

Refugees and forced migration as a security problem

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With the outbreak of the war in the Balkans in 1999, the world was transfixed by the spectacle of Kosovar refugees fleeing in their hundreds of thousands from an onslaught unleashed against them by paramilitaries under the control of Yugoslav President Slobodan Milosevic. Apart from the awesome humanitarian challenge that this posed to agencies committed to relieving the sufferings of the refugees, these obviously unexpected population movements created major concerns for the neighbouring states of Albania and Macedonia – suddenly burdened by inflows with which they were poorly equipped to cope – as well as for the democratically run Montenegrin republic of the Yugoslav Federation, which also received its share of traumatized Kosovars. The crisis of displacement of course highlighted yet again the perils of going to war without appropriate planning for contingencies which the use of force could easily generate. But, in a wider sense, it also pointed to the ways in which refugee flows and forced migration can impinge dramatically upon the security of states and territorial units, as well as reflect the breakdown of “security” in any meaningful sense for the wretched victims themselves. Specifically, it showed that refugee movements are linked to broader political, social, and military developments; that refugees can move fast, and in vast numbers; and that refugee movements may be difficult to manage, since each refugee is a unique individual with distinct wants, interests, and hopes.

The aim of this chapter is to explore these themes in more detail. It is

divided into four sections. In the first, I discuss the ways in which refugees can be defined, paying particular attention to the problems of those who may fall outside narrow or legalistic definitions. In the second, I examine various reasons why the positions and circumstances of refugees should be of concern to both citizens and governments. In the third, I examine in turn the evolution of mechanisms for what is (somewhat unfortunately) termed “burden-sharing” in respect of refugees; the ongoing problem of responding appropriately to particular types of refugee flow; some of the forms of collective response that are available, and some of their strengths and weaknesses. In the final section, I take up the specific question of what steps might be taken to prevent the emergence of refugee problems, and argue that, rather than seeking to eliminate the problem of refugees by excluding them physically from our shores, we need to confront the repressive dispositions of refugee-creating states by promoting processes of liberal and democratic transformation.

What is a “refugee”?

The definition of “refugee” is important because of the growing understanding that there are certain individuals who are denied the protection that the state should provide to its citizens, and who are therefore in need of a different form of protection. Those who are denied proper protection but remain *in situ* can draw for protection on the broad corpus of rules known as human rights law. For those who have been displaced, however, a different and additional set of rules and principles may come into play, namely those that we associate with international refugee law.

The starting point in understanding the core meaning of refugee is the definition offered in Article 1A(2) of the 1951 Convention Relating to the Status of Refugees. This provides that the term “refugee” shall apply to any person who, “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence . . . is unable or, owing to such fear, is unwilling to return to it.” Further provisions address the position of those who possess dual nationality, the circumstances in which individuals cease to be refugees, and the (limited) circumstances in which the Convention will not apply to those who might otherwise appear to be covered. Although the matter is not beyond debate, the better view is that the definition is *constitutive* – that is, a person becomes a refugee when the criteria it sets out are met in fact; being a refugee under inter-

national law is not dependent upon some State Party to the Convention determining that a claimant to refugee status is indeed a refugee.

There are, however, a number of limitations in this definition that it is important to highlight.¹ First, it applies only to those who have at some point crossed an international frontier, although they need not have been *driven* across a frontier; the phenomenon of the refugee *sur place*, who after departing without difficulty from his or her country of nationality is then unable to return because of changed circumstances at home, is well known. Secondly, it covers only those with a well-founded fear of being *persecuted*. The Convention itself does not define persecution, but some states have adopted the view that persecution arises only when individuals are in some sense *singled out*; on this view, if a state is repressive but in a way that deprives all persons of freedom in equal measure, “persecution” is not present.² Others have taken the view that only the state can persecute, with the implication that those fleeing the predations of armed militias in disrupted states have no basis for claiming refugee status. Thirdly, it is concerned only with persecution *on certain grounds*; persecution on grounds other than those enumerated in the Convention offers no basis for protection.

