. The resulting tensions, conflicts and wars have had one common characteristic: they created refugees. These refugees, in turn, have inevitably shown two preoccupations: either to wait for and contribute to a reversal of the situation at home which would enable them to return to their preferred former existence, or to cut their links and find a new and better life elsewhere.

In the wake of World War II, the human tragedy of uprooted persons came into glaring focus. Over a period of six years (1946-1952), the international community succeeded in completing a massive resettlement program. The United States Congress passed the Displaced Persons Act of 1948¹ authorizing U.S. participation in that effort. Canada, Australia, and Brazil opened their doors to tens of thousands of homeless persons, helping to rid the refugee camps in Europe of the largely unwelcome and dependent visitors. This was not by any means the end of the problem. Unfortunately, events throughout the world produced a new and continuing flow of refugees, either singly or in large groups.

In an imperfect world, the causes of refugee situations and the reasons which prompt people to flee, sometimes at great physical risk, are fairly evident. Clearly, military action and the instinct of self-preservation are high on the list. Repression and persecution, or fear of persecution, are among the most prominent motives for flight. Dissatisfaction with a politi-

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cal system which creates unacceptable economic conditions is a strong stimulant to the search for a better life elsewhere. Political instability and antagonism, which could become a threat to the security and welfare of people, particularly minority groups, are also motives for flight.

On the African continent, the rapid pace of decolonization and the subsequent struggle for power, as well as racial and religious persecution, have precipitated the displacement of countless human beings, currently estimated to be in the millions. Events in Southeast Asia came to a climax with the fall of Saigon in the spring of 1975. War, hunger, relocation, and suppression of minorities have continued to produce large numbers of refugees in that area. Political upheaval in Latin America has also given rise to groups of refugees in a region which was previously relatively peaceful. Political events in Afghanistan since 1979 have created more than a million refugees.

Other smaller groups of refugees from the Middle East and from Eastern Europe, including Soviet Jews, arrive in areas of asylum almost daily. These receive less attention because of their relatively small numbers and because effective international machinery is functioning to effect their prompt resettlement. On the other hand, the creation of the state of Israel in 1948 generated a new group of Palestinian refugees whose status, thirty-three years later, remains unchanged.

Other significant refugee crises occurred in 1956 with the Hungarian uprising, in 1968 when Soviet forces invaded Czechoslovakia, and in 1973 when Idi Amin expelled Asians from Uganda. The Indian-Pakistani war which led to the creation of Bangladesh in 1975 led to a further massive displacement of people. In April 1980, 10,000 people gathered on the grounds of the Peruvian Embassy in Havana to demonstrate their dissatisfaction with the political and economic situation in Cuba and their desire to leave the country. The reaction of President Fidel Castro, which was to encourage and even to force a mass exodus to other countries, mainly the United States, created yet another crisis.

Governments are, and are expected to be, motivated essentially by national interests. However, some of them, at least, also seek (and find) a convergence of humanitarian concern with foreign policy objectives. Hence the differing international responses to refugee crises. What seems so impressive in retrospect is that so much has been and is being done at no small cost by intergovernmental action to alleviate and help solve refugee situations.

This article analyzes some of the significant post-World War II refugee crises and describes in summary how the international community responded to each. Overpopulation, legal and illegal migration, and repatriation of thousands of colonials have had a negative influence on public opinion with respect to rescuing and assisting refugees. Yet today the

refugee problem and the attendant human suffering is growing. There are serious apprehensions about the mounting costs and the ability of those concerned to cope. The international machinery is stretched; inflation and unemployment in the industrialized world have further complicated the search for solutions. Present and future refugee crises will thus continue to test the adequacy of the international community's response, and the experiences of the past may provide some, though surely not all, the answers.

SPECIFIC REFUGEE CRISES

World War II Residual Refugees

When World War II hostilities ceased in 1945, it was estimated that there were more than eleven million displaced persons of non-German origin in the occupied zones of Austria, Germany, and Italy. Some six million of these were in the zones of Germany and Austria controlled by the three Western Allies: France, the United Kingdom, and the United States. Four and a half million were in occupied areas under the control of the Soviet Union. The remainder were spread throughout the liberated and neutral countries of Europe, with some 80,000 located in the Middle East.²

The United Nations Relief and Rehabilitation Administration (UNRRA) was charged with the task of administering the camps and providing for the daily needs of the inhabitants.³ UNRRA also undertook a large-scale repatriation program and some eight million of the eleven million were returned to their countries of origin under arrangements with the occupying powers. Many of the displaced persons, however, feared to return home, and the repatriation flow eastward practically ended; borders between Eastern and Western Europe closed. Displaced persons camps in the western zones remained full and a new solution for those seeking an alternative to repatriation had to be found. UNRRA was not equipped to undertake the job of resettlement to third countries.

The Intergovernmental Committee for Refugees (IGCR), founded in 1938 to assist refugees from Germany and Austria in the prewar years, assumed the function of resettlement with the help of international voluntary agencies.⁴ With its limited capacity, IGCR began a program of assisted migration and negotiated agreements with governments for the permanent settlement of a limited number of the camp residents, but it was soon recognized that a broader effort was needed.

In 1946, the General Assembly of the United Nations created the International Refugee Organization (IRO) as a nonpermanent organization to develop and administer large-scale resettlement and repatriation programs and to provide interim care and maintenance, again with the assistance of

the international voluntary agencies.⁵ IGCR transferred its responsibilities to the IRO on July 1, 1947.⁶ IRO was supported by Western governments during the ensuing four years and succeeded by the end of 1951 in resettling 1,038,000 people. With the acceleration of the economic recovery in Europe, mainly as a consequence of the Marshall Plan, the major contributors to IRO (among them the United States) considered that European governments should assume a larger share of the burden for the refugees in camps. New approaches and machinery were needed to ensure the continuation of resettlement efforts and provide for the refugees' legal protection. The task of resolving the postwar problem was not finished, for 1,250,000 persons remained unsettled. Moreover, as the Cold War intensified, new refugees had started flowing into the asylum areas of Western Europe.

