

# Displacement, host governments' policies, and constraints on the construction of sustainable livelihoods

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## Introduction

This paper examines the structural and institutional factors that preclude the “risk prevention” and rehabilitation strategies of the best-known victims of displacement, refugees. Though restrictive refugee policies are increasingly becoming common worldwide (Frelick 2001, Goodwin-Gill 1999), drawing on the experiences of refugees in many developing countries, I argue that refugee status rarely leads to acquisition of nationality or denizenship,<sup>1</sup> and rights and sources of livelihoods basic to warding off poverty are accessible only to nationals. Not belonging to a spatially bounded community or geo-political entity is the single most important factor preventing formulation and implementation of long-term development programmes that enable refugees to recoup the losses they incur in connection with displacement and to construct sustainable livelihoods in countries of asylum.

Refugees are people who flee their homes against their will because they fear for their lives. When refugees flee, they incur immense losses in life-sustaining resources, including social support networks, neighbours, friends, relatives, cultivable and grazing lands, livestock, jobs, houses, and access to common property resources such as forest produce, surface water, wild fruits, roots, and wildlife. In most rural

societies, there is a strong sense of close interdependence between individuals, or their descent group, and the land with which that group is traditionally associated. In some of these communities land is neither divisible nor alienable – it is held in perpetuity. In such societies, land is the centre-piece of cultural systems, and its meaning incorporates people, traditions, customs, values, beliefs, institutions, soil, vegetation, water, and animals. Land and/or house possession in one's place of origin is seen not only as a wealth-creating and livelihood-sustaining resource, but also as the basis of status and identity. In such societies, belonging to a particular place is necessary for being rooted and therefore for acquiring land.

## The basics of belonging

One of the most contested issues in refugee studies is that of attachment to particular places – “homes”. There are those who argue that the need to belong to particular communities or geo-political states has its own intrinsic value. In this paper, however, I emphasise the instrumentalist aspect of belonging rather than its intrinsic aspect. (On the intrinsic aspect of belonging see Coles 1985. For a critique of this literature see Kibreab 1999.)

In the context of the developing countries, where refugee status leads to neither citizenship

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nor denizenship, I hypothesise three things. First, belonging to a spatially bounded community is an indispensable instrument for the enjoyment of basic civil, economic, and political rights. Second, nationality is necessary to enjoy rights such as freedom of movement and residence, labour including self-employment and other income-generating activities, and ownership or usufruct of life-sustaining renewable resources. Third, citizenship and nationality are inextricably interwoven and consequently, whatever citizenship rights exist are denied to refugees as non-nationals.

In most refugee-producing and receiving countries, the dominant form of citizenship is the “nationality citizenship model”, which links nationality and citizenship, rather than the “new citizenship model”, which decouples the two (Gardner in Close 1995: 73). Citizen rights in the “nationality citizenship model” are only accessible to nationals; as non-nationals, refugees are excluded. In most developing countries, where most refugees originate and where most are also hosted,<sup>2</sup> the basis of entitlement to rights is nationality, not residence.

Non-nationals, particularly refugees, are denied many civil, economic, political, and social rights accessible to nationals. Consequently, they are marginalised and removed from the political, social, economic, and cultural life of host societies. In most cases, a person’s “natural” entitlements to rights rest within his/her own country of origin, and such entitlements are absent outside his/her country. As Coles (1985: 185) incisively observes: “Belonging in the full sense is (...) a precondition for the enjoyment of rights generally, since the exiled national or the national deprived of all national protection normally enjoys in a foreign country only the modicum of rights granted to refugees or aliens.” This is an apt description of the refugee situation in developing countries.

