

On the Move

Migration Challenges in the
Indian Ocean Littoral



ELLEN LAIPSON
AMIT PANDYA
Editors

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ISBN: 978-0-9821935-6-3

Library of Congress Control Number: 2010920308

Cover photos: Associated Press and Gustavo Montes de Oca, flickr.com

Cover design by Free Range Studios/Updated by Shawn Woodley

Book design/layout by Nita Congress

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THE AMERICAN UNIVERSITY IN CAIRO
الجامعة الأمريكية بالقاهرة

The Center for Migration and Refugee Studies (CMRS), previously known as the Forced Migration and Refugee Studies (FMRS) program, at The American University in Cairo was established in 2000 as a program of education, research, and outreach on refugee issues. In 2008 it developed into a regional center that encompasses all forms of international mobility, whether voluntary or forced, economic or political, individual or collective, temporary or permanent. CMRS works along three building blocks—research, education and outreach—aiming to form strong synergies among them. CMRS’s research program includes a systematic and comparative inventory of the situation regarding migration and refugee movements across the Middle East and Africa, as well as in-depth studies of emerging issues in the region. It gathers in-house faculty and fellows as well as a network of scholars established in other countries covering the region, with a focus on producing policy-oriented research. CMRS’s outreach includes disseminating knowledge on migration and refugee issues beyond the university’s gates, as well as providing a range of educational services to refugee communities.



AUB American University of Beirut
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The Issam Fares Institute for Public Policy and International Affairs at the American University of Beirut (AUB) was inaugurated in 2006 to harness the policy-related research of AUB’s internationally respected faculty and other scholars in order to contribute positively to Arab policymaking and international relations. In the established tradition of AUB, IFI is a neutral, dynamic, civil, and open space where people representing all viewpoints in society can gather and discuss significant issues of the day, anchored in a long-standing commitment to mutual understanding and high-quality research. The main goals of IFI are to raise the quality of public policy–related debate and decision making in the Arab world and abroad; to enhance the Arab world’s input in international affairs; and to enrich the quality of interaction among scholars, officials, and civil society actors in the Middle East and abroad. It operates research-to-policy programs in the areas of climate change and environment, Palestinian refugee camps, youth-related issues, and think tanks and public policymaking in the Arab world.



STIMSON

The Stimson Center, located in Washington, DC, is a nonprofit, non-partisan institution devoted to offering practical solutions to problems of national and international security. Since its establishment in 1989, Stimson has been committed to meaningful impact, a thorough integration of analysis and outreach, and a creative and innovative approach to global security challenges. Stimson has three basic program areas: reducing the threat of weapons of mass destruction, building regional security, and strengthening institutions of international peace and security. These program areas encompass work on a wide range of issues, from nonproliferation to transnational challenges in Asia, from UN peacekeeping operations to analyzing the resources needed for 21st century statecraft.

Preface

Stimson's *Regional Voices: Transnational Challenges* project is devoted to enhancing the information and analysis available to US policymakers about emerging transnational security challenges. The project develops knowledge and analysis of the perspectives of technical and subject experts, and political and strategic analysts. The geographical range of the project's work is the Middle East, South Asia, Southeast Asia, and East Africa.

The knowledge and analysis is developed by means of dialogue among experts from various disciplines and occupational backgrounds. Our work includes the organizing of workshops in the regions, entering into research partnerships with regional institutions and individuals, carrying out interviews in the field, and research into the state of knowledge and thinking. We have sought the input of experts and practitioners who constitute new voices in the conversation with the US government. We have not shied away from perspectives which dissent from conventional wisdom, as long as they represent significant bodies of opinions in the countries of the regions.

During 2007, we sought to arrive at an understanding of perspectives specific to each region. This was reflected in our 2008 publication *Transnational Trends: Middle Eastern and Asian Views*. The following year, we engaged in extensive and substantial dialogue and collaboration across all the regions on themes as varied as the political economy of natural resources, climate change and river systems, maritime resources and security in the Indian Ocean, and the relationship between Islam and politics. Each of these resulted in a collection of essays by experts from the regions and from Stimson.

The current volume reflects a part of our work in 2009. In addition to the work on migration and urbanization reflected herein, we have also conducted work in the areas of climate change and coastal zones, maritime security, international climate change policy, water and conflict, and political stability and internal conflict in South Asia.

We have sought to integrate these varied inquiries by asking the following questions. How is evolving public discourse addressing the technical, governance and cultural challenges of these specialized subject areas? How do political structures and cultural traditions constrain or facilitate effective responses? What examples or opportunities for transnational

cooperation do they offer? What scientific, technological and other intellectual resources are available or necessary, and how effectively are these deployed? What are the key relationships among social, economic, environmental, technological and political trends? How do these trends relate to traditional security concerns? What new sources of instability, crisis or conflict are found in these, and with what consequences? What are the social, political and security consequences of rapid change?

We have sought throughout to maintain a transnational perspective, to look at trends or threats that transcend national borders, or at those that are national in scope but recur in many societies in a region. In all our conversations, conferences, meetings, roundtables, and focus groups, we have attempted to elicit the most candid discussion possible, and have done so by explicitly placing all conversations off the record and not for attribution.

Each volume in the present series consists of essays on some of these questions by experts and thinkers from the regions covered, accompanied by one or more essays by Stimson scholars designed to synthesize and analyze our findings and describe the key trends that we have noted.

Amit A. Pandya

Director, *Regional Voices: Transnational Challenges*

Acknowledgments

This volume would not have been possible without the generous contribution of time, energy, and intellectual analysis of numerous experts abroad and in the United States.

Our partners, the Issam Fares Institute for Public Policy and International Affairs at the American University of Beirut, and the Center for Migration and Refugee Studies at The American University in Cairo, deserve special thanks for helping us design the initial concept and carry out a workshop of international experts in Beirut in March 2009. I am indebted to the Director of the Issam Fares Institute, Rami Khouri, and Dr. Ray Jureidini, Director of the Center for Migration and Refugee Studies, for the warm hospitality and intellectual vigor they provided.

I also wish to express deep appreciation to the meeting participants and interviewees who provided valuable insights into the complex issues addressed here, including a group of knowledgeable experts in Washington who generously helped shape the conceptual and intellectual side of the workshop—and, indirectly, of this publication. These people are named in appendix 2.

Chapter authors Deepti Mahajan, Charles Dulo Nyaoro, Jill Goldenziel, Sara Sadek, Ellene Sana and Rhodora Alcantara Abano, and Ruchira Gupta are thanked for their valuable analytical contributions and their patience with the process of publication. Because our authors represent diverse professional perspectives—from both the scholarly and the activist communities—I want to give special credit to Stimson colleagues Carrie Chomuik and Nicole Zdrojewski, who worked tirelessly, with the support of the authors, on substance and editing to create a coherent volume that will be useful to nonspecialist and policy audiences.

Many people worked behind the scenes to shepherd this monograph through all stages of publication, and I am particularly grateful for the contributions of the *Regional Voices* team. Research Associate Carrie Chomuik played an essential role in the organization of the Beirut workshop and provided valuable research and logistical support for the volume. Coeditor Amit Pandya brings enormous vision and intellectual leadership to the entire *Regional Voices* endeavor. Senior Communications Associate Alison Yost and Shawn Woodley, Communications and Multimedia Specialist, provided invaluable assistance in bringing

this publication to completion. I am particularly grateful to Nita Congress and Elizabeth Benedict for their extensive, careful, and intelligent editorial work. Special thanks to the project's Contract Analyst Nicole Zdrojewski, who manages operations for the entire project and provided indispensable support throughout the process. Project interns Daniel Asin and Rebecca Bruening contributed valuable research assistance, and intern Sarah Hank created the maps found in this volume.

Ellen Laipson
President and CEO, Stimson Center
March 2010

Introduction

Migration is a major force of change in today's world. The World Bank, the International Organization for Migration, and the Internal Displacement Monitoring Centre estimate that there are over 200 million international migrants and 26 million conflict-driven internally displaced persons (IDPs) around the world today. Migration trends pose a variety of economic, social, political, and security challenges to the global community. As the world's resources become scarcer and its population continues to increase, migration and its broader implications for stability will intensify.

Traditionally, migration is separated into two major categories: *voluntary*, which is often economically motivated and sometimes temporary; and *forced*, which involves longer term crises of refugees and IDPs. Policy is created according to this paradigm to address specific and often acute issues such as economic needs or human rights protection. In reality, however, the status of migrants is fluid, and their designations and needs may change several times during the migration experience. Attempts to neatly define migrant groups and to separately serve or manage them are only marginally successful. The gaps in service delivery and governance are vast.

This volume is the product of Stimson's work on migration over the past year, and it points to how the migration agenda is evolving and adapting to 21st century challenges. One of the highlights of this work was an international expert consultation in March 2009, in Beirut, Lebanon. Stimson, in partnership with the Issam Fares Institute for Public Policy and International Affairs at the American University of Beirut, and the Center for Forced Migration and Refugee Studies at The American University in Cairo, brought together experts from more than 16 countries and a wide variety of professional and academic backgrounds to analyze the human and policy challenges of migration today. The consultation explored a range of issues: emerging trends and security issues; economic, social, and political implications of labor migration trends; societal tensions that arise from the movement of refugees and IDPs; and the convergence of these processes in megacities throughout the Indian Ocean region. Our work highlights the shortcomings of segmenting policy responses to these different kinds of migrants and considers ways in which migration policies must be linked to issues of development, identity, and governance.

The volume is divided into two sections. In the first, “Perspectives from the Regions,” experts from East Africa, the Middle East, South Asia, and Southeast Asia provide an introduction to the array of complex challenges of 21st century migration and the crosscutting factors characterizing the economic, political, and security dimensions of voluntary and forced migration in their respective regions.

In the opening piece, Deepti Mahajan addresses the nexus between climate change and migration, and examines policy challenges that will accompany future “environmental refugees.” By 2050, experts estimate that there will be between 50 and 200 million environmentally driven migrants. Main source countries will be those vulnerable to desertification, those with large coastal cities facing sea level rise, those at risk for natural disasters, and small island states. Although the burgeoning phenomenon of climate change migration is beginning to gain recognition, it remains a low priority for policymakers. Given the millions of people at risk of displacement, however, states and the international community must begin to research and integrate this migration phenomenon with mitigation and adaptation plans and broader migration policy.

Charles Dulo Nyaoro explains how history and current politics have shaped cities in East Africa. Massive slums and informal settlements, such as those housing millions in Nairobi, stem from colonial-era policies and structurally weak governments in East Africa. Nyaoro asks why rural-to-urban migration continues, and why refugees and IDPs continue to arrive in urban settlements despite the hostile nature of urban environments. The answers are found in the eternal need for human agency, structural opportunities, and the inherently harsh nature of refugee and IDP camps. Governments must recognize the variety of migration drivers. They would do well to capitalize on the entrepreneurial spirit found in urban migrant conglomerations and slums rather than neglecting these areas until an emergency situation arises. In this way, governments could combat marginalization of slum dwellers.

In a related essay, based on research travel and expert interviews conducted in the field, Carrie Chomuik discusses urbanization and informal governance in Cairo and Nairobi. As an increasing percentage of the world’s population moves to cities and slum areas expand rapidly, government policies have not kept pace with demand for social services and infrastructure. As this unregulated growth continues, the world’s urban centers could turn into crisis zones.

Jill Goldenziel analyzes the security dimensions of forced displacement, focusing on the implications of the Palestinian and Iraqi refugee crises of the past 50 years. Historically, these cases have caused instability in refugee-hosting countries. The inability to absorb Palestinian refugees contributed to their long-term political and economic disenfranchisement throughout the region. The influx of Iraqis since 2003 has led states that have experienced

the challenge of hosting large Palestinian populations to take very cautious approaches to the new refugees. The status of Iraqi refugees may pose a significant global security risk in future years. Mitigation of this risk will depend, in the short term, on the capacity of international organizations to provide adequate humanitarian aid; and, over time, on wise solutions by states and regional organizations.

Sara Sadek discusses the variety of government policies and societal responses to Iraqi refugee dispersal in Syria, Jordan, Egypt, and Lebanon. With policy choices seemingly limited to resettlement and repatriation, Sadek suggests that Iraqi refugees could have the additional alternative of “temporary local integration.” While this may make social integration more difficult and may not allow for livelihood opportunities in a host country, Sadek suggests that this more flexible policy would allow for maximum protection, quality of life, and a more successful eventual repatriation.

Ellene Sana and Rhodora Alcantara Abano, of the Center for Migrant Advocacy–Philippines, focus on Southeast Asian sending country policies and the migrant working experience. Labor migration can have economic benefits such as providing unskilled workers, fueling industries, and bolstering employment for sending countries with remittances. But there are also negative consequences, including the commoditization, abuse, and trafficking of foreign workers. Southeast Asian economies are also vulnerable to the fluctuations of the global economy and protectionist trends. A case study of the Philippines shows gradual improvement of institutions and structures to protect workers, despite the limited political will and implementation on the part of governments. Similarly, hosts such as the Arab states of the Gulf have initiated reforms to protect the rights of their foreign workers, especially those in the domestic service industry. As the region copes with the negative impact on foreign labor during the economic slowdown, it has paid greater attention to the plight of migrant labor, which could have long-term benefits for future workers.

In a complementary piece, Samir Pradhan briefly explores the perspective of labor-receiving countries in the Gulf Cooperation Council (GCC) countries. Citing social and cultural anxieties that have arisen in GCC societies and governments because of the massive influx of foreign labor, Pradhan argues that tensions will worsen if programs for increasing employment of Gulf nationals and promoting economic development are not properly implemented.

Ruchira Gupta analyzes trends in human trafficking in South Asia and the Greater Mekong Subregion of Southeast Asia. Gupta notes that globalization has increased worldwide demand for inexpensive goods and services, domestic labor, and sexual services. This has led to a parallel increase in human trafficking. Declining economic opportunities at home and traditional practices of labor exploitation and discrimination encourage desperate

families to send off children and young women to help support them. Deception is often the modus operandi of traffickers, and governmental officials, including police and border control, are often complicit. Although states and societies have inadequately addressed trafficking in the past, governments and civil society are on the verge of comprehensive responses.

In the second section, “Interpreting the Trends,” Stimson Center President Ellen Laipson offers an integration of contemporary migration stories and policy challenges. In the 21st century, many migration trends present the international community with complex choices. The tragic displacement of people from war continues apace; and labor migration, human trafficking, and climate-driven migration present new policy dilemmas for states and international institutions. Migration patterns today are profoundly linked to globalization—for good and ill—and have generated anxieties within societies and in state-to-state relations about the security implications of migratory trends. These 21st century variants of the timeless migration story underscore some of the profound ways in which globalization has affected the lives of so many. Yet the international system struggles to find the right balance between the interests and legal authorities of the nation-state and those of people who cross national boundaries in pursuit of the rights and freedoms the international community fought to establish in the 20th century.

This volume is not meant to be a comprehensive treatment of the many types of migration; we are deeply aware of the specialized knowledge and rich social science literature on this compelling topic. Our publication tries to provide a thematic overview and to explain the linkages and human and complex policy challenges of 21st century migration. Our goal is to broaden the audience and enlarge the conversation, and to encourage flexible and wise responses by societies, states, and international organizations to this new reality. Above all, by bringing together perspectives from throughout the Indian Ocean littoral and from a variety of types of migration, we hope to provide a snapshot of the issue’s complexity.



Perspectives from the Regions



No Land's Man: Migration in a Changing Climate

Deepti Mahajan

Migratory flows of populations have been an integral part of human history. The drivers for these flows range from the urge for upward social and economic mobility to physical threats such as political violence, epidemics, and natural disasters. That the global mapping of populations is rooted in the Westphalian discourse on territoriality, sovereignty, and citizenship implies that the phenomenon of migration has causes and implications that extend beyond mere personal choice and the act of moving. Forced migration often has significant humanitarian dimensions attached to it, and over time nation-states and international organizations have instituted legal procedures to manage, facilitate, and/or discourage migration.

Given the increasingly evident effects of climate change, climate variability and extreme events are emerging as potential causes for forced migration. According to the Intergovernmental Panel on Climate Change (IPCC), many ecosystems are likely to be compromised this century by a combination of climate change and related disturbances. Floods, droughts, wildfires, glacial lake outbursts,* sea level rise, ocean acidification, and other global change drivers such as overexploitation of resources and changes in land use patterns are likely to increase. Failing ecosystems are not only expected to influence resource availability, but also to destroy or adversely affect habitats, livelihood options, and infrastructure. Depending on the pace of change, gradual migration and/or sudden flight resulting from climate-related factors are real possibilities and are already noticeable in some parts of the world.

Though environmentally driven migration is not new, climate change will intensify this trend and highlight the need for an assessment of possible migration trends and an identification of vulnerable geographical hotspots. In addition to grave humanitarian challenges, mass migration will create pressures and international obligations for destination countries.

Even though it is virtually impossible to estimate how many climate migrants we might see, Norman Meyers, an oft-cited analyst on the subject, suggests that there could be 200 million climate migrants by 2050.¹ In 2005, the UN University's Institute for Environment and

*A glacial lake outburst flood occurs when a water body capped or dammed by a glacier releases or bursts. The erosion or breaking of a glacier is one significant cause.

Human Security cautioned that there might be 50 million “environmental refugees” by 2010. According to another estimate, climate change migration might make about 125 million people, including 75 million from Bangladesh alone, homeless by the end of this century.²

Countries most vulnerable to climate change are currently urging the international community to assist them in adaptation and are devising policies to manage migration induced by climate change. Such adaptation not only includes policies that discourage migration by containing environmental degradation and ensuring protection against disasters, but in extreme circumstances may involve planned migration.

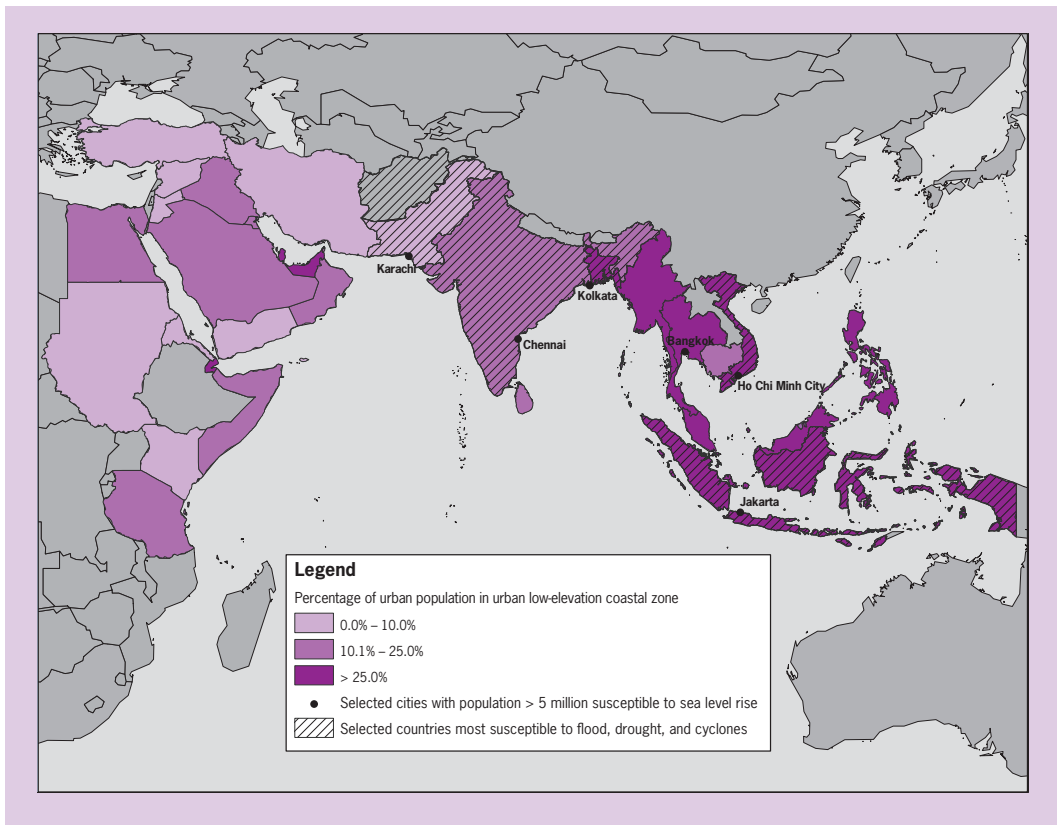
This paper seeks to map the connections between climate and migration, the trends that climate-induced displacement is expected to follow, and related concerns, while recognizing that climate change interacts with other political and socioeconomic factors that influence migration. The paper analyzes climate-induced migration in a three-tier framework, which includes the migrants’ country of origin, the destination or host country, and the migrants themselves.

Climate and Migration: Drawing the Linkages

Though the scope and timeline are unclear, there is growing scientific evidence of the imminence and gravity of climate change. Model experiments suggest that even if greenhouse gases were held constant at year 2000 levels, a further warming trend would be seen in the next two decades at a rate of about 0.1°C per decade.³ Areas throughout the world are already enduring rising temperatures, increased and intensified drought conditions, and extreme weather events such as cyclones and floods.

Rising temperatures are likely to affect the hydrological cycle and alter rainfall patterns and the magnitude and timing of runoff, which will have far-reaching effects on river basins. The number of people living in river basins affected by water stress is expected to surge upward from around 1.4 billion in 1995 to between 2.8 and 6.9 billion in 2050.⁴ By then, eastern India and Bangladesh may receive 20 percent more rainfall,⁵ while sub-Saharan Africa is expected to get up to 10 percent less annual rainfall in its interior areas.⁶ Water stress and rising temperatures will lead to the spread of disease vectors and increased incidences of waterborne disease.

Melting glaciers will mean rising sea levels and increased risk of glacial lake outburst floods, particularly in mountainous regions such as Nepal, Bhutan, and Peru. Gradual dissipation of glaciers will lead to drying rivers and reduced access to water in dry months. Coastal regions and small island states are also under severe threat from sea level rise (SLR). In Bangladesh, 1.5 meters of sea level rise would inundate 22,000 square kilometers of delta land—an area in which 17 million people currently live.⁷ In addition to land loss, these regions will witness

Figure 1: Vulnerability to Climate Change in the Indian Ocean Region

Sources: Maplecroft and CARE, *Humanitarian Implications of Climate Change: Mapping Emerging Trends and Hot Spots* (2008); United Nations Human Settlements Programme (UN-HABITAT), *State of the World's Cities 2008/2009: Harmonious Cities*, figure 3.3.5 (London: Earthscan, 2008); Robert J. Nicholls et al., "Coastal Systems and Low-Lying Areas," in M. L. Parry et al., eds., *Climate Change 2007: Impacts, Adaptation and Vulnerability. Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change* (Cambridge: Cambridge University Press, 2007).

adverse effects on coastal aquaculture and coastal tourism as well as increasing salinity of their aquifers. Coral reefs damaged by oceanic acidification would expose some islands to increased wave energy and alter the nature of fisheries that are close to the shore.⁸

Clearly, the lack of freshwater, disappearing land, and catastrophic events will fundamentally impinge on lives and livelihoods. Decreasing arable land and falling agricultural production will threaten the viability of agriculture and reduce yields and—eventually—food availability. Reductions in agricultural yield (from rain-fed agriculture) in some countries are projected to be as high as 50 percent by 2020, with small-scale farmers affected the most.⁹

It is widely expected that these environmental catastrophes will lead to significant migration. Oli Brown suggests that distinct climate processes (sea level rise, dwindling water

resources, salinization of land and aquifers) and events (floods, glacial lake outbursts, droughts) can cause migration from affected areas.¹⁰ These may also be associated with different patterns of movement. Natural disasters or climate events may cause instant, widespread damage, but people fleeing may seek refuge in safer areas for short time periods and choose to return to their homes. The extent of damage would of course determine the possibility of return. Climate processes that slowly but substantively influence the natural environment may lead people to plan permanent migration as they confront bleak projections for the future. Policy responses designed for migration resulting from processes and events would therefore need to take into account different time frames, procedures, and requirements.

In many instances, the drivers for migration are complex, and it can be difficult to draw a causal link between climate change and migration. Human beings and their actions cannot consistently be understood within a “reductionist/isolationist cause-and-effect framework.”¹¹ In many cases, climate change may interact with other factors, exacerbating stress conditions that result in migration. For instance, migration from impoverished rural areas to cities that offer economic opportunities is an ongoing trend. The impact of climate vagaries on rain-fed agriculture in one village may give a further push to migration, but may not be the lone trigger. In general, environmentally induced migration takes place “when ecological tipping points are exceeded”—when pressures mount to such an extent that people feel that their security or that of their community is imperiled.¹²

While additional research is needed to more precisely identify climate migration hotspots in need of intervention, it is known that vulnerable regions include small island states, the Sahel belt, the Bay of Bengal, and some parts of South and Central America and Central Asia.¹³ Densely populated areas threatened by rising sea levels include the Ganges-Brahmaputra basin in South Asia, the Mekong Delta in Southeast Asia, the Yangtze basin in China, and the Nile Delta in northern Africa.¹⁴ The European Commission’s Environmental Change and Forced Migration Scenarios (EACH-FOR) project assessed the impact of environmental change on migration and covered 22 case study locations in six regions of the world. The project also studied Mozambique’s Zambezi River valley, where “temporary mass displacement is taking on permanent characteristics” because of floods; and Vietnam, where, in the Mekong Delta, regular flooding leads to both temporary and permanent migration.¹⁵

With Bangladesh feeling the heat, India’s northeastern states would be a likely destination for migrants. Similarly, climate-induced migration could drive people into the United States from Haiti, Cuba, and other Caribbean islands (all vulnerable to extreme weather events), as well as from Mexico (susceptible to water stress).¹⁶ Floods, glacial lake outbursts, and other catastrophic events can cause large-scale migration in very short spans of time. In South and East Asia, large populations living in coastal regions and low-lying

areas are likely to be affected. Six of Asia's 10 largest cities—Bangkok, Jakarta, Manila, Mumbai, Shanghai, and Tokyo—are densely populated coastal areas with extensive physical infrastructure.¹⁷

The developing countries and island states most exposed to the effects of climate change have forced the international community to pay attention to the issue. In 2008, the Maldives's then-president-elect Mohamed Nasheed announced plans to establish a sovereign wealth fund, financed by tourism revenue, which could be used to buy land in other countries to relocate the island nation's 300,000 inhabitants, should rising sea levels submerge the land. This announcement was a stark reminder of the human crisis at hand.

Climate-Induced Migration: A Three-Tier Analysis

Climate change severely threatens two important markers of human security: *freedom from want* and *freedom from fear*. A heightened sense of insecurity can trigger migration to a safer location or catalyze a decision to relocate. As socioeconomic, technological, and ecological factors determine the ability of a community to withstand shocks and adapt, environmental resilience is also a key factor influencing climate-induced migration.*

A static view of migration limits itself to management of refugees and migrants within sovereign states and across defined borders. Employing both a traditional and a nontraditional security lens to the study of migration, however, highlights the idea that security extends beyond states to include the individuals affected by climate-related catastrophes.† This assertion emphasizes “human security” issues, such as survival, access to food and water, economic subsistence, and health and well-being, which ought to be centerpieces in the policy formation related to climate-induced migration. In addition to the impacts of cross-border and internal migration movements on the places of origin and destinations, policy will need to address concerns about the status of climate migrants and their living conditions.

This section seeks to foster an understanding of the dynamics and effects of climate-induced migration through a three-tier analysis including the issues and impacts in places

*Economic development and the efficacy of governance can contribute significantly to coping capacity. See the recent study conducted by The Energy and Resources Institute (TERI) and the UK Department for International Development, “Climate Change Induced Migration and Its Security Implications for India's Neighbourhood.” Key insights from the study form part of a paper prepared for the 15th Conference of Parties to the United Nations Framework Convention on Climate Change, held in Copenhagen, December 7–18, 2009, www.teriin.org/events/CoP15/CC_Migration.pdf (accessed March 6, 2010).

†Here, nontraditional security is seen as “a set of critical and dynamic formulations on the state of the discipline rather than a set of issues that constitute a specific object of study.” For more, see Meenakshi Gopinath and Sumona Dasgupta, “Structural Challenges, Enabling Spaces: Gender and Non-Traditional Formulations of Security in South Asia,” in Ralf Emmers, Mely Caballero-Anthony, and Amitav Acharya, eds., *Studying Non-Traditional Security in Asia: Trends and Issues* (Singapore: Marshall Cavendish, 2006), p. 193.

of origin, the issues and impacts in the destination locations, and issues related to the status and condition of the people themselves.*

Place of Origin

Human rights obligations require states to undertake initiatives to mitigate risks of natural or manmade disasters, including those resulting from climate change.¹⁸ Adaptation initiatives, such as the creation of disaster-resistant infrastructure, installation of effective disaster warning systems, emergency preparedness, and protection of the environment and natural resources, can go a long way to reduce out-migration and maintain ecological well-being. Building dikes, for example, is a way to protect coastal regions from sea level rise. While concerns over financing such methods have been a focus of much debate, their efficacy is also open to question. Dikes and other structures need to factor in sea level rise and more frequent and intense storm surges. Engineering solutions alone, however, do not provide protection against sea level rise of more than a few centimeters.

Support for more resilient livelihoods is another strategy that may reduce the possibility of forced migration. It is important for the agricultural sector, where water stress would require rain-fed agriculture, to be supported by efficient irrigation systems and water storage facilities. Alternatively, in scenarios where migration is currently or may become necessary, states must invest in providing support to migrants. Where climate change is expected to lead to considerable loss of land thereby requiring partial or complete evacuation, migration leads to uncertainty about territorial sovereignty and citizenship.

A region's vulnerability is a function of its exposure to climatic conditions and its capacity to adapt.¹⁹ Therefore, in a threatened region, vulnerable individuals are those most exposed to environmental stresses arising from climate change as well as those with inadequate capacity to respond to or recover from imminent risks and calamities. People who preemptively migrate are invariably those with some available capital, not the poorest and most vulnerable. In effect, the people who are unable to migrate are dependent extensively on state support for their survival and protection, and are perhaps even more exposed to risks than the migrants themselves. In cases where resource availability is severely threatened, vulnerable groups unable to migrate are left behind. This will likely lead to exploitation of the already diminished resource base and further impoverishment of the groups' livelihoods and living conditions.

