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## Patterns of the refugee cycle in Africa: A hazardous cycle with no end in sight?

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### **Abstract**

The rise of civil wars and internecine conflict in Africa has seen millions of people fleeing the horrors of violence in their homelands to seek refuge in other countries. Refugee camps have correspondingly become a prominent feature of the African political landscape. Set up as transitory places of hope, nourishment and relief, refugee camps have turned out to be cesspools of unbridled misery and despair for refugees. In cognisance of such challenges, this paper problematises and explores the experiences of refugees in Africa (both inside and outside refugee camps). It further opines that refugee camps often defy the projections of their existence as they mutate into permanent settlements, with refugees rarely returning to their homelands. Based on secondary data collated

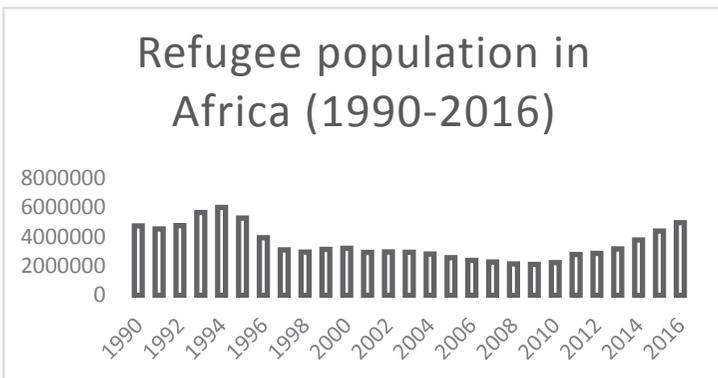
on refugees across the African continent, this paper identifies cultural bereavement, the loss of migration networks, and protracted conflict as some of the prominent factors prolonging the duration of the refugee cycle.

**Keywords:** Migration, Refugee Cycle, Protection Gaps, Refugee Settlements, Voluntary Repatriation

## Background

The movement of people from one country to the other in pursuit of refuge from political violence and persecution is an age-old phenomenon. However, despite having lived with the problem for the better part of the modern era, the world is yet to find a plausible solution. It is a problem that is threatening to disintegrate the European Union as member states selectively apply the EU race directive mandates while simultaneously toughening their individual asylum systems e.g. Germany's citizenship-structured hierarchy (Will, 2018). The burgeoning statistics in global forced migrant movements is evidenced by how, as of 2016, the world refugee population stood at over 20 million and internally displaced people numbered over 60 million (Momodou, 2016). Africa bears a disproportionate amount of the refugee burden. Out of a world refugee population of 21 million, over 6 million of these (almost one third) are in Africa (See ISS Today, 2018). Thus, a continent with barely one-seventh of the world's total population hosts one third of the world's refugee population.

Figure 1: Refugee population in Africa



Source: World Bank (2016)

Figure 1 above shows the fluctuating size of the refugee population in Africa from 1990 to 2016. The number of refugees reached a peak of 5.9 million in 1994 before declining by over 50 percent to a significant low of 2.1 million in 2009. The refugee numbers more than doubled between 2009 and 2016 from 2.1 million to 4.9 million thus confirming an existential refugee crisis. According to ISS Today (2018) about 2.6 million South Sudanese had fled the conflict in their country by mid-

2017. The burgeoning refugee population comes with its own problems and challenges as refugee receiving countries dip into what little resources they have to provide welfare for forced migrants. Such a growth in refugee numbers through the years has inadvertently heightened the challenges associated with the satisfactory provisioning of forced migrants' basic human rights and fundamental social protections (Cediey and Foroni, 2008). The failure to provide such legal entitlements for the majority of refugees has been described by Turk and Dowd (2014: 5) as constituting what they term "protection gaps".

Despite the existence of progressive international laws on refugees (the 1951 Convention Relating to the Status of Refugees; 1969 OAU Convention among others) the plight of refugees remains by and large humanitarian. In countries such as Kenya, Tanzania, Ethiopia and South Sudan, refugees have not only been exposed to xenophobia but they have also been victims of sexual and gender based violence, poverty, hunger, intimidation and coercion (Piwowarczyk et al, 2008). In South Africa, refugees are kept under inhumane conditions at detention/repatriation facilities such as the Lindela Centre (SABC, 2018). Oxfam (2016) observed that oftentimes, refugees are "*met by closed borders, hostility, discrimination and abuse*".