As a result of these three limitations, there are important groups whom the everyday usage of the word “refugee” would capture who are nevertheless not embraced by this technical legal definition, and who as a consequence do not enjoy the legal protections of the 1951 Convention. First, the Convention definition does not embrace internally displaced persons, even though in the modern world they are both numerically significant and often in circumstances of extreme desperation.³ Take as an example those Kosovars displaced by persecution at the hands of Milosevic’s militias. Those who have entered Albania or Macedonia are legally in a quite different situation from those who have fled to Montenegro, for the latter remain on the territory of Yugoslavia, although in a unit of the Yugoslav Federation that has in effect repudiated the extreme nationalism of Belgrade and sought to offer the displaced Kosovars some protection. Secondly, the Convention definition does not embrace those who are victims simply of economic penury, natural disaster, or environmental degradation – although loose talk about “economic refugees,” a term that owes its origins to the Nazis’ description of those who fled 1930s’ Germany as *Wirtschaftsemigranten*,⁴ should not disguise the fact that one can both desire a better life economically and at the same time be the victim of persecution on one of the grounds set out in the 1951 Convention.

It is because of these lacunae that serious efforts have been made by scholars (if not by policy-makers, for whom the 1951 Convention definition of refugee represents a kind of lowest common denominator) to put

forward definitions of refugee that more closely mirror the scope of ordinary language. Zolberg, Suhrke, and Aguayo define refugees as “persons whose presence abroad is attributable to a well-founded fear of violence, as might be established by impartial experts with adequate information.”⁵ Andrew Shacknove has suggested that a refugee is a person deprived of basic rights, with no recourse to his or her home government, and with access to international assistance.⁶ Neither of these definitions is unproblematical, given the degree of conceptual stretching that on occasion has been associated with the notion of “violence” and the scope for debate over the precise substance of “basic rights,”⁷ but at least they carry us beyond some of the constrictions that arise if one limits one’s concern solely to those persons whom the 1951 Convention definition would capture.

Rationales for concern

Why should we worry about refugees? For citizens of consolidated liberal democracies, the risk that *they* will be forced to flee their homes as a result of violence or human rights violations is negligible. Refugees seem to inhabit another world altogether, one with which it is difficult for the more fortunate citizens in developed countries to identify. However, in my view there are powerful reasons – legal, moral, and political – why we should take note of the plight of refugees.

From a purely legal point of view, many states have accepted responsibilities towards refugees by signing and ratifying the 1951 Convention. The key obligation that the Convention imposes, in Article 33.1, is that of *non-refoulement*, namely that no contracting state “shall expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” A state that fails to meet its obligations under the Convention runs the risk of blemishing its reputation as a good international citizen, and of inviting other states to ignore treaties that *they* find burdensome, something that might not be at all in the first state’s interest.

Beyond this legal consideration is a range of moral reasons why the plight of refugees should be of concern. To explore these in detail would take us far beyond the scope of this chapter, but a number of general points stand out, which will carry different weights in the eyes of different observers. First, responsibilities to refugees can be grounded in a responsibility to *protect the vulnerable* when the model of “assigned responsibility” embodied in a system of states with special duties to their citizens has broken down – as is the case when people are forced to flee

their homeland or are denied security within its borders.⁸ It is vulnerability that is at the core of the refugee experience, and whereas being a refugee is fortunately beyond the worst nightmares of most residents of free countries, being vulnerable is not.⁹ Secondly, responsibilities to refugees can be defended on the basis of the “humanitarian principle,” that there is “a duty incumbent upon each and every individual to assist those in great distress or suffering when the costs of doing so are low.”¹⁰ According to such arguments, we sacrifice our own humanity when we tolerate practices that affront the very notion of humanity. Thirdly, from the very nature of a free polity, one can build a *prima facie* case for duties towards those who flee from a society in which freedom is denied: a “free” country that seeks to return such persons compromises the integrity of its commitment to freedom as a basic good. Fourthly, and somewhat more specifically, one may be driven by special duties of a communitarian character to assist refugees who share a common heritage and history, which explains the relative hospitality with which groups as diverse as Afghan Muslims and Kosovar Albanians have been received even when entering a neighbouring state in large numbers. It is also worth noting that it is not simply individuals who bear duties towards refugees; as Stanley Hoffmann has argued, “it remains the duty of each country to open its own borders as widely as possible, without looking for excuses or waiting for others to act.”¹¹