## **Displacement as impoverishing and empowering experiences**

Though displacement is generally an impoverishing experience, the changes that accompany it may under favourable conditions stimulate social change and development. My own studies

over two decades among refugees and returnees in the Horn of Africa indicate that, in an enabling environment (or at least in the absence of stifling policies and reception/settlement strategies), the losses and sufferings refugees experience may unleash new sources of energy and creativity. The breakdown or weakening of old cultural values, power relations, gender statuses and clan allegiances brought about by displacement, may stimulate change and innovative adaptation (Keller 1975, Kibreab 1996b). Combined with severe deprivation and poverty, these changes may free refugees from the manacles of tradition, culturally prescribed roles, and dominant value systems and norms. However, in most developing countries refugee resources are stifled by host governments’ inauspicious policies, which often tend to thwart the ability of refugees to release their energy and creativity to construct sustainable livelihoods.

One of the most insightful conceptualisations of the remedial measures that host governments can put in place to prevent refugee impoverishment is Michael Cernea’s (2000) risks and reconstruction model for resettling displaced populations. Cernea states that the risk of impoverishment is intrinsically present in displacement, regardless of its causes. The major challenge “is to organise risk prevention and provide safeguards” (2000: 13). In doing so, host governments can reduce the losses refugees incur when they suddenly flee their homes in search of international protection.

Under favourable structural and policy environments, refugees constitute a resource rather than a liability. In what follows, the factors that prevent refugees from recouping their losses and from (re)-constructing sustainable livelihoods in countries of asylum, as well as the conditions that perpetuate poverty, vulnerability, and marginalisation, are analysed empirically. These include: (1) the perception of refugeehood as a transient phenomenon by host governments and the limited protections accorded to refugees; (2) lack of freedom of movement and residence; (3) lack of physical security; (4) lack of rights of employment and self-employment; and (5) lack of property rights. Other important factors omitted here for lack of space are the underdeveloped nature of host-country economies and sluggish donor

responses to long-term development programmes in areas affected by refugee movements.

### Perceptions of refugeehood

In nearly all developing countries, refugees are received as temporary guests with no possibility of becoming naturalised regardless of how long they remain in exile. They are expected to return to their countries of origin when the factors that prompted them to flee are eliminated. For example, Palestinian refugees have been living in Lebanon for over half a century and are still regarded as temporary guests who must leave once it becomes possible to return to their homelands or resettle elsewhere. As Arzt (1997: 47) observes: "Lebanese officials have on more than one occasion expressed an intention to expel all Palestinians, who are predominantly Sunni Moslems, at the earliest possible occasion, claiming that their integration in the country would upset the country's 'delicate sectarian balance,' in which Shi'ite Moslems have a slight majority over a dwindling number of Mennonite Christians."

The policies of nearly all refugee-hosting countries are designed to prevent rather than promote the integration of refugees. For example, Karadawi (1985: 25–26), a former Assistant Commissioner for Refugees in Sudan, stated, "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". Mr Attiya (1988), a former Commissioner for Refugees in Sudan, also stated, "If you talk of integration as a sort of naturalisation, 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. ... refugees should be given a certain place to live in, to continue their own sort of relations with their own people [not 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". These statements encapsulate the general rationale underlying most host government policies in the developing countries.

Throughout the developing world, the standard of protection accorded to refugees is very low. For example, Ferris' (1984: 369) study shows that the Central American refugees had "virtually no legal protection" and consequently lived "in constant insecurity". It was common for Mexican authorities to deport between 600 and 1,000 illegal immigrants weekly, with no way of distinguishing refugees from economic migrants (ibid.). Stepputat's (1992: 91) study in Campeche, Mexico also shows that Guatemalan refugees outside of camps were without any form of legal protection.

The quality of protection provided to refugees by the Costa Rican government also makes a mockery of the international protection regime. Changes introduced in 1980, for example, required asylum seekers to produce valid passport and police clearance from their country of origin to be considered for refugee status (Larson 1992: 332). Since refugees flee clandestinely, one wonders why, if they are able to get clearance from the police, they need protection in the first place? After 1981, immigrants, including asylum seekers, were also required to "verify before the national migration authorities to have sufficient means of livelihood" (Executive Decree 12432-S quoted in ibid.). As the number of Nicaraguan refugees increased in 1982, refugees also had to have a return ticket to their countries of origin (ibid.).