Furthermore, the protracted nature of some of Africa's conflicts and the hostilities refugees face within the host countries severely undermine the UN principle of non-refoulement (UNHCR, 1951: 3), which espouses compassion and empathy for refugee seekers. Other scholars such as Crisp (2000:157) and Marinaguha (2011) also argue that those who manage to flee from violent conflicts are continuously unable to find safe refuge within the refugee receiving states. Although non-refoulement is supposed to protect refugees, a prolonged state of displacement inadvertently complicates the feasibility of repatriation for refugees. This paper argues that this presents a spectrum of challenges for the displaced given how Black and Koser (1999: 4), identify repatriation as an important phase in the journey towards sustainable peace and refer to the

return of refugees (to their own countries) as the end of the 'refugee cycle'.

That said, this paper delves deeper into the challenges faced by refugees across Africa. On one end the challenges include their struggles to integrate into the host-societies. Securing civil, social and economic rights is also difficult as refugees have to navigate formidable structural and cultural obstacles. The paper also explores the impediments around repatriation which render the completion of the refugee cycle and the restoration of normalcy for refugees a significant challenge. In the next section, the paper will briefly examine international conventions on refugees and the implementation gaps that have heightened the vulnerability index of forced migrants.

### **The International provisions regulating refugee rights issues**

Through the 1948 Universal Declaration of Human Rights, refugees are accorded the rights to healthcare, shelter, education etc. for all (UN, 1948: 48, 54). The 1951 Geneva Convention Relating to the Status of Refugees and its 1967 Protocol were based on Article 14 of the 1948 Universal Declaration of Human Rights (UN, 1948: 30) and (Article 12-30) of the Convention seeks to guarantee basic minimum standards and rights for refugees` globally. Through the 1969 OAU Convention, signatory African member states are expected to uphold the global recommendations on refugee rights. Article 6, paragraph 1 the 1969 OAU Convention touches on the key aspects similar to the 1951 Convention Relating to the Status of Refugees. These guidelines, for African member states, pertain to issues such as asylum seeking, prohibition of subversive activities, non-discrimination, voluntary repatriation as well as the issuance of travel documents (OAU, 1969: 4).

This paper submits that the limitations in providing the above mentioned universal rights to refugees` have predominantly stemmed from how the 1967 Protocol, specifies that state parties may only settle to apply the applicable provisions of the 1951 Convention (UNHCR, 1967; Gill, 2014: 1). Resultantly, the 1951 Convention has been inconsistently interpreted by different African states (Millbank, 2000). In 2012, the United Nations Aid agencies identified a poor adherence to the global humanitarian laws in Africa with 2.4 million refugees in 22 countries (over 200 refugee sites) depending on food aid (World Food Program, 2012). In cognisance of such gaps, civic society groups have assumed the role of principal actors in many African states (Sibanda et al,

2012: 37). Humanitarian actors and development partners such as UNHCR, UNDP, UNOCHA etc. have been proactive in preventing the spread of epidemics, the provisioning of housing (temporary) and healthcare facilities for refugees. Despite such efforts however, the living conditions of refugees in Africa have remained deplorable with no visible end in sight for the myriad of challenges facing forced migrant groups.