*This section draws in part on research the author undertook as a core team member of the Scoping Study on Climate Change Induced Migration and Its Security Implications for India's Neighbourhood," conducted by The Energy and Resources Institute (TERI), with support from the UK Department for International Development.

Bangladesh: Grappling with the Climate-Migration Nexus

According to the IPCC Fourth Assessment Report, Asian and African megadeltas will be under grave threat from exposure to sea level increase and river flooding—problems compounded by their large populations. These regions will also become increasingly vulnerable to cyclones and storm surges. On September 27, 2007, Fakhruddin Ahmed, then chief adviser of the interim government of Bangladesh, spoke at the UN General Assembly in New York: “This year we in Bangladesh have witnessed one of the worst floods in recent times...there is little we can do to prevent significant damage...a one-meter sea level rise will submerge about one-third of Bangladesh, uprooting 25 million to 30 million people. I speak for Bangladesh and many other countries on the threshold of a climatic armageddon.”¹

The rural coastal areas of Bangladesh are already battered by floods that have resulted in water-logging, brackish water that destroys rice fields, and depleted fish stocks. Consequently, there is increasing migration from rural areas to urban centers such as Dhaka. Most of the migrants who come to Dhaka live in slums, which are home to 40 percent of the city’s population. According to the International Organization for Migration, about 70 percent of slum dwellers in Dhaka moved there after experiencing some kind of environmental hardship.

Affected populations are also migrating to neighboring India, whose northeast region has been a destination for migrants from Bangladesh since the partition of Pakistan. This gradual inflow has altered the demographic profile of the region and is a major policy concern for India. In Tripura, the local population has declined from a two-thirds majority in the 1960s to become a minority after years of Bengali migrant influx. Similarly, in Meghalaya, Assam, and Manipur, the inflow of migrants continues. Climate impacts will bolster this trend, and accelerated population shifts may pose a threat to political stability. The magnitude of the increase will depend to a great degree on the extent of sea level rise and Bangladesh’s coping capacity and development.²

Because it is severely threatened by sea level rise, Bangladesh must consider preventive technology such as dikes and seawalls and planting mangroves on the riverfront to avoid embankment erosion. The country also needs to foster resilient livelihoods, with a particular focus on the agricultural sector. Bangladesh has already invested in building cyclone shelters and creating an early-warning system for storms.³ It has further earmarked budgets for agriculture and health in a bid to “climate-proof” certain development sectors. The country’s agricultural research centers are devising salinity-resistant strains of rice. Bangladesh also delivered a strategy to the UN delineating its requirements for coping with the effects of climate change. The initiatives call for international support, both in finance and technology.

¹John Vidal, “Climate change: Bangladesh takes the lead,” *The Hindu*, March 27, 2008.

²C. Dasgupta, cited in a study conducted by The Energy and Resources Institute (TERI), “Scoping Study on Climate Change Induced Migration and Its Security Implications for India’s Neighbourhood,” with support from the UK Department for International Development.

³Lisa Friedman, “Bangladesh needs the West’s help, but isn’t waiting for it,” www.eenews.net/special_reports/bangladesh/ (accessed July 25, 2009).

In addition, a region suffering climate catastrophes can be expected to endure economic losses, which can further undermine the country or region's economic well-being. Brown cites the case of the 1930s Dust Bowl in North America, when the people who migrated were "young, skilled families with some money and strong social networks—the very kind of people that are essential components of successful communities."²⁰ In the event of migration, it is vital for governance structures in the migrant countries of origin to remain in place.

Destination

For destination countries/regions, the influx of forced migrants poses an obstacle to development in at least four ways: "by increasing pressure on urban infrastructure and services, by undermining economic growth, by increasing the risk of conflict, and by leading to worse health, educational, and social indicators among migrants themselves."²¹ It is clear that climate-induced migration will strain natural and other resources in the receiving country. Since such migration is likely to be more pervasive in the developing world, possible host countries may already be under growing pressures of increasing population and rising expectations.

In South Asia, such a situation may arise in the event of mass migration from Bangladesh to India. The majority of people from Bangladesh who are under pressure to move could be expected to move to and within India. Migrants move to regions that are attractive because of preexisting family or community ties, economic opportunities, and cultural affinity. In India, the physical infrastructure has yet to fully support its own burgeoning population. Migrants will create further pressures and affect the state's obligations to its citizens. The urban landscape in the Indian subcontinent is dotted with large slums and informal settlements that offer poor living conditions. Migration to areas of such high population density could expand the slums and lead to increased spread of diseases and conflict over resources. The overexploitation of natural resources and infrastructure can create precarious situations in the receiving country that lead to environmental degradation—thus perpetuating a cycle of environment-related disasters.

Migration also has the potential to aggravate conflict. It can be a stress multiplier, which may accentuate competition, distrust, ethnic tensions, or exacerbate tensions that lie in socioeconomic fault lines. Apart from the informal development of infrastructure and services, the demographic changes introduced by migration can alter the ethnic composition of a region, bringing culturally distinct groups into close contact. Where there are already divisions over the use of resources, the possibility of further tensions may increase exponentially. This may well be the case with migration from Bangladesh to India, which could bring Muslim settlers into traditionally mixed/Hindu-dominant habitats.

Sudan offers another relevant example: a combination of changing climate and changing migration patterns have helped create a cycle of violence and migration. In Sudan, desertification and droughts have altered the migration patterns of pastoralist tribes and have

prompted movement to new destinations and into new areas. According to Scott Edwards, former Sudan country specialist for Amnesty International, USA, these altered patterns, coupled with longer established migration patterns by people in North Darfur in search of land for subsistence, have led to conflict and further migration.

While mass migration is a possibility, change may also be gradual, manifesting over many years. In a gradual process, tipping points arise when the adverse effects on receiving countries or communities cross a threshold, and state or nonstate responses may become reactive or violent. Proactive thinking, preemption, and planning are thus key in these situations.

Migrants

When migrants arrive in “safe” territory, they are exposed to new risks. As refugees, they often lack protection from state authorities; lack access to food, water, and medical and other humanitarian aid; have difficulty finding employment; and endure feelings of dispossession. They are often unaware of how long they will need to stay away from home or whether they will ever be able to return. One of the foremost challenges for migrants is their legal status, which is often tenuous and unclear. To a large extent, migrants’ legal status determines how they are received and treated by host governments and communities, and what societal and political repercussions may follow.

To date, environmentally induced migration has not been at the forefront of the migration discourse, and because of definitional gaps, it does not fall within the purview of international humanitarian agencies. When environmental migrants cross borders, their eligibility for refugee status remains disputed because there is a reluctance to expand the definition of “refugee.” In the 1951 Convention Relating to the Status of Refugees and the subsequent 1967 Protocol, the term *refugee* is restricted to those who flee persecution. Environmental migrants, as defined by the International Organization for Migration, are “persons or groups of persons who, for compelling reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are obliged to leave their habitual homes, or choose to do so, either temporarily or permanently, and who move either within their country or abroad.”²² While the term *migrant* suggests voluntary movement, the term *refugee* suggests an urgency that may technically be inappropriate.

Moreover, “refugee” refers to people who have crossed a recognized international border. Thus, in order to cover the scale and magnitude of climate migration and include internal movement, the term needs to be used in conjunction with “internally displaced persons” (IDPs).²³ The importance of including IDPs points to another definitional gap, as the UN’s Guiding Principles on Internal Displacement do not address the range of environmental variables that may come to bear on displacement.* While Guiding Principles 5 to 9 describe

*The Guiding Principles on Internal Displacement provide a framework for providing assistance and protection to people displaced within the borders of their countries.

the parameters of the right not to be arbitrarily displaced, Stavropoulou argues that the UN does put forth a yardstick to assess when displacement becomes a human rights issue.²⁴

Although the place of environmental migrants in international law remains unclear, instruments such as the 1966 Covenant on Economic, Social, and Cultural Rights and the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families provide direct or indirect protection to migrants in general. A rights-based perspective of protection can help inform some of the policy responses that may be required to ameliorate the lives of migrants.²⁵ The international codes on human rights contain laws relevant to the discourse on climate and migration. These include the right to adequate housing; security of tenure; the right not to be arbitrarily evicted; the right to land and rights in land; the right to property and the peaceful enjoyment of possessions; the right to personal security, freedom of movement, and choice of residence; and housing, land, and property restitution and/or compensation following forced displacement.²⁶ That some small island states may be submerged due to sea level rise also brings to the foreground issues that would resonate with the 1954 Convention Relating to Stateless Persons, the 1991 Convention on the Reduction of Statelessness, and the protection mandate of United Nations High Commissioner for Refugees (UNHCR).

The differing effects impacts of climate-related migration on men and women also must be integrated into policy. The UNHCR Executive Committee stated the following in October 2006:

While forcibly displaced men and boys also face protection problems, women and girls can be exposed to particular protection problems related to their gender, their cultural and socio-economic position, and their legal status, which mean they may be less likely than men and boys to be able to exercise their rights and therefore that specific action in favor of women and girls may be necessary to ensure they can enjoy protection and assistance on an equal basis with men and boys...²⁷

Since women are often engaged in providing for basic needs such as firewood and water, which rely on natural resources, a disproportionate burden of the impacts of climate change falls on women. If livelihoods are threatened by climate change, the first outflow of people may include men seeking employment—leaving behind women-headed households. Women may need to take on further responsibilities while adapting to climate-related challenges and building resilience. Even when families migrate together, women bear the burden of reestablishing themselves in a new place. Often women in camps face sexual abuse, and the lack of protection and privacy adds to diminishing security. The UNHCR Executive Committee called for a holistic approach to protecting women and girls, suggesting that “protection partnerships” among governments, the UN, and other international agencies, NGOs, and displaced and host communities are “integral to effective identification, responses, monitoring, and solutions.”²⁸ While this recommendation was created in the

context of conflict situations, it can be applied in situations of mass migration induced by climate impacts.

The Governance Dimension

For those with the resources to move, migration may be an adaptation mechanism; for others who cannot relocate, migration may emerge as a manifestation of failed adaptation. In effect, migration can be seen as an “adjustment mechanism of first resort” or a “survival mechanism of last resort.”²⁹ It may often become a “risk diversification strategy” for individuals/communities exposed to multiple risks that need to be dealt with simultaneously.³⁰ Interestingly, this view allows migrants to be seen as agents rather than subjects being acted upon by extraneous factors.

In the long term, migration from climate-affected regions will become a reality with which countries must contend. Relocation of individuals calls for relief measures that factor in multiple risks and threats. The country of origin and the host country must collaborate to preempt these dangers and prepare to manage them effectively. Development planners must be aware of the climate-associated risks that a region faces. Those who oversee integrated coastal management and development initiatives in risk-prone inland areas must identify and include elements that are relevant to food security, water security, habitat preservation, protection of livelihoods, and risk assessment for infrastructure development.

It is also important to assess the global policy measures required for vulnerable countries to deal with a phenomenon that is a result of the historical and current actions of the global community. It is increasingly necessary to augment funding for adaptation and ensure transparent management of these funds. Appropriate adaptation measures may even prepare communities and nations for climate impacts, which might diminish the need for migration. The Global Environment Facility (GEF) finances adaptation through the GEF Trust Fund (under the Strategic Pilot on Adaptation) and two new climate change funds: the Least Developed Countries Fund and the Special Climate Change Fund. The funds currently pledged for adaptation total US\$320 million. However, an Oxfam International study estimates that at least US\$50 billion annually will be required to support adaptation measures in the developing world even if current emission rates are stabilized.

Countries need to refine international law and institutional frameworks to govern international and internal displacement. These frameworks can be extensions of existing governance architecture or can entail an expansion of their scope and mandate. In 2008, UN Deputy High Commissioner for Refugees Craig L. Johnstone said, “...it is hard to envisage a true international emergency of forced displacement precipitated directly or indirectly by climate change in which UNHCR would not play a key role.”³¹ He emphasized that additional international legal frameworks may need to be established if planning and

coordination within existing frameworks is not sufficient. As the number of affected countries and people rise, more resources will need to be channeled to UNHCR and other international humanitarian bodies.³²

At the regional level too, policy dialogues must be pursued in order to understand the specific impacts of climate change. There should be a focus on how countries affected by climate vagaries could tackle issues that may trigger migration. Equally important is examining the accommodation and resilience capacity of possible receiving countries. Probable host destinations must develop policies that will preserve their social and economic health as climate migration begins to take a toll on their infrastructure and social services.

Conclusion

Environmental drivers often occur in conjunction with other migration drivers such as economic distress, the availability of better living conditions in host regions, and communal tensions. In host regions, conflicts may emerge from the interaction of migration with religious, cultural, or ethnic strife, and competition for resources. Since the regions most at risk are the least developed countries, developing countries, and vulnerable small island states, it is imperative that the international community support them in financing and developing the technological capability required to adapt to climate threats.

States remain the most significant players in determining the legal and political parameters that frame the international and national policies on climate-induced migration and its governance. Nevertheless, any analysis of the phenomenon of climate-induced migration needs to preserve migrants' rights and dignity as its centerpiece, while taking into account the concerns of host communities. In this regard, "agencification" of migrants is an important missing element in the discourse. While migrants may be forced to relocate, they do not exist only as subjects of natural calamities and state action. How migrants can direct their lives post-relocation and proactively ensure respect for human rights is a possible area of intervention.*

Unfortunately, state policies have not yet begun to pay attention to the specter of climate-induced migration, perhaps because it is seen as a long-term and unpredictable problem. Given its low-priority status in policymaking circles, the lack of available information on climate impacts and migration, and the uncertainty in assessment and determination of possible responses, it is imperative that efforts be made today to fill knowledge gaps so the international community is prepared for action on this emerging transnational issue.

*Civil society groups and human rights organizations will need to take a lead in empowering migrants with the knowledge and wherewithal to ameliorate poor conditions of living offered to them by demanding rights or legal recourse.

Mobility, Poverty, and the Cities of East Africa

Charles Dulo Nyaoro

In many developing countries, there is an intricate and nuanced relationship between mobility, poverty, and urbanization. In the greater East African region, these processes tend to reinforce and exacerbate each other, creating social tension, vicious circles of poverty, and sporadic violence.

Through a combination of forced displacement, rural-to-urban migration driven by poverty, and government inability to take concrete actions to resettle the displaced, slums have become an almost permanent fixture of cities in East Africa. The failure of East African governments to implement effective migration policies has permitted the growth and spread of sprawling informal settlements in or near the cities. Indeed, some of these areas have become “cities within cities,” where neither central nor city administrations have control. Nowhere are these tensions more visible than in the informal urban settlements and slums of Nairobi, Kenya.

No single theory can explain the different strands of migration and the choices that individuals and families make. A broader framework is more useful. Several variables, rather than isolated drivers, are responsible for migration. Among the variables are migration related to labor, education, commerce, and conflicts, though the significance varies with location and timing.

These population movements are also related to urbanization trends in the region. Historically, the economic interests of colonial administrations drew migrants to urban areas and led to unplanned settlements in the region’s major cities. Since independence, governments in the region have done little to correct these problems, because of their inherent structural weakness and insufficient resources. Over time, these settlements have become the epitome of urban poverty.

This paper also raises the question of why rural-to-urban migration continues and why refugees and internally displaced persons (IDPs) continue to arrive in urban settlements despite the hostile nature of urban environments. The answers are to be found in the eternal need for human agency, structural opportunities, and the inherently harsh nature of refugee and IDP camps. Finally, government responses to urban poverty, refugees, and asylum seekers vary from positive to negative. Some responses help migrants reconstruct their

lives, while others hinder them. Therefore, to respond effectively to contemporary migration in East Africa, governments must accept the variety of drivers and implications of population movement and develop more comprehensive, integrated, and long-term solutions.

Background

The region of East Africa includes Kenya and Tanzania, which share the Indian Ocean coastline, and Uganda, Rwanda, and Burundi to the west. The population of the five core East African countries is estimated at 128 million, and is projected to be 202 million by 2050.¹ This paper also examines the wider Great Lakes region and the Horn of Africa, which includes Sudan, Ethiopia, Somalia, and the Democratic Republic of Congo (DRC), because they are significant players in the migration equation as sending or receiving countries, and are part of regional agreements that affect commerce, labor, and migration.

Cultural and religious similarities that exist in East Africa make travel and relocation within the region an attractive and feasible option. For example, the Tutsi and the Hutu can be found in Rwanda, Burundi, the DRC, Uganda, and western parts of Tanzania.² Similarly, Islam is the dominant religion in much of coastal Kenya, Tanzania, and Somalia.

While there are strong and rich similarities in these countries in terms of ethnic composition and cultural texture, there are also important differences in political paths and economic strengths that account for emigration and immigration patterns. Conflict and political unrest are major drivers of migration in the region. Only Tanzania has not suffered violent conflict in recent times. Rwanda, Burundi, Uganda, Sudan, Ethiopia, Somalia, and to a lesser extent, Kenya have all suffered violent conflicts that resulted in massive displacement across common borders. Economically, East Africa is dominated by agricultural production and pastoralism. Kenya, with its modest consumer industries, remains the economic hub of the region. The opportunities that exist in more prosperous cities and countries factor heavily into the regional migration story.

Regional Migration in Eastern Africa

Colonial Legacies and Labor Migration

Although East Africa has had a long history of regional migration, there are no accurate data to approximate the numbers involved or that can be used to make future projections.³ Governments in East Africa are notoriously averse to generating data. Furthermore, economic migration in the region does not seem to attract the same level of interest and analysis as rural-to-urban and forced migration. It is certain, however, that several factors trigger migration in the region.

During the colonial era, migration was mostly driven by labor, especially to tea, coffee, sisal, and cotton plantations.⁴ Mines, especially copper mines in Uganda and gold mines

in Tanzania and Eastern Congo, caused a number of East Africans to migrate to those areas. With the tacit encouragement of the colonial governments, people moved from and Burundi and Rwanda to work in coffee and cotton plantations in Uganda and Kenya. Movement across borders was relatively simple in Kenya, Uganda, and Tanzania, which shared a colonial ruler and later formed the East African Community.

Regardless of the colonial government's migration policies, arbitrary boundaries created transnational communities in the region, making strict regulation of movement impractical. While colonial patterns of migration continued even after the three British colonies gained independence in the early 1960s, they were disrupted by factors such as Idi Amin's rise to power, the persecution of certain ethnic groups, and the expulsion of others. Colonial migration trends were all but wiped out by the acrimonious collapse of the East African Community in 1977.

Educational Migration

Another cause for migration in East Africa is the building of human capital, especially through education and professional training. Again, the related migration trend is a direct consequence of common colonial histories. Makerere University in Kampala was related to campuses in Dar es Salaam, Tanzania, and Nairobi, Kenya, and admitted students from all over the region. Like labor migration, educational migration is cyclical, with students staying in boarding institutions until the end of the semester. It is estimated, for example, that there are over 32,000 Kenyan students in Ugandan schools and colleges.⁵ This has a direct impact on urbanization, as a vast majority of graduates remain in university cities in search of employment or business opportunities.

Trade and Commerce

A substantial seasonal migration of pastoralists across borders also continues. Although amicable most of the time, it occasionally turns confrontational because of dwindling pastures and water resources. Cattle rustling remains a strong feature of these pastoralists' migration. As evinced by the thriving urban centers in the border regions, commerce between and within the East African countries also accounts for a sizable portion of migration. While Uganda remains Kenya's largest official trading partner, attempts to regulate and tax trade have spawned a thriving black market for goods and services in the region.⁶ Before the relaxation of such regulation policies, smuggling through *panya* routes was the order of the day.*

Banks, media outlets, and other businesses have established a presence in major East African cities, and individual entrepreneurs have started their own ventures as well. Large

*Literally meaning "rat routes," *panya* refer to illegal/unmanned border entries.

organizations move staff within the region, which accounts for a significant amount of migration. There are occasionally disagreements as to whether such migrants should be classified as expatriates or migrant workers.

Adding to the complexity of the issue, the attempt at regional integration has created organizations that employ regional civil servants. For example, the East African Assembly in Arusha, Tanzania, employs people from all five member countries. The Inter-University Council of East Africa and the East African Development Bank in Kampala do the same.

Rural-Urban Poverty Matrix

Despite post-independence policy changes, the rural-oriented labor migration of the colonial period is cited as an explanation of the low rates of urbanization in the region.⁷ Rural-to-urban migration patterns were framed and shaped by commercial activities and concomitant labor laws. For example, to ensure a constant labor supply and to control the mobility of native Africans, colonial governments created reserves from which the government recruited active men to work in plantations or in emerging administrative centers.⁸ This practice, in turn, had an indelible effect on the structure of urban centers in East Africa. In Nairobi, for instance, housing for Africans was meant to cater to bachelors, not family units. Men were not allowed to bring their families along, and would see them only during a yearly vacation. As a result, a thriving sex trade developed in these urban areas. This situation also meant that rural-to-urban migration was conceived of as a temporary sojourn, and people were expected to return to their rural homes if they lost their jobs. Because urban life was viewed as temporary, migrants retained strong links to their rural origins, investing in land and planning for retirement in their homeland.⁹ This trend continues today for most urban dwellers in the region.

Induced and structural rural poverty have also contributed to rural-to-urban migration in the region. As posited by the “new economics of labor migration” theorists, decreasing agricultural incomes in the rural areas since the 1970s have compelled families to diversify their income in order to reduce the risk of slipping into absolute poverty. Labor migration, especially to the urban areas, has been the outcome.

The absence of rapid industrialization in the region means that the demand for jobs, resources, and services far surpasses what a city can supply.¹⁰ Although urban centers may offer slightly better economic opportunities, they remain areas not of prosperity, but instead places where survival of the fittest is the dominant narrative. Ironically, the lack of basic services in rural areas that is a driver of migration becomes more dire in swelling urban populations. Governments in the region are overwhelmed by the massive number of rural migrants and are unable to adapt rapidly enough to provide urban areas with adequate housing, clean water, and health care. The gap between supply and demand has led to the proliferation of informal settlements.

Impact of Aid

In the wake of the economic decline and adverse impact of structural adjustment programs prescribed by the World Bank and the International Monetary Fund in the 1980s and early 1990s, real incomes greatly declined. The World Bank's preconditions for concessionary loans included retrenchment of workers, early retirement, redundancies and removal of agricultural subsidies—especially on regional staples such as maize and sugar—devaluation of currencies, and reduction in funding for social programs such as education and health care. Many terms, such as “rightsizing,” “downsizing” and “restructuring,” were used. There is a tacit acknowledgement today that these policies did not achieve their desired goals.

The consequence of abiding by the conditions mandated for structural adjustment was that governments and public institutions laid off a large portion of the workforce. In Kenya, the civil service alone terminated an estimated 60,000 workers. Some state corporations had to be completely privatized, which contributed to the layoffs. Given the high dependency ratio (i.e., the number of people that each employed worker supports), this affected an exponentially larger percentage of the population than the World Bank had anticipated. Because of the resultant increase in urban poverty, there was some return migration to the rural areas from the late 1980s to the mid-1990s, especially in Tanzania, Uganda, and Zambia.¹¹

Forced Migration

As a region integrated in the international community, East Africa is not immune to events that shape global economies and politics. The end of the Cold War had consequences for states in the region. The withdrawal of support for surrogate leaders by the West resulted in an unprecedented number of intra-state conflicts, pitting different ethnic and religious communities against each other. The result was massive displacement, wanton destruction, the loss of millions of lives, and the disruption of livelihoods. As a result, East Africa is both a sending and a receiving region for refugees.

Although displacement takes different forms and characteristics depending on the causes and location, the consequences are almost universally the same. According to the United Nations High Commissioner for Refugees (UNHCR), Kenya, Uganda, and Tanzania collectively hosted 1.1 million refugees in 2006, mainly from the DRC, Somalia, Ethiopia, and Sudan. The vast majority of these refugees are confined in remote camps or villages, where they rely completely on humanitarian assistance. The UN estimates that Kenya, for example, hosts over 320,000 refugees. Of these, 300,000 are Somalis in the Dadaab refugee camp, which is located in a remote and desolate part of the country where there is no chance of employment. For a long time, the Kenyan government forbade refugees from even entering urban settlements.¹²

The other phenomenon overlooked by forced migration discourse in East Africa is state-engineered migration. Upon achieving independence, East African governments targeted specific population groups either for expulsion or forced appropriation of their property. The most obvious and brutal incident of expulsion was that of over 70,000 ethnic South Asians from Uganda in 1972. In Tanzania, the *ujamaa* policies of Julius Nyerere sought to create a unified national identity and collect citizens into towns for ease of service provision. The related land seizures also targeted Asians, causing many of them to eventually leave the country. In Kenya, too, the “Africanization” policies of the 1960s and 1970s targeted ethnic South Asians.¹³

Migration and Urbanization

The rapid urbanization in the developing world, which can be compared with what Western Europe underwent during the Industrial Revolution, can largely be attributed to rural-to-urban migration. It is argued that this urbanization is not accompanied by sufficient industrialization to meet the needs of burgeoning urban populations.¹⁴ According to the UN, Africa has seen its urban population grow from just under 10 percent to over 30 percent in the last 50 years. This trend is likely to continue in the near future.

The process of urbanization in East Africa is a rich blend of international migration stories and commerce. Old coastal towns such as Mombasa, Dar es Salaam, and Mogadishu owe their long and rich histories to ancient international maritime trade and the influence of migrants, especially the Arab merchants who established shipping lanes around the year 1000. The above ports were critical for this maritime trade, and over time they developed into towns with rich culture and aesthetics. To this day, these towns bear the distinctive architectural flavor of the ancient Arab world.

The Arabs, besides bringing their culture and religion to the East African coast, also intermarried with the coastal Bantu peoples. This brought forth a distinct community and bequeathed the Kiswahili language, a mixture of the Arabic and Bantu languages, to the region. Kiswahili is now widely spoken in East Africa, allowing for easy communication and movement. Besides government support of this common language as a unifying factor, conflicts in neighboring countries have also contributed to the spread of Kiswahili. Refugees returning from Rwanda, Burundi, south Sudan, the DRC, and Mozambique all have a working knowledge of the language.

The second noteworthy trajectory of urbanization in East Africa can be discerned from the policies and actions of colonial administrations. Aside from the coastal towns in the region, most urban settlements are fairly recent and were founded as colonial administrative centers. These are the centers from which colonial governments projected their authority as district or provincial commissioners, or from which railway stations connected several

parts of the region. The rapid growth of these administrative centers into large cities has had unforeseen consequences.

While both the colonial and post-colonial administrations equally share the blame for failing to plan and manage urban settlements, rural poverty is a major driver of such rapid urban growth. Lack of proper infrastructure and the governments' failure to provide essential social services—such as health care, education, and housing—to newly arrived migrants have exacerbated urban poverty. In many ways, the very poverty that triggers migration to a city is reproduced in towns and cities on an even larger scale.

Although the colonial government attempted to control urban settlements by enacting legislation such as vagrancy laws and requiring identity documents, these efforts failed because they clashed with the settlers' economic interests. The colonial need for cheap or forced labor was intended to redirect many Africans from subsistence farming into wage labor. To a large extent, these efforts proved to be counterproductive. Instead of accepting forced labor and displacement, many young, able-bodied people moved to the emerging towns and cities for employment. It is estimated that because of land consolidation and forced labor during this period, over 60,000 people moved to Nairobi, doubling the city's the population in just over 20 years.¹⁵

Owing to the modest formal education of rural migrants, most avoided formal areas of the city. Instead, they chose to settle on the periphery of the towns, where the cost of living is less and the reach of the central and municipal governments is either minimal or non-existent. As the cities expanded rapidly, informal settlements grew outside of state control.

Although efforts may be politically motivated, attempts have been made in many cities to resettle slum dwellers through the construction of decent housing and the provision of infrastructure and social services. Nairobi, on the other hand, is notorious for its huge slums. Kibera, in Nairobi, is one of the largest slums in Africa, with an estimated population of over 1 million people;¹⁶ the slums of Mathare Valley, Korogocho, and Githurai are home to an additional 1 million people. According to these figures, over 60 percent of Nairobi's population lives in slums.¹⁷

The slums are characterized by shanty structures of cardboard, polythene paper, or wood. Basic services for any urban settlement—running water, sewage systems, and waste disposal—are largely nonexistent. The result is frequent outbreaks of disease, made worse by overcrowding. In Nairobi, particularly dangerous slums teem with unemployed youth, drug addicts, and gangs for hire. Fires are frequent, but firefighters often cannot reach them because there are no roads. These areas are mostly out of the government's control; homes have no physical address and do not exist on the official maps of the city.¹⁸ Furthermore, many urban migrants live a double existence, retaining strong links with their rural point of origin, where they own land or a home. Cities are simply places of survival, especially for slum dwellers.

The livelihood strategies of migrants vary, but are frequently centered around street trading and running cafés, food stalls, and hair salons. Congolese migrants are also known to enjoy considerable presence in the entertainment industries in Tanzania and Kenya. Many Somalis are in the retail and transport businesses, which they share with Ethiopians. Despite these opportunities, challenges remain. In addition to the difficulties of learning Kiswahili, which is the *lingua franca* of the region, migrants have to find suitable housing and adapt to the social rhythms of the towns where they choose to live.

Why Do Migrants Choose to Go to Towns?

Given the competition for limited housing and social services, the lack of jobs, insecurity, and xenophobia, it is paradoxical that East Africa still has one of the fastest rates of urbanization in the world. Why do people seek out such hostile environments? The answer may be found in comparing rural and urban settlements.

Centralized government and skewed resource distribution in the region create many opportunities in urban areas. For example, in Kenya, 65 percent of GDP comes from Nairobi, which leaves only 35 percent for the rest of the country. This indicates that more opportunities exist in cities rather than rural areas or refugee camps. Rural poverty in East Africa, exacerbated by failing crop production and prices since the 1970s, has been a major driver of internal migration. Educated youth in rural areas are actively encouraged to go to cities for work that will supplement family income. The failure by governments to develop rural areas has also exacerbated rural poverty.