That said, states are much less likely to be swayed by ethical arguments of this sort, which focus on *human* security, than by arguments of interest. And it is undeniable that considerations of interest have led to a wide range of measures in recent years by which states have sought to exclude potential asylum seekers from their territory, notably in Europe through the operation of the Schengen Agreement and the Dublin Convention. In some cases, the implementation of such measures has been justified by reference to the need to preserve an effective system of asylum for those with a well-founded fear of persecution. In others, however, the rhetoric that surrounds the removal of undocumented entrants is cast very much in terms of the security “threat” posed by increased “trafficking” in human beings and uncontrolled migration. In a country such as Australia, this seems bizarre when one contemplates the oceanic protection enjoyed by an island continent, and the minute numbers of the undocumented arrivals in Australia when compared with the hundreds of thousands of persons accommodated in a matter of weeks by states such as Albania or Macedonia.

However, there are more legitimate worries of a political and strategic kind that may rightly preoccupy liberal governments. First, refugee movements may be extremely costly to countries of first asylum. It is often overlooked that the countries to which the largest refugee move-

ments occur are typically far from prosperous, and can provide bearable living conditions only with the greatest difficulty, or at the expense of programmes to assist their own citizens. Secondly, refugee flows may be politically destabilizing to host countries, and contribute to the disintegration of either fragile domestic political structures or patterns of social consensus. This is especially the case if they cause a delicate ethnic balance to shift in a divided society and, should this occur, regional stability may be sorely tested. In this case, refugee movements can pose a genuine, as opposed to a spurious, security problem.¹²

The response to the political and strategic problems that refugees may pose should not, however, be to cast forced migrants into an abyss or to block their movement to countries in which they will be safe. It should rather be to explore measures to prevent catastrophic refugee flows in the first place by eliminating the conditions that drive people to flight, and to ensure that the responsibility for those who have no option but flight is appropriately shared and efficiently managed through multilateral structures. It is to these issues that I now turn, addressing first the history of multilateral action, then some of the contemporary challenges it faces, and finally the types of long-term pre-emptive steps that deserve attention.

A collective response: Precedents and problems

Refugee movements of the dimensions witnessed in the twentieth century have cried out for multilateral responses rather than discrete actions by individual states. Refugee movements can have extensive ramifications for the well-being of entire regions, by exhausting the resources of those bodies initially charged with managing a refugee flow, which are then obliged to call on others for assistance if a humanitarian catastrophe is to be avoided. This happened in 1921, when the President of the International Committee of the Red Cross, Gustav Ador, appealed for action through the League of Nations to address the overwhelming burden of Russian refugees.¹³ Since then, a range of international institutions have played roles in managing refugee crises, discharging functions as diverse as offering protection, providing sustenance, and facilitating resettlement or repatriation.

The League of Nations responded to Ador's request by appointing the renowned explorer Dr. Fridtjof Nansen as High Commissioner for Russian Refugees. He held office from 1921 until his death in 1930, and his great creation was the institution of the "Nansen Passport," an identity document for displaced Russians (subsequently extended to a number of other groups) which greatly eased the difficulties faced by individual ref-

ugees in travelling and seeking employment. In 1931, the League of Nations established the Nansen International Office for Refugees, which was required to terminate its operations by the end of 1938 and charged with undertaking humanitarian relief operations. Legal and political protection of refugees, on the other hand, was transferred to the League Secretariat, which found the task acutely embarrassing once refugees began to flee from Nazi Germany, at that time a powerful League member. The result was the establishment of the High Commission for Refugees Coming from Germany, which was not directly funded by the League. The High Commissioner, James G. McDonald, served from October 1933 to December 1935, and his resignation letter powerfully denounced the policies of the German government.¹⁴ However, although the League somewhat expanded the authority of his successor as High Commissioner for Refugees from Germany, it appointed to the position a League official, Sir Neill Malcolm, who made it clear that he had no intention of challenging Berlin's policies. With the expiry of the Nansen Office approaching, the League Assembly decided on 30 September 1938 – at a meeting ironically overshadowed by the notorious Munich agreement on the same day, which ratified the dismemberment of Czechoslovakia – to replace the Nansen Office and the office of High Commissioner for Refugees from Germany with a new office of High Commissioner for Refugees under the Protection of the League of Nations. This position was filled from 1 January 1939 by Sir Herbert Emerson.