### **No respite: Tough conditions for refugees in the receiving state.**

The relief that refugees hope for as they settle in the host societies remains largely elusive. Refugees are immediately confronted by a myriad of challenges of a political, cultural, and economic nature which threaten their human rights and welfare. Refugee policies in countries such as Angola, South Africa, Congo, Lesotho and Swaziland which work through a free settlement system have exposed refugees to hostilities and other challenges. Such challenges have impeded refugees from securing integration within the host states and realising a return to normalcy (Makhema, 2009). Self-settlement systems have also been castigated for potentially exposing refugees to crime, violence and xenophobia. In countries such as South Africa, although the non-refoulment clause (UNHCR, 1951: 3) exempts asylum seekers from being deported, asylum seekers' failure to attain refugee legal status often means that forced migrants often fall victim to protection gaps (Turk and Dowd, 2014: 5). South Africa is currently home to over 1 million refugees and asylum seekers while the asylum seekers statistics stand at over 144000 (Stupart, 2018; Postman, 2018). Boje (2018) reported that out of 21000 asylum applications received in 2017, only 2200 were approved. In an open letter to President Cyril Ramaphosa, Lawyers for Human Rights (2018) cited a slew of challenges faced by refugees which include detention, a 96 percent rejection rate of asylum applications, denial of rights to marriage, banking, and a failure to access education. Such protection gaps prevent refugees from enjoying equal entitlements and impede their attempts to secure integration (Amisi and Ballard, 2005; Vearey and Richter, 2008).

Xenophobic hostilities within the free settlement systems in Africa have also manifested themselves through social systems of closure that impede refugees' access to their legal rights (employment, public healthcare, education etc.) (Landau, 2006). These include the April 2016 attacks on Rwandan refugees in Zambia where over 6 000 Rwandans and 47 000 Congolese refugees were displaced (BBC, 2016). Although Botswana does not have a free settlement system, Zimbabwean asylum seekers at the Francistown detention camps have also been violently

targeted (Akinola, 2018). In South Africa refugees have also been victims of perennial cases of xenophobic violence, from both their communities of residence and within offices of public service (Bahamjee and Klaaren, 2004; Konanani and Odeku, 2013).

Although free settlement systems in Africa present the abovementioned challenges to refugees, refugee camps on the continent also present a myriad of risks to their inhabitants. Scholars argue that African refugee camp systems are in themselves not designed as permanent settlements, but rather contingency plans in the face of precipitous displacements (Idris, 2007; Kiva, 2017; Ahimbiswe, 2018). Consequently, they often fail to cater for the long-term needs of refugees` and pose a spectrum of risks. In East Africa, refugee camps have also been blamed for fermenting human rights abuses, poverty and a host of communicable diseases such as jaundice and hepatitis (Polonsky et al, 2011).

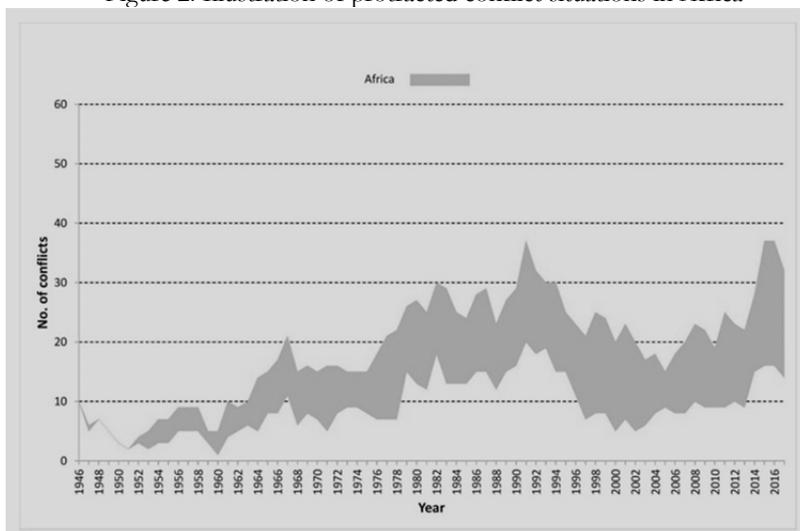
Uganda for instance is home to 1.4 million refugees from neighbouring countries such as Burundi, Somalia, and South Sudan. However, due to underfunding, refugee camps in the country lack proper sanitation, social services, food and protection (Ahimbiswe, 2018). Established in 1991 and standing out as the world`s largest refugee settlement, Kenya`s Dadaab has also experienced exponential growth over the past 28 years (without commensurate improvements in the camp`s infrastructure nor living conditions) and now accommodates over 480000 refugees (Anker, 2018). Scholars such as Mutebi (2018) concur on the importance of upholding international guidelines on refugee rights and submit that a care-maintenance needs to be replaced by an empowerment approach to refugee management. These approaches are particularly important as they enable refugees to exploit opportunities and reduce the burden on governments. Such an approach would also create conditions which are suitable for sustainable peace.