Camps provide limited options for refugees, while cities provide a wide variety of opportunities and freedoms. The desire to make personal choices and reconstruct one's life remains a strong motivation for refugees to go to urban areas. For many years, refugees were forbidden from venturing into urban areas; those who were found in towns were rounded up and returned to the camps or charged with being in the country illegally. Official harassment was the norm rather than the exception.

In the camps, refugees' freedom of movement is curtailed by official controls. Despite this reality, many thousands of refugees find their way to towns. Upon selecting a destination, a common attitude is "the bigger the better," because refugees crave anonymity after the constraints of the camps. Official estimates put the number of urban refugees in Nairobi at 60,000, though there may be more than 100,000.¹⁹

For refugees with relevant skills, urban areas provide opportunities for gainful, if informal, employment. Dar es Salaam, Kampala, and Nairobi all have thriving informal sectors, including petty trade, street hawking, car washes, and hair salons that do not require formal registration with a government agency. Predictably, such informal businesses thrive

in slum areas, where overcrowding and lack of official access make it easy to avoid police harassment. These enterprises provide refugees with opportunities to make money and derive satisfaction from being in charge of their own destiny.

Having abdicated its responsibility to urban refugees, the Kenyan government receives little direct benefit in the form of taxes. In a related policy, the government had also declined to recognize refugees either by conducting a Refugee Status Determination or recognizing the registration numbers they were given by UNHCR.²⁰ Because of this, and constant harassment by the Kenyan police and criminals, refugees established their own rules and regulations to govern the conduct of their businesses. They arranged an informal security system and rely on informal groups for security.

With the help of UNHCR, in 2006 the government of Kenya finally began to register and issue identity documents to refugees and asylum seekers. Since these identity documents bear the Kenyan seal, they are now accepted for formal transactions. These documents are critical in accessing banks and money transfer services, such as Western Union and MoneyGram, and refugees can now send, receive, and keep their money safely.

Government Responses to Mobility, Poverty, and Urbanization

Managing Mobility in the East African Region

It has been said that, when it comes to cross-border mobility, the people of East Africa are way ahead of their governments.²¹ This is partly because states are slower to respond to social realities than are individuals. For example, while there is a raging debate about allowing dual citizenship, individual East Africans hold multiple passports—even though it is illegal in most of the region.

The formation and expansion of an East African Community requires that governments take the interest of the citizens into account. Some of the steps already taken demonstrate this fact. Because of insistent demands by traders between Kenya, Uganda, and Rwanda, the borders now operate 24 hours a day, up from 8 hours previously. Migration officers and trade and tax officials consequently must work longer shifts, which makes for more job opportunities. Governments have also issued an East African passport, which is presently held by more than 50,000 people.

Because education remains a major driver of migration in the region, the governments must build on the initiatives of the Inter-University Council of East Africa. Cost cooperation, credit transfer from one university to another, and the establishment of centers of excellence may facilitate an expansion of human capital in the region. In addition, economic development and cooperation will provide job opportunities for graduates, allowing

highly educated people to disperse throughout the region rather than remain concentrated in university towns.

One of the most contentious issues between countries is whether to have open or closed borders. Research has shown that open borders have several advantages. Besides the obvious benefit of allowing cross-border trade, open borders reduce incidences of corruption, smuggling, and undocumented migration. In East Africa, with its long and unchecked borders, it is simply not feasible for governments to acquire the personnel and resources required to mount surveillance. Such resources could be put to better use if open borders are allowed.

As far as labor migration is concerned, professional bodies such as the East Africa Law Society have demonstrated that fear of flooding the market by Kenyans or Ugandans who have better qualifications is actually a non-issue. Rwanda has removed the requirement of work permits for East Africans. This means the people in the region can work in Rwanda as they would in their home countries.

Already, entertainment, mobile telephones, and transport are thoroughly East African in nature. In a bid to attract wider subscriptions, mobile telephone companies no longer charge international rates for calls within the region. Musicians move and perform freely throughout the region, and it is not uncommon to find Tanzanian musicians based in Nairobi or Ugandans based in Dar es Salaam. Buses and trucks registered in the different countries move people and goods throughout the region on a 24-hour-a-day basis.

Although it is difficult to eradicate rural and urban poverty entirely, cooperation by the regional government may benefit all concerned. If the projection that there will be 200 million East Africans by 2025 proves accurate, East Africa could be a vast trading bloc with unlimited potential. This means that governments should start formulating investor-friendly policies to encourage industrialization and economic growth.

As Kenya has already shown, decentralizing resources through constituency development funds is a viable method of reducing rural poverty, and therefore of managing rural-to-urban migration. This is not to say that there will be no negative outcomes. For example, it is a reality that conflicts in one country may easily spill over to the other countries. Tensions still characterize some border areas, especially among the pastoralist communities where cattle rustling is a common occurrence. And economic disparities continue to fuel tension between the governments.*

*The Tanzanian government, for example, still views Kenya with some degree of suspicion. Although Tanzania belongs to the East African Community, it is also a member of the South African Development Community, which inspires a certain amount of rivalry.

Challenges of Refugee Hosting

The challenges of refugee hosting go beyond providing humanitarian assistance to the intricate issues of status determination, registration, legal protection, protecting the refugees' physical security, and meeting other needs. In satisfying such obligations, host governments need the cooperation of an array of other bodies, including international agencies, local NGOs, various ministries, and other government tiers, including local authorities and municipalities.

While the East African governments have now nationalized international refugee laws that should be fully implemented and respected, there should also be a concerted move toward open and supportive policies for refugees and asylum seekers. It has been proven over and over again that refugees, like other migrants, can greatly contribute to the economy of the host country rather than function as a liability.²² The successful businesses of the Somali community in Nairobi are illustrative of this fact.

Government Migration Policies

Although regional governments have attempted to facilitate mobility, there are no coherent migration policies as far as international migrants are concerned. For example, in a recent engagement between the International Organization for Migration and the government of Kenya, it emerged that immigration laws have not been reviewed since 1959. Indeed, most of the regulations in place are simply meant to discourage immigration. Some of the laws are also fairly sexist. For example, under Kenyan law, a child born of a Kenyan woman outside the country cannot automatically claim citizenship, although the child of a Kenyan man can. Also, migrants can only apply for permanent residency after staying in the country for 12 years. Such hurdles encourage transgressions in the issuance of work permits, student passes, and other migration papers.

Given the fact that the regional governments are signatories to many international treaties and protocols concerning international migration, it is prudent that their migration laws and policies be harmonized to reflect modern realities. Those in development circles argue that flexible migration policies can allow more flow of remittances into the region and take better advantage of the skills of their citizens who are elsewhere.

It seems that the positive aspects of labor and refugee migration and increased urban development outweigh the negative, and it is up to the East African governments to cooperate more effectively to harness this potential. Even with the development of more progressive, cooperative, and formally codified laws, implementation will remain a challenge. Regional cooperation is critical, and the benefits of timely cooperation should motivate existing regional groups to work toward consolidation and active, enforceable measures of reform.

Migration to the City: Governance Challenges and Opportunities

Carrie Chomuk

According to the United Nations Population Fund (UNFPA), by 2030, 5 billion people will live in cities and the global slum population will number 1.4 billion. In addition to the challenges of providing clean water, functioning sanitation systems, and adequate infrastructure, cities host a burgeoning population of economic migrants, refugees, and other temporary and informal residents. As a result of rural-to-urban migration and natural growth, UNFPA projects that the population of megacities such as Cairo will grow at the rate of 2.5 percent, while medium-sized and smaller urban areas such as Nairobi will grow at rates up to 4.5 percent.

Many cities are unsustainable in terms of their land use and their impact on the environment. As expert Jeb Brugmann notes, in addition to being centers of political and social pressures, urban areas also struggle with expanding networks of transnational crime, outbreaks of disease, supply chain breakdowns, transportation and housing inadequacies, and widespread poverty. For the most part, government policies have not kept pace with these developments. As this unregulated growth continues, the world's urban centers could turn into crisis zones.

Cairo: “A mosaic of subcities.” The ever-expanding megacity of Cairo serves as a microcosm for these stresses, and its slums and informal settlements present a useful study of how migration and urbanization intersect with governance and security. Of the greater Cairo region's 20 million residents, some 15 to 17 million live in slums or informal settlements, and an estimated 70 to 80 percent of new migrants settle into these areas. For example, the city's central cemetery, known as the “City of the Dead,” houses an estimated 1 to 4 million residents. Although these slum areas may be able to tap into the city's electricity and water systems, it is the government's treatment of these areas that will determine if they flourish as threats or assets.

- **Imbaba: Unrest within Cairo?** Imbaba, once a village on the periphery of Cairo in the 1960s, received a massive influx of migrants who were attracted by Cairo's economic development. As migration increased, Imbaba became a crowded and poor informal urban slum. In the 1980s, in response to the lack of government presence, religious figures became active in and took over parts of Imbaba. Despite this activity—and the potential political threats it posed—Imbaba operated relatively autonomously until the early 1990s. Finally, in 1992, the government conducted raids and attempted to disperse subversive elements. It took the government another two years to begin providing public services, including roads, electricity, and water. However, demand and expectations outstripped supply, corruption flourished, and the government eventually returned to its long-term pattern of indifference. Today, Imbaba remains a center of unrest.
- **Garbage City: Land of Opportunity.** Manshiyet Nasser is an informal settlement that is home to the marginalized yet self-sufficient community of *zabaleen*, or garbage collectors. Decades ago, Copts began to make a living by collecting and separating Cairo's waste into perishable and recyclable products, in turn keeping the streets relatively clean and serving as the city's primary garbage collection service. Recently, the government hired a private corporation to collect the city's garbage and replace the *zabaleen* system. In reality, this company

relies on the existing mechanisms and works closely with the zabaleen for waste collection. But, as a part of the government's 2009 response to the H1N1 (swine flu) epidemic, the pigs used to dispose of perishable waste—and whose meat was also sold for profit—were confiscated and slaughtered with relatively little government compensation. Rather than improving the existing zabaleen system, the government's failure to capitalize on this informal commerce has led to a major waste buildup problem in Cairo and the loss of a major livelihood opportunity for one of the city's most self-sufficient minority communities. In this case, active marginalization of a successful informal economic and social system has ended in perpetually growing piles of rubbish.

Nairobi: Growth and Unrest. East Africa, the least urbanized region of the continent, now has the fastest growing urban population. Kenya's cities are growing particularly rapidly as waves of rural migrants arrive in search of economic opportunity. Violent crises in neighboring states—especially Somalia—have also sent refugees pouring into the city. The result of this movement is rapidly growing slums that house millions and serve as microcosms for the country's ethnic, economic, and political tensions. Given current concerns about extremists arriving from Somalia, maintaining Kenya's stability is an issue of international import.

Somalis in Nairobi are a self-sufficient community that may pose a future security threat. Although legally confined to refugee camps in the remote border areas—such as Dadaab in the northeast—many of these refugees move into Nairobi in search of better employment opportunities and improved living conditions. Somalis in particular have come to dominate the area of Nairobi's Eastleigh neighborhood and have formed thriving networks of trade, remittances, and communication. This community may be a lifeline to desperate families in a war-torn nation, but can also function as a means of financing destabilizing elements in Somalia.

- **Mathare: Constant Tensions.** After Kenya erupted in violence following the 2007 elections, Mathare, already considered the most violent slum in Africa by the United Nations Development Programme, suffered urban turmoil that displaced, injured, or killed over 1,500 people. Mathare, which experiences ongoing ethnic tension, houses over 800,000 Nairobi residents. The slum quickly ignited when the violence began, and police and rescue forces found it extremely difficult to access the dense settlement. There are also allegations that the government capitalized on this unrest and supported continued violence for political gain. Given the tension surrounding the upcoming 2012 elections, Mathare exemplifies the threat of an “urban tinderbox” for violent conflict, impenetrable and outside state control.
- **Kibera: An Upgrade?** Kibera, Nairobi's largest slum, houses over 1 million people, and was originally established as a military camp for Sudanese soldiers serving with the British during the colonial era. The area has since become a permanent settlement and has grown exponentially in recent decades. Partially in response to internal political pressures and international media attention, the government has allowed the United Nations Human Settlements Programme (UN-HABITAT) to enter and begin a local upgrading program. Kibera presents an opportunity for an internationally supported infrastructure project to gain local support. So far, however, the UN plan has disrupted the informal land rental system and deprived local landlords of their livelihoods. The process has also displaced those in the upgrade zone for

an indefinite time period, angering landlords and former tenants alike. In addition, residents fear that the newly upgraded buildings will quickly become prohibitively expensive, thereby driving the tenants to informal housing a second time. Once again, a lack of integrated urban management is exacerbating tensions in one of Africa's largest slums.

Nairobi and Cairo are national capitals of two major US allies, and the future of each city has far-reaching humanitarian and security implications. Their urban challenges must be addressed within a comprehensive framework that includes migration policy, economic development, foreign investment strategies, environmental preservation, and infrastructure development. Solutions must have local buy-in and should learn from how informal urban communities in each city have either succeeded or failed to provide their residents with basic services. Governments and international bodies must approach policy from several angles in these communities, effectively responding to short-, medium-, and long-term crises and opportunities for political and economic reform. Given these factors, facing the challenges of urban growth will be a key component of improving global security.

Sources: UNFPA, UN-HABITAT.

Refugees and International Security

Jill Goldenziel

Recent civil and international conflicts have given rise to a global crisis of human displacement. Resultant refugee flows have created humanitarian and political woes in their host states. A major part of this displacement has occurred in the Middle East, and from this region to other parts of the world.* For the most part, host states in the region are poor and politically distant from traditional sources of power and funding in the international community. Palestinian and Iraqi refugees present particularly revealing case studies of the strength and efficacy of the international refugee management system. The protracted plight of these refugees has become an international security issue as terrorist groups have recruited from Palestinian refugee camps. These crises thus highlight the limits of the international refugee management system.

Palestinian Refugees

The case of Palestinian refugees exemplifies how a long-term refugee crisis can persistently affect international politics. Palestinians represent the world's largest group of refugees. During the years before and immediately following the establishment of the state of Israel, hundreds of thousands of Arab residents of British Mandatory Palestine fled their homes. Exact numbers are unobtainable; estimates vary from the Israeli figure of 520,000 to the Arab estimate of 900,000 to 1 million. In 1967, the Six-Day War displaced another wave of Palestinians. About 162,500 previously displaced West Bankers and 15,000 Gazans fled to Jordan, as did another 240,000 Palestinians fleeing for the first time.¹ More than 115,000 people were also displaced when Israel occupied the Golan Heights and Quneitra, including 16,000 refugees from the 1948 war.

*In the years immediately before and after the establishment of the state of Israel on May 14, 1948, more than 500,000 Jewish citizens of Arab countries left or were forced from their homes and sought refuge in the new Jewish state. These refugees were absorbed into Israel and given Israeli citizenship, ending their status as refugees. While the Jewish refugees in the Middle East represent a mass refugee influx and one of the region's largest population transfers, is not considered here because the refugees' status had short duration before resolution.

The countries surrounding Israel were unprepared to handle such a massive population influx. Most governments crowded their refugees into camps along borders, hoping for their eventual repatriation. These camps were administered by the United Nations Relief and Works Agency (UNRWA), which began operations in 1950 to manage Palestinian refugees. As the refugee situation became protracted, conventional housing was built in the camps, which now often resemble nearby towns and villages. Today, approximately one-third of UNRWA-registered 1948 refugees and their descendants remain in the 61 official refugee camps.* As time progressed and the refugees were unable to return to their homes, Arab countries have varied in their treatment of Palestinians. Because most Palestinian refugees lack citizenship in any internationally recognized state, they are at the mercy of their host governments for basic rights and freedoms.

The United Nations High Commissioner for Refugees (UNHCR), which is funded by voluntary donor states, international organizations, and private donors, serves as the guardian of international refugee law. UNHCR's mandate extends to include all people in need of international protection, including stateless people. At the end of 2000, UNHCR reported 12,148,000 refugees worldwide, excluding asylum seekers, returned refugees, internally displaced persons (IDPs), and other persons of concern.

For its part, UNRWA has guaranteed basic rights, extended physical protection, granted legal assistance, and provided educational and social services to Palestinian refugees in Jordan, Lebanon, Syria, the West Bank, and Gaza Strip, pursuant to bilateral agreements with their host states.² As of 2007, over 4.4 million Palestinians were registered with UNRWA. UNRWA also promotes economic and social stability in the West Bank and Gaza Strip, in preparation for eventual Palestinian statehood.

UNHCR and UNRWA provide different protections for different groups of refugees. Palestinian refugees in UNRWA countries benefit from UNRWA's many development programs, but do not receive the same overall human rights protections guaranteed by UNHCR. One important gap between the protections proffered by the two agencies exists because only the descendants of male Palestinian refugees displaced in 1948 and registered with UNRWA are eligible for that agency's services. The offspring of a Palestinian refugee woman and a nonrefugee man is not eligible, nor are the descendants of Palestinian refugees from the 1967 war. Since many Palestinian refugees are stateless, their only source of rights and protections is derived from international law and agencies like UNHCR and UNRWA. Such protection gaps in the international legal regime have serious consequences for the basic rights and liberties of thousands.

*UNRWA defines a camp as an area in any of its countries of operation designed by the host government as a residential area for Palestinian refugees.

The Limits of International Law

After World War II, the international community created laws to protect refugees who crossed state borders as a result of conflict. Yet the primary sources of international legal protections for refugees, the 1951 Convention Relating to the Status of Refugees and the subsequent 1967 Protocol, do not effectively address the scope of modern refugee crises. The core of the 1951 Convention and its 1967 Protocol is nonrefoulement, which binds host countries not to return refugees to persecution in their countries of origin. Nonrefoulement is a strong norm elsewhere in international law, and may be considered binding to nonsignatories as a matter of customary international law.¹

However, the 1951 Convention and 1967 Protocol give refugees little recourse against noncompliant host states, and do not guarantee them any protection in cases of mass influx. Refugees who are illegally residing in recipient countries cannot get international assistance without discovery and sanctions by host governments. Many states have not signed the 1951 Convention or the 1967 Protocol, making those states' commitments to refugees under international law even more difficult to enforce. Finally, the 1951 Convention was specifically designed to exclude Palestinian refugees, who constitute one of the world's largest groups of refugees.

The 1951 Convention and 1967 Protocol also give little protection to their state signatories. The documents reflect little concern with international security, which has become a major issue in processing refugee influxes in recent decades. Recipient states have no guarantees of assistance in handling mass influxes, and have no commitment from the international community to provide the financial and human capital needed to ensure security amid instability. International law offers no enforcement provisions and no guarantee of assistance to poor host countries in times of crisis.

¹Erika Feller et al., *Refugee Protection in International Law: UNHCR's Global Consultations on International Protection* (Cambridge: Cambridge University Press, 2003).

Jordan's relationship with Palestinian refugees is one of both symbiosis and conflict. The demographics of the kingdom of 6 million were drastically changed by the influxes of 1948 and 1967. As of 2008, UNRWA reports 1,951,603 registered refugees in Jordan, of whom 338,000 live in its 10 refugee camps. Alone among the Arab states, Jordan granted Palestinians, including those registered with UNRWA, full citizenship and rights through the Nationality Law of February 4, 1954. Palestinians quickly assimilated, comprising much of the civil service and becoming among the most educated members of society.

Many sources estimate that Palestinians comprise a majority of the Jordanian population. The influx of refugees following the 1967 war strengthened local Palestinian nationalist movements and antigovernment sentiment. In "Black September" 1970, the Palestinian Liberation Organization (PLO) attempted to take over the Jordanian government; however, it was violently expelled to Lebanon. In 1988, Jordan formally renounced all legal claims to the West Bank, leaving more than a million Palestinians stateless overnight.³

As of 2007, the US Committee for Refugees and Immigrants (USCRI) reported 263,700 Palestinians living in Lebanon; UNRWA reported 409,000 registrants living in Lebanon. After the PLO was expelled from Jordan in 1970, it set up a de facto state in south Lebanon. Already torn by sectarian strife, the Lebanese government feared that the predominantly Sunni Muslim Palestinians would upset the delicate balance of Christian-Muslim power in the state. The PLO soon became involved in the Lebanese civil war that lasted from 1975 to 1990. After Israel invaded southern Lebanon in 1982, the PLO fled to Tunisia, and many Palestinians left Lebanon for fear of persecution.

The Lebanese government claims that those refugees who arrived in Lebanon after 1948 are illegal residents for whom Lebanon has no responsibility. As a result, it has barred them from registering for identity documents attesting to their right to be in Lebanon, or travel documents permitting them to leave. UNHCR has intervened on behalf of Palestinian refugees from Lebanon, urging Western governments to prevent any forcible return to Lebanon of Palestinian refugees with Lebanese travel documents. The Lebanese government has threatened to expel the Palestinians at other times, and has forbidden them from entering government hospitals and secondary schools. Lebanese law also prohibits Palestinian refugees from owning houses and from passing their property on to their families upon death. As a result, Palestinian widows and their families can be evicted from their homes and stripped of all property and finances. In 2005, Lebanon partially repealed work restrictions on Palestinian refugees, allowing Lebanese-born Palestinians to compete for many low- to medium-skilled jobs. That year, however, fewer than 300 Palestinians obtained work permits due to continuing work restrictions. As a result of this treatment, many Palestinian refugees from Lebanon have sought protection elsewhere under UNHCR's mandate.

Syria has accepted approximately 400,000 Palestinian refugees. It has extended numerous protections to Palestinians, including rights to employment, commerce, national service, and freedom to travel with a special travel document. However, Syrian law has stopped short of offering Palestinians full citizenship. They may not vote, own arable land, or possess more than one home.

Egypt's 60,000 Palestinian refugees come under the purview of UNHCR, not UNRWA, and are afforded a special status by the Arab League. These refugees must obtain an Arab League Travel Document for Palestinian Refugees and are not issued Convention Travel Documents pursuant to Article 28 of the 1951 Convention Relating to the Status of Refugees. Gulf Cooperation Council countries have granted Palestinians similar legal status.

Palestinian refugees in Iraq have suffered harsh treatment and dual displacement. According to the USCRI, as of 2007, approximately 15,000 Palestinian refugees were in Iraq, out of a population of 29.6 million. These refugees were of primarily Sunni origin and received

subsidies and other privileges under Saddam Hussein's regime. After the US invasion of 2003, Palestinians fell prey to anti-Sunni backlash, as Shias associated them with the larger Sunni insurgency. Palestinians have repeatedly received death threats and been attacked by insurgents. In March 2007, a group of 90 Palestinians fled Baghdad for Jordan, and after four days of detention, were ordered to return to Iraq, in violation of nonrefoulement, the international legal prohibition against returning a refugee to a place of danger.⁴ Syria also closed its border to Palestinians from Iraq in 2007, potentially in violation of nonrefoulement. After years in a crowded border camp with little to no freedom of movement, the majority of these Palestinians were slowly resettled.

Iraqi Refugees

The second largest group of refugees in the region are displaced Iraqis. By 2003, 500,000 refugees from Saddam Hussein's regime and from the first Gulf War were already dispersed throughout Iraq's neighboring states and the Gulf region. An estimated 1.5 million Iraqi Kurds and tens of thousands of Arabs from southern Iraq were displaced within Iraq or had fled to Turkey or Iran during the Kurdish and Shia uprisings following the first Gulf War. Although exact numbers are impossible to obtain, the International Organization for Migration estimates that 2 million Iraqi refugees remain scattered throughout the Middle East, and an estimated 1.9 million are internally displaced. UNHCR has registered considerably lower numbers of Iraqi refugees.

After the US invasion of 2003, neighboring countries initially welcomed refugees. Certain political refugees, like the Ba'athist officials who fled Iraq in the early months of the occupation, were seen as politically useful in negotiations with the provisional and future Iraqi governments. Wealthy, early refugees also brought capital to nearby developing countries.⁵ However, in the months after the Samarra shrine bombing of 2006, most host countries attempted to curtail refugee flows, but were unable to stop the mass influx resulting from Iraq's civil conflict.*

Impact on Jordan

The influx of Iraqi refugees into Jordan has strained Jordanian politics. Iraqis are viewed as a threat by many Jordanians. The Hashemites also fear another Black September-style rebellion against the government. Iraqi refugees likewise feared reprisal following attacks

*After 2005, Jordan allowed in only Iraqis who had major in-country investments, made a US\$150,000 deposit in a local bank, or had some official connection to UN or international organization programs. Eventually, Jordan was unable to stop the refugee influx, particularly after the Samarra shrine bombing of 2006, and rich and poor Iraqis fled into the country. Jordan established tighter border controls in 2007. According to the International Crisis Group, Jordan has barred the entry of single Iraqi men between the ages of 17 and 35 since November 2006, seeking to keep its population of refugee youth low.

carried out by Iraqi members of Al-Qaeda, such as the Aqaba Bay bombings of US warships and the Amman hotel bombings of November 9, 2005.

Although the official report on the numbers and characteristics of Iraqis in Jordan states that only 17 percent are Shia, Jordan's Sunni majority fears that the Shia refugees are prone to a political alliance with Hezbollah.⁶ In 2004, Jordan's King Abdullah II expressed fears of a "Shiite Crescent" running from Iran to Lebanon, which may have bolstered local fears. There have been anecdotal reports of harassment and discrimination against Shiites, including official denial of permission to build a Shiite mosque. Demonstrations in Jordan against the US-led war in Iraq, in March and April 2003, were also closely controlled for fear of violence. Shortly thereafter, King Abdullah II announced parliamentary elections to relieve domestic stress and stepped up Jordan's role in the "Roadmap" peace process discussions.

Impact on Syria

While Syria has accepted many Iraqi refugees, it has not treated them according to the standards of international law. As of 2007, the USCRI estimated that the country housed 1.2 million Iraqi nationals.⁷ Some suspect that initial Syrian willingness to accept Iraqi refugees may have been to curry favor with the United States.

Syria has been greatly concerned with its need to insulate itself from the Iraq war and protect itself from conflict spillover in a country whose Alawite regime holds tenuous control over a Sunni majority population. Syria also maintains close ties with Iran and its Arab neighbors, creating a particularly fragile situation. Syria's large Palestinian population has already increased competition for jobs and housing. Finally, Syria also has political difficulties with its Kurdish population, making an influx of Iraqi Kurdish refugees especially unwelcome.

In light of these interests, Syria has tried to shield itself from the Iraqi refugee influx. It has welcomed a large number of refugees, but has also expelled many, citing security concerns. While Syria previously permitted Arabs to travel to Syria without a visa, it has, since September 2007, required Iraqis to obtain both visas and residence permits.⁸ Syria has also restricted access to employment, property, and health care to ensure that Iraqi refugees remain temporary residents.

Syrians have resisted the Iraqi refugee influx. Refugees boosted consumption and regulated the housing market, but have been blamed for a higher demand for subsidized goods and also inflation. The government of Syria cut back state subsidies to its own citizens at the same time as the first refugee influx, causing popular dissent. Some crime and ethnic/sectarian violence occurred, especially after Saddam's fall. Syria claims that it spends US\$1.5 billion per year to host Iraqi refugees, although this number is not substantiated.

Unlike Jordan, Syria is unable to attract international aid to help refugees because of its political tensions with the West. Syria allowed international NGOs to operate in the country for the first time to assist with managing the Iraqi refugees and as a way to attract international funding. However, these NGOs have a limited role because the Syrian government requires that they partner with the quasi-governmental Syrian Arab Red Crescent, which has extensive monitoring and oversight into their activities. Thus, many Iraqi refugees in Syria remain poor and vulnerable, despite the significant level of state assistance that they are guaranteed.

Impact on Lebanon

Lebanon's Iraqi refugees are perhaps the most vulnerable of Iraqi refugee communities. UNHCR reports that there are approximately 50,000 Iraqi refugees in Lebanon. Most are Shiites and live in Beirut's southern suburbs, among the Shiite population. Iraqi refugees in Lebanon also include a large number of Christians. Unlike Jordan, Syria, and Egypt, the Lebanese state does not provide significant social services for refugees or its own population. Lebanon has routinely denied refugees access to health and educational institutions. People are more likely to receive services from sectarian providers such as Hezbollah, which may also have militant wings. According to UNHCR, Iraqis in Lebanon have an unsettling demographic profile, as 60 percent are age 29 or younger and 68 percent are single. In contrast, Iraqis who fled to Jordan and Syria are disproportionately female and elderly, and therefore much less likely to engage in conflict. Unlike other Middle Eastern countries, Lebanon permits Iraqi refugees to establish charities to care for themselves. As discussed below, this policy may also allow them to mobilize. Given Lebanon's history of violent sectarian conflict through organizations tied to providing social services, Iraqi refugees may pose a greater security risk there than elsewhere.

Impact of Refugees in the Gulf States, Iran, and Turkey

Kuwait maintained a restrictive border policy during both Gulf Wars, and its domestic law does not recognize refugee status. In 2001, as the target of Iraqi invasion, Kuwait was reluctant to accept Iraqi refugees. In 2003, Kuwait would not permit the establishment of refugee camps on its side of the border, relegating them instead to a demilitarized zone in Iraqi territory. This distinction turns would-be refugees into IDPs, which gives them fewer protections under international law. Unlike Turkey, Jordan, and Iran, Kuwait forbade UNHCR from positioning supplies inside its borders. However, Kuwait has recognized UNHCR's mandate to protect refugees and adjudicate their claims. In 2003, this legal recognition enabled UNHCR to issue protection letters, signed and stamped by the Kuwaiti Ministry of the Interior, to protect registered refugees from deportation and detention.

Most refugees in Kuwait are long-term residents. According to USCRI, 50,000 refugees lived in Kuwait, a country of 1,811,000, in 2001. Of these, approximately 35,000 were

Palestinians; 15,000 were Iraqis; and smaller numbers were from Afghanistan, Somalia, and elsewhere. Kuwait also houses 120,000 stateless Arabs many of whom have lived their entire lives in Kuwait. Some refugees have joined Kuwait's large foreign labor force. In contrast, after the Gulf War, Kuwait accused its Palestinian population—the backbone of its civil service—of colluding with the Iraqi occupation and expelled many of them to Iraq.⁹ Iraqis have remained suspect since the invasion.