More important than these changes, however, was a parallel development arising from the July 1938 Evian Conference, which had been called at the initiative of President Franklin Roosevelt to address the problems of German (and, since the *Anschluss* of February 1938, Austrian) refugees. This was the creation of a permanent Intergovernmental Committee on Refugees (IGCR), directed first by George Rublee and then from February 1939 by Sir Herbert Emerson jointly with his League responsibilities. The IGCR, in contrast to the League, enjoyed the support of the United States, and was notable for being directed to the devising of long-range programmes of assistance, and from 1943 for combining protection, support, and resettlement functions. The outbreak of World War II naturally limited quite severely the ability of the IGCR to realize its objectives, but as a model for future frameworks for assistance it was of considerable significance.

In November 1943, the United Nations Relief and Rehabilitation Administration (UNRRA) was established to provide relief services to augment the military activities of the Allies following the anticipated invasion of Europe. However, its approach to its task was not well received by the United States (its main source of funds), which saw it as overly accommodating to Soviet political objectives.¹⁵ The result was the estab-

lishment of the International Refugee Organization (IRO). The Preparatory Commission of the IRO assumed the functions of both UNRRA and the IGCR from 1 July 1947. The IRO itself formally came into existence on 20 August 1948 and lasted until it went into liquidation on 1 March 1952.¹⁶ The IRO was much the most elaborate agency thitherto devised to address refugee problems, and developed elaborate programmes dealing with protection, sustenance, and resettlement. It resettled 1,038,750 refugees between July 1947 and December 1951, with the principal countries of resettlement being the United States (31.7 per cent), Australia (17.5 per cent), Israel (12.7 per cent), and Canada (11.9 per cent).¹⁷

Yet if UNRRA suffered from US hostility, then so equally did the IRO from Soviet hostility. The USSR (and other states of the Soviet bloc) declined to join. Furthermore, its costs came to be seen as burdensome by the United States, which supplied the not inconsiderable sum of US\$237,116,355 to the organization, or 59.5 per cent of the total contributions received during the body's operational life.¹⁸ With US aid priorities shifting to the European Recovery Programme, and Palestinian refugees supported by a distinct body (the United Nations Relief and Works Agency for Palestine Refugees in the Near East), a smaller agency to deal with *protection* of refugees seemed the most important priority. The result was the establishment by the UN General Assembly of the Office of the United Nations High Commissioner for Refugees, with a three-year mandate from 1 January 1951. With the cessation of the IRO's *resettlement* operations, these tasks were taken on board from 1 February 1952 by the Provisional Intergovernmental Committee for the Movement of Migrants from Europe. It is an indicator of the intractability of refugee problems that both these bodies remain key actors in the management of protection and resettlement, the former universally known as UNHCR, and the latter now a fully fledged independent agency, the International Organization for Migration, both based in Geneva.

Since 1950, there have been eight High Commissioners: Gerrit van Heuven Goedhart (1950–1956); Auguste Lindt (1956–1960); Felix Schnyder (1960–1965); Sadruddin Aga Khan (1965–1977); Poul Hartling (1978–1985); Jean-Pierre Hocké (1986–1989); Thorvald Stoltenberg (1990); and Sadako Ogata (since 1991). Their names are worth recording, for UNHCR is peculiarly an agency whose energy and morale are shaped from the top, and some High Commissioners have been notably more successful than others.¹⁹ Although protection of refugees is an integral part of UNHCR's mandate, it should never be overlooked that "protection of refugees is ultimately a matter of host-country policy."²⁰ UNHCR's vulnerability arises from the fact that its operations are funded by voluntary as opposed to assessed contributions, and it may take a