### **Challenges to voluntary repatriation: Protracted conflict situations**

The refugee crisis in Africa is determined by the nature of the conflicts that have taken place. Protracted conflicts – conflicts that drag over a lengthy period of time - make the future of African refugees highly uncertain. This has been the main contributing factor to the worsening refugee crisis in Africa as refuge seekers are forced to stay in the host countries for an indefinite amount of time – sometimes a whole generation of refugees is raised in host states.

Refugees are regarded as being in a protracted refugee situation when they have lived in exile for more than five years ‘and have no immediate prospect of finding a solution to their plight’ (Crisp, 2003: 1). The prolonged nature of some of Africa’s wars can thus be regarded as one of the main impediments to an eventual end of the ‘refugee cycle’ (Black and Koser, 1999: 4).

Figure 2. Illustration of protracted conflict situations in Africa



Source: Uppsala Conflict Data Program, Department of Peace and Conflict Research (2018).

Figure 2 above shows that the number of conflicts in the continent has increased from less than 10 in 1946 to nearly 40 (almost a 300 percent increase) in 2016 (see figure 2). Some of these conflicts have been dragging on for years. The Democratic Republic of Congo (DRC) conflict which began in the early 1990s has since internally displaced over 3, 2 million people while a staggering 811 299 Congolese nationals have been forced to seek refuge in neighbouring countries (Flahaux and Schoumaker, 2016; UNHCR, 2018). In 2017 alone, escalation of conflicts in regions like South Kivu, Kasai and Tanganyika displaced over 1.7 million people and forced 44000 out of their country (Karstad, 2018). With the increase in new refugee cases, the hope of repatriation for the older generation of refugees fades even further.

In a similar fashion, the breakdown of the brutal Said Barre’s military government in 1991 threw Somalia into a fratricidal civil war that displaced millions from their homes and hundreds of thousands into

neighbouring countries (Ashrif, 2018). According to the UN Refugee Agency (2018) there are over 870000 Somali refugees in neighbouring states and over 2 million are internally displaced. The Kenyan High Court's intervention in 2018 when the state attempted to close the Dadaab refugee camp (home to over 300 000 Somali refugees since 1991) is further proof of the humanitarian state of those who are displaced (BBC, 2018). The South Sudanese conflict, raging on since 2013 has precipitated what has been labelled as the largest refugee crisis in Africa (internally displacing over 4 million people and forcing over 2 million to seek refuge in Rwanda, Uganda and Kenya) (UNHCR, 2018). While a peace deal has been signed between the warring parties to end the fighting, a history of broken deals means it may be a long time before the refugees can return to their country of origin (News24, 2018).

Prolonged conflict situations in Africa make the refugee cycle an endless phenomenon. Crisp (2003: 20) concurs and argues that longstanding conflicts have inadvertently resulted in generations born and bred while in conditions of refuge. To the refugees who find themselves within camp settlements (for periods exceeding several decades), the living conditions have a debilitating effect on their life chances. Refugee camps such as Dadaab and Kakuma in Kenya, are primary examples of how refugee camp settlements in Sub Saharan Africa are notorious for being poorly resourced with a spectrum of limitations on refugees' liberties (Klaaren and Rutinwa, 2004). Restrictions on refugee groups' freedom of movement is not only in contravention of their civil rights (UNHCR, 1951: 27), but such a state of confinement within an area devoid of income generating and livelihood opportunities perpetuates dependency and vulnerability, thus prolonging the refugee cycle (Kalipeni and Oppong, 1998; Neuner et al, 2004).

Toole (2009), concurs with the above assertions and argues that by the year 2008, there were more than 30 million refugees and internally displaced persons in developing countries, desperately dependent on international relief assistance for survival. Due to the protracted conflict situations, refugees inside and outside refugee camps have also failed to benefit from their legal rights as prescribed by international laws (UN, 1948: 46, 48, 52, 54; UNHCR, 1959: 22, 27). Studies in the region have also revealed that even within the free settlement systems (as found in the DRC), realising an end to the refugee cycle is difficult to achieve especially when refugees are continuously treated as second class citizens (by being denied their legal rights). The denial of naturalisation rights to refugees who are of Rwandan origin (Tutsi and Hutu people), in the

DRC despite having been in the country for decades is a good example of such prejudicial treatment that inhibits an end to the refugee cycle and establishment of long-term peace initiatives for the displaced (Field, 2000).