Saudi Arabia has traditionally been unwelcoming to refugees and is not a party to the 1951 Convention. Nevertheless, as of 2007, the kingdom housed 288,000 refugees and asylum seekers in need of protection, 287,000 of whom were Palestinians.¹⁰ The country also experienced a mass refugee influx during the 1991 Gulf War, and placed the 33,000 Iraqi

Refugees in Iran

According to USCRI data, Iran has one of the largest refugee populations in the world, hosting 935,000 Afghans, 58,100 Iraqis, 30,000 other nationalities, and thousands more unregistered refugees. There are several designated refugee settlements around Iran, but the vast majority live in urban areas. Iran is a signatory to the 1951 Convention and the 1967 Protocol, with some reservations, including the right to work and freedom of movement. Iran's restrictions on the right of refugees to work has led to some abuses, as work permits are often refused or restricted, cultivating a black market for permits. There have also been strict sanctions placed on businesses hosting undocumented workers. Movement is widely restricted, and there are now 19 areas of the country that are off limits to foreigners, including refugees of any status.

Iran granted ready asylum to Afghan refugees in 1978–79, despite its own concurrent political upheaval. In 1983, Iran first requested financial assistance from the international community, and UNHCR set up offices and programs, but the country has done much itself to provide for Afghan refugees. When the United States invaded Afghanistan in 2001, Iran officially refused to accept refugees, though many were taken in by relatives and given medical treatment by the government. Iran later made agreements with the Taliban and anti-Taliban forces to allow the Iranian Red Crescent to set up tent camps in the desert on the Afghan side of the border.¹ These camps, funded mainly with Iranian aid, hosted around 10,500 refugees at their peak.² Until the mid-1990s, education, health care, and food rations were available to all residents, including registered and unregistered refugees.

Officially, Iran spoke out against long-term integration and for voluntary repatriation. Since 2000, Iran has worked with UNHCR to launch voluntary repatriation programs for Afghans, and, according to UNHCR, more than 1.5 million have returned to Afghanistan. In addition to these voluntary returns, in the past two years, Iran has deported 720,000 Afghans classified as illegal migrants. USCRI notes that this action remains disputed, as it is possibly a violation of nonrefoulement. Despite these abuses, Iran's openness to refugees is exceptional in the region, especially as Iran has weathered its own conflicts during the past four decades.

refugees into temporary camps. The camps are in a heavily guarded militarized zone with no freedom of movement and a strict curfew. In 2003, Saudi Arabia provided funds to help Jordan take in Iraqi refugees, but did not open its own borders. In 2006, the Saudi government allocated US\$500 million for the construction of a border fence to keep out Iraqis.¹¹

Despite the lack of a legal framework for refugees in Saudi Arabia, UNHCR has been permitted to carry out refugee status determinations in the cases of individual asylum seekers since 1998. Therefore, refugees and asylum seekers do have recognition as persons in need of protection, though Saudi law still does not grant refugee status. Like Kuwait, Saudi Arabia often groups its refugees with its large expatriate workforce for legal purposes. Refugees who enter the kingdom have their passports impounded and their movement

Iran has hosted Iraqi refugees for decades, with the first wave of Kurds arriving in the late 1970s, and followed in the decades since the Iran-Iraq War, by tens of thousands of Arab Shiites and Kurds. After the Gulf War, Iran hosted millions of refugees in the wake of the rebellions against Saddam Hussein.³ Most recently, the number of Iraqi refugees has increased following the US invasion and ongoing regional instability. According to USCRI data, the majority of Iraqi refugees live in urban centers, with about 5,000 reported to be in the 12 refugee settlements. Unlike the larger population of Afghan refugees, Iraqis have a somewhat easier time obtaining work visas and are allowed to enroll in primary and secondary schools. Iran has increased fines for those noncompliant with visa or registration laws to encourage more refugees to return home.

In the year after Saddam Hussein's removal, about 107,000 refugees returned to Iraq.⁴ The process of reintegration has been very difficult for them, given the country's current political and economic state. In addition, as one of the most heavily mined borders in the world, it is extremely dangerous to cross. UNHCR planned to have 1,500 Iraqis repatriate in 2009, but officially deemed the country too unstable for returns.

As Iran deals with its own political and economic struggles, issues involving the large population of refugees have become increasingly dominant. There is a great need among the refugees for medical care, access to schools, work permits, and skills and training for their eventual return. Iran has continued to emphasize and push for voluntary repatriation, working in conjunction with UNHCR, and at times forcibly returning those who are characterized as illegal. As resources to assist refugees have become more strained, Iran has looked for assistance from UNHCR and international NGOs.

Sources: USCRI, "Iran 2009," country report, www.refugees.org/countryreports.aspx?id=2329 (accessed March 8, 2010); UNHCR, "Country Operations Profile: Islamic Republic of Iran" (2008).

¹Jim Muir, "Iran's Refugee Tide Ebbs," *BBC News South Asia*, November 7, 2001.

²"Afghanistan: Iran closes Mahkaki and Mile-46 camps," IRIN, May 8, 2002.

³UN to close Iraqi camps in Iran," *BBC News*, December 14, 2004.

⁴*ibid.*

monitored. While the government provides them with health care and education, refugees have limited freedom and little hope of resettlement.

Turkey has highly restrictive refugee laws compared to Iraq's other neighbors. It signed the 1951 Convention and related documents under a special qualifying clause that maintains the Convention's original geographical restriction linking refugee recognition to events in Europe. Notably, Turkey considers only Europeans to be refugees, and thus only practices nonrefoulement toward Europeans.¹² Non-Europeans must undergo a complicated registration process at UNHCR offices, visit a local police station, and finally submit their case to the Ministries of the Interior and Foreign Affairs to be granted temporary asylum-seeker status. After six months of residence, the asylum seeker is turned over to UNHCR for resettlement in a third country. UNHCR works in Turkey under a special mandate that permits it to conduct status determination procedures and automatic third-country resettlement for bona fide refugees.

Refugees in Turkey tend to be poor and live in slums on the margins of society. They are not permitted to work, but children may attend Turkish primary school. Before the 2003 Iraq war, the Turkish Red Crescent requested international funds to accommodate almost 100,000 people, who were interviewed, registered, and given temporary identification. While reluctant to open its borders, the Turkish Red Crescent organized some relief efforts inside northern Iraq, including setting up 12 camps within Iraq and 6 within Turkey.

UN officials have blamed "host country fatigue" for the unwillingness of some of Iraq's neighbors to assist after the 2003 invasion. After the 1991 Gulf War, UN credibility also suffered, as humanitarian actions were perceived as related to political and military strategies.

Regional Security Concerns

Iraqi refugees may pose a potential threat to regional security. Human Rights Watch's London director, Tom Porteous, has described the Iraqi refugee crisis as a "security time bomb," likely to produce the next generation of terrorists because of host countries' deteriorating conditions and capacity. Recent political science research has demonstrated that refugees can cause security threats in host countries and internationally as well. Idean Salehyan writes that mobilization among diaspora and refugee groups has become increasingly common in many conflicts.¹³ While many Iraqis lived in mixed communities within Iraq, they have separated into largely Sunni (Jordan) and Shiite and Christian (Syria and Lebanon) communities in the diaspora. With their previous social order destroyed, these Iraqis may seek to organize for their own protection. In neighboring countries outside Iraq, they can mobilize away from the pervasive intelligence and geographic control of neighborhood militias, while still being close enough to Iraq to collect intelligence there. King Abdullah II of Jordan has publicly warned, "We will never allow Jordan to be used as

a staging post to foment any problems against Iraq.” However, Jordan and Syria may have incentives to help empower influential groups of refugees to ensure their political involvement in the new Iraqi government and its vast oil wealth.

Salehyan also notes that weak states that are incapable of evicting rebel refugees become unwillingly drawn into international conflicts, while strong neighbors that do not support rebel aims are unlikely to become staging grounds for transnational conflict. Whether bound by norms of Arab hospitality, international law, or political relationships to Iraq, Iraq’s neighbors have been unable to evict Iraqi refugees and have been repeatedly unsuccessful at sealing their borders for long periods. More recent Iraqi refugees have been increasingly poor and more traumatized, while longer term Iraqi refugees have depleted their savings and become more dependent on host governments. Given these developments, traditionally strong states may find it difficult to suppress Iraqi refugee rebellions.

Civil wars often encourage diversionary behavior as leaders seek to distract their populace from domestic issues. Rebels may seek out foreign sanctuaries or travel across borders to mobilize, or initiate cross-border insurgency actions. This analysis is sobering when applied to the Iraq war. Given the well-known links between the Shia militias in Iraq and the Iranian government, civil conflict in Iraq may well spill into a broader Iran-Iraq conflict, which would have enormous international ramifications. The delicate political balances in Syria and Lebanon may also be disturbed by an influx of Christian and Shia refugees. While initial fears that refugees would continue their sectarian strife in their host countries have not materialized, the protracted conflict in Iraq creates a looming security risk.

Increasingly impoverished refugees may mobilize because of depleting financial resources and a continuing lack of economic opportunity. Jordan and Syria house large numbers of former Ba’athist military and intelligence officers, with connections and concrete grievances that may prompt violent behavior. Refugees have also settled along sectarian lines, which may encourage mobilization. The overwhelming majority of Iraqis in Jordan are Sunni. Shiite Iraqis have found refuge in predominantly Shiite neighborhoods of Beirut and Damascus. Refugees tend to avoid contact with refugees of opposite sectarian groups and to maintain social networks primarily within their sect.

Conclusion: International Refugee Management and International Security

Refugee crises far exceed the boundaries of nation-states. These crises are not national, but regional and even global in scope. Beyond the challenge of attracting funding from wealthy donor states, governments of countries in poor regions may lack the coordination mechanisms necessary to provide efficient humanitarian aid to refugees. Political enmity of the kind that flows between Sunnis and Shiites throughout the Middle East may prevent

cooperation and sharing of resources. International organizations and international law have the potential to coordinate states to solve these problems, but only if they look beyond the nation-state as a solution. Regional and international solutions must be developed for these issues which affect the entire globe.

In the case of Iraqi refugees, strained host country capacities and the political incentives of the Iraqi and American governments may expedite refugee returns and lead to tensions with IDPs in Iraq. The government of Iraq has, in at least one documented instance in 2007, requested the government of Syria to close its border to Iraqi refugees in an attempt to assert control of the border and to signify that conflict within Iraq had ceased producing refugees.¹⁴ The government of Iraq has also offered financial incentives for returning refugees, which would likely attract the most vulnerable refugees. According to the Iraqi Red Crescent, some 46,000 refugees did return from Syria to Baghdad in 2007. The government of Iraq then proceeded to stamp the visas of some returning refugees with a five-year non-exit stamp. According to one UN official, as of 2008, the Bush administration was putting enormous pressure on UNHCR to declare Iraq safe for return to advance its own political agenda. Many international organizations also believe that Syria and Jordan want Iraqis to return as soon as feasible to avoid potential instability.

Yet Iraqi refugees are likely to pose a protracted problem for the Middle East and the world. Conflict in Iraq continues, and even when it ends, the Iraqi refugee crisis is unlikely to result in full repatriation. Sectarian militia leaders have established control over neighborhoods, and those of the opposite sect find it unsafe to return. According to UNHCR surveys, 70 percent of returned refugees have now become IDPs. Knowing this, Iraqis are likely to remain in host countries for the foreseeable future.

To keep the Iraqi refugee crisis from becoming violent, international refugee protection must be reconceived as a problem of international security. If states view refugee protection as a way to protect their own borders, they will be motivated to comply with international refugee law. Only in this way can an international refugee protection regime be developed that will safeguard the individual rights of refugees along with the rights of sovereign states.

Afghans in Pakistan and Internal Security

Almost 30 years after the Soviet invasion of Afghanistan, Afghans remain the third largest group of refugees in the world. As of 2006, about 2.1 million Afghans were displaced. Afghans began exiting en masse when the secular Saur Revolution of 1978 threatened Muslim traditions. Subsequent refugee waves followed the Soviet occupation of 1979–89, the ensuing Afghan civil war, and the US invasion in 2001. Most displaced Afghans took refuge in Pakistan, but significant numbers fled to Iran and other countries throughout the region. As of 2000, 2.5 million Afghan refugees were dispersed throughout Pakistan and the Middle East, while 1.7 million had been successfully repatriated by UNHCR.

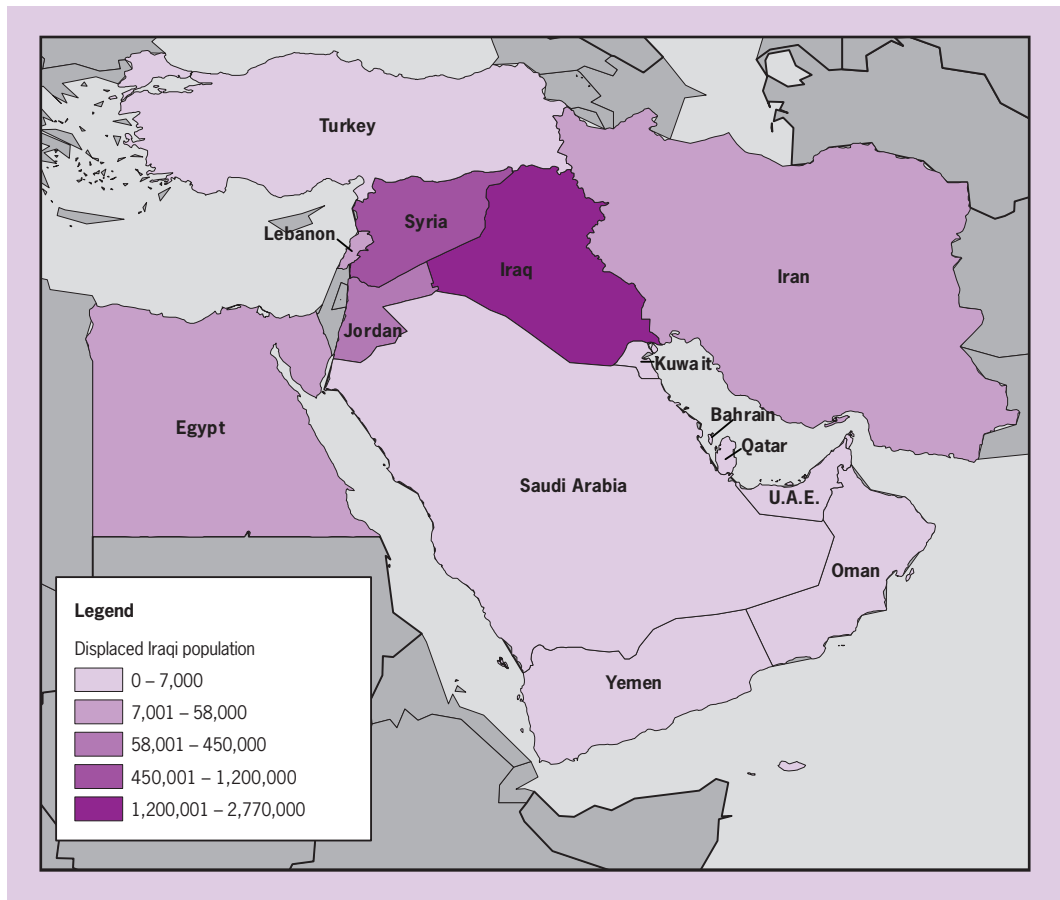
The Afghan refugee crisis exemplifies the crucial links between refugee protection, international relations, and international security. During the Cold War, Afghan refugees were pawns in a game of political manipulation. Pakistan, hoping to influence its future relationship with Afghanistan's government, first welcomed scores of refugees. Muslim countries viewed the Soviet invasion as a direct attack on their traditions and generously assisted the refugees. The United States and China aided the Afghans in defying the Soviet threat, giving the Afghan refugees an extraordinary amount of international assistance. However, donors mixed humanitarian aid with military aid, arming the *mujaheddin* fighters based in the refugee camps against the Soviet army.

Distracted by the success of the *mujaheddin* in fighting the Soviets, donor countries neglected the refugees' deteriorating situation. The extended displacement exceeded the capacity of tribal and religious groups, NGOs, and even UNHCR. As Afghan refugees became more established in Pakistani society, donor interest waned, and stopped completely by 1995. Pakistan was not prepared to accept the burden of supporting the Afghan refugees, and the Pakistani people began to resent their guests. As unemployment rose, Afghans were blamed for keeping wages down and pushing low-wage Pakistanis out of work. Afghans also gained opprobrium for increasing rents and property prices, since their refugee assistance checks helped make them wealthier than many Pakistanis. Having overstayed their welcome, the refugees were eventually barred from participation in the Pakistani educational system, leading to the creation of an uneducated, armed young populace. Refugee camps increasingly became loci for drug and arms smuggling which eventually spread throughout Pakistan.

Political exploitation of Afghan refugees by the international community backfired gruesomely. After the Soviet withdrawal, armed *mujaheddin* began fighting, leading to civil war. A fundamentalist group of *mujaheddin* known as the Taliban established draconian rule over the country and provided shelter and support to international terrorist groups including Al-Qaeda. The Afghan influx into Pakistan was also predominantly Sunni, which began to balance Shia dominance in certain areas and economic sectors, provoking sectarian violence and instability in Pakistan. The radical brand of Sunni Islam bred in the refugee camps also entered Pakistan as a violent political force. Several known Kashmiri separatist terrorists were also trained in Afghan refugee camps.

When the United States invaded Afghanistan to combat the Taliban on October 7, 2001, the international infrastructure for supporting Afghan refugees was already overtaxed. Many countries closed their borders completely or severely restricted refugee intake. Poorly maintained border camps were erected within and outside of Afghanistan's borders, and assignment to a camp by a humanitarian agency dictated a displaced person's legal status as a refugee or an IDP. In light of their history and of current international terror threats, Afghan refugees face constant surveillance and waning international protection.

Iraqi Refugees in the Middle East



Host country	Total no. of Iraq refugees (est.)	Total Iraqis registered with UNHCR
Turkey	7,000	7,000
Egypt	40,000	15,000
Lebanon	50,000	12,000
Iran	58,000	58,000
Gulf States	150,000	2,700
Jordan	450,000	65,000
Syria	1,200,000	236,000
Internally displaced persons	2,770,000	400,000

Source: United Nations High Commissioner for Refugees (UNHCR), January 2009.

Iraqi “Temporary Guests” in Neighboring Countries

Sara Sadek

Since the US-led war on Iraq began in 2003, over 4 million Iraqis have fled to neighboring countries. The majority who fled, as a result of direct threats to their lives, went to Syria, Jordan, Lebanon, and Egypt. Because of their political composition, economic circumstances, and historical experiences, each host government and community received the Iraqis in a variety of ways, ranging from welcoming to neglecting to rejecting. This paper examines the concepts of “temporariness” and “guests” in light of the Iraqi refugee experience, and the political and economic implications of the refugees’ presence in these four countries.

The current situation gives rise to complex questions about the future of Iraqis in the region and consequently the security of the region. To what degree will Iraqi “guests” in Syria, Jordan, Egypt, and Lebanon become permanent? Will they achieve higher levels of integration that will allow them to utilize their skills? What are the challenges and prospects for Iraqis to become active agents in these countries?

Contextual Framework: Local Integration as a Durable Solution

The mandate of the United Nations High Commissioner for Refugees (UNHCR) presence in a country is to address protection gaps as well as provide for basic needs and durable solutions for refugees. Resettlement, repatriation, and local integration are the three durable solutions defined by UNHCR. For Iraqi refugees in the region, resettlement to a third country or voluntary repatriation to Iraq have been the preferred choices, while local integration has not been considered an option.*

*Integration as a durable solution has three main components:

- *Legal*—including rights to movement, property ownership, public services, permanent residence, and employment
- *Economic*—enabling refugees to maintain and earn a livelihood
- *Social and cultural*—allowing refugees to interact with the host community without any fear of exploitation or racism

According to its criteria, UNHCR estimates that there are over 60,000 Iraqi refugees in need of third-country resettlement, most of whom live in Syria and Jordan. Yet in 2008, UNHCR resettled a mere 17,770 Iraqis.¹ The criteria for resettlement are specific, and the number of slots open in receiving countries has been limited as compared to the number of Iraqis who wish to pursue this option. Thus, although many see resettlement as the ultimate goal, only a relatively small percentage of Iraqi refugees will be able to move to a third country permanently.

As a result of these criteria and processes, many Iraqis feel trapped between the expectation of direct threat upon return, even at the borders, or being rejected by the International Organization for Migration or UNHCR for resettlement. Given the dangers of return and relative unlikelihood of resettlement, many will have no choice but to pursue a degree of local integration, at least in the short term.

Resettlement Options and Criteria

Third Country Resettlement. UNHCR has set resettlement criteria for registered Iraqi refugees in neighboring countries of first asylum. Iraqis coming from central and southern Iraq are granted automatic *prima facie* refugee status; this is an asylum status granted automatically to individuals or groups when violence and persecution cause flight from their country of origin and create the need for asylum in another country. Iraqis from these areas who apply for resettlement do not undergo an interview unless an exclusion applies (i.e., in the case of for military members and Ba’athists).

According to UNHCR policy, the following Iraqis are eligible for third-country resettlement:

- Victims of severe trauma (including sexual and gender-based violence), detention, abduction, or torture by state or nonstate entities in the country of origin
- Members of minority groups and/or individuals who are/have been targeted in the country of origin owing to their religious/ethnic background
- Women at risk in the country of asylum
- Unaccompanied or separated children, and children as principal applicants
- Dependents of refugees living in resettlement countries
- Older persons at risk
- Medical cases and refugees with disabilities with no effective treatment available in the country of origin
- High-profile cases and/or their family members
- Iraqis who fled as a result of their association with the multinational forces, coalition provisional forces, the UN, foreign countries, international and foreign institutions or companies, and members of the press
- Stateless persons from Iraq
- Iraqis at immediate risk of refoulement (forced return to country of origin)

Even with UN involvement, temporary local integration is difficult. Renewing residence permits is complex, and public service provisions are often lacking. This leaves the majority of Iraqis with little option but to remain socially and economically isolated in their host countries. This reality presents a new set of questions about the future of guest and host populations.

In each of these countries, the large number of unemployed, frustrated young Iraqis is a major cause for concern. The presence of an ethnic or religious group different from the dominant one in the host country (i.e., Shiites in Egypt, Syria and Jordan; Sunnis in Lebanon) is another concern, as it may have a significant impact on the host country's internal dynamics.

What are the prospects and challenges for Iraqis to integrate in neighboring countries in light of these concerns? What are the motives behind policies of welcome, neglect, and

Resettlement in the United States. Since early 2008, Iraqi refugees who were affiliated with the United States while in Iraq and have sought asylum in Egypt and Jordan, have been granted another resettlement opportunity through the International Organization for Migration. Iraqi refugees must belong to one or more of the following categories to be eligible for this Direct Access Program:

- Iraqis who work/worked on a full-time basis as interpreters/translators for the US government or multinational forces in Iraq
- Iraqis who are/were employed by the US government in Iraq
- Iraqis who are/were employees of an organization or entity closely associated with the US mission in Iraq that has received US government funding through an official and documented contract, award, grant, or cooperative agreement
- Iraqis who are/were employed in Iraq by a US-based media organization or NGO
- Spouses, sons, daughters, parents, and siblings of individuals described in the four categories above, or of an individual eligible for a special immigrant visa as a result of his/her employment by or on behalf of the US government in Iraq, including if the individual is no longer alive, provided that the relationship is verified
- Iraqis who are the spouses, sons, daughters, parents, brothers, or sisters of a US citizen, or who are the spouses or unmarried sons or daughters of a permanent resident alien of the United States, as established by their being or becoming beneficiaries of approved family-based I-130 immigrant visa petitions.

Owing to the restrictive criteria of both resettlement programs, many Iraqis in Jordan and Egypt have little or no chance of resettlement if they do not fall clearly under at least one of the categories set by each program. Iraqis in Lebanon and Syria can only apply for the UNHCR resettlement program. For these excluded groups, local integration into the first country of asylum should be considered.

rejection? How do these policies hinder or promote the idea of local integration? To what extent does the Palestinian experience in these countries affect the policies and prospects of hosting and integrating Iraqis? To answer these questions, it is necessary to examine the issues in light of the host country policies and the socioeconomic implications of the presence of Iraqi refugees.

Syria: The Open-Door Policy

The most commonly cited estimate of Iraqis in Syria is 1.1 million, 206,000 of whom were registered with UNHCR by March 2009. Syria is unique compared to other countries in the region, because it has absorbed the largest refugee influx, and because laws grant refugees the right to public services such as education and health services.² Syria's government has taken the lead in providing assistance, while UNHCR contributes through cash, food assistance, and other services, especially to vulnerable groups.³ While many rights and services are extended in theory, officials do not know the degree to which Iraqis actually benefit from them.

To determine long-term prospects for Iraqis in Syria, it is important to examine the legal protections, opportunities for livelihood development, and instances of social and cultural integration. Though not a signatory to the 1951 Convention Relating to the Status of Refugees, Syria grants *prima facie* refugee status to former residents of central and southern Iraq upon their registration with the UNHCR office in Damascus. This status ensures protection against being deported to Iraq, where their lives may be at risk. Up to and immediately after 2003, Syria had welcomed highly politicized and wealthy Iraqis, the majority of whom were Ba'athists and members of the previous regime who visited Syria to establish residences.⁴ The early stages of the crisis also saw the influx of large numbers of Shiites, as well as Sunnis and Christians.

Until September 2007, Syria gave Iraqis a three-month residence permit/tourist visa with possible extensions. In September 2007, the government introduced a visa requirement for those Iraqis wishing to enter Syria. The degree to which this new policy was driven by political and economic concerns of the increasing number of Iraqi Shiites is unknown. Their stay in Syria has been likened to the country's experience with the temporary Lebanese influx in 2006, rather than the more permanent settlement of Palestinian refugees that occurred mid-century.⁵

Political and sectarian spillovers have always been major concerns for Syria, and these concerns may be the reason for changes to the visa policy that have slowed Iraqi immigration since 2007. As a predominantly Sunni country with a Ba'athist party system operating, Syria has an understandable concern about the presence of Iraqis clustered in urban areas, especially in Damascus. A Shiite concentration in the Sayeda Zaynab area of Damascus may encourage Shiite mobilization proportional to the increase in frustration in the community.

Financially, many of the more recent refugees are highly dependent on savings and remittances from other family members to cover their living expenses. Although technically not permitted, Iraqis do have varying degrees of access to the local labor market. For instance, some doctors and taxi drivers have been able to continue working in the same professions in Syria. Most refugees, however, remain barred from work in the formal labor market. Others have established their livelihoods in the informal sector, securing new jobs as unskilled laborers; still others are self-employed.

Another category of Iraqis includes those with enough capital to start their own restaurants or trade shops. Most business owners selling or serving Iraqi food are Sunni, Shiite, or Christian refugees. Other businesses, such as Internet cafés, require a Syrian partner to register the company or shop. It is unclear whether the ethnic and religious affiliations of Iraqis who partner with Syrians hinders or encourages their cooperation. Partnerships do, however, indicate serious prospects for income-generating integration. It is also possible that, as Dorai argues, short-term integration with income-generating activities may help empower refugees, thus enabling them to leave Syria.⁶

This large and diverse Iraqi population has a socioeconomic impact on Syria. Despite the government's welcoming policies, many Syrians, especially those who are poor, express resentment toward the refugees. While Iraqi investors and active laborers are acknowledged for their role in improving the Syrian economy, the majority of citizens complain about inflation and competition.⁷ Thus one could say that higher income Syrians have benefitted from the Iraqi presence, while the lower classes have struggled due to competition for public services and food rations. How the poorer classes could benefit from the presence of Iraqis remains a difficult question.

This reality exemplifies the difference between a welcome from the host government and a welcome from the host community. Although Syrians acknowledge the admirable generosity of their government toward Iraqi refugees, they continue to complain that refugees are competing with them over resources and are taking over their neighborhoods. In general, prospects for integration vary widely, depending on access to employment and business partnerships with locals. The attitudes on the ground continue to vary as well, with fluctuations in public opinion often mirroring fluctuations in the country's economy.

Jordan: A Semitolerant Host

Though the results of the Fafo survey are contested,^{*} the number of Iraqis in Jordan is estimated to be 450,000, of whom only 50,000 are registered with UNHCR.⁸ Like Syria, but to

^{*}Fafo is an independent and multidisciplinary research foundation focusing on social welfare and trade policy, labor and living conditions, public health, migration and integration, and transnational security and development issues. The

a lesser degree, Jordan has adopted the notion of Arab motherhood as an approach toward Iraqi refugees. Yet Jordan's official policy does not grant the refugees the same legal status or access to public services that Syria does. Jordan insists that it is unable to absorb the high numbers of Iraqi refugees and has therefore adopted restrictive measures pertaining to public services.⁹ Iraqi refugees do, however, have access to public education for nominal fees. As a matter of policy, medical fees are higher for non-Jordanians.

Unlike other countries in the region, the UNHCR does not grant *prima facie* status to Iraqi refugees upon arrival. Instead, the majority are given temporary asylum-seeker status. Theoretically, this guarantees less protection than is given to those with refugee status; in reality, they receive practically the same services and protection level as *prima facie* holders in Syria.

How is the Shiite presence in Jordan a major security concern? What is the impact of the Iraqi influx on the Palestinian refugees in Jordan? Is the security concern more pressing for Jordan than the economic one, especially after the bombings of the Amman hotels? Do wealthy Sunni Iraqis have better chances to settle in Jordan than other groups?

Jordanian policy did become more restrictive in late 2006, which is considered to be a direct result of the Amman hotel bombings perpetrated by an Iraqi terrorist group in 2005. Since the incident, Iraqi men between the ages of 17 and 35 are not allowed to enter Jordan. As of May 2008, only Iraqis who obtained a prior visa to Jordan through any of the international courier TNT offices in Iraq, or from one of Jordan's consulates abroad, are granted entry.¹⁰

Once in Jordan, the majority of Iraqis are dependent on savings and remittances. Generally, those depending on savings are unable to access the Jordanian labor market. Some work illegally and are therefore more likely to be underpaid and arbitrarily dismissed. According to the Fafo survey, 70 percent of working Iraqis are employed in someone else's business rather than their own.¹¹ A small group of professionals work in hospitals and universities, and there is also a group of wealthy Iraqi investors who now live in Jordan. Thus, although some Jordanians view poorer Iraqis as a burden, the injection of cash into the Jordanian economy has been a positive outcome of their presence. Similarly, the presence of Iraqi refugees in Jordan has led to more international funding based on the notion of burden sharing.