courageous High Commissioner to press the cause of protection if important donors have no interest in seeing the protection mandate effectively discharged in a particular case. Curiously enough, the best guarantor of UNHCR's ability to discharge its protection function may well be its increasing use to provide emergency assistance not only to refugees, but to war victims *in situ*; UNHCR has been widely praised for its performance in the former Yugoslavia, not least because its officers in the field proved in general to be far more sensitive to the moral dilemmas faced by the international community than did some other UN officials. As one critical observer put it, "the UNHCR staffers told the truth unswervingly."²¹ Since UNHCR, like all the international organizations created to address refugee crises, is to a considerable extent a creature of the domestic and international politics of the states that created it and fund it, this was no small achievement.

This, then, is the architecture for the multilateral management of refugee crises. However, it is far from the case that the existence of such structures guarantees seamless efficiency once a refugee crisis emerges. Refugee crises are neither predictable nor smooth, and it is virtually impossible for agencies such as UNHCR to "preposition" scarce resources in anticipation of particular crises, since to do so would involve isolating those resources from refugee communities in other parts of the world whose needs might be immediate and pressing. The "protective mandate" of UNHCR now embraces far more people than simply those who are refugees within the 1951 Convention definition, and this confronts UNHCR with the need to balance different responsibilities at many different stages of its activities. In the short term, a great deal of UNHCR's work involves the provision of emergency assistance to those who have been displaced and for whom no durable solution is apparent. This can itself be a source of political difficulty, not only because of the resource commitments involved, but also because sprawling refugee camps can themselves be political resources,²² especially if they are used as a safe haven for guerrillas and others who remain involved in the politics of the countries from which they have fled. Attacks in the course of "hot pursuit" against such guerrillas can put at risk both aid workers and the non-combatants whom they are seeking to protect. Beyond this, moral complexities arise from the very notion of haven for those whose activities may have triggered disaster in the first place, for example the Rwandan *génocidaires* who then buried themselves amongst refugees when the regime that nurtured their murderous activities was overthrown.²³

In general, three types of durable solution to refugee crises have been contemplated: voluntary repatriation; settlement in the country of first asylum; and resettlement in a third country. In many cases voluntary repatriation is exactly what refugees themselves want. It is striking, for ex-

ample, that the collapse of the communist regime in Afghanistan in April 1992 triggered the largest and fastest spontaneous repatriation of refugees in UNHCR's history: once the political circumstances that had prompted their flight changed, they stood ready to return. For others, however, repatriation is not a possibility; for example, large numbers of Palestinians displaced in 1948 were unable ever to return to their homes, and died in exile.²⁴

If those for whom repatriation is impossible cannot integrate elsewhere – either in the country of first asylum or in some country of resettlement – their presence is likely to complicate greatly the relations between their host and the country from which they have fled. Other states with an interest in the stability of such regions may need to consider creative means of easing the burden on countries of first asylum. In some cases, this will involve financial assistance. This is certainly the case in East Timor, where the UNHCR targeted US\$29 million in Major Special Programmes and Emergencies funding for 1999 – the largest amount for an Asia-Pacific locale and the fourth-largest allocation in its total budget after the Balkans, Africa's Great Lakes region, and the Commonwealth of Independent States. The expense was merited, however, as nearly 108,000 East Timorese refugees were repatriated between early October and late November 1999 by the UNHCR alone.²⁵

In other cases, it may be necessary to devise processes for offering resettlement to those most in need. However, past such experiments have enjoyed only mixed success, even in a purely domestic context. One need only recall the Thai Army's effort during the early 1990s to resettle 1.2 million domestic farmers living on degraded forest land in Thailand's north-east so that loggers could convert the evacuated areas into corporate pulp plantations.²⁶ Refugee populations located across various borders in Indo-China and Thailand, moreover, place enormous burdens upon state resources and disrupt local ethnic and political equilibrium. Again, the Thai Army's recent efforts to repatriate Kurin refugees to Myanmar by force, where they would face inevitable persecution, readily come to mind. Indeed, a major challenge facing the UNHCR and other relief agencies is complicity in the strategies of parties to conflicts that have (purposely) created refugee populations.²⁷