In 1987, Tanzania expelled Burundian refugees, although the factors that prompted the refugees to flee had not been eliminated. This was repeated again with the closure of its borders with Burundi in 1993, and with Rwanda in the aftermath of the 1994 genocide (Rutinwa 1996). Border closures were accompanied by mass expulsion of refugees who had sought asylum in the country during the last three decades. Rutinwa states, "More recently, (...) Tanzania has rounded up people of Rwandese and Burundian origin who came to Tanzania years ago as refugees and has sent them back to their respective countries" (1996: 7).

### Lack of freedom of movement and residence

Refugees in Africa "may only be recognised as such while they remain in designated rural settlements or regions. Thus should they attempt

to exercise their right to freedom of movement, they may lose their refugees status. They may even risk arrest and detention at the hands of security personnel” (Lawyers Committee for Human Rights 1995: 41). As we shall see below, this is commonly true throughout the developing countries. Freedom of movement and residence is guaranteed by Article 26 of the UN Convention. Though host governments may enter reservations and designate places of residence for refugees, the severe restrictions often imposed on the movement and residence of refugees out of camps and settlements are contrary to the range of permissible restrictions (Lawyers Committee 1995: 31). In the case of mass influx, a minimum standard was set by the Executive Committee of the UNHCR in 1990: refugees should not be subjected to restriction on their movements other than those that are necessary in the interest of public health and public order.

Nearly all refugee-hosting countries in the South have a policy of keeping refugees in segregated sites with little freedom of movement and residence. Rationales underlying the policy of spatial segregation of refugees in countries of asylum include:

- (1) precluding refugee integration into host societies by minimising or preventing economic, social, and cultural interaction with nationals;
- (2) avoiding or minimising perceived risks to national and societal security by controlling refugee movements and activities;
- (3) avoiding or minimising competition over scarce resources such as land, pasture, water, forest produce, housing, schools, transportation, and employment opportunities in both the formal and informal sectors;
- (4) avoiding or minimising ethnic or religious imbalances along border areas which may potentially cause political tension and instability at the local level; and, most importantly,
- (5) enabling host governments to shift the responsibility to the international donor community indefinitely.

Indochinese refugees in countries such as Thailand, Hong Kong, and Indonesia were kept in detention and holding centres where they had no freedom of movement and no right to manage their family affairs (Pongsapitch and Chongwa-

tana 1988). In Hong Kong, refugees were kept in closed centres operated by the Correctional Service Department, the prison service (Davis 1988). At arrival, refugees were handed a notice that read: “If you do not leave Hong Kong now, you will be taken to a closed centre and detained there indefinitely. You will not be permitted to leave detention during the time you remain in Hong Kong.” (quoted in Davis 1988). The description of life in these camps and the changes refugees undergo are reminiscent of the refugee camps in the period immediately following World War II. Hitchcox (also quoted in Davis 1988: 163–164) states: “Becoming a refugee implies relinquishing liberty of mind as well as body. One enters a liminal state which lies between the two cultures of the old and the new. Upon entering the camp, an individual undergoes a fundamental change in status which places him in an anomalous category. (...) the refugee becomes not just physically helpless in terms of freedom of movement, but psychologically helpless when he learns that old skills and attitudes no longer apply and there seems to be no guarantee that acquiring new ones will help him out of his predicament.”

Salvadoran refugees in Honduras were kept in similar conditions. A report prepared by Morsh (1987: 9) of the US-based Refugee Policy Group found that, after living in closed camps for 5–7 years, refugees were growing tired of the situation because there was no freedom of movement or possibility to work outside the camps. “Soldiers around Colomoncagua” were “on orders to shoot to kill anyone leaving the camp after 5 p.m.” (ibid.). Even though the conditions in El Salvador that prompted their displacement were not eliminated, 4,000 refugees from Mesa Grande camp requested to be repatriated in December 1986 in response to the deplorable conditions in the camps.<sup>3</sup> In Hammond’s (1993: 109) view, one aim of the Honduran government’s policy was to prevent the Salvadoran and Nicaraguan refugees “from regarding their camps as permanent homes”. Basok’s (1990: 293) findings also show that the Honduran government strongly encouraged refugees to return home even when the factors that prompted their displacement were not eliminated.