It is noteworthy that in Jordan, many Iraqis do not consider themselves refugees because of their higher mobility and economic status. In a similar vein, the Jordanian government

foundation conducted a survey of Iraqis in Jordan in 2007. As a result of a questionable methodology and the necessity of negotiating the final numbers with the Jordanian government, the results of this survey are disputed. It remains, however, one of the only nongovernmental estimates that goes beyond UNHCR registration numbers to reflect the total population of Iraqi refugees in Jordan. See Fafo, *Iraqis in Jordan 2007: Their Number and Characteristics* (2008).

does not treat all Iraqis equally. Iraqi asylum seekers and “guests” are given a six-month visa with no authorization to work. Affluent Iraqis, including academics and investors, are able to obtain longer residence permits that are renewed on a yearly basis.

During the 1980s, Jordan and Iraq were trading partners and closely connected through Sunni tribal relations. After the rise of the Shiite government in Iraq, these relations became problematic. Some of the Jordanian population, much like their Syrian counterparts, resent the Iraqi refugees, who are blamed for inflation and for diminishing amounts of natural resources such as water. It is not clear whether Jordanians also express resentment toward higher income Iraqis.

For those who are not wealthy or highly skilled, religious and ethnic social networks play an especially important role in their survival strategy. Iraqi Christians have the opportunity to receive aid from Jordanian churches and Christian institutions. The presence of American missionary activities in Jordan has led Iraqi Muslims to avoid seeking aid from these Christian entities. Furthermore, despite being unrecognized by Christian communities before, Iraqi non-Arab Assyro-Chaldeans have managed to integrate economically and socially with the Roman Catholic churches and communities. They have been accepted as new members of the Christian community in Amman, yet their neglected Muslim counterparts, “the Shiites,” remain abandoned by the majority of Sunni charities. This support system will have important implications for the future of Christian Iraqi refugees, as most do not have the option to return to Iraq.

Egypt: A Totally Indifferent Host

At present, there is no official number of Iraqis in Egypt, yet a survey conducted of 1,004 Iraqi families suggests there are 15,000 to 20,000.¹² Egypt has always accepted refugees on its borders, but habitually leaves them in a state of neglect. Though it remains the only signatory in the region to the 1951 Convention, Egypt is by no means more hospitable than Jordan or Syria.

Iraqi refugees in Egypt are granted *prima facie* status and a yellow card, which gives them temporary protection, a temporary residence permit, and limited services for extremely vulnerable groups. A high percentage of Iraqis living in Egypt are legal refugees with valid registration as investors, a UNHCR card, or their children’s school enrollment. Iraqis must renew their residency permits every six months, because, unlike other refugee communities in Cairo, they will not be given a blue card,* signaling refugee status, at any stage. The yellow card, given to asylum seekers, affirms their temporary status in Egypt.

*A blue card is granted to bona fide acknowledged refugees who are offered one of UNHCR’s durable solutions, while the yellow card is granted to temporary asylum seekers until their case is processed.

As a signatory to the 1951 Convention Relating to the Status of Refugees, Egypt submitted reservations on clauses related to personal status, rationing, public relief and education, labor legislation, and social security.* Consequently, refugees in Egypt have no access to public services. As a young population with the majority of individuals below the age of 20, there is a high demand for educational services in Egypt, but an unfortunately low level of actual enrollment.

While the UNHCR operation is often praised in Syria and Jordan, the UNHCR operation in Egypt has always been regarded as extremely bureaucratic. Financial assistance is only provided in the most desperate cases. Medical assistance is complicated and degrading, leading many Iraqis to utilize private care and cover expenses themselves. Similarly, UNHCR takes a long time to process resettlement cases, creating uncertainty and delay even for those eligible for resettlement. As an implementing partner of UNHCR, Catholic Relief Services in Cairo covers yearly tuition fees for some vulnerable families. Iraqis mainly depend upon their savings to educate their children. Although some are entitled to medical coverage by Caritas, UNHCR's other implementing partner, the majority of Iraqis resort to using private clinics and hospitals at very high prices.

Because of Egypt's formal reservation with regard to labor registration and social security, registered Iraqi refugees have no access to the Egyptian labor market. According to Egyptian Law No. 137 of 1981, foreigners must obtain a work permit to be employed, and many Iraqis are counted simply as foreigners and denied access.¹³ As a result, the informal market is the only option, and the majority of Iraqis who have managed to find work are involved in the unskilled sector, with a minority working as professionals or self-employed. The need for a work permit has left many Iraqi refugees dependent on their own depleting resources and on remittances from Iraq and other countries. Iraqis resent having to perform unskilled labor, but the only other option is to partner with Egyptians and establish small and mid-sized enterprises.

How likely it is for Iraqis to cooperate with Egyptians? While racism based on color has been overwhelming for African refugees in Egypt, the situation of Iraqis is quite different. As a country that needed labor in war time, Iraq attracted around 7 million Egyptians for its labor force in the 1980s. That era, in addition to Egypt's current economic problems, has defined the dynamics between Iraqis and Egyptians. Because of this history, Egyptians perceive Iraqis as wealthy migrants.¹⁴ As in Syria and Jordan, Egyptians blame Iraqis for the increases in housing prices and consumer goods. Iraqis, in turn, blame Egyptians for charging them higher than normal market prices.

*Article 2 of the 1969 Vienna Convention on the Law of Treaties defines a reservation as a unilateral statement, however phrased or named, made by a state when signing, ratifying, accepting, approving, or acceding to a treaty, whereby it purports to exclude or modify the legal effect of certain provisions of the treaty in their application to that state.

Another important factor for refugee integration is the possibility of social organization. Iraqis, unlike other refugee groups in Egypt, are not allowed to form their own associations. While there is no law stating this prohibition, Iraqis have expressed frustration at their consistent failure to secure registration for their NGOs. After applying through the Egyptian Ministry of Social Solidarity, many have been refused on the grounds of security. As a result, Iraqis have come together under the umbrella of other refugee associations and churches in Cairo. While some Iraqis complain that discriminatory policies prevent them from starting community-based organizations in Egypt, others praise this policy as an instrument to prevent radical movements that can result from such organizations. Ultimately, Iraqis in Egypt remain more economically and socially isolated from society than those in Syria and Jordan.

Lebanon: A Host of Rejection and Detention

It is estimated that there are 50,000 Iraqis in Lebanon, of whom 10,000 are registered with UNHCR.¹⁵ In comparison to the three other countries, Lebanon appears to express less tolerance and a high level of rejection toward this refugee crisis. The most obvious explanations for this behavior are the sensitive sectarian divisions in Lebanon and the country's previous experience with the Palestinian community. With the abundance and power of Shiites and Christians in Lebanon, the relationship between ethnoreligious identity and integration is quite different from that in the other three Sunni countries.

Iraqi refugees in Lebanon are granted *prima facie* refugee status by UNHCR. Yet this status does not protect them from detention or arbitrary arrest. In fact, a large proportion of Iraqis in Lebanon have never obtained a residence permit. In February 2008, the government announced that illegal residents would be given a three-month grace period to present themselves and pay a fee of US\$630 to clear their irregular status. This fee is prohibitively high for most illegal residents who wish to legalize their stay. Although UNHCR did sponsor a group of 400 detainees out of the 600 arrested because of their illegal status, obtaining a legal residency permit remains very difficult for Iraqis.

Similar to the situation in Egypt, Iraqis in Lebanon have no access to public health and education services, resulting in a high proportion of children who do not attend school. As in Egypt, health care is a dilemma for Iraqis because of the high cost of private care. Iraqi refugees who go to Egypt must travel further and therefore are often better off economically than those who settle in Lebanon. For this reason, they are also more likely to enroll their children in private schools and access private health care.

Iraqis cannot work legally in Lebanon and thus live in a precarious economic situation. Unlike their counterparts in the three other countries, who mainly depend on savings, remittances, and to a lesser extent the informal sector, Iraqis in Lebanon develop other survival

strategies. Clustered in Mount Lebanon and other cities, Iraqis establish highly organized community networks. The Lebanese government has allowed Iraqis to organize themselves to provide for their neglected community, yet there is an undeniable concern that their organizations may become radical political groups. Prostitution has also become a survival strategy for some Iraqi women, placing them in an even more vulnerable position.

With the country's delicate sectarian balance and experience of long-term Palestinian refugees, Iraqis in Lebanon are largely denied the chance for social and cultural integration. Furthermore, the fact that most Iraqis live in isolated clusters in the southern Beirut suburbs gives little hope for long-term integration. Without residence permits, they must live in isolated areas, avoid contact with the host community, and endure a permanently low profile. Yet because of local population dynamics, Iraqi Christians and Shiites may have a better chance of integrating with their Lebanese host counterparts than do Sunni refugees.

As in Syria and Jordan, UNHCR provides services as well as material to destitute Iraqis, in addition to paying rent for some families on a case-by-case basis. Though Iraqis in Lebanon remain the most isolated, their presence still has an impact on Lebanon its neighbors. Limited access to employment forces refugees to work in the informal sector, which includes cross-border smuggling. The presence of two vulnerable groups, female single-headed households and young males, is also a concern, as these vulnerable groups may turn to crime out of desperation.

Alternative Solutions

Since the beginning of the current refugee crisis, UNHCR has focused on resettling Iraqis as one of the durable solutions. By the end of March 2009, over 75,000 had been resettled, with a majority moving to the United States and 16 other Western countries.¹⁶ Due to a lack of funding, however, UNHCR is expected to decrease its resettlement operation in the coming years.

While voluntary repatriation might be an option, at this time the majority of Iraqi refugees are not actively planning to return, citing security and logistical concerns. The latter concern is that UNHCR files would be closed upon return, effectively preventing future resettlement or integration opportunities.

The situation of Iraqi refugees in the four neighboring countries illustrates that full local integration might not be possible as a durable solution. In light of the policies toward Iraqis in these countries and the economic effects they might have, temporary integration may be viable in Syria, Jordan and Egypt. These countries have assumed responsibility for hosting displaced Iraqis; consequently, they are able to ask for international assistance based on the depletion of economic resources. Indirectly, these host countries benefited from the

initial cash injection that came with the influx of Iraqis, at least during the early stages of displacement. Although historical relationships and the notion of Arab motherhood are factors, the primary driver of refugee policy in the region seems to be the prospect of capital inflows from wealthy Iraqis.

The legal and contextual framework in Egypt and Jordan suggest that local integration is not a viable option for Iraqis. Instead, the distinction used by Crisp and Kibreab between *local integration* and *local settlement* makes the latter more applicable. As a strategy acknowledged by the 1967 Organization for African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa, which addresses the influx of refugee movements into poor countries, local settlement was seen as a viable option.

The local settlement approach does not constitute a long-term solution, but instead assumes that the refugee group is residing in the first country of asylum until refugees can return voluntarily. Local settlement allows the refugee group to live “with a degree of dignity, security, and prosperity” in its temporary residence in the country of first asylum.¹⁷ It is noteworthy that local settlement experiences in host African countries are usually associated with a rural setting where arable lands are provided for refugees.

The idea of local urban settlement brings together the concepts of complete local integration and protection space. Local urban settlement would allow Iraqis to earn livelihoods with subsidized education and health services from NGOs or UN bodies. Therefore, local urban settlement requires the assistance of interested organizations to assess people’s skills and provide small loans to help them initiate private businesses. By allowing Iraqis basic rights and allowing them to own businesses, utilizing minimum funds available from their savings or through remittances, host countries could allow refugees to be less dependent upon aid and the states’ currently depleting resources.

“Temporary local integration” could be applied to the case of Syria because Iraqis *already* have access to public services and resources. The major shortcoming of local integration in Syria is that Iraqis are denied access to the market in the name of preventing inflation. In addition to labor access, social integration with the Syrian community is difficult because Syrians feel deep resentment about economic changes resulting from the Iraqi presence.

In the case of Lebanon, neither temporary local integration nor local urban settlement would be possible because both policymakers and the local community deny the presence of a community that affects the sectarian balance in the country. Iraqis in Lebanon have no prospects for integration; thus, their only options are return to Iraq or resettlement by UNHCR. Despite the lack of options, the establishment of a protection space is necessary to protect Iraqis from detention and arbitrary arrest.

Protection Space

A recent report by UNHCR introduced the concept of “protection space,” which is an environment where the following is possible:

- Delivery of protection activities
- Limited instances of refoulement throughout the region
- The continued ability of Iraqis to leave their own country and to access the territory of neighboring states, despite the introduction of new controls and restrictions
- The ability of Iraqis to access health and education services in their countries of asylum
- The ability of some Iraqis to work in the informal sector despite formal limitations on employment
- Reduced levels of detention for violations of immigration laws, especially in Lebanon
- A growing willingness on the part of the authorities and security services to recognize documents provided to refugees by UNHCR
- Improved opportunities for UNHCR and its implementing partners to establish a presence and to undertake operational, monitoring, and outreach activities
- Improved delivery of and access to services such as health care and education
- An enhanced dialogue between UNHCR and the authorities on protection and other issues
- Establishment of a resettlement program that has provided a durable solution to a significant number of refugees
- The absence of serious or widespread protection incidents as a result of conflict between Iraqi refugees and host populations or within the refugee community itself

*Source: J. Crisp et al., *Surviving in the City: A Review of UNHCR’s Operation for Iraqi Refugees in Urban Areas of Jordan, Lebanon and Syria* (Geneva: UNHCR, 2009).*

Despite similarities, the socioeconomic and legal conditions of Iraqi refugees remain different in Syria, Jordan, Egypt, and Lebanon. While international agencies play a role in defining these conditions, the different local policies in the four countries have a significant impact on the perception of the local communities and the status of those Iraqi guests within their borders.

While this paper examines the possibility of UN-sponsored temporary local integration in each of these countries, local policies and attitudes will remain key factors in promoting or hindering prospects of integration. It is in the interest of both the US and Iraqi governments to ensure the eventual return of the Iraqi refugees, but also to provide assistance while they are displaced. Whether returning refugees are educated or not, radicalized or apolitical, reconciled or more deeply divided than ever, will be major factors affecting the future stability of Iraq. The international community must protect the refugees as well as provide adequate educational and livelihood opportunities during displacement. Therefore, it is essential to understand the policies toward and reception of Iraqis in the neighboring countries and to examine the prospects for temporary local integration in the host states.

Labor Migration in Southeast Asia

Ellene Sana and Rhodora Alcantara Abano

Cross-border migration in Southeast Asia is a social phenomenon that affects millions of people. The economic opportunities that come with overseas work have made labor export a politically and culturally acceptable strategy for individuals, societies, and governments. Furthermore, freedom of movement and overseas employment are encouraged as a matter of policy. The remittances sent from workers abroad outpace both international aid and direct foreign investment in much of the region, which has made overseas work a critical component of Southeast Asian economies.

Despite the positive opportunities for economic gain, there is a dark side to labor migration. It may be exploitative and disrupt family structures and cultures permanently. Dependence on remittances from foreign workers also makes sending-country economies vulnerable to economic fluctuations in host countries. Regardless of these challenges, labor migration will remain a dominant force for economic growth in the region. For current, mutually beneficial, overseas work trends to be sustainable in the long term, sending and receiving countries must address the challenges of the labor migration system. This paper provides a brief overview of current labor migration trends and causes, with a focus on Southeast Asian migration to the Middle East, examines the response of regional bodies, and analyzes the value of using the Philippine approach as a global model.

Overview of Current Trends

Labor migration is a way of life in much of the world, particularly in Southeast Asia. In 2005, about 13.5 million of the world's 200 million international migrants originated from Association of Southeast Asian Nations (ASEAN) countries.¹ For the same period, there were 5.6 million estimated migrants within the region, constituting 10 percent of its total population.²

Labor migration in the region increased 44 percent in the period between 1990 and 2002,³ and conservative estimates for the early 2000s put regional migration rates at 2 million workers annually. Within the ASEAN countries, Singapore, Malaysia, and Thailand receive the most migrant workers, and their economies are kept afloat with significant help from largely low-skilled migrant workers.⁴ Comparative statistics found that migrants in

Thailand added value to GDP proportional to their share in the labor force, assisting its workers in fishing boats, substituting in construction jobs rejected by Thais, and filling jobs in subsidized foreign and domestic investment projects along the Burmese border. Thailand's rice mills and fisheries also depend heavily on foreign workers.

In addition to work done by migrant laborers within ASEAN countries, remittances sent from Southeast Asian migrants abroad contribute strongly to the region's economy. In 2007, ASEAN members received US\$32.7 billion in remittances,⁵ an amount 18 times higher than the 1986 level of US\$1.8 billion.⁶ However, the World Bank has projected that remittance flows to developing countries may fall by 7.3 percent (5.7 percent in East Asia and the Pacific) in 2009 due to the US economic slowdown, unfavorable foreign exchange rates, and rising protectionism in destination countries.⁷ The Asian Development Bank

Labor Migration from Southeast Asia: Challenges and Consequences

Commodification of Migrant Workers. The Temporary Labor Migration Programme commodifies migrant workers. Asian labor migration is largely temporary and single entry. Migrants work on fixed contracts and are expected to return home when their labor is no longer needed. The notion of "temporariness" of migrant labor usually short-changes migrants with regard to decent work with reasonable wages, social protection, mobility, and the choice of whether or not to stay.

Feminization of Migration. This trend continues in ASEAN countries, with regard to gender-stereotyped service sector jobs (domestic workers, caregivers, nurses) and consequent high demand for female migrant workers. Low-wage domestic work continues to be undervalued and not recognized as work and is not covered by labor and social laws of most countries.

Irregular/Undocumented Migration. Such migration is rampant in Southeast Asia, persisting in Malaysia and Thailand despite periodic registration, repatriation, and deportation campaigns.¹ Especially if they do not reflect real labor needs of destination countries, restrictive policies tend to abet illegal recruitment, excessive placement fees, and trafficking in persons. The abuse of migrant workers, especially female migrants, includes indentured labor and debt bondage. Trafficking continues to be a serious concern in the region.

Dominance of Private Recruitment Agencies. Government-licensed private labor recruitment is well entrenched in Southeast Asia. However, on many occasions, governments are lax and ineffective in monitoring and regulating these agencies. Many migration mediators (recruitment agencies, brokers, government officials) charge more than the allowable placement fees, which leaves migrant workers indebted for exorbitant recruitment and departure loans with unreasonably high interest rates.²

forecasted a similar decline of 7 to 10 percent in 2009. Despite these predications and the likelihood that such levels are unsustainable in the long term, Southeast Asia has continued to send large numbers of migrants abroad.⁸

Migrant labor has contributed significantly to the economic development of the countries of the Middle East and the region as a whole. Notwithstanding the commitment of the Gulf Cooperation Council (GCC) countries to various International Labour Organization and United Nations human and labor rights conventions, effective protection mechanisms and respect for the rights of migrant workers and members of their families in the region have yet to be put in place. Migrants, particularly female domestic workers, continue to experience various forms of abuse, exploitation, and gender-based violence in their workplaces, and they are treated as modern-day slaves in many private homes.

“Brain Drain.” Brain drain has resulted from a preference for more skilled and professional migrants, albeit even for lower level jobs. Vietnam has the highest percentage of its tertiary educated workforce abroad at 39 percent, followed by Brunei and Singapore. Vietnam also lost the most doctors abroad at 56 percent followed by Malaysia, negatively affecting their health services. Other sending countries are similarly affected.³

Lack of Protection for Migrants. National protective policies of sending countries have limited clout over workers abroad because, despite globalization, nation-state norms and frameworks govern overseas migration. Protection of migrants is more difficult when governments of origin countries embrace labor migration as a policy without corresponding strategic rights-based development plans and goals as well as sufficient institutional capacities to guarantee protection to their nationals overseas. While governments of destination countries may have migration policies in place, these may not necessarily protect migrants’ interests. For example, Thailand adopted regularization of its undocumented workers and implemented a work permit system, a minimum wage, housing, and medical care. But the cost of these services has magnified migrant worker dependence on employers and vulnerability to police abuses. On the other hand, Malaysia’s People’s Volunteer Corps (RELA) often violates human rights (it is allowed to enter workplaces and homes without warrants, carry firearms, and make arrests with permission from its leaders), and has been accused of vigilantism, planting evidence to justify arrest, and using excessive force in policing irregular migrants.⁴

¹Gervais Appave and Ryszard Cholewinski, eds., *Regional Overviews: Asia in World Migration 2008. Managing Labour Mobility in the Evolving Global Economy*, IOM World Migration Report Series vol. 4 (Geneva: International Organization for Migration, 2008), p. 448.

²Actionaid Vietnam, “Migrant workers regardless of their nationality are highly vulnerable to exploitation...” press release, January 18, 2008.

³Philip L. Martin, Manolo I. Abella, and Christiane Kuptsch, *Managing Labor Migration in the Twenty-First Century* (Binghamton, NY: Vail-Ballou Press, 2006).

⁴ibid.

Causes of Migration

Migration within and from ASEAN countries is expected to increase as a result of push and pull factors such as income gaps, decelerated labor force, country labor policies, supportive networks, improved communications, and transportation. The Economist Intelligence Unit's 2006 projection that labor demand growth in Singapore and Thailand will surpass labor force growth by 2015 indicates that more immigration will take place.⁹ Migration within ASEAN countries is also projected to grow, given that neighboring countries are the closest, most affordable, and easiest to reach.

Although imbalance is a major factor, it is not the only one. For example, despite its lower levels of poverty and relatively high GDP growth rate as compared with some ASEAN nations, the Philippines is the top sending country in the ASEAN. This high level of outward migration involves an expensive recruitment process, which allows the poor to migrate only if they “fly now, pay later” through wage deductions abroad. This system allows for major abuses, because many migrants lack the necessary knowledge and capital to pursue other options.

Disaster vulnerability, such as the threat of tsunamis and armed conflict, compounds the pressure to migrate. Labor migration also is driven by the colonial history of each country, common culture and religion with the receiving countries, the ease of crossing borders, and the draw of supportive diaspora communities around the world. Thus, labor migrants from the Mekong region and the Philippines largely go to the United States and other colonizing countries, especially through family reunification. The high level of migration in the Mekong between Philippines, Indonesia, and Malaysia and migration between Singapore and Malaysia reflect the relative ease of entry and stay without proper documentation. This can be attributed to lax border controls and an active middleman system. Large outflows of Indonesian migrants to Malaysia and the Middle East and Mekong intra-migration reflect the preference for destinations with a similar cultural and religious heritage.

For governments, the number of migrants and amount of remittances are the indicators of a successful migration policy. Governments of origin countries prefer to send professionals and high-skilled workers because they enjoy more rights than unskilled workers. These policies are, however, shortsighted, and the unsustainable levels of labor export may ultimately be detrimental to the economies and peoples of Southeast Asia. Until regional governments make human and socioeconomic development their main goal, migration will not be a free choice and will continue at an unsustainable rate.

Migration to the Middle East

According to UN estimates, eight countries in the Middle East will have the highest concentrations of international migrants in 2010. Qatar, the United Arab Emirates, Kuwait,

and Jordan will top the list at 87 percent, 70 percent, 69 percent, and 46 percent of their total populations, respectively.¹⁰ In the GCC countries, migrant labor is estimated at 12.5 million.¹¹ Saudi Arabia alone hosts over 7 million migrant workers, which constitutes two-thirds of its labor force.¹²

Migrant workers from South and Southeast Asia are expected to continue to fill over 90 percent of private sector jobs in most GCC countries, despite the latter's efforts at "nationalization" of the workforce.¹³ For example, in 2008, 631,828 overseas foreign workers (OFWs), or 51 percent of the total deployment, went to work in the Middle East. Five of the top 10 destination countries for Southeast Asian labor migrants were in the Middle East. Saudi Arabia consistently tops the list, hosting one in four Filipino OFWs. In 2008, the United Arab Emirates and Qatar placed second and third respectively, followed by Kuwait at number 6 and Bahrain at number 10.¹⁴

Case Study: The Philippines

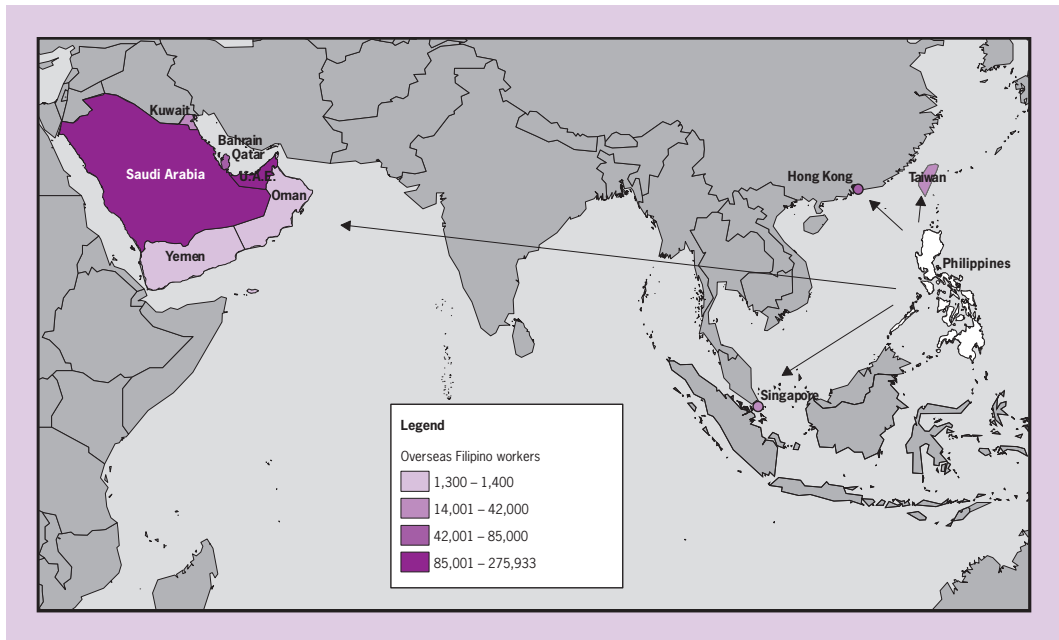
The Philippines ranks number 3 in the world as an origin country of migrants, with 8.7 million Filipinos abroad as of 2007.¹⁵ A little over 4 million are temporary workers, mostly in the Middle East and other Asian countries, while an estimated 900,000 migrants may be undocumented or have irregular status.* The Philippines also reports 3.7 million permanent residents abroad, mostly in North America.

After almost four decades of labor migration, with more than a million migrants deployed every year since 2006,¹⁶ the Philippines relies heavily on migrant deployment for its economic and political survival. Like a social and political release valve, its jobless and underemployed go overseas, even if many of them would have preferred to stay with their families and work in the country.

The government has failed to harness the potential economic benefit that remittances can provide because the economy remains dependent on foreign direct investments, remittances, and the service sector. Remittances to the Philippines make up around 10 percent of the country's GDP, thereby generating domestic consumption, cushioning the falling Philippine peso, and guarding against the shrinking balance of payments surplus.† In response

*Under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, undocumented migrants or those in irregular status are those not authorized to enter, to stay, and to engage in a remunerated activity in the state of employment pursuant to the law of that state and to international agreements to which that state is a party by the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. See UN Office of the High Commissioner on Human Rights, "International Convention on the Protection of the Rights of All Migrant Workers and Their Families," www2.ohchr.org/english/law/cmw.htm.

†The Philippine remittance total for 2008 was US\$16.4 billion (Philippine Overseas Employment Administration, www.poea.gov.ph).

Figure 1: Top Destination Countries for Filipino OFWs

Source: Philippine Overseas Employment Administration, 2008 figures.

Note: Due to scale restrictions, Bahrain and Singapore are difficult to view. There are 13,079 Filipino workers in Bahrain and 41,678 Filipino workers in Singapore. Canada and Italy also have significant Filipino laborer populations, but these could not be included on this map; they host 17,399 and 22,623 workers, respectively.

to the global financial crisis, President Arroyo issued Administrative Order 247 directing the Philippine Overseas Employment Administration to “execute a paradigm shift by refocusing its functions from regulation to full blast market development efforts” for OFWs.¹⁷

If it is to prevent social unrest, the government must find jobs for its unemployed and underemployed workers—a group that has been growing rapidly, jumping from 16.5 million in 2004 to 34.2 million in 2009. The Philippines received US\$16.4 billion in remittances in 2008, ranking fourth among developing countries next to India, China and Mexico.¹⁸ But the January-June remittances grew slower, at 2.9 percent from the same period in 2008, and forecasts are not optimistic.¹⁹ Economically and politically, the Philippines cannot afford to disrupt remittance growth. The global financial crisis highlights the vulnerability of the current system to demand change and external shocks.

In addition to the financial implications, outward migration from the Philippines has a social cost. Women, working mostly as domestic workers and caregivers, make up more than half of Filipino migrants. Female new hires dropped to 48 percent in 2007, after reaching 73 percent in 2002.²⁰ Female migrants are more vulnerable to abuses and exploitation,

because domestic work remains unrecognized as an occupation and is therefore not covered by the labor and social laws of most countries. In addition, the United Nations Children's Fund (UNICEF) estimates that feminized migration affects up to 9 million Filipino children and up to 27 percent of the youth. The social costs of millions of single-parent households are of even greater concern when the father does not fulfill the traditional duties of the mother. Social costs also climb when the migrant mother suffers abuses abroad.

Philippine Migration to the Gulf

The Middle East, primarily the GCC countries, has been the traditional destination of Filipino OFWs since the 1970s, when then-president Marcos resorted to overseas migration to deploy thousands of jobless workers and ease balance of payments deficits. At that time, most of the OFWs deployed in the Middle East were male construction workers employed on infrastructure projects. Today, migration flows into the Middle East continue for both male and female migrant workers, most of whom are concentrated in the service sector.