A recent and important example of a more successful resettlement programme was the so-called "Comprehensive Plan of Action" for dealing with the outflow of asylum seekers from Viet Nam to neighbouring states.²⁸ The initial response to large-scale Vietnamese outflows was not encouraging from a humanitarian point of view. In 1978–79, Malaysia "put its 'push-off' policy into full effect, rejecting more than 50,000 Vietnamese who attempted to land, and threatening to send away 70,000 more who were already in camps."²⁹ In June 1989, with a further out-

surge under way, states meeting in Geneva agreed to a set of arrangements under which Vietnamese asylum seekers would receive temporary protection in countries in which they first arrived, with a commitment from traditional “resettlement” states, notably the United States, Canada, Australia, and France, to resettle those found to be refugees under the 1951 Convention. Although some questions about the quality of procedures were raised,³⁰ approximately 80,000 refugees were resettled under the Comprehensive Plan.

An alternative approach is to detach refugee *protection* from the idea of refugee *resettlement*. This approach, associated in particular with the writings of James Hathaway, has generated lively debate. Its proponents have rightly noted both that the 1951 Convention confers a right not of resettlement but of non-refoulement, and that, as the “refugee” programmes of developed countries may select for resettlement those whose resettlement prospects are greatest rather than those who are most in need of protection, the international refugee regime runs the risk of failing to provide protection to those who need it most. Temporary, if nonetheless finitely structured, protection is likely to be more attractive to states, and therefore capable of reinvigorating a wider protective regime.³¹

To critics of this approach, these proposals have two weaknesses. The first – perhaps a weakness not so much of the proposals themselves as of the climate in which they are being offered – is that governments may welcome the proposal to shift from permanent to temporary protection, but without offering temporary protection of the carefully designed type that Hathaway and his associates are proposing. Australia in 1998 saw a proposal for merely temporary protection figure prominently in the policy of the extremist One Nation party of Pauline Hanson,³² and a similar policy had been used, albeit briefly, in the early 1990s.³³ The second, even more worrying, weakness is that a regime of merely temporary protection inevitably leaves refugees in a state of limbo, psychologically if not materially. The fear that can blight a refugee’s life for years can be dispelled only by a more permanent resolution of the crisis of displacement to which the experience of flight gives rise.

Democratization as a solution

I would like to conclude by offering some observations on the *politics* of refugee movements. Whereas Western politicians are inclined to paint pictures of a world in which the citizens of developed countries are besieged by “economic refugees” squeezing “genuine refugees” out with

their bogus claims, what is more striking is the *reluctance* of most people to quit their homes on merely economic grounds. Migration, forced or otherwise, is a complex phenomenon³⁴ but, given the socio-cultural bonds that link people to particular communities, the decision to exchange a high level of social certainty for a deeply uncertain future is not one to be taken lightly. This is why many countries with deeply impoverished segments in their populations are not necessarily major sources of “forced migration”; India comes immediately to mind.

It is therefore in the realm of politics that enduring solutions to refugee crises are to be found, and the expansion of the scope of liberal democracy is in my view the most promising political solution. Democratization is of course a complex process, not without its risks in transitional periods,³⁵ and hardly capable in short order of generating a democratic political culture, a consensually unified national élite, effective political institutions, or a high level of political institutionalization.³⁶ Nonetheless, liberal democracies seem broadly to be marked by three characteristics that make them more congenial for their residents and therefore less likely to put them to flight. First, whereas war between democratic and non-democratic states is relatively common, democracies in general do not go to war with each other.³⁷ Although NATO’s armed crusade does not look to be a particularly effective way of democratizing Serbian politics, in the long run the replacement of the Milosevic regime with a democratic one is essential if the problem of population displacement in the Balkans is to be overcome. Secondly, democracies meet the basic needs of ordinary people better than do autocracies. There has not been a famine of note in any democracy for over half a century. Electoral politics in open societies militate against indifference to extreme suffering within a population. Thirdly, it is increasingly appreciated that democracies offer economic advantages that autocracies cannot. Although central planning was discredited by the Soviet experience, claims that an “authoritarian advantage” in the economic sphere outweighed the case for democracy continued to echo in different circles. Since the Asian financial crisis, those echoes have grown increasingly faint.³⁸ There are good reasons to believe that, in the long run, liberal democracy will expand its writ simply because of the comparative advantage it offers both élites and masses in the economic sphere.