Events in the Middle East were also having their influence on the refugee situation. Some of the Jewish refugees in Europe chose to settle in Palestine. The creation of the state of Israel in May 1948 produced some 650,000 new Palestinian refugees in need of assistance. By mid-1962, 877,888 such refugees, located in Jordan, Gaza, Lebanon, and Syria, were registered for rations and other forms of assistance.

With no prospect of finding an easy solution, the United Nations General Assembly on December 8, 1949 created the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA).⁷ Commencing operations on May 1, 1950, UNRWA still provides assistance to Palestinian refugees. Its basic responsibility is to administer relief services, including the distribution of rations, provision of shelter or assistance in its construction, and administration of social welfare. Education, especially vocational training, continues to be part of the UNRWA program.

The focus of international attention on the refugee problem in the early and mid-1950s remained in Europe. While the camp populations were decreasing and a number of camps closed, special efforts had to be made to find solutions for the aged, handicapped, and those found difficult to resettle under normal immigration programs.

From 1950 to 1954 the Cold War intensified and in the refugee assistance field new designations emerged for those who chose to flee. "Escapee,"⁸ "defector,"⁹ and "asylum seeker,"¹⁰ came into common usage, reflecting the Cold War perspective. New programs were designed to assure reception, care and maintenance, and resettlement assistance. Governments, heavily engaged in supporting refugee assistance programs, were afraid that the asylum areas of Western Europe would not remain open for long unless the international community provided supplementary assistance. Apart from the humanitarian considerations, political interests had to be served and, in the case of the United States, foreign policy objectives

related to the Cold War. The presence of refugees in border areas of countries of first asylum could only aggravate political tension. Thus, it was not in the U.S. interest to allow refugees to accumulate in large numbers close to Eastern European frontiers. The negotiation of the Austrian State Treaty,¹¹ to provide for the neutrality of that country, also had an effect on the refugee situation because the whole of Austria, including the former Soviet occupied zone, could receive refugees fleeing from the Eastern European countries.

Circumstances were changing, especially in Europe. Leading Western governments determined that new mechanisms were needed—tailored to the times, to the political climate, and to the resources available. Within this changing context, refugees continued to need legal protection and places of asylum as well as resettlement.

To meet these needs, the international community created in 1950 and 1951 two significant instruments which, after a span of almost thirty years, account today for the basic structure through which the international community is able to respond to differing refugee crises.

International Machinery

The international community concerned with the plight of refugees foresaw a number of basic needs which required continuing attention. Refugees needed legal and political protection, an opportunity to seek a new life in another country, the privilege of returning home voluntarily, and material assistance while in refugee status. There had to be some international structure capable of making available these elements of assistance. Since refugee-producing nations were obviously disinterested in such matters, discussions took place within the framework of a recovering Western Europe, wherein hundreds of thousands of refugees were homeless, unemployed, and ripe for political conflict and exploitation. The liquidation of the International Refugee Organization in 1951 was perhaps premature.

The General Assembly in 1950 adopted a statute establishing the Office of the United Nations High Commissioner for Refugees (UNHCR) to protect refugees and promote durable solutions to their problems.¹² The main purpose of the new organization was to provide international protection for refugees who, by definition, did not enjoy the protection of their former homeland.

The United Nations Convention relating to the Status of Refugees of 1951¹³ initially defined the legal status of refugees. A Protocol¹⁴ adopted in 1967 further refined the Convention. These international instruments define the rights of refugees and, as a very general proposition, assert that refugees are to receive the same treatment as the nationals of the countries in which they reside. By the middle of 1980, however, only eighty-three

nations had become signatories to these instruments, far short of the total membership of the United Nations.

This action by the United Nations partially took care of the problem. While UNHCR was assigned the fundamental responsibility of protecting and finding solutions to refugee problems, there was a need to establish an operational organization to carry out the resettlement function. Such an organization had to have as members governments with a demonstrated interest in the principle of free movement of persons. Thus, it had to be nonpolitical in character and outside the United Nations system. To be effective it could not have on its governing council nations which were refugee-producing countries, as is the case in the UN. The General Assembly, moreover, is a political body concerned with debate of political issues.

In November 1951, at the suggestion of the United States Government, the Belgian Government called a conference at Brussels to consider the creation of an organization capable of carrying out the resettlement task in a European context. There were at the time many thousands of refugees and escapees in Europe without any means to resettle. The conference adopted a resolution establishing the Provisional Committee for the Movement of Migrants from Europe (PICMME),¹⁵ whose acronym (pronounced "Pick-me") has a certain irony. The main purpose of PICMME was to arrange for the processing and movement of refugees and migrants for permanent resettlement. Membership was open to governments with a demonstrated interest in the principle of the free movement of people. Fifteen governments joined: four emigration countries in Europe, five immigration countries, and six so-called sympathizing countries.¹⁶ Operational activities began on February 1, 1952. Later in that same year, the designation was changed to the Intergovernmental Committee for European Migration (ICEM). On November 19, 1980, for practical purposes, the Committee's designation was changed again and became the Intergovernmental Committee for Migration (ICM),¹⁷ which is used henceforth in this article. By 1980, the organization had thirty-one members.¹⁸

In cooperation with these two sister organizations (UNHCR and ICM), the private sector has played a vital role in facilitating humanitarian assistance programs for refugees. The network of international voluntary agencies, representing the principal religious, nationality, and nonsectarian groups, acting as agents of the international framework, is perhaps one of the most essential components of this international effort. These agencies deal with the individual refugees on a daily basis. They provide necessary counseling and bear the responsibility of finding for the refugees places of permanent settlement in third countries and sponsors capable of locating jobs and housing. The voluntary agencies are deeply engaged in the most human aspects of refugee problems. International organizations could not function or execute their missions without the voluntary agencies.¹⁹

These three main pillars of assistance to refugees are assisted by others operating in the field. The specialized agencies of the United Nations, such as the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), from time to time play a role on behalf of refugees. The League of Red Cross Societies is quick to respond to emergency refugee needs. The politically neutral International Committee of the Red Cross (ICRC) often becomes involved, although its principal function, in accordance with the Geneva Convention,²⁰ is protecting prisoners of war and political detainees. The ICRC can also issue travel documents to refugees when none are otherwise available.