### **Challenges to voluntary repatriation: The loss of migration networks**

In alignment with the arguments made by Zolber et al (1992) and Renaud et al (2007), this paper conceptualises the elements that can either impede or expedite the seeking of refuge as well as voluntary repatriation for refugees` as comprising of migration networks (family and friends), opportunities (socio-economic) and liberal policies. The family or friend networks not only help inform the forced migrants on how to travel to the point of refuge but also how to assimilate and attain self-sustenance once there (Massey, 1998). Although Schmeidl (1997) acknowledges the importance of migration networks in seeking asylum, there is however no recognition of how the same networks may facilitate the voluntary repatriation of refugees after the pacification of conflict situations. In many cases, prolonged situations of conflict inadvertently destroy the links that refugees have with their home countries (which impedes the feasibility of repatriation). Maniraguha (2011) argues that the more protracted the conflict situation, the greater the chances refugees` family network, community and social contacts are destroyed.

Migration networks (as a form of intervening factor towards voluntary repatriation), are severely compromised due to the unplanned nature of coerced migration (Nyaoro, 2010: 127). Other studies concur and argue that the loss of family and social networks by forced migrants during the flight to refuge, are some of the impediments to voluntary repatriation and an end to the refugee cycle (Nyaoro, 2010; Stevens, 2016). Studies amongst Burundian refugee groups in Tanzania discovered that for most of the displaced, repatriation was impeded by foreseeable challenges in reclaiming family land. Through a study of returnees in the Makamba province of Burundi (Maniraguha, 2011: 52), it was identified that refugees experience difficulties in `identifying and acceding to the land they (or their parents) owned before the flight`. As a result of such challenges (with over 2 600 landless returnees in one province alone), it was noted that Burundian refugees mostly refrained from repatriating, choosing to stay behind in Tanzania (Maniraguha, 2011: 52).

Another challenge emerging from protracted conflicts is the issue of unresolved socio-economic and political insecurity. Although the principal issues influencing coerced migration may be resolved, the

prevailing post-war conditions may discourage voluntary repatriation (Warner, 1993: 170). Although ethnic tensions are proximate factors influencing coerced migration, most scholars agree that these factors do not always present themselves autonomously but rather manifest concurrently alongside root factors (poverty, unemployment etc.) (Boswell, 2002; Stewart, 2002). In the DRC, despite reports of relative peace, many are still unwilling to return given the unemployment and prevailing socio-economic challenges still prevalent in the country (Herp et al, 2003: 141). Although armed conflict may be the initial primary element influencing refugee movement, other secondary issues such as socio-economic factors, absence of migration networks, social networks and so forth, have an indirect but principal influence on repatriation.

### **Cultural bereavement**

Another challenge that debilitates the end to the refugee cycle (repatriation) and establishment of sustainable peace for refugees, is their acculturation and assimilation to the host communities' customary ways of life (Arlin, 2008; Ahmed, 2013). A study involving the 2008 return of over 95 000 returnees from the twelve yearlong Burundian conflict, identified how the majority were either born or raised in exile (Maniraguha, 2011: 61). Acculturation to foreign norms is therefore one of the consequences emanating from a protracted state of conflict where refugees are relegated to a life of refuge for the greater part of their lives. Barton (1986 cited in Warner, 1994: p.170) concurs and argues that due to the dynamic nature of societies, in as much as refugees acculturate to the place of refuge, their original societies where they fled will also evolve thus making repatriation a serious challenge.