The past 20 years have witnessed a very substantial increase in the scale and scope of forced migration, and as one observes with horror the misery of the victims it is all too easy to give in to despair. For that reason, it is all the more important to end on a note of hope. From the slaughter of the Western Front to the gas chambers of Auschwitz, from the carnage of Viet Nam and Afghanistan to the killing fields of Cambo-

dia and Rwanda, the twentieth century was a dark one, and it ended under the shadow of Kosovo. Fortunately, we have it within our power to make the twenty-first century a brighter one, and many people of goodwill are committed to building a better future in which broader ethical concerns for human security are not subordinated to more traditional conceptions of national security. It is difficult to believe that their efforts will not win at least some rewards.

Notes

1. See Guy S. Goodwin-Gill, *The Refugee in International Law* (Oxford: Oxford University Press, 1996).
2. On this interpretation and its defects, see James Crawford and Patricia Hyndman, "Three Heresies in the Application of the Refugee Convention," *International Journal of Refugee Law* 1, no. 2 (April 1989), pp. 155–179.
3. See Janie Hampton, ed., *Internally Displaced People: A Global Survey* (London: Earthscan Publications, 1998).
4. Gil Loescher, *Beyond Charity: International Cooperation and the Global Refugee Crisis* (New York: Oxford University Press, 1993), p. 17.
5. Aristide R. Zolberg, Astri Suhrke, and Sergio Aguayo, *Escape from Violence: Conflict and the Refugee Crisis in the Developing World* (New York: Oxford University Press, 1989), p. 33.
6. Andrew Shacknove, "Who Is a Refugee?" *Ethics* 95, no. 2 (January 1985), pp. 274–284 at p. 282.
7. See William Maley, "Peace, Needs and Utopia," *Political Studies* 33, no. 4 (December 1985), pp. 578–591.
8. See Robert E. Goodin, "What Is So Special about Our Fellow Countrymen?" *Ethics* 98, no. 4 (July 1988), pp. 663–686.
9. On the need to protect the vulnerable, see Robert E. Goodin, *Protecting the Vulnerable* (Chicago: University of Chicago Press, 1985); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997), p. 5.
10. Mathew J. Gibney, "Liberal Democratic States and Responsibilities to Refugees," *American Political Science Review* 93, no. 1 (March 1999), pp. 169–181 at p. 178.
11. Stanley Hoffmann, *Duties beyond Borders: On the Limits and Possibilities of Ethical International Politics* (Syracuse: Syracuse University Press, 1981), pp. 224–225.
12. See Myron Weiner, "Security, Stability and International Migration," *International Security* 17, no. 3 (Winter 1992–93), pp. 91–126.
13. Claudena M. Skran, *Refugees in Inter-war Europe: The Emergence of a Regime* (Oxford: Oxford University Press, 1995), pp. 84–85.
14. *Ibid.*, pp. 234–236.
15. See Loescher, *Beyond Charity*, p. 49.
16. For a detailed history, see Louise W. Holborn, *The International Refugee Organization. A Specialized Agency of the United Nations: Its History and Work 1946–1952* (London: Oxford University Press, 1956).
17. *Ibid.*, p. 433.
18. *Ibid.*, p. 122.
19. For more detailed discussions of UNHCR's performance, see Loescher, *Beyond Charity*, pp. 129–151; Shelly Pitterman, "International Responses to Refugee Situations: The