The foregoing is a summary of the roles and functions of the refugee relief system and its various elements, constructed not only to deal with refugee crises, but also with the daily and ongoing flow of often unnoticed refugees needing assistance. The following sections describe how each functioned in specific crises, and how international resources were applied, and through whom, as a response from the international community.

Deteriorating East-West Relations: Hungary

On October 23, 1956, the people of Budapest rose against the Hungarian regime and its Soviet supporters. The people's revolt was short-lived, crushed by Red Army tanks after eleven days. Many lives were lost in the fighting. With the flight of a new refugee population across the borders to Austria and Yugoslavia, the international community faced an emergency situation. Two hundred thousand reached safety, the majority, or 180,000, in Austria. Austrian and Yugoslav authorities lacked the means to cope with such an influx and called for help. The response was quick and effective.

On November 5, 1956, the Austrian Government requested the UN High Commissioner for Refugees and the Director of ICM to appeal to their member governments for assistance in meeting the emergency. Austria emphasized the need for financial assistance and for the support of the international community in sharing the burden of providing asylum and permanent resettlement opportunities for the refugees. UNHCR was requested to assume responsibility for legal and political protection, ICM was asked to organize resettlement activities, and the League of Red Cross Societies was given the task of providing temporary care and meeting the physical needs of the refugees. All three organizations acted swiftly to mobilize their resources. The League of Red Cross Societies, for example, assigned various teams from national societies to arrange care and maintenance in specific camps. The national Red Cross teams moved quickly. Camp space became critical to the point where consideration was given to

opening resort hotels to house refugees. Recently evacuated barracks of the occupying forces were also renovated to provide necessary space.

The international reaction to the exodus of Hungarians was emotional and generous. The first resettlement operations began in Austria on November 7 and proceeded so rapidly that the daily rate had reached 800 within a two-week period. However, the rate of influx also increased dramatically and in one twenty-four-hour period reached 8,000. New appeals for assistance, particularly resettlement opportunities, were issued, and all organizations operating in the field were obliged to augment their personnel. Selection or immigration missions from receiving countries arrived to accelerate the rate of resettlement.

By the end of 1956, more than 153,000 Hungarian refugees had escaped to Austria. Outward resettlement movements, in a period of less than eight weeks, amounted to 84,000. By March of the following year, arrivals numbered 171,000. Thanks to a sustained international effort, however, only 18,000 refugees remained to be resettled one year later.

Some 20,000 Hungarians also fled to Yugoslavia. Negotiations to mount an effort similar to that undertaken in Austria, however, were more difficult. Yugoslav authorities had to weigh serious political considerations before calling for international relief. The lack of an adequate infrastructure in Yugoslavia posed additional problems. Although UNHCR, ICM, and the international voluntary agencies had been functioning in Austria for a number of years, such was not the case in Yugoslavia, where, unlike Western Europe, no extant governmental structure stood ready to carry out refugee processing. In the interest of seeing the refugees leave the country, the Yugoslav authorities eventually agreed to the formation of UNHCR/ICM/voluntary agencies teams which were allowed to operate in much the same way as in Austria. When all Hungarians had left the country by the end of January 1957, the teams were withdrawn.

The Hungarian experience was a model operation, for each organization fulfilled its function as a cooperative effort in which each part was essential. In Austria, particularly, there was no question of which organization was to do what or why. Missions were clearly understood. The job was completed with the minimum of friction and in record time. Many lessons were learned. Emergency shelter for a sudden and very large influx was found rather quickly. Mobile teams were developed and functioned efficiently. Simplified registration was introduced, and receiving governments agreed to limit the documentation they required. Most important, the Western governments realized that the refugee problem was not gradually diminishing and disappearing, but that on the contrary, governments and international organizations would have to remain ready to meet similar crises in the future.

Czechoslovakia

The cause of the 1968 Czech refugee crisis was military action, but the nature of the problem and its consequences were quite different from those of the Hungarian crisis. Action of military forces from the Soviet Union and its Warsaw Pact partners started on the evening of August 21, 1968. By dawn the following morning, the country was under the complete control of occupying forces. In the process, many Czechoslovakian citizens fled west and again the small country of Austria faced a heavy burden. At the same time, thousands of Czechs traveling abroad as tourists refused to return home under the existing conditions.

In all, some 80,000 Czechs either fled or found themselves outside Czechoslovakia during the crisis. While many returned home eventually, substantial numbers waited in the West to see what would happen. The amnesty for those who stayed beyond the date of their Czech exit permits expired on September 15, 1969, at which time some 54,000 Czechs were in various Western European countries. Some refugees continued to trickle home, but the borders were sealed in October 1969. Thus, thousands of tourists had involuntarily become refugees.

This was a new type of refugee situation. Many refugees hoped that circumstances would change so that they could return home safely. Meanwhile, although they were *de jure* citizens of Czechoslovakia holding national passports, they were *de facto* refugees. This legal situation created a serious dilemma for those agencies trying to help and advise, particularly for UNHCR.

In general, the refugees refused to surrender their Czechoslovakian passports, and proclaimed loyalty to the government which had been overthrown. With national passports which they insisted on using, they would not be considered refugees within the UNHCR mandate. Furthermore, the procedure established in Austria for refugee recognition was lengthy—sometimes one to two months—whereas possibilities for resettlement were often available much quicker. ICM showed the greatest flexibility, and allowed people to emigrate as nationals or refugees—whichever would accelerate their movement.

The solution for many lay in the hands of the many organizations capable of providing resettlement assistance. In the ensuing eighteen months, 18,248 Czechoslovakian refugees were resettled abroad under ICM auspices. The remainder either returned home or settled in Western Europe.