It was a most welcome move when, in 2008, the United Arab Emirates Ministry of Labor hosted a Ministerial Consultation on Overseas Employment and Contractual Labor for Countries of Origin and Destination in Asia, followed by a Forum on Contractual Labor in GCC Countries: Opportunities and Challenges. The organizers invited selected civil society organizations, to participate. One of these participants, the Migrant Forum in Asia, affirmed the need for both labor-sending and -receiving governments "to adopt coherent and comprehensive policies to effectively manage temporary contractual labor and protect workers."²¹ Subsequent developments in the GCC countries have proved quite significant. In Bahrain, Minister of Labor Majeed Al-Alawi recently announced that the sponsorship system binding migrant workers to their employers will soon be abolished, as this system "is not humane."²²

In a similar move to overhaul the sponsorship system, the Qatari government has declared it illegal for employers to confiscate workers' passports.²³ Both Saudi Arabia and the United Arab Emirates are in the process of drafting laws to protect migrant domestic workers.²⁴ Bahrain now allows migrants to join or form trade unions; a similar proposal is under consideration in the United Arab Emirates. Mandatory health and medical insurance coverage is now enjoyed by migrant workers in Abu Dhabi.

In Saudi Arabia, a National Human Rights Committee is mandated to conduct investigations on violations of the rights of migrant workers. Provisions on migrants' right to litigation are included in the Saudi Basic Law of 1992, although this right is rarely exercised. Governments such as that of the United Arab Emirates are also visible in international forums that address labor migration, such as the Global Forum on Migration and Development. This forum, which began in 2006 as the High Level Dialogue at the UN, is now an

annual event hosted by a UN member country. The GCC is pursuing various initiatives at the national and regional levels that seek to improve the situation of migrant workers.

As these developments unfold—albeit slowly—efforts are concurrently under way to better implement the nationalization programs of the GCC at the country level that seek to address the high unemployment rate of GCC nationals, particularly women. This effort also aims at reducing dependence on migrant labor in the GCC countries. For example, in Saudi Arabia, new provisions in the labor code provide for employment opportunities for Saudi women. It is also stipulated that companies implement the Saudiization program to achieve 75 percent employment of Saudi nationals over migrant workers. Other approaches include restrictions on or the unavailability of certain job categories to migrant workers, which is now a common practice in almost all the GCC countries.

With these efforts in place, will migrant flows to the Middle East drastically decline or halt? The answer is no. Are efforts to effectively implement the nationalization program in opposition to those that seek to protect migrant workers in the Gulf? The answer here is also a firm “no.” What will be necessary is a thorough evaluation of sending-country policies, especially those of the Philippines.

The Philippine Approach: A Global Model?

The Filipino migration model is touted as a successful approach. While the government of the Philippines has migration structures and institutions in place, implementation and monitoring are minimal due to a lack of political will and limited institutional capacity. According to the Philippine Commission on Audit, the government has only 88 offices protecting foreign workers abroad, which are meagerly staffed and lack the resources to serve the country’s millions of migrants. Despite these weaknesses, in her keynote speech at the Second Global Forum on Migration and Development, President Arroyo said, “We have established what is considered one of the best-regulated expatriate worker programs in the world.”²⁵

However, the UN Committee on the Protection of All Migrant Workers and Members of Their Families recommended in April 2009 that the government “review its labor migration program in order to give primary importance to the human rights of migrant workers.” It noted the “multitude of initiatives and programs” in response to the challenges posed by labor migration, but expressed concern that “implementation, follow-up, and evaluation of these programs are insufficient.” The committee recommended “proper follow-up procedures as well as clear, measurable and time-bound targets in order to facilitate tracking their implementation.”²⁶ Despite its progressive laws, the Philippines cannot be a global model without reform and effective implementation of current initiatives. With the recent complementary GCC efforts, the opportunity is ripe for reforming the system.

Regional Policy Response: The ASEAN Way

ASEAN member governments have taken different policy stances on labor migration. Malaysia and Thailand have a flexible policy toward labor migrants that responds to demand for labor. In fact, Malaysia's documented foreign workers—65 percent of whom were Indonesian in 2006—comprise a third of the manufacturing workforce.²⁷ Singapore, on the other hand, continues to favor professionals and highly skilled workers, maintaining a strict policy toward low-skilled foreign workers. Yet, despite disincentives to employers such as dependency ceilings, a tax on wages paid, and a required security bond for each non-Malaysian foreign worker, almost a third of Singapore's foreign workers are low-skilled migrants.²⁸

Bilateral talks and joint working group meetings, while few and far between, are also platforms used by ASEAN states. For example, the Malaysia and Philippines joint technical working group discusses the issue of undocumented Filipinos in Sabah and Malaysia's ongoing crackdown policy against undocumented migrants. Thailand has forged memorandums of understanding with Cambodia and Laos in regard to their migrants. However, these agreements require effective implementation and monitoring in order to benefit migrant workers.

During the 12th ASEAN Summit in Cebu City, Philippines, in January 2007, the heads of the ASEAN states adopted the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers. The declaration is nonbinding and does not reflect a holistic appreciation of the migration phenomenon. Nevertheless, it was a significant moment in ASEAN history. For the first time, the importance of both home and destination countries of migrants was recognized, and the valuable and significant contributions of migrants to the ASEAN region highlighted.

The ASEAN created a Committee on Migrant Workers, which is mandated to ensure the compliance of ASEAN states to the declaration's provisions. The committee agreed to craft an ASEAN instrument on the protection and promotion of rights of migrant workers. It also agreed to institutionalize the convening of an ASEAN Forum on Migrant Labor that will serve as a broad-based platform to discuss labor migration issues and concerns. Both ASEAN government and civil society organizations will participate in the forum.

Future Issues

With the advent of the global economic crisis, more workers' rights violations are expected. Rising nationalist and protectionist tendencies in destination countries have caused governments to reduce annual quotas or impose stricter standards for migrant workers. However, these efforts at border control have neither reduced immigration nor protected native

workers. Efforts to preserve productive capacity have also been unsuccessful because, on average, migrants are cheaper and more flexible than native workers.

In January 2009, the Malaysian government decided to freeze hiring of foreign workers as its response to the economic crisis. In the absence of a crisis situation, migrants are considered vulnerable; during crises, their status is much more fragile and they are the first to lose employment. This has caused a massive loss of benefits and wages with far-reaching implications for the country.

The current economic crisis is a prime opportunity to evaluate the trends in, laws on, and systems of migration in Asia. Given recent GCC efforts, the prospects for reform are promising, if sending and receiving countries can collaborate effectively for their mutual benefit and for the benefit of their populations.

Foreign Labor in the Gulf

Samir Pradhan

The population of expatriate workers in GCC countries increased from 9 million in 1990 to 13 million in 2005; this figure includes refugees, asylum seekers, and illegal migrant workers without valid work permits in the GCC region.¹ This influx has accounted for more than one-quarter of the total population growth in the region. Despite the view of unskilled foreign workers as temporary residents with limited term contracts, long-term dependency on the international workforce has continued to grow. In addition, an increasing number of highly skilled expatriates are taking advantage of the opportunity to live in the GCC on a more permanent basis. As migrant laborers continue to outnumber GCC citizens, some see this diversity as a threat to traditional values and customs.

While there is no doubt that migrant laborers have been integral forces behind the unprecedented pace of modernization in the GCC, the government has approached migration policy from a short-term perspective. Despite the success of the current system, rapid population increase and demographic change may not be economically sustainable. The related sociocultural anxieties are additional sources of tension. Thus, continued economic and domestic growth will require long-term, comprehensive policy responses that address these sources of economic, cultural, and political instability.

Anxiety about Economic Competition. The Gulf's dependency on foreign workers is a result of several factors, including low labor force participation, especially of women; a small native population; initially low literacy and educational levels; and high non-labor income for nationals. Expatriates constitute nearly 81 percent of the United Arab Emirates's total population, 75 percent in Qatar, and 67 percent in Kuwait. The United Nations Population Fund (UNFPA) estimates that foreign workers constitute 89 percent of Qatar's labor force, and over 82 percent of the United Arab Emirates's labor force. At present, the high unemployment rate of GCC citizens is voluntary. Given the vast economic resources and continued ability of states to provide public sector employment, unemployment has not translated into immediate and visible social consequences. Yet, GCC economies have begun to diversify, and as states begin trying to limit dependency on hydrocarbon revenues, public sector job availability may decrease.

Security and Sociocultural Anxieties. As a result of the highly segmented labor market and a rigid system of social stratification, relations between GCC nationals and expatriates are very limited. When interactions do occur, they have often been unfriendly and characterized by mutual suspicion. GCC nationals increasingly demand that governments address the demographic imbalances and protect nationals' right to promote their own cultural values. It is not only a process of demographic imbalance that needs to be addressed, but also the process of a demographic blend, where lines of identity between nationals and expatriates become blurred. One example here is the phenomenon of bilingualism and cultural mix that results as Gulf children are reared by foreign nannies.

The issues of immigration and identity are now mentioned in the national security agenda. The fear of losing one's identity has been heightened in recent years by regional integration processes such as membership in the GCC. This anxiety was reflected in the announcement in Shaikh Khalifa Bin

Zayed Al-Nahyan's address on United Arab Emirates National Day 2007, when he declared 2008 as a year of United Arab Emirates National Identity.

Expatriates can also be viewed as a potential threat. Facilitating the entrance of millions of foreigners, GCC countries have made a conscious effort to recruit workers from ethnically diverse groups to prevent any one foreign population from overwhelming or outnumbering the national population.

The GCC must respond to the cultural anxieties and security implications of the presence of and reliance upon a large foreign labor force. In 2001, Kapiszewski was one of the first that pointed toward the emerging security concerns as a result of the preponderance of foreigners. This can be substantiated by the number of labor strikes and violence in labor camps across the Gulf countries in general and Bahrain and Kuwait in particular. These incidents undermine social stability in the Gulf.

Policy Response. GCC authorities are putting several measures in place, including efforts toward nationalizing the workforce and heavily regulating incoming expatriate flows with stringent rules and regulations. Jobs in many sectors are no longer open to expatriates, especially in Oman and Bahrain, which have relatively less oil revenues and growing unemployment. Saudi Arabia decided in 2003 that its foreign workforce should be reduced by more than half in 10 years. This means that even if all new recruitments are stopped, about 4 million foreigners will have to leave the country by 2013. The government also plans to create about 1 million jobs for Saudis by 2020.

As part of its policy to manage cultural diversity in the country, the United Arab Emirates announced in 2003 that it intends to scrutinize visa applications of Asian workers because of official concern about their growing numbers in the country. In June 2006, the government announced that unskilled foreign workers would be allowed to stay for only six years in the future. As this may not be economically viable for workers who must repay the initial costs for their travel and visas, this policy may significantly disrupt the labor import system.

Employment quotas have been the main policy plank for the GCC countries in addressing foreign labor. However, these policies have not been successful because the labor market is relatively rigid, and local skill shortages support a constant demand for foreign labor. As Dahlia Shaham notes, "In principle, all Gulf countries are concerned with their reliance on foreign labor and the looming threat of increased local unemployment. In practice, most of them are more concerned with maintaining the momentum of economic growth and are reluctant to risk their competitiveness by raising the cost of foreign labor."²

Indeed, in practice, recent developments are merely extensions of preexisting policies, which focus on rotating a diverse foreign labor force. This indicates that the primary aim of GCC governments and citizens is to address social and political concerns related to foreign workers rather than actual economic dependence and the long-term unsustainability of the current system.

In the absence of successful training programs and public sector reform, unemployment among GCC nationals will remain high. With a steady flow of foreigners eager to fill positions as the countries continue to expand economically, labor migration to the GCC is unlikely to decrease in the near future. Sociopolitical tensions will remain, or perhaps intensify. Foreign worker protests may increase in frequency, and unrest or radicalization may begin to develop in the labor camps. With

these problems on the horizon, it is essential that GCC governments formulate policies that address both the economic dependence and cultural anxieties that exist between national and foreign populations. For now, despite recent developments, it is business as usual in the GCC.

Sources: UNFPA, United Nations Expert Group Meeting on International Migration in Asia and the Pacific, and The Fletcher School Online Journal for Southwest Asia and Islamic Civilization.

¹Mohammad Ebrahim Dito, "GCC Labor Migration Governance," UN Expert Group Meeting on International Migration and Development in Asia and the Pacific, September 21, 2008, www.un.org/esa/population/meetings/EGM_Itmig_Asia/P07_Dito.pdf.

²Dahlia Shaham, "Foreign Labor in the Arab Gulf: Challenges to Nationalization", al Nakhla, The Fletcher School Online Journal for Southwest Asia and Islamic Civilization (2008).

Human Trafficking in Asia: Trends and Responses

Ruchira Gupta

Trafficking in persons has reached devastating dimensions worldwide. It is a multibillion-US-dollar-per-year business. Although available statistics are limited and contested, existing data indicate that the number of trafficked individuals has increased, while the ages have declined. In *State of the World Population 2006*, the United Nations Population Fund estimates that the highest source areas in the world for the supply of human beings are South and Southeast Asia. Victims of trafficking from South and Southeast Asia are found worldwide; most are women and girls.¹ Demand for and supply of trafficked persons exists within overarching economic, governance, and sociocultural trends.

This paper explores trends in human trafficking in South Asia and the Greater Mekong Subregion of Southeast Asia, the relationship of those trends to regional economic and political trends, and the supply- and demand-side responses that are necessary to tackle this transnational crime.* Many countries' definitions of human trafficking continue to evolve to more fully conform with the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, which was adopted in 2000.[†] In the meantime, there are many legal and practical governance issues that require attention.

The scope and scale of trafficking intensified during the period of Asian growth and economic crisis in the 1990s. India is the regional hub of trafficking in South Asia and exemplifies the increasing volume and declining ages of trafficked persons. Thailand plays this role in the Greater Mekong Subregion of Southeast Asia, and is a destination for trafficking victims from Burma, the Lao People's Democratic Republic, Cambodia, and southern China.

*This paper does not include discussion of the trafficking in persons for the purpose of harvesting their organs or adoption.

[†]Following is the Protocol's definition of trafficking in persons, which supplements the UN Convention against Transnational Organized Crime:

Trafficking in persons shall mean the recruitment, transportation, transfer, harboring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of prostitution of others or other forms of sexual exploitation, forced labor, or services, slavery, servitude, or the removal of organs.

Impact of Global Changes

Trends in economic development have increased worldwide demand for goods and services. These trends include the widespread expansion of markets, the rising importance of export-oriented growth (including the export of labor as a strategy for economic development), the establishment of expanding multinational corporations and their subcontractor networks, the proliferation of Internet-based business, and tourism development. Globalization and economic openness have also empowered criminals and further opened already porous borders to the increased movement of goods and people.

The evolution of the global economic system has led to trade in goods and services at an unprecedented level. As a result, “Asia has become a center for low-cost, labor-intensive, manufacturing operations.”²² These operations have grown while oversight has lagged behind, enabling the creation and expansion of informal “work ghettos.”²³ Cutting costs through the utilization of trafficked individuals to maintain a competitive edge is a part of the overall “race to the bottom,” in terms of wages. India’s economic boom is partially dependent on trafficked labor, especially children trafficked into domestic service, construction, manufacturing, and commercial agriculture. Traffickers and exploiters dehumanize their victims, seeing them in terms of cost versus benefit transactions, and as cheap and docile laborers rather than as mothers, sisters, brothers, and fathers.

According to the International Labour Organization (ILO):

A deeper perspective would look at the destination factors, or the demand side of trafficking. Thus, it would enquire about the other people in the story: the Laotian recruiter, the Thai employers, the Thai police and even the individuals not mentioned but present in the background, such as consumers. A more honest perspective would ask: “What is it that enables this kind of exploitation to take place in downtown Bangkok without anyone noticing, until two girls had the initiative and courage to escape? How do the global demand for cheap jeans, and therefore cheap labor, translate into modern-day slavery? Does the lack of enforcement of laws allow employers and recruiters to carry out these crimes? Or is it because they are ‘only’ migrant children and on some level there is a tacit acceptance in treating migrants this way?”²⁴

Working in the shadows of loosening economic, labor, and financial regulations, and utilizing cheaper transportation and innovations in communication technology, traffickers have increased their business.

There are six new global trends that accentuate vulnerability to trafficking and have caused the surge in growth of trafficked people. First, an increase in demand for trafficked people—from end users to those who make a profit from the trade—has become the most immediate cause for the expansion of the human trafficking industry. Second, new technologies have made moving and recruiting people much easier. Third, petty criminals have been replaced by organized criminals in the flesh trade, turning it into a large-scale industry.

Fourth, natural disasters have driven more people from their homes, stripping them of their livelihoods and assets. Fifth, displacement and migration in the absence of protection mechanisms have increased vulnerability to trafficking. Finally, the global economic crisis since 2008 has increased unemployment and undermined social safety nets, contributing to increased vulnerability by exacerbating the effects of existing sources of marginalization.

This paper investigates the role of globalization in 21st century trafficking, and the role of multiple marginalizations in creating vulnerabilities and increasing the risk of trafficking. These marginalizations include inequalities based on gender, ethnicity, caste, poverty, language, and the consequent lack of access to health, education, land, and livelihoods. Compounded marginalizations are the reason why trafficking affects more women and girls and people of certain ethnicities and castes. Today, human trafficking is driven by the need for inexpensive labor and the demand for sex.

New technologies have made human trafficking much more efficient. Faster transportation has made moving people from one location to another much easier. Trucks, trains, and buses move people so quickly from one location to another that family members cannot keep up with the speed of traffickers and are not able to trace loved ones. Bachpan Bachao Andolan (Save the Childhood Movement), an Indian NGO, reports that the main points of intercepting traffickers after the Kosi floods were railway stations and bus and taxi stops in Katihar, Purnea, and Araria in Bihar, India.

Television and videos are also used to induce and deceive vulnerable individuals by making false promises of well-paid, legitimate jobs and residency status in more prosperous countries, or by false befriending, declarations of love, and fake marriages. In some instances, the Internet has also been used in Southeast Asia for the purposes of recruitment. The National Commissions of Women in three countries—Thailand, India, and Sri Lanka—all report that the promise of a job is the most common way of deception and accounts for over 50 percent of trafficking cases.⁵

What Drives Trafficking

Demand

The growing demand for a wide variety of exploitable sex workers and cheap labor has become a primary reason for trafficking. Prostitution in religious pilgrimage sites, sex tourism, and child sexual abuse are some of the alarming trends that have emerged in recent years. The HIV/AIDS pandemic has also increased the demand for young virgins by HIV-positive men who believe sex with a virgin will cure them of AIDS.

In Thailand and Cambodia, economic benefit trumps compassion and legal compliance. Even government officials may tolerate trafficking for sexual exploitation in the name of

economic benefit. An ILO study carried out in 1998 in Malaysia, Indonesia, Thailand, and the Philippines revealed that the “sex sector is a significant source of foreign exchange earnings, with links between the growth of prostitution as a highly structured transnational business and the expansion of the tourist industry in these countries, as well as labor exports from these countries.”⁶

Demand for the sex industry is more broadly tied to economic growth, mirroring increased spending power and high levels of labor migration. In addition, the process of rural-to-urban labor migration to cities such as Bangkok, Delhi, and Mumbai has enabled men to become anonymous consumers of sexual services, and has reduced the men’s accountability for personal expenditures by limiting their relationship with their families to the economic realm of remittances.

While historical red-light districts in India’s megacities, such as the notorious Kamathipura in Mumbai, continue to receive victims of trafficking, smaller cities are also centers of demand. Demand is shifting because increasing law enforcement activity and real estate development in major red-light areas are pushing prostitution to smaller cities, such as Pune. At the same time, economic development is being refocused to channel migration away from megacities.

In northern India and China, the preference for male children has resulted in a lack of women, which has created increased demand for women for forced marriages. These forced unions often lead to both sexual and labor exploitation. In India, the states of Haryana and Punjab will likely continue to have a demographic imbalance, and women and girls will continue to be trafficked from other states to meet the demand for forced marriage. In China, women are trafficked inward from Vietnam as well as domestically.

According to the ILO, the second most common form of human trafficking is forced labor, accounting for 18 percent of all trafficking. Bonded labor for farms, construction sites, and domestic servitude is the primary reason for labor trafficking in South and Southeast Asia. These regions have also become major suppliers of unskilled labor to the Middle East and contractors in Iraq and Afghanistan.

Trafficking for domestic labor flourishes because government policies in countries such as Nepal and Vietnam encourage labor export as a means to generate economic revenue. Increasing demand in India has resulted in the commercialization of labor recruitment and an increasing severity of exploitation.

Gathering young children from families in rural areas with promises of light housework and a better life in other areas of India is lucrative business for recruiters. For many, employing children to do domestic work is seen as a positive, even benevolent act; their labor is commonly used and accepted.

Trafficking of Men into the Fishing Industry in Thailand

The commercial fishing industry in Thailand plays host to many unskilled migrants from the Greater Mekong Subregion, lured into labor on fishing boats and in packing houses. As a response to the trafficking of Thai, Burmese, Cambodian, and Malaysian fishermen into the Gulf of Thailand for labor exploitation on fishing boats, in mid-2008, Thailand criminalized the act by designating trafficking of men as a criminal offense. The fishing boats essentially act as prisons, according to the United Nations Inter-Agency Project on Human Trafficking. Illegal migration and the relative lack of authorities to check on fishing boats, the difficulty of getting factory work, and the possibility earn and then to save money were cited as reasons for men's willingness to work on fishing boats, according to a Solidarity Center Thailand report.

Industries that use trafficked labor include agriculture, fishing, manufacturing sweatshops, fireworks production, drug trafficking, and construction. Camel racing in the Middle East uses trafficked children from South Asia. Organized begging also uses trafficked child labor. Begging syndicates in India, Thailand, and Cambodia use children to gain money through sympathy, and later retraffic the victims once they become adults.⁷

Recognition of the high demand for trafficking of men for labor exploitation is increasing. Data are currently lacking on this trend because sociocultural norms do not recognize men as trafficking victims. The rise in global fish consumption has led to an increasing number of men trafficked at sea to work on fishing boats, especially in Southeast Asia.⁸

According to the International Organization for Migration, the attention paid by governments and their NGO partners to survivors overshadows the lack of attention paid to traffickers and exploiters.

Entrenched Organized Crime

Organized crime has taken over the trade in humans, institutionalizing this modern form of slavery. Hefty profits are made, which, according to some estimates, are third only to the underground narcotics and arms trade.* In fact, very often there seems to be an intertwining of trade in drugs, arms, and human beings by the same syndicates. The Golden Triangle for drugs in Southeast Asia has come to play a major role in human trafficking.

Indian organized crime is now involved in the international trade of girls and men from India, Nepal, and Bangladesh to major urban centers and some Middle Eastern countries.⁹

*In 1997, according to UN calculations, the procurers, smugglers, and corrupt public officials who ply the emerging international trade in human beings extracted US\$7 billion in profits from their cargo. See United Nations Office of Drugs and Crime (www.unodc.org).

In India, low-caste petty criminals are forced to recruit and transport girls and boys from villages by upper caste gangs in Uttar Pradesh, Bihar, Rajasthan, and Madhya Pradesh.

Who Are the Traffickers?

Organized criminal networks have taken advantage of global economic and political integration in order to financially benefit from cheap, exploitable labor. Traffickers systematically carry out a process of displacing people solely to profit from their vulnerabilities. The criminals are a diverse group who do not necessarily resemble traditional criminal organizations.* Smaller groups and individuals often cooperate with each other or larger criminal organizations to form networks.† These networks use methods similar to criminal organizations, especially in the Greater Mekong Subregion, where traffickers must be sophisticated in their methods because the majority of their work takes them across borders. Traffickers will even pose as a victim’s family members to cross a border successfully.¹⁰

Both men and women are traffickers, and often come from the area where trafficking originates. Women who recruit new victims were often trafficked themselves. In India, traffickers and exploiters often have connections to the region from which they recruit, and therefore know whose crops have failed, when the head of household has died, and which families are vulnerable enough to exploit.

State Collusion

Today, trafficking in persons continues to be a low-risk crime because actors in the demand chain use a portion of their profits as bribes in exchange for protection. Collusion often extends beyond border control to local police, the judiciary, military, corrupt government officials, regulatory inspectors, and politicians. Frontline law enforcement officials who come into the most regular contact with trafficking often have limited incentive to identify victims or traffickers, despite the existence of toolkits that can help them.‡ They often decline to take action because they are beneficiaries of the crime. Rampant bribe-taking

*Large syndicates do not dominate trafficking in humans in Asia, although some, such as the Yakuza, which traffics women from Southeast Asia to Japan, are involved. See James O. Finckenauer and Ko-lin Chin, *Asian Transnational Organized Crime and Its Impact on the United States* (Washington, DC: US Department of Justice, 2007), www.ncjrs.gov/pdffiles1/nij/214186.pdf (accessed March 8, 2010).

†The larger the network, the more likely associated crimes can be found, such as document falsification, money laundering, cybercrime, and corruption. See Louise Shelley, “Human Trafficking as a Form of Transnational Crime,” in Maggy Lee, ed., *Human Trafficking* (Portland, OR: Willan Publishing, 2007), pp. 116–37.

‡An example of one such toolkit is the United Nations Office of Drugs and Crime’s *First Aid Kit for Use by Law Enforcement Responders in Addressing Human Trafficking*, which can be found in its English translation at www.unodc.org/documents/human-trafficking/TIP_1st_AidKit_English_V0981429.pdf (accessed March 8, 2010).

and complicity diminish the effectiveness of all attempts to address the problem of human trafficking.*

Discipline and punishment are not meted out to government officials who collude in trafficking. In India, in particular, culturally supported discrimination based on caste, ethnicity, and gender has curtailed a proactive approach. While the central government has been developing comprehensive plans of action and models for action, prosecution and protection activities—as well as all other functions of governance—are primarily carried out at the state level. There, linkages between crime and politics affect efforts to address trafficking. Political parties need financial support, and there is a relatively high degree of state autonomy. In the absence of central government oversight, many traffickers collude with the police and with politicians, who receive benefits from the crime, and enable it in combination with government officials, business interests, criminal organizations, and others as a part of the “Mafia Raj.”

This collusion decreases political will for proactive effort and most likely plays a large role in failures to protect trafficking survivors. Despite prosecutors’ desire for survivors’ testimony, they often do not receive proper witness protection, and in some cases, such as Cambodia, they are not separated from traffickers during raids, detention, or trials. While there is limited protection offered, it is usually targeted toward women and children, leaving men who were trafficked without a support system. However, there are efforts to address the issue of state collusion. TRAFCORD (Anti-Trafficking Coordination Unit Northern Thailand), an NGO in northern Thailand, is a model for protection throughout the regions. By partnering closely with government officials and police before, during, and after rescues of children from brothels, the organization ensures that children receive necessary services, that they are protected, and that they testify in court against the traffickers. Such comprehensive public-private partnerships help maintain accountability of all actors and ensure that victims and survivors receive appropriate assistance.

Natural Disasters

As climate change and environmental mismanagement create a proliferation of droughts, floods, and other disasters, there is increasing pressure on rural land, making it more difficult for people to get enough to eat. Floods also destroy homes and property. Such factors render more people vulnerable to trafficking.

*In an attempt to address this need, the UN recently suggested creating special investigative teams in addition to strengthening frontline law enforcement in order to try and convict more perpetrators of trafficking in persons. See UN, “Improving the Coordination of Efforts against Trafficking in Persons: Background Paper of the Secretary-General” (2009), www.un.org/ga/president/63/letters/SGbackgroundpaper.pdf (accessed March 8, 2010), p. 8.

The Kosi floods in India in 2008 devastated the land in the state of Bihar, already a source of internal trafficking. The floods disrupted people’s livelihoods, and the state had not yet obtained funds from the central government for victim rehabilitation in late 2009. This opened up a huge “market” of children in the region—numbering close to 300,000—to traffickers who have been buying them for as little as Rs 500 (about US\$10) from their desperate families. Bihar’s flood-affected districts—Araria, Purnea, Katihar, and Madhepura—were the primary sources for children. Rescued children say they have been made to work for more than 14 hours a day, in exchange for two meals. According to Bachpan Bachao Andolan, over 12,000 children have been trafficked to metropolitan cities from affected areas.

The Sundarbans Delta, located near Kolkata, close to the Indian border with Bangladesh, is poor and vulnerable to cyclones. It is also a prime source of trafficked children, especially girls, within India.

Displacement

Alienation of internally displaced people from land and resources owing to political, economic, and environmental causes, has increased vulnerability to trafficking. Although trafficking seems to only imply people moving across continents, most exploitation takes place close to home. The World Refugee Survey quotes the Indian Social Institute in Delhi to the effect that internal displacement in Asia is primarily due to political causes, including secessionist movements; identity-based autonomy movements; local violence, such as caste disputes and riots fueled by religious fundamentalism; environmental issues; and development.

Movement is not a necessary prerequisite for trafficking; a teenager who is moved out of the mother’s community and into the brothel community is considered trafficked though she may be exploited on the same bed where she was born. Children born in brothels or farms are pulled into the bondage of prostitution or farmwork without any movement taking place.

Widening visible disparities within populations have resulted in people flowing from poorer to more prosperous venues. Consequently, traffickers dip into the “sea of migration,” with post-migration trafficking emerging as a new and growing trend.

Many forced and labor migrants live in the open, or in makeshift shelters or illegal settlements, which lack basic infrastructure and access to civic amenities. They are highly prone to occupational health hazards and vulnerable to epidemics. In India, such migrants are not eligible for the local ration cards that would allow them to receive food at subsidized rates through the Public Distribution System.

Additionally, labor migrants primarily come from the most marginalized sectors of society, and as such, live without legal protection. They are “invisible,” are not acknowledged, and are often denied access even to basic amenities in most cases. They have no identity in the places where they live and no voice in the places they have left behind. Their migration offers a very fertile ground for traffickers for want of adequate information or protection.

Multiple Marginalizations

For millions of children, women, and men in South and Southeast Asia it is their vulnerability—who they are, where they live, and how they make a living—that determines whether they are trafficked. Vulnerability to trafficking starts with the inequality caused by gender, caste, and poverty. Corruption, greed, and political indifference allow these vulnerabilities to endure. Sometimes law and state institutions both challenge and reproduce these inequalities.