The purpose of the Refugee Control Acts adopted by Zambia in 1970 and Botswana in

1976 was to control the entry, movement, residence, and activities of refugees. Tanzania's Refugee Control Act of 1966 was repealed by the 1998 Refugee Act, and while the word control is no longer used, the content and spirit of the new legislation is equally, if not more, draconian in terms of the restrictions it imposes on refugees and asylum seekers. The country's refugee policy was once hailed as generous; however, a closer examination suggests otherwise. According to the 1998 act, asylum seekers and refugees are to be kept in designated places without freedom of movement or residence (section 17[5] of the 1998 Act). Leaving designated areas without authorisation is considered a criminal act (section 17[6]).

According to the Regulations of the 1974 Asylum Act, refugees in Sudan are to be placed in sites designated by competent authorities. Non-compliance is punishable with imprisonment (Regulation of the Asylum Act [1974], Article 10[2]). In Ivory Coast, Liberians only enjoy refugee status if they remain within designated reception areas, or *zones d'accueil* (Lawyers Committee for Human Rights 1995: 49). In Central America, an individual was not considered a refugee until he or she entered the camps, and UNHCR could not spare refugees from harassment or deportation (Ferris 1987: 101).

### **Lack of physical security**

In Sudan, though the government's policy clearly states that all refugees should be placed in designated areas, the large number of refugees, limited administrative capacity, and land shortage prevented this. However, this did not stop the authorities from harassing those without designated places. Many refugees were from urban areas, and they tried to avoid being relocated in isolated rural refugee settlements. The self-settled were often subjected to periodic harassment, intimidation, extortion, and arbitrary detention (see Karadawi 1999, Kibreab 1996b). For example, on 6 June 1978, the Head of Public Security decided to evacuate the refugees from Khartoum. On 20 June 1978, the Police and Security arbitrarily rounded up the refugees for evacuation. The late Dr Ahmed Karadawi (1999: 104–105) witnessed the excesses and stated: "The way the police treated the refugees raised bitter feelings even among some of the officials themselves. The 700

refugees who were arrested were dumped in Khartoum East police station without food or water and without any clear idea of what would happen to them."

In 1987, the self-settled refugees in Tanzania were ruthlessly rounded up and forcibly returned en masse to Burundi. Even those refugees carrying identity cards issued by the Tanzanian government were not spared from the act of mass expulsion. In fact, the Burundi daily *Le Renouveau du Burundi* on 14 April 1987 reported, "*more than half of those who arrived declared themselves Tanzanians*" (Quoted in Malkki 1995: 265, emphasis in original).

Tanzania again rounded up self-settled refugees in 1997–98 for forcible relocation to designated areas, including those who were granted asylum several decades ago. According to a Human Rights Watch (1999: 14) report based on extensive fieldwork in Tanzania, the refugees "were given the option of being confined to UNHCR-run refugee camps or returned to their countries of origin regardless of when or why they came to Tanzania". A survey conducted by a UN agency in Ngara district revealed that of those who were rounded up, 25% had lived in Tanzania for more than 20 years, 60% more than 10 years and 12% for more than 7 years; 96% were rural subsistence farmers who had land, houses, and livestock and 69% were separated from their families during the campaign (quoted in *ibid.*: 15). Even Tanzanian women married to asylum seekers or refugees were relocated to camps. A settlement officer can also arrest an asylum seeker or a refugee without an arrest warrant (1998 Refugee Act, section 25[1]) and can use force to "compel any asylum seeker or refugee with any order or direction, whether oral or in writing" (*ibid.* section 26). This is equally true in Zambia and Botswana (see Lawyers Committee for Human Rights 1995).

