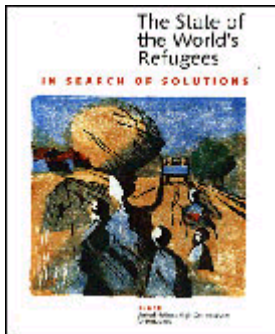


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Teachers Resources



IN SEARCH OF SOLUTIONS



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THE RIGHT TO RETURN

A further connection between human rights and the refugee problem is to be found in relation to the repatriation and reintegration of displaced populations. The right to return to one's own country is clearly stated in the Universal Declaration of Human Rights and is codified in the Covenant on Civil and Political Rights. 'No-one,' states the latter instrument, 'shall be arbitrarily deprived of the right to enter his own country.'

Refugees are most likely to exercise their right to repatriate voluntarily when they feel that their security can be assured, both during their journey home and once they have returned to their homeland. In recognition of this fact, in 1985, the governments which make up UNHCR's Executive Committee called for repatriation programmes 'to be carried out under conditions of absolute safety.'

In the period since that call was made, however, refugees have not always waited for such ideal conditions to be established before going back to their homes. Indeed, it is now quite common for mass repatriation movements to take place in countries which are still affected by armed conflict, where human rights violations continue to take place, and where the causes of the original exodus have not been fully resolved.

Refugees repatriate in such difficult circumstances for a variety of reasons. Sometimes, as in the case of Afghanistan, they decide to go home because an acceptable degree of peace and stability has returned to their own district or province, even though violent struggles for power are taking place in the capital city



and other parts of the country. In other instances, as with the half a million Ethiopians who repatriated from Somalia in 1991-92, refugees go home because life has simply become too dangerous in their country of asylum.

In a third scenario, illustrated by the case of the Myanmar refugees in Bangladesh, refugees repatriate to countries where only limited changes have taken place because they cannot remain indefinitely in their country of asylum and because they have received assurances regarding their safety once they return to their homeland. As this example demonstrates, one of UNHCR's most important roles in the search for solutions is to negotiate such assurances with the governments concerned and to monitor their implementation.

Bright Spot in Africa

UNHCR and its NGO partners in Swaziland recently said farewell to the final group of Mozambican refugees to voluntarily return home. UNHCR Representative Gary Perkins, writing from Mbabane, takes a fond look back at his time in Swaziland.

SEPTEMBER 1992

The image is a familiar one. There is a long line of people, mostly women and children waiting under a blue sky. At the far end of the line aid workers are handing out the daily ration of maize meal, with perhaps some powdered milk for the children. Looking at the scene you can almost feel the heat and the despair.

This is the image of the African refugee as conveyed nightly on television screens around the world. But it does not have to be like that. And it is not always the case, as I learned when I came to Swaziland in 1992.

I arrived feeling rather like a character in the Graham Green novel, "A Burnt Out Case." I had just spent two years working in Somalia. It was certainly a pleasure to negotiate with people who did not habitually carry an AK-47.

Swaziland is home to some 30,000 refugees, the vast majority of whom come from Mozambique. They arrive with almost nothing seeking a respite from the civil war in their own country. They find, however, the principal condition for human dignity - peace - and more often than not, courtesy and help. They also find queues, but they are mercifully short and they do move forward.

There are two principal settlement areas for refugees in Swaziland. The first is Ndzevane, which is a mixed settlement of South Africans and Mozambicans and is now closed for new arrivals. The second is Malindza, which has some 18,000 Mozambican refugees.

They are referred to as refugee camps, but they are in reality small towns which contain the largest primary schools in Swaziland. They are open settlements and the fence around Malindza is more to keep out the local cattle than keep in the refugees. Both camps have an "open-door policy" and many of the refugees work in the surrounding area.

New arrivals in Malindza are first given food. Generally, they report to police

stations after they enter the country and are then transported to the camp by the police. Yes, Swazi police do have transport and a police station in Swaziland is a place where you go to receive help, not intimidation. The people are then



interviewed and entered into the UNHCR database, which contains individual records on all of the 24,000 persons registered in the two camps.

Following a distribution of cooking utensils and clothing and blankets, their first night in Swaziland is spent in one of the "permanent tents" for new arrivals. And they talk; slowly at first, but with increasing animation as others gather round to hear news of events inside Mozambique or to search for relatives or friends.

The entire process of establishing themselves takes about six weeks. Each family is given 700 square meters of land. They first construct a pit latrine using an established design. It has a concrete floor and proper walls. Once this has been completed and inspected, they receive materials for the house which is built of wood from the abundant forests in Swaziland and with iron sheets for roofs.

The camp was designed to be a series of small villages, each containing about 200 people. It is not set out in a square grid pattern, but has lots of curves and green areas and playing fields. There are trees from a central nursery and the individual gardens can be impressive. There is a "Maputo," with 200 people, and a "Belavista." All the old names from home are there even though some of the refugees left their villages over eight years ago. As a refugee camp it succeeds admirably. As a small town in Swaziland, it is a bustling community. All in all, it feels good to be here.

JUNE 1994

The vast majority of the houses are empty, roofs are gone and the mud walls are beginning to crumble. The schools closed two months ago, and while the water points still provide clean water, there are only a few scattered individuals using them. There is still one shop which can provide an ice cold soft drink straight from the freezer. But the man who painted, "Thank you U.N. for giving us peace" on the wall of his store, and was thus greatly loved by UNHCR photographers, is gone.

A picture of despair? Not at all. For the last year, a well-organized repatriation has been taking place to Mozambique. Each week since October 1993, a passenger train has been leaving Swaziland carrying some 700 people home to Mozambique. The advantages of having a "repatriation train" are many. People travel in comfort and security and they can take almost everything they want. And they do take everything. Starting with a mythical 50 kilos per person, the refugees, intelligent people that they are, soon realized that we did not really mind the excess weight. Off came the roofs and the roof beams of their houses, and onto the train they went. After a certain amount of bureaucratic nervousness on the part of staff, we soon concluded that the more they took home, the more likely people were to resettle permanently. With each baggage car capable of carrying 25,000 kilos, weight was really not a problem. The last major advantage of using a train is very simple: the children love it.



And what about those of us who were left behind? That is the staff of UNHCR and the voluntary agencies. We are both happy and sad. Happy that with a lot of hard work and tremendous cooperation between the government, UNHCR, Lutheran World Federation, Caritas, the International Organization for Migration, Goal and many others, we managed to complete a very successful and decent repatriation. Happy that the refugees were so obviously glad to be going home. Sad that a very creative two years of our lives is over and that the weeds are starting to grow in the streets of Malindza and Ndzavane.

On 3 June 1994, at 10 a.m., the "Last Train from Mpaka" left for Mozambique carrying a combination of refugees, aid workers, dignitaries and press. There was much happiness and just a little sadness as the locomotive sounded its whistle and the last of the refugees headed down the tracks for home. All is not bleak in Africa.

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