Many victims of trafficking simultaneously experience the intersection of overlapping oppressions of ethnicity/caste, class, and gender amplifying the obstacles they face and their inequality. Many potential victims live in “ghettolike” structures within segregated areas away from the general population. This has severe implications in terms of their access to security, livelihoods, health care, education, and state welfare programs. Government functionaries are reluctant to provide mandatory services in these localities. Hence, people deal with poverty and survival issues, often without access to the basic services that could alleviate some of their daily problems, including education; public safety; legal protection from rape, beatings, and prostitution; health care; clean water; sanitation; dignified employment and livelihood opportunities; and—most importantly—legal protection from traffickers and end users.

Sex and Gender

Systems of power such as ethnicity, class, and gender are often interlinked. This ensures the exclusion and subordination of many women and girls as poor, low caste, and female. Material inducements are often provided to relatives and guardians who may or may not be deceived about the fate of the potential victim, but consider the unmarried female in their household a burden that needs to be shed. Fewer but more extreme cases involve kidnapping and abduction.

Ethnicity/Caste

In India, Nepal, Bangladesh, and Pakistan, an additional source of vulnerability to trafficking is the caste system and similar forms of social stratification. Families and children of low-caste groups are still found in relationships of bondage to upper caste landowners, in spite of existing laws that prohibit slavery and caste discrimination. Bonded labor is

found in agriculture, domestic work, brick kilns, glass industries, tanneries, and many other manufacturing and construction industries. Children, women, and men of certain castes are delivered to abusers in repayment of a loan or other favors—real or imaginary—given to the parents or guardians of the victim. Victims work as slaves in the process, never knowing when their debt will finally be considered paid.

In Thailand, Cambodia, the Lao People's Democratic Republic, and Burma, girls from isolated hill tribes are often tricked and seduced with offers of jobs and marriage, only to end up as sex slaves or contract labor in the big cities of Bangkok, Pattaya, Siem Reap, or even in Dubai and Jeddah.

A unique aspect of vulnerability in India is culturally predetermined exploitation—intergenerational prostitution within low-caste groups, where mothers are expected to pass on prostitution to their daughters. In general, once any woman is trafficked to a life of prostitution, she does not leave that world. Once trafficked the first time, a victim will be trafficked again, and is often intimidated and controlled through debt bondage and threat of punishment. Her children are pulled into prostitution. Daughters are used by brothel managers to coerce and later replace their aging mothers.

Poverty

The rural poor have limited access to land and livestock, education, health care, and well-paid jobs. Their main source of income is agricultural wages or casual nonfarm jobs. A large percentage of the poor are landless or near-landless, the livestock they own is of poor quality, and they are often denied opportunities for social reasons such as caste.

Traffickers are therefore increasingly able to dangle promises of well-paid, legitimate jobs, residency status in more prosperous countries, or simply the promise of wages to send back home as inducements and deceptions to obtain initial agreement to offers of travel and employment. Livelihoods in rural areas are buckling under population pressure, government inefficiency, and environmental degradation. In South Asia, Indian industrialization, urbanization, and rural decline have resulted in large-scale labor migration within and into the country. Many in rural areas are caught in poverty traps related to rapid asymmetrical economic development, insufficient education, urbanization, and the entrenchment of organized criminal activity, which contributes significantly to the increasing number of trafficked humans.

Non-Economic Factors

Economics is not the only driver of demand for trafficking. The justification for exploiting trafficked persons takes place at many levels. Whether it is a cultural norm that supports bonded labor, the use of sexual services, socially sanctioned discrimination based upon

ethnicity or class, or the general dehumanization of people, these justifications allow all parts of the demand chain to rationalize their behavior. Those who are trafficked are systematically devalued through a series of economic transactions, where the modest prices paid for them are not reflective of their true value.

“Child domestic work in Asia is not only endemic but perceived as ‘natural’ and unremarkable by the majority of the population.”¹¹ Those who hire children as domestic workers appear to exhibit social status and “kindness,” and thus create hierarchical relationships that are based on a sense of duty on both sides. Because of what appears to be an emotional connection, laws regarding child welfare are thought not to apply in this relationship.

Indigenous peoples and ethnic minorities from remote areas in Thailand are especially vulnerable because of their lack of citizenship, while those in Burma are abused by the army, which pushes them to migrate.¹²

Less than 40 percent of births are registered in India, and many live without proof of identification or citizenship, which renders them invisible to authorities.¹³ People cannot be counted as missing or trafficked if they do not officially exist. Perhaps not entirely unrelated, indigenous populations and criminal tribes have long been trafficked within India. Increasingly, tribal women are duped by false promises of work, only to be trafficked from northeast India to brothels and massage parlors in Singapore and Kuala Lumpur.¹⁴

State and Societal Responses to Trafficking

All labor and consumer markets are socially and politically constructed in the sense that what people buy and sell is determined, to a large extent, by a complex set of structural and ideological factors. Moreover, the state plays a crucial role in shaping what is bought and sold and by whom, and on what terms. In other words, to explore the demand side of trafficking is not simply to inquire about the individuals who exploit or consume the labor/services of trafficked persons, but also to question the way in which states—through a combination of action and inaction—construct conditions under which it is possible or profitable to consume or exploit such labor/services.¹⁵

In South Asia, these actions and inactions include the tacit acceptance by local authorities of the use of bonded labor by upper caste landlords, ignoring the repeated rape of girls from low-caste communities, and the active promotion of gender-insensitive government-funded HIV/AIDS management projects, where pimps and brothel managers are hired as “peer educators” for the purpose of condom distribution.

In Southeast Asia, actions and inactions range from tacit promotion of sex tourism as revenue earned by the Thai government to ignoring the mass export of trafficked labor for domestic work.

Official responses to trafficking in South and Southeast Asia are uneven and heavily influenced by corruption and greed. Accurate information is often lacking, and the lagging response is frequently related to a deficit in political will. Because of slow governmental responses, NGOs have acted as watchdogs, leading efforts in prevention and victim/survivor assistance, while pushing governments to act. When anti-trafficking interventions occur, they are often hampered by a narrow target, making it more difficult to address trafficking in the long run, as methods change and increased secrecy prevails. For example, when areas of brothel-based exploitation are broken up, the demand diffuses throughout the vicinity rather than disappearing, as in the case in the Baina area of Goa, India.

NGO-State Cooperation

NGOs, intergovernmental organizations, and governments cooperate to address trafficking broadly around a “3-P framework”—prevention, protection, and prosecution. NGOs have taken the lead in this relationship, often partnering with ministries that deal with women and children. When activists, researchers, and government officials discuss their responses to trafficking, they use statistics and survivor stories to justify their policies and actions.

Because statistics alone are inadequate to fully address the extent and magnitude of the problem, figures on the outcomes of the process of trafficking—such as prostitution and child or forced labor—are used to provide additional proof.* This has given rise to the terminology “modern slave trade,” a much broader concept than trafficking alone. The use of this concept generates a moral and emotional response: free the slaves.¹⁶

While the leadership of NGOs and intergovernmental organizations is admirable, few focus on dismantling the system of trafficking. Instead, trafficking responses are largely focused on border management to prevent the smuggling of migrants (often confused with trafficking), health interventions in brothel districts that focus on preventing AIDS and other sexually transmitted diseases among male buyers of prostituted sex through condom distribution programs and victim rescues from slavelike situations. All regional governments partner with NGOs to provide victim assistance, including psychosocial rehabilitation, medical assistance (including treatment for HIV/AIDS), shelter, and legal assistance.

Prevention activities largely aim at awareness raising. However, the linkages with poverty, gender, and ethnicity/caste issues suggest that advocates should pay more attention to

*“The worst forms of child labor” as defined by items (a) to (c) of Article 3 of ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor are very similar to those covered by the international definition of trafficking in persons as provided by the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children. Convention 182 covers all practices of or similar to slavery, such as the sale of trafficking of children, debt bondage, sexual exploitation, and various types of forced labor, including participation in illicit activities.

integrating an anti-trafficking perspective into rural development and poverty alleviation projects, such as microcredit, land and livelihood, job guarantee schemes, and public health outreach. Ensuring safe migration through information sharing, awareness raising, training, and post-migration support would also help.

Legal Responses

According to the United Nations Office of Drugs and Crime, since the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children came into force in 2003, laws related to trafficking have been passed in only 63 percent of the 155 UN member states, while some, such as the Maldives, have no legal statutes enabling prosecution.¹⁷ Legal statutes in place vary, and not all countries have criminalized all parts of the trafficking definition included in the Palermo Protocol.

An issue that is increasingly being addressed is strengthened legislation against traffickers and end users as well as more research on trafficked men. Until recently, men were considered solely as irregular migrants in South and Southeast Asia, and the possibility that they were trafficked was not investigated. In 2008, Thailand and Cambodia expanded their legal definition of trafficking to include men trafficked for labor exploitation. Previously, men in these countries were not officially considered as trafficked and not assisted as such. The Lao People's Democratic Republic and Vietnam have not yet criminalized trafficking in persons, but related offenses, such as forced labor and prostitution, are included in their penal codes. There is a push in both regions to hold recruiters criminally responsible for trafficking and to provide the legal standing for closer monitoring of their work.

Unfortunately, criminal convictions have not increased, in large measure because law enforcement ineffectiveness and complicity hamper prosecutions. Despite efforts to train police and judicial officials, local law enforcement does not generally identify victims or traffickers at border-crossing points, when raiding brothels, or addressing exploitative labor. Comprehensive new laws require stronger investigative techniques and greater cooperation between prosecutors and law enforcement in order to catch both the petty criminal and the kingpin. Police training is slowly having an impact in India and elsewhere, forcing authorities to recognize that women in prostitution are possible victims. However, identifying trafficked persons as victims of labor exploitation seldom occurs, although Thailand has begun to investigate labor trafficking tied to the seafood industry.

“Complicating the victim identification process is the lack of intelligence on traffickers and trafficking patterns and the very limited investigative techniques employed by law enforcement agencies in [Asia].”¹⁸ More proactive victim identification and protection would enable more traffickers to be prosecuted successfully. The governments of Thailand and Afghanistan have set up referral systems to systematically identify and assist

victims, while NGOs in Vietnam have taken the lead in that area. While most law enforcement efforts to deal with trafficking are centralized, those in Bhutan and Cambodia work centrally and locally through law enforcement structures set up to deal with women and youth. In other cases, the nongovernmental community has tried to fill the gap by intercepting escapees or returning deportees, such as the NGO Maiti Nepal's work in intercepting migrants crossing the border and identifying those who are trafficked.

Efforts under way by UN agencies and others to create accurate, rigorous, and replicable measurement tools that estimate the number of trafficking victims and gather data on their traffickers and points of origin can offer assistance to governments and law enforcement. These resulting statistics might encourage deliberate action by policymakers and government officials.

Looking Forward

Looking to the future, vulnerability to trafficking for the world's poorest may increase, as demand will continue to drive the industry. And, while NGOs need to remain aggressive watchdogs, responses must evolve to address all points in the demand and supply chain, and implementation efforts must be pursued with greater intensity.

When voices of survivors are heard, it is often their graphic narrative of exploitation to prove that a terrible crime occurred and that the survivor's human rights were violated. However, if survivors were consulted more often about the design and implementation of prevention, prosecution, and rehabilitation/reintegration activities, those programs would be more effective.* Prevention programs could provide targeted training and assistance at key decision points identified by survivors. In any case, it is vitally important that governments begin to think beyond the traditional model of care for survivors.

Prevention should expand to include more active promotion of reducing vulnerabilities among at-risk populations, and ensuring safe migration and the enforcement of labor standards. Increasing international and domestic pressure on governments to focus on safe migration will encourage adoption and enforcement of anti-trafficking frameworks that are more comprehensive, user friendly, and transparent. Integrating anti-trafficking measures into economic and development planning would help address both supply and demand.

In addition, thinking about ongoing and potential policies, plans, and projects from an anti-trafficking perspective would entail assessing how the most vulnerable could become

*Using these anecdotes in prevention campaigns or news stories most likely compounds the "Cinderella effect," where people are willing to risk migration because they hope that this person's fate will not befall them, whether they are parents sending their children off to be domestic servants or fishermen making the trek to Thailand for work.

trafficked as a consequence of those efforts. This would enable development planners to adjust program design to mitigate effects or to include additional preventive attention to vulnerable subgroups. Schemes that require displacement could be designed to minimize the effect and mitigate vulnerabilities that arise, and post-conflict assistance could be designed to ensure that the “social dislocation does not lead to vulnerability to trafficking, especially for women and girls, in already high-risk situations.”¹⁹

Prevention must address demand more directly. A key to stemming demand is that local and multinational companies, as well as end consumers, must take responsibility and investigate whether they are purchasing maid services, sexual services, or goods made by trafficked persons. Awareness-raising campaigns need to broaden their scope, beyond potential victims, to include connecting the crime to the goods and services that the public purchases. * Consumers need to be pushed to ask the right questions. The Kimberly Process Certification Scheme is a valuable model, having successfully decreased the flow of conflict diamonds through a collaborative mechanism that includes industry, civil society, and governments.[†] This can be applied to situations of trafficked labor but not to situations of trafficked sex as there can be no ethical demand where trafficked sex is concerned.

Activities are only as effective as the weakest link in the chain, and as long as recalcitrant law enforcement and government officials aid and abet crime, trafficking and the use of trafficked people will continue.

Active enforcement of anti-trafficking and related laws is urgently needed, as are training and cooperation (internal and with NGOs) at all levels of governance. It is also necessary to upgrade, harmonize, and in some cases, computerize records, in order to track cases accurately from start to finish.

Finally, the most recent global economic crisis seems to be following in the footsteps of the Asian financial crisis, with increasing unemployment in a wide variety of industries and with legal migrants losing work. The export industries that prefer employing women in manufacturing, garment making, electronics, tourism, and services have experienced significant job losses as exports have decreased because of contracted demand. The cultural imperative of women to support their families is a prominent aspect of their vulnerability. Absent more effective governmental and societal efforts to prevent human trafficking, mitigate its effects, and punish wrongdoers, the number of those trafficked will only increase.

*There are various initiatives tackling this issue, from fair trade to slave-free products. In 2009, the International Organization for Migration in Europe launched a campaign asking consumers to think about what goes into the products they purchase (www.buyresponsibly.org).

[†]The Kimberly Process Certification Scheme is an international certification scheme for the trade in rough diamonds. Its goal is to certify that diamond sales are not funding violence.



Interpreting the Trends



The Enduring Migration Story and Its 21st Century Variants

Ellen Laipson

The movement of people by choice or by force is part of the story of humankind. It knows few spatial or temporal bounds. In the 21st century, many migration trends have continued, and they present the international community with complex choices. The tragic displacement of people from war goes on ceaselessly. Labor migration, human trafficking, and climate-driven migration present new policy dilemmas for states and international institutions. Migration patterns today are profoundly linked to globalization, for good and ill, and have generated anxieties within societies and in state-to-state relations about the security implications of these patterns.

The 2009 *Human Development Report* of the UN Development Programme reports that the percentage of the world's population of migrants has remained constant: about 3 percent over the past 50 years. Today, that means over 200 million people live outside the land of their birth,* 50 years ago that figure was about 90 million. Improved access to media, porous borders, and failing states add impetus to higher rates of migration. Migrants' incomes have become an important component of the national incomes and economies of sending countries. But the barriers remain formidable: more nation-states mean more borders to breach, and many governments—including those of high-income countries—impose daunting restrictions on who may enter and what rights migrants have once they are there.

Migration can be seen as an integral characteristic of the age of globalization, or as a byproduct of a globalized world of economic and social transactions. It reflects many of the positive impulses of globalization: to maximize opportunities for individuals and groups through greater ease of economic and information transactions. Such opportunities accelerate or intensify the universal and timeless movement of people in search of peace, prosperity, and freedom. Migration leads to brain drains and gains, cultural diversification, redistribution of wealth, and greater cosmopolitanism around the world.

*Only one-quarter represent people from developing countries moving to the developed world. The vast majority of migrants are moving within the developing world or within the developed world.

Migration also reflects the darker side of the human experience: people in nearly every continent still flee persecution, violence, food insecurity, and war. For many refugees, physical survival is the paramount consideration, but in many other ways, refugees lose their personal security. They may reach a new destination, but without any guarantee of long-term shelter, employment, or basic rights. Globalization has also facilitated the age-old practice of trafficking in persons; by land, sea, and air, increasing numbers of young women, children, and male workers are exploited by international criminal networks that provide factory workers, domestic workers, and sex workers to capitals around the world. International policies and procedures have not curbed this global blight.

Migration issues present myriad policy challenges at two principal levels, the nation-state level and the global, as international organizations work to update and revise worldwide norms and programs to respond to migrant-related needs. The factors that shape national and international migration policies range from acute humanitarian crises to organized crime, human rights violations, shifting labor markets, and development strategies. Different divisions of national bureaucracies may deal with any one of these topics, but long-term, comprehensive responses to migration may require careful calibration of all the factors and their interactions.

This essay considers the migration story and its multiple effects. It explores the inadequacies of established categories and definitions, considers the public policy interests and responses of key stakeholders, and offers reflections on the crosscutting issues of identity and culture in the contemporary world for which migration patterns are a powerful driver. It proceeds from the notion, examined in other chapters in this volume, that the US and international toolkits for dealing with migration issues are outdated and inadequate to the task, in part because the linkages between and among different kinds of migration demand new attention and creative responses. Like the parallel story unfolding around climate change, migration is connected to many aspects of public policy, and cause and effect relationships are not always clear. Effective policy responses will need to take this complexity into account, but as with climate change, solutions often elude political consensus and political will.

This essay is intended to provide some broad-brush policy suggestions and to illuminate ways in which existing policy responses are often insufficient, from nations coping with sudden refugee influxes from nearby wars or international organizations trying to protect the rights of trafficked persons or of climate or labor migrants. The responses may address acute humanitarian needs or attempts to cope with the pressures on receiving states, but they cannot fully accommodate the nuances of migrants' individual needs. The short-term impulses may be well intended, but the long-term consequences of international interventions on behalf of migrants may be suboptimal for all concerned. There are no easy formulas to ensure adequate responses to the complexities of migration in the 21st century, but

efforts to integrate and coordinate more of the many noble activities of the international community are valuable.

More attention to the individual human potential of migrants is warranted. Migrants have personal, family, clan, or small-town stories that shape their perceptions about where they belong and how they hope to survive in an often unfriendly world. It is a cautionary reminder that smart solutions for the global governance of migrants should try to preserve, as much as possible, the notions of choice and individual rights.

Definitional Dilemmas

The three main types of migrants discussed here—refugees, labor migrants, and trafficked persons—are not always easily distinguishable from each other. (The emerging issue of climate migrants, discussed in this volume by Deepti Mahajan, is often conceptually close to labor migration.) Some of the legal definitions established by international organizations at different historical moments work to be as precise as possible, but ambiguity remains. Migrant individuals and groups may have a different view of their status from the view of those international organizations—official or nongovernmental—whose mission is to provide services and support. For policymakers and legislators, a government response may be determined by an acute crisis, but over time, that policy may no longer be relevant to the intended beneficiaries.

Many definitional anomalies persist:

- The largest current refugee crisis—the estimated 2 million Iraqis who have fled Iraq since 2003—brings into sharp focus the challenge of definition at the national and international levels. Some Iraqis qualify for asylum, others do not. Some have the right to work in their country of refuge, others do not.
- Many Iraqi migrants to neighboring Arab countries, for example, are reluctant to register as refugees with the United Nations High Commissioner for Refugees (UNHCR), because the Iraqis believe they are temporary residents or find the process of registering for aid to be daunting and demeaning. They are not yet psychologically ready to see themselves as members of this unfortunate group. Iraqis currently residing in neighboring Arab states are called “guests,” a term that permits the hosts to invoke brotherly values of solidarity but to avoid long-term commitments to provide the basic services the Iraqis need. Among key Arab states, Iraqi refugees face widely divergent policies about the right to work, asylum status, and other fundamental needs.
- Young female labor migrants from South Asia to the Arab Gulf countries may travel in the belief that they are legally protected workers with binding contracts. Should these circumstances turn out to be untrue, they may in fact be trafficked workers. As

UNHCR defines a refugee as someone who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence, as a result of such events, is unable or, owing to such fear, unwilling to return to it.

The 2000 UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children defines trafficking as “the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use by force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving and receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

According to the UN Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, a migrant worker is a person who is to be engaged, who is engaged, or has been engaged in a remunerated activity in a state of which he or she is not a citizen.

such, they have little knowledge or ability to seek protection or help from support groups or their own country of origin.

- One of the most wrenching categories is stateless persons. They may be born to parents of two nationalities, or in a refugee camp, or in a place that is no longer a functioning state. These individuals and groups face formidable barriers to live a normal life in its most ordinary aspects: to have a birth certificate or to be recognized as having legal and voting rights.
- In a highly mobile world, notions of citizenship and residence are not always aligned, and migrants by choice may not be able to establish citizenship and full rights in their country of residence or to exercise their right to vote in their country of origin. Adaptation by states in accommodating this mobility is occurring: the government of the Philippines is working to allow absentee migrant workers access to voting.

Public Policy Issues

Migration presents a number of challenges and opportunities for governments at all levels: local, national, and international. Migrants have provided vital sources of labor and cultural renewal for societies around the world, and have been the driver for the multiculturalism that is the defining feature of most 21st century communities in the developed world and, increasingly, the developing world. Societies renew and reinvent themselves with the infusion of new languages, cultural practices, and families motivated by a desire to be free

and upwardly mobile. Yet immigration provokes fierce debates and societal anxieties about identity and cultural integrity. In the Arab Gulf, the influx of skilled and unskilled workers from South Asia and Southeast Asia, in particular, provokes a deep angst about the survival of Arab norms and values, even though the migration is authorized by the pro-growth strategies of the royal families and business elites. Within Southeast Asia, migration patterns of workers have tipped demographic balances and altered domestic politics—whether it is the historic migration of Chinese to Malaysia, or the current influx of Indonesians in Singapore, or Burma to Thailand. Countries with aging populations, such as Japan and those of Western Europe, are well aware that they need younger people with skills that are lacking in the local population. Yet they fear a loss of ethnic and cultural authenticity, and fear the import of potentially destabilizing political ideas—from the Muslim world in particular.

Refugees

Refugees nearly always require acute interventions by governments to respond to humanitarian needs and to support, if possible, orderly repatriation or resettlement in a third country, often allowing international organizations to respond to humanitarian need and provide needed services. Repatriation initiatives managed by the international community are most likely to be voluntary, whereas governments will often force involuntary repatriation, as in Iran's recent treatment of Afghan refugees. Governments tend to develop robust mechanisms for short-term problems, such as emergency housing, but establishing long-term policies for integration into the society, for rights to work and own property, and to acquire new nationality status if desired have proven much harder to attain.

In many receiving countries, the job of helping refugees occurs at the local level, in communities. Civil society and faith communities are often the hosts for new immigrants and refugees, and do their best to provide basic human needs, which may be funded initially by national governments. Often these new arrivals need longer term options, when government attention and largesse are no longer available. Iraqi refugees in the Middle East, and the few thousand that have been accepted for resettlement in the West, have no assurances for long-term employment, but have found local communities or their own networks most willing to provide needed services.*

In the Middle East, the diverse policies toward Iraqi refugees provide a window into the particularisms of policy at the national level. Lebanon and Jordan, for example, have been

*This essay uses Iraqi refugees as a current and compelling case study that represents the refugee problem in general. The Indian Ocean region historically has experienced many episodes of equivalent humanitarian proportions: Bangladeshis fleeing war and environmental disasters, Vietnamese fleeing into Thailand, etc. The plight of Iraqi refugees is the most current and acute of these crises, and has the potential to transform the politics of host countries and to affect regional stability. The refugees also represent the diverse dimensions of migration, since many could be considered economic migrants as well as refugees.

openly unenthusiastic about receiving large cohorts of Iraqis with financial need who may not want to return to Iraq. The legacy of Palestinians—who changed the demographics and the politics of the two small states—lingers and creates deep policy concerns for the host countries, which hope to avoid the permanent effects of a new influx of refugees. As a result, Lebanon and Jordan have imposed restrictions on Iraqis; Jordan requires a hefty bank account as a condition for entry, and both deny Iraqis legal work permits. (Lebanon, as Sara Sadek points out, has permitted Iraqis to create self-sufficient communities that do not require social services from the state.) Syria, by contrast, has been more welcoming to the Iraqis. Although it considers them temporary guests and offers no formal route to naturalization, many believe that it is only a matter of time before the Christian refugees from northern Iraq find a way to normalize their status, probably with the facilitation of the large Syrian Christian community.¹

There are well-developed international standards governing treatment of refugees, for settlement in their first country of refuge, for voluntary repatriation when circumstances permit, or resettlement in third countries. States involved in hosting large groups of refugees turn to international organizations to provide support and facilitate settlement for those who cannot return to their country of origin, and repatriation once a conflict or natural disaster has ended and a country is able and willing to provide security for returning citizens.

As for policies to facilitate or encourage return to the place of origin, international norms are clear, even if implementation usually leaves room for improvement. Refugees may not be compelled or coerced into returning. They must be given free choice. The International Organization for Migration (IOM) tries to monitor the trends in returns through surveys and interviews, but countries that try to lure their nationals back with financial incentives often miss their own targets by a wide margin because refugees have informal means, including short visits back to Iraq, to make their own assessment about conditions back home. Iraqis, for example, are returning very slowly, and government programs to provide temporary support and alternative housing if necessary are understaffed and underfunded. The IOM can assist the process and can offer advice. Recently it has encouraged Iraqis to consider offering those returning Iraqis with farming skills a plot of land rather than an uncertain fate in urban dwellings.

Labor Migrants

Policies and tools that governments use to regulate the flow of labor migrants also take varied forms and are used in different ways by them. These include the use of interstate agreements and independent brokers. Some countries fail to prevent the flow of migrants without formal permission, because they often provide critical seasonal labor in agriculture and other service sector roles. These migrants may seek to normalize their status through immigration procedures. Immigration policy is a divisive domestic issue in many countries,

where migrants are perceived as competing with local labor for scarce jobs, often despite empirical evidence to the contrary.

In the wealthy states of the Arab Gulf, a different problem is emerging: states sponsored a massive influx of labor migrants, largely from Asia, to provide manpower for the rapid economic expansion of the past decade. But cultural anxieties and concerns about idle youth have led governments to develop policies to localize the labor force, often creating a disconnect between skills and employment and exacerbating social tensions between imported labor and the local community. In Saudi Arabia and the United Arab Emirates, the policies aimed at localization of the labor market have been directed from the top, often without regard to whether the local workforce has the necessary skills to replace labor recruited from Asia. In some cases, the net effect has been to change the incentives for the would-be labor migrant: India's rising economic success, for example, combined with the less favorable environment in the Gulf, have altered the calculus for an Indian small businessperson or skilled laborer. Unskilled laborers have suffered more as a result of the shift in labor policies and by the economic downturn.

Trafficking

The trends in trafficking are tragic. According to the International Labour Organization, trafficking is increasing in volume and reaching younger and younger people. It is estimated that there are over 12 million in forced labor, of which about a quarter are trafficked persons at any given time, and children as young as seven years are being trafficked. Half of the worldwide phenomenon affects people from South and Southeast Asia. As Ruchira Gupta points out, the availability of people who succumb to schemes that promise them a better life elsewhere is driven by many factors, including traditional land ownership and social stratification in South Asia, and by environmental insecurity that has pushed people away from rural livelihoods in Southeast Asia. Trafficking is not an exclusively international phenomenon; many young women and girls are trafficked as sex workers within their country of origin, and many of both genders are trafficked for other labor.

There is a powerful economic dimension to trafficking; large and increasingly sophisticated criminal networks now control the trade in humans. Criminals work in drugs, gambling, and prostitution as an interlinked market. Thailand's tourist industry profits from sex tourism, and the exploitation of illegal migrants from Burma, and elsewhere in Southeast Asia, remains a public policy concern.

States that have weak capacity to deal with crime within their borders find the challenge of preventing international trafficking very daunting. According to the US Department of State's annual report on trafficking, Thailand, like most of Southeast Asia, is not in full compliance with international norms but is making "significant efforts to do so." Those

efforts focus on prosecution of trafficking offenders (a few dozen cases), protection (more than 100 temporary shelters for victims), and prevention (public awareness and information).

Climate-Driven Migration

An emerging challenge for migration policy is how to address climate-driven migration. The international community is grappling with climate change and its impact on human society; there are migration dimensions to states' and societies' mitigation and adaptation efforts. Some individuals and communities will relocate in anticipation of disadvantageous changes in agriculture, weather, or life style; others, who may not have the means or initiative, will become refugees when climate effects force them to do so. To date, the international community has not focused in depth on climate-induced migration, compared to more immediate and acute forms of migration.

Migration and 21st Century Diplomacy

Increasingly, migration issues are political issues that can affect the tone and content of overall bilateral relations. Migration issues are on the agenda in interstate relations. Developed countries may beseech developing country neighbors of a country in conflict to accept refugees, or they may urge better treatment of migrant workers. Sometimes it will be developing countries beseeching developed countries to accept more refugees for resettlement or to do more for temporary migrant workers. On occasion, these issues are left to technical exchanges among experts, such as a labor attaché engaging with a country's ministry of labor. Diaspora communities can also on occasion become active players in relations between their land of birth and their adopted country.

The government of the Philippines is more forward leaning than many in promoting the well-being and interests of its labor migrants as part of its economic development strategy and its foreign policy. It lists banned destinations for Filipino workers based on security concerns, and informs workers about recruitment companies whose practices may be of concern. Labor attachés in embassies try to help and repatriate abused workers, sometimes through diplomatic channels, or by negotiating with an employer or offering quiet services to the troubled worker.

The Security Dimension of Migration Issues

The migrant story has security implications at many levels. It is very important that the human security of the individual migrant be a central concern of policymakers at the national and international levels. Refugees are fleeing insecurity, but they acquire new kinds of insecurity in their new country. They may not fear bombs or killings, but they face

challenges of social and economic integration, and could face threats of violence by the local population.