- United Nations High Commissioner for Refugees," in Elizabeth G. Ferris, ed., *Refugees and World Politics* (New York: Praeger, 1985), pp. 43–81; Alex Cunliffe, "The Refugee Crises: A Study of the United Nations High Commission for Refugees," *Political Studies* 43, no. 2 (June 1995), pp. 278–290; S. Alex Cunliffe and Michael Pugh, "The Politicization of UNHCR in Former Yugoslavia," *Journal of Refugee Studies* 10, no. 2 (June 1997), pp. 134–153; Thomas G. Weiss and Amir Pasic, "Reinventing UNHCR: Enterprising Humanitarians in the Former Yugoslavia, 1991–1995," *Global Governance* 3, no. 1 (January–April 1997), pp. 41–57.
20. Pitterman, "International Responses to Refugee Situations," p. 58.
 21. David Rieff, *Slaughterhouse: Bosnia and the Failure of the West* (New York: Touchstone, 1996), p. 206.
 22. On the politicization of refugees and the problems that this can create, see William Shawcross, *The Quality of Mercy: Cambodia, Holocaust and Modern Conscience* (New York: Simon & Schuster, 1984); Howard Adelman, "Why Refugee Warriors Are Threats," *Journal of Conflict Studies* 28, no. 1 (Spring 1998), pp. 49–69; Fiona Terry, "The Paradoxes of Humanitarian Aid," *Agenda* 5, no. 2 (1998), pp. 135–146.
 23. On the Rwandan genocide, see Philip Gourevitch, *We Wish to Inform You That Tomorrow We Will Be Killed with Our Families: Stories from Rwanda* (New York: Farrar Straus & Giroux, 1998); *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, March 1999).
 24. On the events of this period, see Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947–1949* (Cambridge: Cambridge University Press, 1987).
 25. See the UNHCR's "Timor emergency update" web site at <http://www.unhcr.ch/news/media/timor/latest.htm>.
 26. Paul Handley, "The Land Wars," *Far Eastern Economic Review* 154, no. 44 (31 October 1991), pp. 15–16.
 27. For a typical case study, see Chupinit Kesmanee, "Moving Hilltribe People to the Lowlands: The Resettlement Experience in Thailand," in Hari Mohan Mathur, ed., with the collaboration of Michael M. Cerna, *Development, Displacement and Resettlement: Focus on Asian Experiences* (New Delhi: Vikas Publishing House, 1995), pp. 244–254.
 28. For a detailed discussion of the Comprehensive Plan of Action, see W. Courtland Robinson, *Terms of Refuge: The Indochinese Exodus and the International Response* (London: Zed Books, 1998).
 29. Dennis McNamara, "The Origins and Effects of 'Humane Deterrence' Policies in Southeast Asia," in Gil Loescher and Laila Monahan, eds., *Refugees and International Relations* (New York: Oxford University Press, 1989), pp. 123–133 at p. 125.
 30. See Arthur C. Helton, "Refugee Determination under the Comprehensive Plan of Action: Overview and Assessment," *International Journal of Refugee Law* 5, no. 4 (1993), pp. 544–558.
 31. For a detailed elaboration of these views, see James C. Hathaway, ed., *Reconceiving International Refugee Law* (The Hague: Martinus Nijhoff, 1997).
 32. See Chandran Kukathas and William Maley, *The Last Refuge: Hard and Soft Hansonism in Contemporary Australian Politics* (Sydney: Centre for Independent Studies, Issue Analysis no. 4, 16 September 1998).
 33. See *Australia's Refugee Resettlement Programs: An Outline* (Canberra: Department of Immigration, Local Government and Ethnic Affairs, 1991).
 34. See Mike Parnwell, *Population Movements and the Third World* (London: Routledge, 1993), pp. 11–28.
 35. See Adam Przeworski et al., *Sustainable Democracy* (Cambridge: Cambridge University Press, 1995), p. 110.

36. See William Maley, "Peace-keeping and Peacemaking," in Ramesh Thakur and Carlyle A. Thayer, eds., *A Crisis of Expectations: UN Peacekeeping in the 1990s* (Boulder, CO: Westview Press, 1995), pp. 237–250 at pp. 247–249.
37. On the "liberal peace" thesis, see Michael Doyle, *Ways of War and Peace* (New York: W. W. Norton, 1997), pp. 284–300.
38. See Stephen D. Wrage, "Examining the 'Authoritarian Advantage' in Southeast Asian Development in the Wake of Asian Economic Failures," *Studies in Conflict and Terrorism* 22, no. 1 (January–March 1999), pp. 21–31.