In Sudan, refugee students were excluded from post-primary school education after September 1979 (Karadawi 1999: 95). In Tanzania, the 1998 Act prohibits any meeting of more than five asylum seekers or refugees regardless of whether the meeting is held in public or private (section 20[2]). A refugee or an asylum seeker who contravened this clause could face up to 5 years of imprisonment (section 20[3]). Palestinians are also prohibited from



Hei Ling Chau camp for Vietnamese refugees in Hong Kong, 1987. José Mayans/CIRIC

entering government hospitals and secondary schools in Lebanon (Arzt 1997: 46).

It is often wrongly assumed that once refugees cross an international boundary in search of protection, they enter a world of safety and dignity. This is far from the truth. Refugees are often subjected to rape and other forms of sexual abuse in countries of asylum (Lawyers Committee for Human Rights 1995: 61). For example, in Bangladesh, members of BDR and the police abused female Burmese refugees confined in temporary shelters. According to Khandker and Haider (2000: 59), this was reported in several newspapers. While the Bangladeshi government was concerned with law and order, this did not include protection against rape: "Rape is ignored as a stray incident. Once again young refugee women became hostages in the hands of law enforcement agencies, this time at the hands of BDR personnel and the police. Fearing reprisal and future violence, many Rohingya [Burmese re-

fugee] women did not make formal complaints to the concerned authorities. As illegal immigrants they could not lodge any complaints or file cases until their legal status is ascertained in a host country (...) A good number of young and adolescent girls disappeared from camps and the camp guards abused some. The refugees did not have access to judicial institutions so none was brought to justice for rape and abuse of Rohingya women" (Khandker and Haider 2000: 60). Sexual coercion is common in refugee camps elsewhere as well, including Malawi, Sudan, Kenya, and Tanzania (see Human Rights Watch 1999, Lawyers Committee for Human Rights 1995).

The Human Rights Watch (1999) report on violence against female refugees in Tanzania concluded: "When Burundi women fled the internal conflict there, they expected to find safety and protection in the refugee camps. Instead, they simply escaped one type of violence in Burundi to face other forms of abuse in the refugee camps in Tanzania." The report further

points out that in May 1999, 50 or more female refugees from Burundi were raped by over 100 Tanzanian men in Kasulu district, but only 11 men were arrested as of November 1999. They were kept at Kasulu prison and were brought to court on 15 December 1999, but the judge conveniently dismissed the case when the prosecutor arrived late.

In view of the stigma attached to rape, many refugee women may prefer to remain silent for fear of bringing shame and humiliation to themselves or being blamed by their families and communities (*ibid.*). In addition, women are directly discouraged from reporting their victimisers. For example, in Sudan, women who reported incidents of sexual abuse were asked to produce at least two male witnesses to verify the alleged act had indeed taken place (Lawyers Committee for Human Rights 1995: 63–64).

### **Lack of rights to participate in labour markets and income-generating activities**

According to Article 17 of the 1951 UN Convention, refugees are accorded the same status as nationals with regard to the right to engage in wage-earning employment. Restrictive measures imposed by governments on employment of aliens do not apply to refugees (Lawyers Committee for Human Rights 1995: 26). Nonetheless, in many developing countries, refugees are prohibited from engaging in wage-earning or self-employment.

In Indochina, refugees were not allowed to engage in income-generating activities because the government feared this would lead to their integration. Pongsapitch and Chongwatana (1988: 45) note: “According to employment policy in refugee camps, refugees are not allowed to work for money. This is to prevent cash flow within the camp to keep camps as a temporary home while waiting for resettlement or repatriation.” Palestinian lawyers and engineers in Lebanon are not allowed to practice their professions whilst medical doctors and pharmacists are only allowed to practice in the Palestine Red Crescent Society clinics. As a result, Palestinians work illegally doing menial jobs such as housecleaning for wages far below the officially sanctioned minimum wage and

without benefits (Arzt 1997: 46). In 1969, out of the hundreds of thousands of Palestinians in Lebanon, only 3,362 had legal work permits (Brynen 1990: 25).