One of the challenges emanating from refugees assimilating to their new surroundings is also the issue of 'cultural bereavement' (Eisenbruch, 1991 cited in Hamilton et al, 2001: 9). Cultural bereavement can also be conceptualised as the loss of home, social networks, institutions and surroundings by refugees, a situation which inadvertently impedes the feasibility of refugees repatriating (Eisenbruch, 1991 cited in Hamilton et al, 2001: 9). Regarding the issue of cultural bereavement, Barton (1986 cited in Warner, 1994: 170) argues that:

Many of those who have come back have preferred to settle in towns or suburbs other than the ones they lived in before leaving. They find themselves isolated once more almost like foreigners in a world which is familiar but where they practically know no one anymore.'

A relevant illustration of the challenges emanating from cultural assimilation and how it inadvertently hampers voluntary repatriation is exemplified by the experiences of Rwandese refugees in the DRC. Through the 1959-1962 Rwandan revolution as well as the 1994 genocide, over a million Tutsi refugees fled to the South Kivu province in the DRC. Although distinct from the Tutsi Banyamulenge ethnic group whose presence in the Congo can be traced back to pre-colonial times, the Hutu and Tutsi refugee groups have been in the DRC for several decades (even after the pacification of the Rwandan conflicts) (Arlin, 2008). According to the USCR (2001), by the turn of the 20th century, there were around 30 000 Rwandan refugees (both Tutsi and Hutu), in the DRC living in refugee-like circumstances.

During the half a century of displacements to the DRC, many Rwandan Tutsi's have been born and acculturated within conditions of refuge in the DRC (without real access to refugee legal status and rights) (MAR, 2006). However, despite their lengthy stay in the country their entitlements to a full refugee status remains uncertain. The Congolese born, third and fourth generation Rwandan refugees inadvertently find it difficult to voluntarily repatriate to Rwanda despite facing several hostilities and xenophobic violence in the DRC (Stearns, 2012: 7). Such hostilities mostly emanate from a competition over resources and ethnic differences with indigenous Congolese groups (Black and Koser, 1999: p.4; MRA, 2006; Stearns, 2012: 7).

## **Conclusion**

There are several challenges that refugees face while in the refugee receiving states and these issues constitute an impediment to the realisation of sustainable peace. Within the refugee receiving states these challenges have been noted in the paper as comprising of prejudices and violent xenophobic acts. Such hostile conditions within the refugee receiving states (both inside and outside refugee camp systems) adversely threaten the feasibility of harnessing infrastructure towards sustainable peace. The paper noted how refugee groups are also confronted with the likelihood of refolement from the refugee receiving states. Although non-refoulment is defined as a principle in international law that prevents states from returning a person to a place where they might face risk (UNHCR, 1951: 3; Duffy, 2008), the standard practice of returning refugees to the 'third countries' also presents a challenge in ending the refugee cycle (Legomsky, 2003). Protection gaps and the existence of a spectrum of risks to refugee populations within African refugee camps,

as well as within the free settlement systems, thus present serious challenges to sustainable peace initiatives.

The paper has argued that voluntary repatriation, is an important aspect in the refugee cycle. Voluntary repatriation was therefore conceptualised in the paper as a pivotal milestone in the journey towards sustainable peace for refugees. Several challenges to the realisation of voluntary repatriation were noted in the paper and chief amongst which was the issue of protracted conflicts and how they are often intertwined with the demise of migration networks. Without migration networks, refugees find the journey back to their homelands very challenging and they are often forced to stay within the refugee receiving states under very difficult conditions of prejudice and exploitation (Koenane et al, 2015; Tshishonga, 2015). Another challenge to the prospects of voluntary repatriation to which the paper calls the attention of humanitarian actors, is the issue of cultural bereavement. Through cultural bereavement, refugees not only lose their own indigenous cultural identities but also risk becoming social misfits upon repatriation to their own homelands. This inadvertently makes the feasibility of voluntary repatriation impossible due to the cultural gaps that develop over time. The paper therefore argues that such cultural gaps disfranchise and disaffiliate refugees from their own cultural, dialectical and religious belief systems and inadvertently traps them in a permanent state of refuge.

In cognisance of the abovementioned problems, the paper calls for both humanitarian actors and development partners to give precedence to the negative impact of the discussed issues. This is particularly important given how the loss of migration networks, cultural bereavement and sustained conflict situations all have a collective bearing on whether or not sustainable peace and an end to the refugee cycle is achieved.

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