Detente: Soviet Jews

A relaxation of tensions between East and West in the early 1970s, and

Soviet interests in receiving most-favored-nation treatment in its trade relations with the United States resulted in substantial numbers of *de facto* refugees. The international community needed to respond to this new situation, but this new group did not, in the traditional sense, fall within the refugee category.²¹

In late 1971, the Soviet Union started to issue exit permits to Jews in fairly substantial numbers. One of the conditions under which these people were allowed to leave Russia was renunciation of their nationality; consequently, on departure they became stateless. In 1972, about 32,000 were allowed to leave, and in the following year the number increased to 35,000. In 1979, the number exceeded 50,000. Obviously, this was controlled emigration dictated by Soviet policy and by appreciation of its importance in the total context of East-West relations.

The fact that the Soviets could—and still can—turn the faucet on and off tended to throw the international machinery somewhat off balance. However, there was no particular difficulty in coping with reception, processing, and resettlement aspects. The agencies and organizations were in place and had the necessary experience to deal with such large numbers. There was no lack of welcome for these stateless people in Israel, the United States, Canada, Australia, and elsewhere. ICM handled the resettlement aspects with substantial assistance from Jewish communities and agencies. It was and is a quiet, ongoing operation which in numerical terms exceeds the exodus from Hungary in 1956.

The international response to the fate of these stateless Russian Jews has been limited, because they are considered to be largely the joint responsibility of Israel and the United States. Since they depart legally from a country of final destination, they are not generally regarded as *bona fide* refugees, even though they arrive in Western Europe as stateless people. Most of the funds needed to cover the high costs of their resettlement come from the United States. Those arriving from the USSR are cared for in Vienna by a combination of U.S. and Israeli agencies. The refugees who choose not to go to Israel are moved to Italy, where they are lodged in hotels, not refugee camps, pending their resettlement. Few, if any, resources are provided by the countries of asylum. Thus, while the response to this crisis is effective, it cannot be said that the burden is shared.

Decolonization: India-Pakistan, Rhodesia, Portugal-Angola

The withdrawal of Great Britain from the Indian subcontinent in 1947 and the establishment of the independent states of India and Pakistan caused the uprooting of almost fourteen million persons. More than eight million Hindus and Sikhs fled to India and six million Muslims took refuge in

Pakistan. The majority of the refugees, motivated by fear of persecution, were supported by their own resources. Relief efforts, sparse as they were, were of a voluntary character and not under the aegis of any international agency. In fact, the response of the international community was minimal, even though in numerical terms this transfer of populations was the largest since World War II. There was no international apparatus available or capable of managing a movement of this dimension.

The struggle for independence in Southern Rhodesia/Zimbabwe has given rise to another refugee crisis which received only marginal international attention. About a quarter of a million persons, most of whom fled to avoid military operations conducted across Rhodesian borders by liberation groups, fled between 1975 and 1979 to Mozambique, Zambia, and Botswana. The refugees for the most part settled temporarily and with every intention of returning home. Material assistance in the form of food and shelter was provided in areas of asylum, mainly through UNHCR. The refugees were urged to become as self-sufficient as possible, but no effort was made to find a permanent solution for them. The refugee population was composed mainly of women and children, which constituted a further obstacle to any planning for their future. The head of the family was often engaged in military activities and it was uncertain if, and under what conditions, he would eventually be reunited with his family.

With the signing of the agreement at Lancaster House in London in December 1979, the United Kingdom requested UNHCR to undertake a repatriation program; preparations for reception and absorption of the returnees were made and the program was successfully completed in early 1980. The international community financed these activities with little publicity or fanfare.

The granting of independence to the former Portuguese territories in Africa in 1974 created another wave of refugees. The development of liberation movements against the Portuguese colonial regime in several African areas in the 1970s was the cause of a large refugee movement to neighboring countries. In mid-1974, almost 600,000 refugees from territories previously under Portuguese administration were outside their homelands. Senegal, Tanzania, Zaire, and Zambia were among the major countries of asylum. The refugees were aided by international assistance programs designed to offer durable resettlement opportunities. These programs absorbed the great proportion of the annual program resources provided by UNHCR, voluntary agencies, and the local governments.

After the changes which occurred in 1974, Portugal's policies on the questions of its overseas territories, independence, and the possibility of voluntary repatriation were reoriented to assist the refugees from the Portuguese territories. Rather than invest in the construction of schools, hospitals, community centers, and costly public work projects in the coun-

tries of refuge, the international community focused on providing essential care and maintenance, health, shelter, and crops. The international agencies also began to develop the human potential, mainly through education and training, as part of a new approach to the refugee problem.

Once the Portuguese territories became independent, many people from those areas decided to return. Appeals were launched to the international community for funds to assist in the repatriation operations. The latter had to be organized in close cooperation with the countries of asylum and the authorities of the newly-independent states. A number of UN specialized agencies and voluntary agencies channeled international assistance for the return and migration of the refugees. Under the repatriation and rehabilitation programs, refugees were transported to their villages of origin. Food, agricultural supplies, and equipment were distributed, health facilities were constructed, and other assistance was provided to ease repatriation and reinstallation.

The independence achieved by countries previously under Portuguese control, however, not only opened the path for repatriation of tens of thousands of African refugees, but also brought about the forced exodus of Portuguese nationals, the great majority of whom returned to Portugal. The size of the movements was striking: more than 600,000 returnees arrived in the country, principally in 1975 and 1976; the influx of refugees almost overnight increased Portugal's population by 6.7 percent. As Portugal was suffering from a critical unemployment problem and other economic ills, and half the returnees were of working age, many were desperately seeking jobs in a limited market.

Many countries helped the Portuguese Government cope with the situation by providing funds for development programs. ICM, in agreement with the Portuguese Government, initiated a program of permanent resettlement in Latin American countries, as well as in Canada and the United States. This program somewhat alleviated the employment situation in Portugal, but the total results were disappointing. Although several European countries further aided the implementation of this migration program by contributing funds, the problem of the *retornados* is still burdening Portugal, and increased international assistance will be required to bring the country back to normal. Thus far the international community has not risen to the challenge of this crisis nor responded to Portugal's pressing needs.