Stepputat’s (1992: 91) study in Campeche (Mexico) shows that the refugees were subject to numerous restrictions on their security, mobility, and economic opportunities. They were required to obtain a permit (FM3) to engage in wage labour with restrictions. If they worked outside Campeche, they forfeited all legal protection. The immigration authorities could also refuse to renew their FM3 visa and deport them to Guatemala at their whim. El Salvadoran refugees in Costa Rica were similarly excluded from the labour market and were only allowed to work in self-administered business financed by UNHCR (Basok 1993: 33).

In many developing countries where the public sector is the main employer, refugees are excluded from public employment; in other countries such as Egypt and Djibouti, refugees are not allowed to take any paid employment (Wallace 1985). The policies of many African governments toward skilled urban refugees are succinctly summarised by Brydon and Gould (1984: 4)? “Experience has shown that skilled refugees face particular difficulties for employment and assimilation into the host society. Employment policies in most African countries have been vigorously nationalistic (...) and particularly for skilled workers.”

Urban refugees are perhaps the most neglected and abused group throughout the developing countries. They are excluded from all forms of international assistance and their basic fundamental human rights are often flagrantly violated by the security forces of the countries concerned. An Eritrean refugee in Khartoum once told me: “My father was born in Asmara, the capital city of Eritrea. So was I. I never lived or worked in a village. I am a graduate in economics. If the government of Sudan knows of my presence in Khartoum, they will forcibly relocate me to one of their wretched camps. I will never allow them to do that. I have seen one of the camps and it is as bad as hell. Because I am an ‘illegal’ resident in Khartoum, I cannot go to UNHCR office and ask for assistance. I cannot also go to COR’s<sup>4</sup> Individual Case Unit to apply for a work permit because I was never authorised to live in Khartoum. Nobody is

formally authorised to live in Khartoum except a few students. The government has decided to keep Khartoum clear of refugees. We are considered as dirt. The police are rounding up Eritrean and Ethiopian refugees and forcibly relocating them to camps without any preparation. I am trying to make myself invisible by moving places. Sometimes this is impossible. That is when I hate my body; without it I would have been able to become fully invisible. Because I am 'illegal', I can't move. If I don't move, I can't earn. If I don't earn, I can't eat. If I don't eat, I die. I know a number of people who locked themselves in to avoid detection and some of them have died due to a combination of hunger and illnesses. When one is hungry, the body becomes weak and succumbs to diseases. Under such circumstances, even curable diseases become lethal. That is the fate waiting for most of us. Are there no people out there who believe in the sanctity of the human life? Why don't you tell them about our plight?" (Personal Interview, 15 February 1987). This powerful statement encapsulates the conditions most urban refugees face in many cities of the developing world.

Of the 376,542 registered Palestinian refugees living in Lebanon, the majority (about 60%) live below the UN-defined poverty line and constitute the most deprived "communities in the UNRWA orbit" (Arzt 1997: 46). In 1964, Palestinians were officially designated as 'Third Category Foreigners'<sup>5</sup> which means that priority is given to Lebanese citizens as well as to foreign workers from Syria and Asia over Palestinians in the labour market.

Work is an important instrument of integration. By preventing refugees from working, governments are able to perpetuate their refugee status indefinitely. According to Marshall (1950: 16) a citizen's right in the economic field refers to the "right to work, that is to say the right to follow the occupation of one's choice in the place of one's choice". This right cannot be exercised without the right to freedom of movement and residence.

### **Lack of secure ownership and possession**

In many developing countries, land is a basic resource on which the livelihoods of the majority of people depend. When refugees flee their

homes, they lose this land. In most cases, refugees cannot recoup this loss, as the formal and informal laws that regulate rights of land ownership and usufruct in the countries of asylum do not allow them to own or even use land. Some countries, including Tanzania, Zambia, Uganda, and Sudan, may allocate cultivable and grazing lands to refugees within the confines of designated areas. This does not mean that refugees own such land, and the quality of the land allotted to refugees tends to be marginal and prone to degradation.