Intra-Third World Struggle: Ethiopia

Minority problems, the decline of the regime of Emperor Haile Selassie, and the political and military struggle after its overthrow were the main causes of the massive exodus of refugees from Ethiopia. In the late 1960s,

several thousand refugees had already arrived in the Sudan and in other neighboring countries from Eritrea, the center of civil strife. Refugee outflows continued throughout the 1970s, with sudden increases in 1975 and 1978. By March 1980, the Government of the Sudan estimated that there were 390,000 refugees from Ethiopia within its borders alone. Although the majority of the refugees come from rural districts, a considerable number resettle in urban areas.

The assistance provided by the international community, in particular through UNHCR, has aimed at helping the Sudanese Government seek durable solutions for the rural workers by establishing settlements where the refugees can engage in farming or find employment in agricultural programs. This aid involves transporting the refugees from temporary camps to new sites, providing housing, medical services and educational facilities, establishing essential settlement infrastructure, and assisting in the maintenance of public services.

The Sudan is an example of a developing country which, having initially offered only temporary asylum to refugees from neighboring countries, is now saddled with what appears to be a permanent refugee and population problem.

Another significant refugee flow from Ethiopia started in early 1978 following events in the Horn of Africa, in particular military operations in the Ogaden region. Since then, large numbers of people have arrived in Somalia, involving, according to current estimates, 1.5 million people. In addition to the 740,000 refugees accommodated in twenty-five camps by mid-summer 1980, Somali authorities estimate that some 800,000 other refugees are scattered among the local population in rural areas or gathered in towns. This new refugee population represents almost fifty percent of the total population of Somalia. The Government of Somalia declared a state of emergency in autumn of 1979 and appealed for additional international assistance. The needs are urgent, but the response has been slow.

In view of the continuing arrival of new refugees and the persistent uncertainty about the political situation in the Horn of Africa, it seems likely that the relief programs provided in Somalia by the international community will continue to concentrate, for some time to come, on providing semipermanent camp infrastructure and social service programs, including basic water supply and sanitation facilities, health services, primary education, the construction of communal facilities, and the promotion of community development schemes. This aid, though far from being a permanent solution, is a vital form of interim assistance in developing countries.

Expulsion of Asians from Uganda

A crisis of international dimensions was created in Uganda on August 7, 1972, when President Idi Amin ordered the expulsion, within ninety days, of all Asians except those possessing Ugandan citizenship, and a small number exercising certain professions deemed of value to the country. The expulsion appears to have been racially motivated.

The largest number of Asians affected by the decree were those holding British passports. The Government of the United Kingdom accepted full responsibility for these persons, 27,000 of whom were transported to the United Kingdom prior to the expulsion deadline. In the very early stages of the operation, the British Government asked ICM to register and medically examine all those Asians who wished to settle in Latin American countries and who possessed required skills. It soon became evident, however, that the operation would be complex. There were three main categories of Asians:

- (1) Those who held United Kingdom passports. For these, the British Government provided the solution by admitting large numbers. Bilateral negotiations between the United Kingdom and other countries also resulted in the acceptance of some Asians who held United Kingdom passports;
- (2) Those who held Indian or Pakistani citizenship, and who, in general, became the responsibility of those respective countries;
- (3) Those of "undetermined" nationality, *i.e.*, stateless persons, whose situation became the most precarious as the departure deadline of November 7 approached.

In a remarkable demonstration of international cooperation between organizations, strongly supported by the member governments of the UN and ICM, the emergency action to evacuate all stateless Asians from Uganda was successfully completed. Several European governments and the United States opened their doors, enabling the rescue and resettlement of about 4,600 Asians.

Extrication of Asylum Seekers and Detainees: Chile and Bolivia

The overthrow of the Allende government in Chile in 1973 created a new refugee emergency for the international community. Of primary concern was the welfare of nationals from other Latin American countries who were residing in Chile. Under the leadership of UNHCR, a committee (*Comite Nacional de Ayuda a los Refugiados de Chile*—COMAR) was established

in Santiago and centers opened to receive these refugees and to assist them in leaving the country. This was an international operation involving the participation of UNHCR, ICM, and the international voluntary agencies.

Hundreds of Chilean nationals who had sought and been given asylum in various embassies in Santiago needed to be rescued although they were not within the mandate of UNHCR. The ambassadors and ICM undertook negotiations with Chilean authorities for the safe conduct of asylum seekers out of the country, and ICM made arrangements for the processing and movement to other countries of some 4,000 persons. In 1974, the Chilean authorities, ICM, ICRC, and the Chilean National Committee for Refugees signed a quadripartite agreement to implement a resettlement program for persons detained in prisons. A similar agreement, concluded in 1975, provided for the resettlement of persons who had been tried and sentenced, but who could apply for their sentence to be commuted into exile provided they held a visa for entry to another country.²²

The total number assisted (20,000) is perhaps not impressive when compared to the millions of refugees in Africa or the transfer of the Indian and Pakistani populations. The significance of the operation, however, lies in the fact that the international community took the necessary steps to resolve an emergency situation under the most delicate political circumstances.

Since September 27, 1980, ICM has undertaken a special migration program from Bolivia. As of November 30, 1980, 364 persons had been processed and moved from the country. In the first phase of this program, the majority of the cases had been temporarily residing in foreign embassies in La Paz and were given permission by the Bolivian authorities to leave for the country in whose embassy they had sought asylum. Subsequently, the government agreed to issue safe conduct passes to detainees who chose to leave Bolivia. The third phase of the program, which will be carried out in cooperation with UNHCR, is the reunification of families with the head of the household now residing abroad.

National Partition: Pakistan

The nine months war between East and West Pakistan in 1971 resulted in the death of an estimated one million persons, the creation of the state of Bangladesh, and the flight to India of some ten million refugees. This civil war in turn led to a thirteen-day war between India and Pakistan in early December of the same year. The conflict between East and West Pakistan was a consequence of the more populous East Pakistan's quest for more autonomy as well as political and economic reform.

The focal point for relief operations rested with the Indian Government, which kept United Nations authorities fully informed of its needs. The

number of refugees who had entered India as of early December 1971 was reported to be 9,989,843, of which some 6,807,000 were said to be living in more than one thousand camps. The rest, more than three million, were living with friends and relatives.

As hostilities ceased and refugees began returning home, humanitarian activities intensified. The focal point for the international effort was vested in UNHCR, which called on the resources of UNICEF, WFP,²³ WHO, ICM, and voluntary agencies. Relief supplies were also funneled to the Indian Red Cross from Red Cross Societies around the world. Some governments supplied transport augmenting the effort to distribute relief supplies. The United States supplied four aircraft and the Soviet Union two, the UN purchased hundreds of trucks, and ICM made arrangements for aircraft and ships to carry supplies from various points outside the area. The refugees were repatriated overland and arrangements were made for their care en route. Reception areas were established, and by mid-February 1972, over eight million refugees were repatriated.

The relief effort in Pakistan was another example of a rapid and generous international response to a refugee emergency. The international organizations and the private sector quickly deployed their forces, coordinated by UNHCR. Although resettlement operations were completed swiftly, heavy war damage caused the relief effort to continue for some time. Supply lines, communications, and infrastructure were destroyed, and housing was desperately needed. It was mainly the groundwork laid by the international community that permitted the execution of a longer-range relief and rehabilitation effort.

Southeast Asia: Indochinese Refugees

While the memory of the dramatic fall of Saigon in the spring of 1975 is fading, the effects remain today. The political changes in Laos, and Vietnam, with their attendant oppression, hunger, disease, and stark terror have generated one of the most horrible and dramatic refugee crises in history.

Hundreds of thousands have fled their native countries during the past five years. Many crossed the border to Thailand where they remained as temporary guests in makeshift camps. Today, some 290,000 in these camps await resettlement or other assistance. Others braved the South China Sea in small, leaky boats, only to be attacked by pirates or rejected by unfriendly shores. Some bought their way out or were openly assisted in their escape by government authorities, and over 250,000 moved north to the People's Republic of China. Some 11,000 have left Vietnam legally. Unlike the African situation, resettlement and repatriation appear to be the only solutions. In Asia, there is an historical unwillingness to absorb minority

groups locally. The United States, France, Australia, and Canada received the bulk of the refugees, with other nations taking lesser numbers.

The reaction and response of the international community has been extraordinarily generous and humane. The plight of the boat people captured the attention of the public at large and was translated into government action in which the United States took the lead. The United States sensed a special obligation as a result of its participation in the Indochina conflict; former U.S. employees of Vietnamese nationality and their relatives had to be rescued. France, with her historical ties to Indochina, felt a similar obligation to those persons having a French cultural background. Although boat people reached Australia on their own, the Australian Government has shown great compassion by receiving on a population per capita basis more refugees than any other country. Canada, a traditional country of immigration, has demonstrated similar sympathy and understanding. Other nations concerned with humanitarian assistance have done their share and continue to do so, although they are not all mentioned here. Switzerland, for example, has taken hundreds of severely handicapped refugees, probably for lifetime care. Some nations have pledged to permanently resettle boat people rescued at sea by their vessels; Israel has taken 300 such cases.

The international response has also been well-structured. UNHCR is responsible for legal protection and is attempting to overcome the piracy problem. UNHCR, in most instances, also has responsibility for raising the funds to support Indochinese refugee camps in the asylum areas. The camps themselves are generally administered by local authorities. UNHCR also has the fundamental responsibility for obtaining offers for permanent resettlement. To date, ICM has processed and moved some 477,000 Indochinese refugees for permanent resettlement in fifty-seven countries. Again, reliance on the international voluntary agencies to provide sponsors and to assist in processing and reception has been heavy. Without this large and effective network, the program of resettlement would not function adequately, nor would there be any possibility of moving such large numbers.

The Indochinese refugee problem is not solved, since more refugees arrive daily in the asylum areas. It is, however, under control, due to the combined efforts of governments and international organizations.

Expulsion Policy: Cuba

On April 10, 1980, the Government of Peru urgently appealed to ICM to mobilize an effort to move more than 10,000 Cuban nationals who had gathered at the Peruvian Embassy in Havana. ICM appealed to member governments and to other governments for funds and resettlement oppor-

tunities. ICM promptly received over 7,000 offers for resettlement and several generous financial contributions.

When Costa Rica agreed to become a strategic area, ICM assembled in San Jose a small task force which arranged aircraft charters and stand-by flights. The first emergency flight left Havana on April 16. Although Cuban authorities suspended the airlift, on April 25 some 774 refugees reached Costa Rica. Of this group, 327 were transferred to Peru. UNHCR provided funds for care and maintenance in an agreement signed on May 5, 1980 by the Costa Rican Government, ICM and UNHCR.²⁴

The subsequent actions of President Castro are well known. He authorized the departure by boat to the United States of over 120,000 Cubans, including those remaining in the Peruvian Embassy. Four transit centers were opened at U.S. military facilities and the process of final resettlement began. The American voluntary agencies, in cooperation with ICM, assisted in the outprocessing, and ICM provided the transport for 50,000. It is expected that all refugees will be resettled in 1981.

The response in terms of resettlement was necessarily from the United States. Few Cubans wished to leave the United States once they had arrived, and there was little interest on the part of the international community to provide resettlement opportunities. The Cuban experience has had its impact on American public opinion. For the first time in recent history, the United States was suddenly confronted with an overwhelming mass of refugees arriving off the coast of Florida directly from Cuba, refugees which it had no possibility to screen or select in accordance with U.S. regulations. The country thus found itself in a situation similar to that previously faced by Germany, Austria, Italy, and other countries which have a common border with refugee producing areas.

Product of Invasion: Afghan in Pakistan

The Soviet invasion of Afghanistan in 1979 created another huge exodus, with over one million people crossing the border with Pakistan. Most, it is felt, wish to return home, and few will seek an opportunity to go elsewhere because of the great differences between the cultures of Afghanistan and those of the countries traditionally accepting refugees for resettlement. The resulting program is primarily one of care and maintenance under the aegis of UNHCR. The urgent need is for food and shelter and possibly for cattle fodder in the future.