For example, in Sudan the government allocated between 1.25 and 2.5 hectares of land for refugee use in settlements; however, most is located in low rainfall areas (Kibreab 1987). As a result, many refugees commonly experience crop failure. In fact, most do not even bother to cultivate the land because their expected return is below the costs of production (see Kibreab 1987, 1996a). Even refugees in eastern Sudan, where rainfall is more consistent, have faced considerable yield declines due to soil depletion and heavy weed infestation caused by over-cultivation. The refugees are legally prohibited from bringing new cultivable land outside the designated areas into production either in response to population increase or depleted soil fertility. No additional allocations have been made by the government since the mid-1960s, so that farms have become overly fragmented to accommodate newly established families. Most farmers have been cultivating their plots for over 30 years without fallow periods or fertiliser application (see Kibreab 1996a).

The Lebanese cabinet recently passed a new law prohibiting Palestinian refugees from owning houses and forbidding those who already own houses from passing on their property to their wives or next of kin when they die. Thus, as Fisk (2001: 9) states, "Grieving Palestinian widows in Lebanon can now look forward to eviction from their family homes, which must by law, be sold to Lebanese. For the Lebanese, it is another stage in the eviction of Palestinians from their country, a further turn of the social screw to ensure that any Palestinian with the opportunity of living in another country of exile will choose to head for Beirut airport." Fisk gives distressing examples of flagrant discrimination against Palestinian refugees. For example, a Palestinian widow, whose former

husband was a UN employee who retired in 2001 with a pension of \$70,000 and died shortly thereafter in a car accident, was denied access to the money “on the grounds that she was a Palestinian. The pension was considered to be ‘property’, which, under the new law, she could not inherit from her Palestinian husband” (Fisk 2001: 9).

In Tanzania, the authorities are empowered by the 1998 Refugee Act to place livestock belonging to asylum seekers or refugees into a designated place or dispose of them by slaughter or other means (Refugee Act, 13[1-2]). Proceeds are either paid to the owner (minus expenses) or deposited in a special fund for the benefit of refugees. This is done at the behest of the camp commander without the consent of the owner. The camp commander is also empowered to confiscate any vehicle imported by a refugee and use it for the “purpose of moving asylum seekers or refugees or any store or equipment for their use” (ibid., section 14). This occurs without the consent of the owner, who is neither entitled to compensation nor empowered to bring action against any person acting in the execution of his

duty under this Act because such person is not “subject to personal liability whatsoever” (ibid., section 29[1]).

## Conclusion

I have argued that the single most important factor preventing refugees in developing countries from recouping their losses and reconstructing sustainable livelihoods is not belonging to spatially bounded communities or geopolitical state entities. In these regions, belonging is key to the enjoyment of basic rights. The inauspicious refugee policies and settlement strategies pursued by host governments are, to a large extent, the result of the fact that refugees are considered temporary guests who need safe haven and succour until the conditions that prompt their displacement are eliminated. By adopting such unfavourable policies not only do governments stifle refugees’ ability to seek solutions to their problems, but also deprive themselves of the benefits that can be had from hosting resourceful people – refugees.

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## Notes

1. The term denizen refers to foreign nationals who enjoy rights that are intrinsic in national citizenship without being naturalised (Hammar 1990: 13).

2. At the end of 2000, there were 21.8 million persons of concern to the UNHCR of which 44.6% are

hosted in Asia, 30% in Africa, 19.3% in Europe, 5.2%, 0.6% in Oceania, and 0.3% in Latin America and the Caribbean. Another 10% are in the Middle East.

3. Ferris (1987) finds similar living conditions among Salvadoran and

Nicaraguan refugees in Costa Rica.

4. Commissioner’s Office for Refugees in Sudan.

5. Pursuant to Decision No. 319 of the Lebanese Ministry of the Interior, 2 August 1962, as quoted in Arzt (1997).

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