The international response to this emergency has been mainly in the form of cash contributions to UNHCR. Some \$50 million will be required in 1980 alone to support the program in Pakistan. The Government of Pakistan has arranged for the removal of the refugees to tented villages inland from the border areas. Some seventy-six villages have been formed

in the northwest and a further twenty-six in Baluchistan. Efforts are underway to develop such income-producing projects as carpet weaving and other handicrafts. ICM has facilitated the resettlement of a few hundred Afghan refugees, primarily in the United States.

Since Pakistan is a developing country, the burden of an additional unemployed population within its borders could have been crushing without international assistance. The gravity of the Afghanistan refugee situation is not to be underestimated, but this crisis is so new that a coordinated international response to the problems involved has not yet been fully developed.

CONCLUSIONS

There will always be refugee problems, to which the international community will be compelled to respond, and many will be emergencies. The machinery and structure for response is functioning with reasonable efficiency, but there is clearly room for improvement. The cost of relief and resettlement is tremendous, and inflation and the high rate of unemployment may affect the capacity and willingness of the developed countries to provide the funds and additional resettlement opportunities needed. The admission of refugees is, in fact, becoming a political and economic issue for voters and taxpayers.

The influx of Cubans to the United States in 1980 is illustrative. The unsavory background of some who arrived in the United States aroused local hostility. The riots by some Cubans in the transit centers stimulated anti-refugee sentiment and hardened attitudes toward refugees. Rising costs are also an irritant to citizens in the major countries of resettlement. The United States is the largest investor in programs for humanitarian assistance. In 1980 alone, the U.S. budget for refugee assistance exceeded \$2 billion.²⁵ The budget of UNHCR for the same year was \$500 million, and many other governments and organizations are financially involved.²⁶ Ten to twelve governments bear the majority of these costs and it is usually these same governments that offer permanent refuge to refugees. Developing countries do not have the resources or infrastructure to receive, even temporarily, large numbers of additional persons, and must rely on external and international assistance.

Although the various international organizations working in close conjunction with the voluntary agencies have the ability to respond to refugee situations with reasonable effectiveness, each can be improved and strengthened. In any given emergency the role of each should be carefully delineated. As a general proposition, UNHCR should retain its primary function of legal and political protection, and, when necessary and useful,

provide an umbrella for care and maintenance operations. UNHCR is not an operational body. On the operational side, ICRC and other elements of the vast Red Cross system are well equipped to administer relief. ICM has the experience and expertise in the field of resettlement-processing and transport. The services of UNICEF, WHO, UNDP,²⁷ UNDRO,²⁸ and WFP might be called upon in special situations.

The UN Economic and Social Council (ECOSOC) has already called for an examination of how UN bodies and other international organizations can be better utilized in emergencies involving the need for humanitarian assistance. The main purpose of this scrutiny is to review the coordination and administration of such programs. Each organization has a mandate to carry out its specific function, but functions tend to blur in the excitement of an emergency. Perhaps the Hungarian refugee experience of 1956 may serve as a model of effective cooperation and coordination, for the Austrian Government made clear from the outset what was expected of each principal organization.

Developments in recent years, especially in the developing countries of Africa and East Asia, have prompted UNHCR to try to provide greater material assistance and to seek solutions to refugee problems. In some instances the High Commissioner has clearly intervened to assist people outside his original mandate, but the scope of the High Commissioner's mandate in this respect may need further clarification.

On the other hand, ICM's mandate to process and move refugees to and from all areas of the world is clearly spelled out in its constitution, but due to its limited membership the organization is not always called on to act in cases of emergencies in nonmember countries. It is, therefore, seeking to enlarge its membership. Its role would be enhanced if the organization were recognized as the operating arm of the United Nations for movements of people.

The voluntary agencies are handicapped by the fact that, while in some countries they are well established and efficient, they have little or no standing in others. It is therefore difficult to define the worldwide role of voluntary agencies.

In all refugee emergencies, efforts are made to establish a system of coordination among the governments directly concerned and the principal international organizations involved. However, such coordination has developed on an ad hoc basis for each emergency, not necessarily according to the pattern of previous emergencies. A more permanent and formal arrangement, such as an international board, composed of the directors of principal organizations and supplemented by representatives of the governments directly concerned with a given emergency should be considered. During the period of the emergency, this board would hold regular meetings. There is also a need to convey to governments a better appreciation

and understanding of each refugee problem. Communications in this regard are sometimes faulty and often emotional. Greater burden sharing among governments would help to alleviate the special refugee problems presented by a relatively small number of "hard core" cases. Governments which offer first asylum and temporary hospitality should not in the end be left alone to cope with a large number of physically or socially handicapped cases.

Finally, all governments should be working toward the elimination of the causes of refugee problems. Support for the principle of the free movement of people under regularly organized programs of emigration and immigration should be emphasized. The Helsinki Final Act of 1975²⁹ is, among other things, aimed at ensuring the free movement of people at least in Europe, but this objective has proven elusive. With new armed conflicts generating fresh waves of refugees throughout the world, the 1980s do not look very reassuring. Nevertheless, the free movement of people is an objective worthy of the strongest possible emphasis.

NOTES

¹ Displaced Persons Act of 1948, Pub. L. No. 80-774, § 3, 62 Stat. 1009 (1948).

² For statistics on the refugee caseloads described in this article see L. HOLBORN, *THE INTERNATIONAL REFUGEE ORGANIZATION* (1956); G. WOODBRIDGE, *UNRRA: THE HISTORY OF THE UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION* (1950); Report of the Director on the Work of the Committee for the years 1952 through 1979, ICEM Doc. No. MC/1300 (1979); ICEM Doc. No. MC/1257 (1978); ICEM Doc. No. MC/1225 (1977); ICEM Doc. Nos. MC/1190 and MC/1190/corr. 2 (1976); ICEM Doc. No. MC/1157 (1975); ICEM Doc. No. MC/1126 (1974); ICEM Doc. No. MC/1087 (1973); ICEM Doc. No. MC/EX/284 (1972); ICEM Doc. No. MC/EX/269 (1971); ICEM Doc. No. MC/EX/242/Rev. 1 (1970); ICEM Doc. No. MC/EX/228 (1969); ICEM Doc. No. MC/911 (1968); ICEM Doc. No. MC/EX/209/Rev. 1 (1967); ICEM Doc. No. MC/827 (1966); ICEM Doc. Nos. MC/768 and MC/768 /Add. 1 (1965); ICEM Doc. Nos. MC/712 and MC/712/Corr. 1 (1964); ICEM Doc. Nos. MC/642 and MC/642/Corr. 1 (1963); ICEM Doc. Nos. MC/589 and MC/589/Add. 1 (1962); ICEM Doc. Nos. MC/513, MC/513/Corr. 1/Rev. 1, and MC/513/Add. 1 (1961); ICEM Doc. Nos. MC/450 and MC/450/Add. 1 (1960); ICEM Doc. No. MC/384 (1959); ICEM Doc. No. MC/336 (1958); ICEM Doc. Nos. MC/283 and MC/283/Corr. 1-3 (1957); ICEM Doc. No. MC/223 (1956); MC/177/Rev. 1 (1955); ICEM Doc. Nos. MC/128 and MC/128/Corr. 1 (1954); ICEM Doc. No. MC/61 (1953); ICEM Doc. No. MC/9/Rev. 1 (1952). For additional information, see also the annual reports of the United Nations High Commissioner for Refugees to the United Nations General Assembly. The reports are contained in the Official Record of the General Assembly (U.N. GAOR).

³ UNRRA Agreement, Nov. 9, 1943, [1943] *JOURNAL OF THE UNRRA COUNCIL* 2-6.

⁴ See 1 A. GRAHL-MADSEN, *THE STATUS OF REFUGEES IN INTERNATIONAL LAW* 17 (1966).

⁵ Constitution of the International Refugee Organization, Dec. 15, 1946, 4 BEVANS TREATIES AND OTHER INTERNATIONAL AGREEMENTS OF THE UNITED STATES OF AMERICA 1976-1949 at 284, T.I.A.S. No. 1846, 18 U.N.T.S. 3.

⁶ A. GRAHL-MADSEN, *supra* note 4, at 17.

7 G.A. Res. 302, U.N. Doc. A/1251, at 23 (1949).

8 A person who usually, at some risk, manages to cross a closed border illegally.

9 An official or representative of a state organ serving his or her country abroad, who, for a variety of reasons, does not choose to return home and requests political asylum.

10 A person who has left his or her homeland legally, chooses not to return, and requests refugee status in another country.

11 State Treaty for the Reestablishment of an Independent and Democratic Austria, May 15, 1955, 6 U.S.T. 2369, T.I.A.S. No. 3298, 217 U.N.T.S. 223. The treaty was signed in Vienna on May 15, 1955 by the representatives of the four occupying powers (France, United Kingdom, United States, Union of Soviet Socialist Republics) and Austria. The State Treaty came into force on July 27, 1955, and by October 25 of the same year all occupation forces were withdrawn.

12 G.A. Res. 428, 5 U.N. GAOR, Supp. (No. 20) 46, U.N. Doc. A/1775 (1950).

13 Convention relating to the Status of Refugees, July 28, 1951, 189 U.N.T.S. 137. The Convention was signed at Geneva on July 28, 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, which was convened pursuant to Resolution 429 (V), adopted by the General Assembly on December 14, 1950. The Convention came into force on April 22, 1954.

14 Protocol relating to the Status of Refugees, *done* Jan. 31, 1967, 19 U.S.T. 6223, T.I.A.S. No. 6577, 606 U.N.T.S. 267. On the recommendation of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, the High Commissioner submitted the draft of the Protocol to the General Assembly through the Economic and Social Council. The General Assembly, in Resolution 2198 (XXI) of December 16, 1966, took note of the Protocol and requested the Secretary General to "transmit the text of the Protocol to the States mentioned in article V thereof, with a view to enabling them to accede to the Protocol." The Protocol, dated January 31, 1967, came into force on October 4, 1967.

15 Migration Conference in Brussels, Dec. 5, 1951, with sixteen participating governments including the United States.

16 Emigration countries: Germany (Federal Republic), Greece, Italy, Netherlands. Immigration countries: Australia, Bolivia, Brazil, Canada, Chile. Sympathizing countries: Austria, Belgium, France, Luxembourg, Switzerland, United States.

17 Resolution No. 624 (XLV), ICEM Doc. No. MC/1323 (1980) (adopted by the Council at its Forty-fifth Session, Nov. 19, 1980).

18 Argentina, Austria, Belgium, Bolivia, Chile, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, Germany (Federal Republic), Greece, Honduras, Israel, Italy, Luxembourg, Malta, Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, South Africa, Switzerland, United States, Uruguay, Venezuela.

19 Cf. Zucker, *Refugee Resettlement in the United States: The Role of the Voluntary Agencies*, this volume.

20 The General Convention Relative to the Treatment of Prisoners of War, Aug. 12, 1949, 3 U.S.T. 3316, T.I.A.S. No. 3364, 75 U.N.T.S. 135.

21 See generally Gitelman, *Exiting from the Soviet Union: Emigrés or Refugees?* this volume.

22 These agreements were not published and were made available only to the signatories.

23 The World Food Programme (WFP) was established jointly by the United Nations General Assembly and the Food and Agriculture Organization of the United Nations in 1961. G.A. Res. 1714, 16 U.N. GAOR, Supp. (No. 17) 20, U.N. Doc. A/1500 (1961).

24 This agreement was not published and was made available only to the signatories.

25 See BUDGET OF THE UNITED STATES GOVERNMENT 1980-1981 at 483, 680-681, 1086 (1980).

26 There are no worldwide figures on costs since many governments use different definitions.

27 United Nations Development Programme.

²⁸ Office of the United Nations Disaster Relief Coordinator.

²⁹ For the text of the agreement, *see* Conference on Security and Cooperation in Europe: Final Act, 73 DEP'T STATE BULL. 323 (1975). The Final Act was signed by all European countries, Canada, the United States, and the Soviet Union in Helsinki on August 1, 1975.