Many states think of migrants as a security risk, thus preventing spontaneous mass migration has been a concern in Africa, the Middle East, and South Asia. Sudanese who cross into Chad, Iraqis who flee in several directions, Afghans crossing into Iran and Pakistan, and Bangladeshis moving into India have all been framed as security threats to the receiving state. Most states cannot manage or prevent these flows. A few do have effective border controls, such as Saudi Arabia, which thereby prevented an influx of Iraqi refugees that its neighbors to the north were unable to do; some have strong systems to prevent migrant workers from overstaying their contracts.

Maritime authorities handle migration as a security concern, and navies and coast guards are increasingly trained and tasked to deal with trafficking and refugee flows, sometimes turning small boats and commercial ships away from ports, or seeking intervention from UNHCR to take custody of groups of people seeking asylum and refuge, such as the recent experience of the US Navy picking up Somalis at sea and transferring them to the custody of UNHCR in Yemen.

Once settled, migrants present complex problems for societal security. A host population often has to be informed and assured by the national or provincial government as to the status and intentions of migrants or temporary residents. Communities and local police forces may be expected to maintain law and order, and to prevent economically desperate newcomers from resorting to crime and violence, or being victimized by locals.

Internationally, peacekeepers are often engaged in providing security for refugees and internally displaced persons in conflict zones. While they are often instructed by the UN Security Council to focus primarily on keeping former combatants apart, increasingly, the notion of protecting civilians is attracting attention as an underdeveloped policy area. This debate could converge with the international community's efforts to fund more effective ways to meet the needs of the internally displaced, unplanned migrants, and refugees.²

Looking to the Future

It is no simple matter to develop more effective ways for nation-states, localities, and the international community to respond to these complex issues. One must look for innovative ideas in different institutional settings. Long-term solutions that allow migrants to live in dignity require policy innovation and flexibility in categorization and in access to services that are provided—often inadequately—by states, societies, and international organizations. Several new approaches in the migration policy world reflect efforts to be more

creative and responsive. These do not constitute a comprehensive approach to reform of migration policy, but could be elements of such a direction.

Since 2007, UNHCR has recognized the concept of “mixed migration.” This acknowledges that in large movements of people from a conflict zone or a distressed state, there will be some who qualify as refugees, some who will seek asylum, and others who may be migrating voluntarily or are being trafficked for economic reasons. UNHCR is facilitating a cross-agency discussion about ways to provide protection to those who need it, and not to further complicate the obligation of states to processing the movement of foreign nationals, and to combat international crime that affects some migrants. UNHCR is working to coordinate with other international organizations, such as the United Nations Children’s Fund (UNICEF) and IOM, as well as with the NGO community, to collect data and share knowledge and best practices about entry systems, reception of migrants, mechanisms for profiling and referral, and to find alternative migration options for those who are not found to be refugees.

Work on behalf of labor migrants has moved forward in the International Labour Organization and at the nation-state level to offer more legal protections for migrant workers and their families, and to recognize domestic work (work inside the home) as formal labor. This latter is part of an effort to address the current practice of considering domestic help to be “guests” of the host family, rather than laborers with recognized rights and protections. The phenomenon of domestic servants from South and Southeast Asia in the wealthy countries of the Middle East is slowly being addressed by advocacy groups, international organizations, and host nations to provide a more formal and legally binding set of standards for their employment.

Regional organizations, such as the Association of Southeast Asian Nations, are formally addressing the rights of labor migrants, and are working to establish regional standards and norms. At the national level, labor-receiving countries are, slowly and painfully, considering expanding the residency rights and even the possibility of offering citizenship or permanent status to deeply established foreign workers. They are also taking short-term practical steps, such as prohibiting employers from confiscating guest workers’ passports.

This essay has focused on ways to change how we think about migration for the purpose of developing more effective responses. The migration story is at once timeless and very much part of 21st century trends. Globalization and technology permit more people to acquire the knowledge, if not the means, to make choices that transcend national boundaries. Africans seeking entry to Europe’s wealthy labor market and its social safety network are often in the Western or international news, while thousands of Bangladeshis are crossing into India or Burmese slipping into Thailand fall off the radar screen of international awareness,

even if their plight is documented locally. Migrants who qualify as “refugees” are entitled to some types of international support, while most migrants are fleeing endemic poverty, food insecurity, and other threats to well-being that do not make the threshold of political persecution. From a moral point of view, it is hard to feel the distinction is useful or just.

In addition to the human tragedies of Darfur, Iraq, Burma, and of trafficked Asians in the Middle East, there are the countless other ways in which migration shapes our understanding of the current age’s social, economic, and political dynamics. Newly independent states draw on diaspora communities to bring skills and global networks to leadership positions; enduring conflicts in a failing state generate tensions among refugees and migrants from that country in the slums of a neighboring state; diplomats are in uncharted waters in defending the rights of dual nationals in their country of origin, across great cultural chasms; labor-sending countries have achieved new confidence and demand that international norms be updated to assign greater value and status to the humble domestic worker or unskilled construction worker.

There is the crosscutting issue of identity as a personal, cultural, and political phenomenon.

- Migration has generated new patterns of marriage, religion, and education in many, if not most, countries of the world.
- People can choose to have more than one identity, whether it is based on biology, history, or choice.
- Multicultural states have trouble limiting the number of boxes on a census form where a citizen can claim a particular ethnic or racial identity.
- This explosion of cultural diversity sits uneasily alongside an impulse to return to strict notions of cultural purity. The culture wars of the 21st century over Islamic dress in Western cities, the permitted use of languages spoken by minorities in public spaces, or bans on construction of minarets in Switzerland are only a few recent examples.

These 21st century variants of the timeless migration story underscore some of the profound ways in which globalization has affected the lives of so many. Yet the international system struggles to find the right balance between the interests and legal authorities of the nation-state and those of individuals and groups who are eager and willing to cross national boundaries, to transmit and transform culture and identity, in pursuit of the universal rights and freedoms the international community worked to defend in the 20th century.

Appendix 1: Author Biographies

Rhodora Alcantara Abano is the Advocacy Officer for the Center for Migrant Advocacy–Philippines. She has been involved with NGOs, working with Filipino migrants since the early 1980s. Abano obtained a BS in pharmacy in 1980, and is currently pursuing her master’s in family life and child development at the University of the Philippines, Diliman, Quezon City.

Carrie Chomuik is the Middle East Research Associate for the *Regional Voices: Transnational Challenges* project at the Stimson Center. Her current research focuses on the economic, political, social, and ecological implications of migration and urbanization trends in the Indian Ocean littoral. Prior to joining Stimson, she was the Grants Administrator for South and East Asia at the National Endowment for Democracy. Chomuik graduated from the Walsh School of Foreign Service at Georgetown University with a BS in foreign service and a Certificate of African Studies. She is currently pursuing an MS in conflict analysis and resolution at George Mason University.

Jill Goldenziel is a Climenko Fellow and Lecturer on Law at Harvard Law School. She has been a fellow of The American University in Cairo’s Program in Forced Migration and Refugee Studies, and of the American Center for Oriental Research in Amman, Jordan. She has lectured internationally on refugees, and her research concerns migration, religion, and ethnicity in international law and politics. Goldenziel holds an AM in government from Harvard University, a JD from the New York University School of Law, and an AB from Princeton University. She is currently a PhD candidate in the Department of Government at Harvard University; her doctoral dissertation analyzes the role of refugee management in international politics and the domestic politics of refugee host countries, focusing on the case of the Iraqi refugees in Jordan, Syria, and Egypt.

Ruchira Gupta is a journalist, activist, and policymaker, who has worked for the past 24 years to end human trafficking and to empower some of the most marginalized girls and women in the world. Gupta is best known for her work with the United Nations, United States, Nepal, Bangladesh, and Kosovo to address trafficking from the demand side. She also works with Apne Aap Women Worldwide, which builds the capacity of girls and

women through small self-help group structures to access education, income generation, training, and legal protection. Gupta also provides policy support to the government of India, the UN, and the US Agency for International Development. In 2009, Gupta won the Clinton Global Citizen Award; in 2007, the Abolitionist Award at the UK House of Lords; and in 2005, the Emmy Award for outstanding investigative journalism.

Ellen Laipson is President and CEO of The Stimson Center in Washington, DC. Her previous career in US government focused on analysis and policymaking on Middle East and South Asian issues. She was the Director for Near East and South Asian Affairs for the National Security Council (1993–95), National Intelligence Officer for Near and South Asia (1990–93), a member of the State Department’s policy planning staff (1986–87), and a specialist in Middle East Affairs for the Congressional Research Service. At Stimson, Laipson directs the Southwest Asia project, which focuses on a range of security issues in the Gulf region. She is also a member of the Council on Foreign Relations, the International Institute of Strategic Studies, the Middle East Institute, and the Middle East Studies Association. Laipson has an MA from the School of Advanced International Studies, Johns Hopkins University, and an AB from Cornell University.

Deepti Mahajan is a Visiting Research Associate at The Energy and Resources Institute (TERI). Her research interests include multilateral trade negotiations, geopolitics and energy trade, and the interlinkages between energy and climate change. Previously, with Women in Security, Conflict Management and Peace (WISCOMP), she worked on multitrack diplomacy and the nexus between gender, security, and peace building. She has a graduate degree in international relations from the University of Nottingham, UK, where she was a Commonwealth Scholar, and an undergraduate degree in journalism from Lady Shri Ram College, University of Delhi. Mahajan is currently pursuing doctoral studies at the School of International Studies, Jawaharlal Nehru University, New Delhi.

Charles Dulo Nyaoro is a Lecturer in the Department of Political Science and Acting Coordinator for the Centre for Refugee Studies at Moi University in Kenya. He has published on topics relating to migration, transborder mobility, and conflict in South Africa. Nyaoro has also completed extensive research on refugees in Kenya, South Africa, and Somalia; his recent work includes a study on remittances and conflict in Somalia, supported by the International Development Research Centre. He is also a member of the Human Rights and Extreme Poverty Project, and consults for the United Nations High Commissioner for Refugees in Nairobi. His research interests include the politics of refugee hosting, remittances and transnational communities, protection of refugees, and peace and conflict issues. Nyaoro holds a BA in political science and sociology from Moi University, and an MA in forced migration studies from the University of Witwatersrand, South Africa.

Samir Pradhan is Senior Researcher, Gulf Cooperation Council (GCC) Economics Program, at the Gulf Research Center (GRC), Dubai. Pradhan's main research interests include micro- and macroanalysis of GCC economies, international trade, Gulf-Asia relations, energy security, geopolitics, and geoeconomics. He has several peer-reviewed publications to his credit, including two books. Prior to joining the GRC, he worked at Research and Information System for Developing Countries, a research institution in New Delhi. Pradhan is a trained economist and obtained his MPhil and PhD degrees from the School of International Studies, Jawaharlal Nehru University, New Delhi.

Sara Sadek is the Outreach Coordinator and a researcher at the Center for Migration and Refugee Studies (CMRS) at The American University in Cairo (AUC). Since 2005, she has worked with CMRS, the University of Sussex, the University of East London, and the French Institute for the Near East on research projects studying the Iraqi and Sudanese communities in Egypt. She was a program committee member and local coordinator of the 11th Biennial Conference of the International Association for the Study of Forced Migration hosted by CMRS in January 2008. She was also a member of the organizing committee of the First Cairo Refugee Film Festival Held in June 2009 in celebration of World Refugee Day. Sadek obtained a graduate diploma from CMRS at AUC in 2006, and an MA in refugee studies from the University of East London in 2007.

Ellene Sana is the Executive Director of the Center for Migrant Advocacy–Philippines, Secretary of the Philippine Migrants Rights Watch, and Chair of the Migrant Forum in Asia Executive Committee. She is also Co-Coordinator of the International Coalition for Overseas Filipinos' Voting Rights and Philippine Solidarity for East Timor. She previously served as Advocacy Officer of Kakammpi, a community-based organization of families of overseas Filipino workers and migrant returnees that addresses problems generated by overseas migration. Sana also serves on numerous committees and councils and has participated in forums related to Philippine and international migration issues.

Appendix 2: Experts Consulted

Myriam Ababsa, Institut Français du Proche-Orient, Jordan
Salim Adib, St. Joseph University, Lebanon
Winnie Agabo, Refugee Law Project, Makerere University, Uganda
A. Alla A. Salam Ahmad, Helwan University, Egypt
Yasmine Ahmed, The American University in Cairo, Egypt
Erin Ajygin, The American University in Cairo, Egypt
Salma Ali, Bangladesh National Women's Lawyers Association
Sarah Avak-Panossian, Lebanese Emigration Research Center, Notre Dame University
Fathy Abu Ayana, University of Alexandria, Egypt
Munzoul Assal, University of Khartoum, Sudan
Nausheen Anwar, Non-resident Visiting Scholar, Johns Hopkins University, Pakistan
Mehdat Ayad, Coptic Evangelical Organization for Social Services, Egypt
Kamal Azfar, Former Governor of Sindh, Pakistan
Zahra Babar, Center for International and Regional Studies, School of Foreign Service in Qatar, Georgetown University
Alioune Badiane, United Nations Human Settlements Programme, Regional Office for Africa and Arab States, Kenya
Charles Bafaki, Directorate of Refugees, Office of the Prime Minister, Uganda
Robert Bakiika, Environmental Management for Livelihood Improvement, Uganda
Paula Banerjee, Mahanirban Calcutta Research Group and University of Calcutta, India
Sarwar Bari, Pattan Development Organization, Pakistan
Ibtehal Y. El-Bastawissi, Alexandria University, Egypt
Manal El Batran, Housing and Building National Research Center, Egypt
Ananya Bhattacharya, Banglanatak.com, India
Shrayana Bhattacharya, Institute of Social Studies Trust, India
Michele Bombassei, International Organization for Migration, Libya
Andrew Bruce, International Organization for Migration, Vietnam
Gabriela Brust, United Nations High Commissioner for Refugees, Syria
Bronwyn Bruton, Council on Foreign Relations
Jennifer Cate, HANDS Along the Nile

Elizabeth Chacko, The George Washington University
Muzaffar Chishti, Migration Policy Institute
Deirdre Connolly, Emerging Conflict and Related Issues Section, United Nations
Economic and Social Commission for Western Asia, Lebanon
Alia Al-Dalli, United Nations Development Program, Morocco
Samira Daniel, Coptic Evangelical Organization for Social Services, Egypt
Dalia Dawoud, Spirit of Youth Association for Environmental Services, Egypt
Jayant Diwan, Social Worker, India
Mohamed Kamel Dorai, Institut Français du Proche-Orient, Syria
Elizabeth Dunlap, International Organization for Migration, Indonesia
Paul Dyer, Dubai School of Government, United Arab Emirates
Justin Ecaat, National Environment Management Authority, Uganda
Haleh Esfandiari, Woodrow Wilson Center for Scholars, Washington, DC
Patricia Weiss Fagen, Institute for the Study of International Migration, Georgetown
University
Obaida Fares, Arab Foundation for Development and Citizenship, Jordan
Pabitra Giri, Centre for Urban Economic Studies, Calcutta University, India
William Gois, Migrant Forum in Asia, Philippines
Omkar Gupta, Urban Design Research Institute, India
Jaideep Gupte, University of Oxford, United Kingdom
Rima Habib, American University of Beirut, Lebanon
Sari Hanafi, American University of Beirut, Lebanon
Joost Hiltermann, International Crisis Group, Turkey
Akmal Hussain, Beaconhouse National University, Pakistan
Reham Hussein, The American University in Cairo, Egypt
Jalal Al Hussein, Institut Français du Proche-Orient, Jordan
Chadia Iskander, Association for the Protection of the Environment, Egypt
Angelo Izama, *Daily Monitor*, Uganda
Javed Jabbar, J. J. Media (Pvt.) Ltd., Pakistan
Harsh Jaitli, Voluntary Action Network India
Ray Jureidini, The American University in Cairo, Egypt
Nady Kamel, New Horizon Association for Social Development, Egypt
Saibal Kar, Centre for Studies in Social Sciences, Calcutta, India
Prasad Kasibhatla, Duke University
Louise Khabure, International Crisis Group, Kenya
Sridhar Khatri, South Asia Center for Policy Studies, Nepal
Rami Khouri, American University of Beirut, Lebanon
Megan King, People in Need, Jordan
David Kithakye, United Nations Human Settlements Programme, Regional Office for
Africa and Arab States, Kenya

Christian Koch, Gulf Research Center, United Arab Emirates
 Bhau Korde, Social Worker, India
 Hanif Lakdawala, Sanchetana Community Health and Research Centre, India
 Jonathan Lee, All Saints Cathedral, Egypt
 Ibrahim Makram, Coptic Evangelical Organization for Social Services, Egypt
 Saifullah Mahsud, FATA Research Centre, Pakistan
 Rafi Malek, Centre for Development, India
 Bruno Maltoni, International Organization for Migration, Cambodia
 Carol Mansour, Forward Film Production, Lebanon
 Susan Martin, International Institute for the Study of Migration, Georgetown University
 Jos Maseland, United Nations Human Settlements Programme, Regional Office for
 Africa and Arab States, Kenya
 Philip Migire, African Migration and Development Policy Centre, Kenya
 Winnie Mittulah, Institute for Development Studies, University of Nairobi, Kenya
 Basil Mohammed, Commission for Civil Society Enterprises, Iraq
 Anthony Morland, Integrated Regional Information Networks, Kenya
 Chissey Mueller, International Organization for Migration
 Justus Inonda Mwanje, Institute of Policy Analysis and Research, Kenya
 Julius Mwelu, The Mwelu Foundation, Kenya
 Ezzad Naem, Spirit of Youth Association for Environmental Services, Egypt
 Sharon Nagy, De Paul University, Illinois
 Mashary Al-Naim, King Faisal University, Saudi Arabia
 Esther Nakazzi, Network of Climate Journalists in the Greater Horn of Africa, Uganda
 Quoc Nam Nguyen, International Organization for Migration, Vietnam
 Charles Dulo Nyaoro, Moi University, Kenya
 Rose Odhiambo, Egerton University, Kenya
 Richard Odingo, University of Nairobi, Kenya
 Charles Okidi, University of Nairobi, Kenya
 Maggie Opondo, University of Nairobi, Kenya
 Laban Nyasoi Osoro, Kituo Cha Sheria, Center for Legal Empowerment, Kenya
 John Oucho, African Migration and Development Policy Centre, United Kingdom
 Shyam Parekh, *Daily News & Analysis*, India
 Anjali Pathak, Apne Aap Women Worldwide, India
 Lucia Pavelová, People in Need, Jordan
 Roberto Pitea, International Organization for Migration, Egypt
 Greg Polk, Slum Upgrade Facility Consultant
 Reem Rawdha, People in Need, Jordan
 Mervat Abou Al Rous, International Organization for Migration, Egypt
 Jane Rubio, American University of Beirut, Lebanon
 Namusobya Salima, Refugee Law Project, Makerere University, Uganda

Sylvia Samanya, Directorate of Refugees, Office of the Prime Minister, Uganda
Ellene Sana, Center for Migrant Advocacy–Philippines
Angela Santucci, International Organization for Migration, Egypt
Mio Sato, International Organization for Migration, Jordan
Mustapha Al Sayyid, Partners in Development, Egypt
Amina Shafiq, *Al Ahrām*, Egypt
Amita Shah, Gujarat Institute of Development Research, India
Nasra Shah, Kuwait University
Tatjana Sharif, New Horizon Association for Social Development, Egypt
Nuur Mohammad Sheekh, Internal Displacement Monitoring Centre, Switzerland
Andrea Stephanous, Coptic Evangelical Organization for Social Services, Egypt
Seiko Sugita, UNESCO, Lebanon
Nawaf Tell, Center for Strategic Studies, University of Jordan
Riwanto Tirtosudarmo, Indonesian Institute of Sciences
Meera Velayudhan, India
Antoinette Vlieger, University of Amsterdam Law School, Netherlands
Farrukh Waris, Burhani College of Commerce & Arts, India
Sybella Wilkes, United Nations High Commissioner for Refugees, Syria
Hassan Zaky, The American University in Cairo, Egypt
Fatma El-Zanaty, Cairo University, Egypt

Appendix 3: *Regional Voices: Transnational Challenges* **Partner Institutions**

Africa

Moi University, Centre for Refugee Studies (CRS). The Centre for Refugee Studies was conceived in 1991 as a program of the Department of Government and Public Administration in the School of Social, Cultural, and Development Studies at Moi University, Eldoret, Kenya. CRS aims to promote teaching, research, and outreach activities in the area of forced migration, to understand its root causes, and to instruct the current generation in the principles and practices of social justice, peace, and democracy in the management of public affairs. CRS became operative in 1992, launching a one-week course on “Refugee Rights and Law” for relevant officers of the Kenyan government and NGOs. This marked the beginning of collaborative activities with the Refugee Studies Programme, University of Oxford, the United Nations High Commissioner for Refugees Nairobi office, the US Agency for International Development, the British Council, and the Ford Foundation.

Middle East

The American University in Cairo, Center for Migration and Refugee Studies (CMRS). The Center for Migration and Refugee Studies, previously known as the Forced Migration and Refugee Studies (FMRS) program, at The American University in Cairo was established in 2000 as a program of education, research, and outreach on refugee issues. In 2008 it developed into a regional center that encompasses all forms of international mobility, whether voluntary or forced, economic or political, individual or collective, temporary or permanent. CMRS works along three building blocks—research, education and outreach—aiming to form strong synergies among them. CMRS’s research program includes a systematic and comparative inventory of the situation regarding migration and refugee movements across the Middle East and Africa, as well as in-depth studies of emerging issues in the region. It gathers in-house faculty and fellows as well as a network of scholars established in other countries covering the region, with a focus on producing policy-oriented research. CMRS’s outreach includes disseminating knowledge on migration and refugee issues beyond the university’s gates, as well as providing a range of educational services to refugee communities.

Gulf Research Center (GRC). Based in Dubai, United Arab Emirates, the Gulf Research Center is a privately funded, nonpartisan think tank, education provider, and consultancy specializing in the Gulf region (the six Gulf Cooperation Council countries, and Iran, Iraq, and Yemen). Established in 2000, the Center conducts research on political, social, economic, security, and environmental issues from a Gulf perspective, redressing the current imbalance in Gulf area studies, where regional opinions and interests are underrepresented. With “Knowledge for All” as its motto, the GRC strives to promote different aspects of development and facilitate reforms in the region in order to secure a better future for its citizens.

American University of Beirut, Issam Fares Institute for Public Policy and International Affairs (IFI). The Issam Fares Institute for Public Policy and International Affairs at the American University of Beirut (AUB) was inaugurated in 2006 to harness the policy-related research of AUB’s internationally respected faculty and other scholars in order to contribute positively to Arab policymaking and international relations. In the established tradition of AUB, IFI is a neutral, dynamic, civil, and open space where people representing all viewpoints in society can gather and discuss significant issues of the day, anchored in a long-standing commitment to mutual understanding and high-quality research. The main goals of IFI are to raise the quality of public policy–related debate and decision making in the Arab world and abroad; to enhance the Arab world’s input in international affairs; and to enrich the quality of interaction among scholars, officials, and civil society actors in the Middle East and abroad. It operates research-to-policy programs in the areas of climate change and environment, Palestinian refugee camps, youth-related issues, and think tanks and public policymaking in the Arab world.

The Arab Center for the Development of the Rule of Law and Integrity (ACRLI). The Arab Center for the Development of the Rule of Law and Integrity is a regional, non-governmental, nonprofit organization, founded in 2003 by a group of judges, specialists, lawyers, and academics from Lebanon and other Arab countries. ACRLI was established to develop and reinforce the rule of law in the Arab world and promote integrity and good governance based on respect for civil and human rights and sound democratic practices.

South Asia

All India Disaster Mitigation Institute (AIDMI). The All India Disaster Mitigation Institute is an NGO based in Gujarat, India, that works toward bridging the gap between policy, practice, and research related to disaster risk mitigation and reduction. Established after the 1987–89 Gujarat droughts, AIDMI evolved from a project in 1989 to an autonomous organization in 1995. As an operational as well as learning organization, it is able to link local communities with national and international policies of relief and long-term recovery. AIDMI has expanded work over the years to now cover 11 types of disasters in six areas of India and seven countries in Asia. AIDMI has shown that disasters are not only about relief but about prevention on the one hand and development on the other.

Asia Foundation, Sri Lanka. Recognizing that a sustainable peace is tied to overcoming deeper problems of a weakened democracy, lack of justice, and human rights violations, the Asia Foundation's program in Sri Lanka seeks to identify and support organizations and institutions that promote democratic governance and the rule of law as essential for lasting peace and prosperity. The Asia Foundation programs in Sri Lanka date back to 1954. The Foundation has been a pioneer in strengthening community-based legal services and mediation for the poor in Sri Lanka. It supported a definitive study on the relationship between aid, conflict, and peace building in Sri Lanka, and a follow-up study on the US involvement in the country's peace process. The Foundation distributes some 80,000 new English-language publications a year to libraries throughout Sri Lanka.

The Bangladesh Centre for Advanced Studies (BCAS). The Bangladesh Centre for Advanced Studies, based in Dhaka, is an independent, nonprofit, nongovernmental policy, research, and implementation institute working on sustainable development at the local, national, regional, and global levels. BCAS addresses sustainable development through five interactive themes: environment-development integration; good governance and popular participation; poverty alleviation and sustainable livelihoods; economic growth, public-private partnerships, and sustainable markets; and corporate social responsibility.

Institute for Peace Studies and Conflict Resolution (IPSCR). The Institute for Peace Studies and Conflict Resolution was established in January 2007 under the aegis of the Centre for Study of Society and Secularism, Mumbai. The overarching goal of the Institute is to create enabling conditions for peace and security by: creating awareness in the society of factors affecting peace; addressing myths attributed to religious teachings; research and study into communal and sectarian conflicts; capacity building and peace advocacy, especially among youth; and supporting women's empowerment. IPSCR collaborates with other institutions, including the Tata Institute of Social Science Research, and the Department of Civics and Politics and the Department of Sociology, University of Mumbai.

Institute of Policy Studies (IPS). The Institute of Policy Studies, based in Islamabad and founded in 1979, is an autonomous, nonprofit, civil society organization, dedicated to promoting policy-oriented research on Pakistan affairs, international relations, and religion and faith. IPS provides a forum for informed discussion and dialogue on national and international issues; formulates viable plans; and presents key initiatives and policy measures to policymakers, analysts, political leaders, legislators, researchers, academia, civil society organizations, media, and other stakeholders. Periodicals and publications, interaction, dialogue, thematic research, and capacity-building programs are instrumental in its research endeavors. IPS garners collaboration as well as extends its active cooperation to other organizations in one or more areas of research.

Pakistan Institute of Legislative Development and Transparency (PILDAT). The Pakistan Institute of Legislative Development and Transparency is an indigenous, independent, and nonpartisan research and training institution committed to strengthening democracy and democratic institutions. PILDAT works to increase the legislative capabilities of elected officials, carries out in-depth analysis of the democratic developments of the country, provides performance reviews of the Parliament and provincial assemblies, and encourages the culture and value of democracy in youth through the first-ever Youth Parliament of Pakistan. The Institute also facilitates the formulation of issue-based caucuses across party lines, including the Young Parliamentarians' Forum, the Parliamentary Consultative Group on Women's Issues, and the Parliamentary Group on Inter-Faith Relations. PILDAT also facilitates non-Parliamentary groups of leading intellectuals and thinkers for discourse on issues such as free and fair elections, the electoral process, youth and politics, and dialogue between Muslims and the West.

Quaid-i-Azam University, Department of Defence & Strategic Studies. Quaid-i-Azam University, founded in 1967, is rated as one of the top public institutions of higher education in Pakistan and has established research collaborations with selected universities/research organizations in the United States, Europe, and South Asia. Since its establishment in 1980, the Department of Defence & Strategic Studies has awarded MSc degrees to 111 officers of the armed forces and 514 civilians. Thereby, it has made a significant contribution to the development of national expertise in the fields of defense and security studies. The academic training imparted by the Department is geared toward the development of requisite academic knowledge and analytical ability for evaluation of national, regional, and international strategic environment and policies. Since 1980, 69 MSc theses and 556 seminar papers have been written on wide-ranging subjects in the field of defense and strategic and security studies. The Department's faculty, in addition to its regular teaching, contributes research articles to various professional journals and delivers lectures at the National Defense College, Foreign Services Academy, Joint Services Staff College Islamabad, and Staff College Quetta.

Regional Centre for Strategic Studies (RCSS). Based in Colombo, the Regional Centre for Strategic Studies is an independent, nonprofit NGO that fosters collaborative research, networking, and interaction on strategic and international issues pertaining to South Asia. RCSS coordinates research on strategic and security-related issues; promotes interaction among scholars and other professionals in and outside the region who are engaged in South Asian strategic and international studies; and fosters relationships and collaboration among institutions studying issues related to conflict, conflict resolution, cooperation, stability, and security in South Asia.

South Asia Center for Policy Studies (SACEPS). The South Asia Center for Policy Studies is an independent, nonprofit NGO engaged in regional cooperation in South Asia. SACEPS was established in mid-1999 and housed at the Centre for Policy Research, New Delhi, and then at the Centre for Policy Dialogue, Dhaka. SACEPS moved to Kathmandu

after establishing its permanent secretariat in 2005. The Centre's main aim is promoting policy dialogues, research, and interaction among policymakers, the business community, and civil society. SACEPS uses its institutional base to network with well-established national institutions in the region and bolster regional cooperation.

Sustainable Development Policy Institute (SDPI). The Sustainable Development Policy Institute, based in Islamabad, was founded in 1992 as an independent, nonprofit organization which would serve as a source of expertise on socioeconomic development and environmental issues in Pakistan. The Institute works to: conduct policy-oriented research and advocacy from a broad multidisciplinary approach; promote the implementation of policies, programs, laws, and regulations of sustainable development; strengthen civil society through collaboration with other organizations; disseminate research findings through media, conferences, lectures, publications, and curricula development; and contribute to building up national research capacity and infrastructure. The Institute acts as both a generator of original research on sustainable development issues and as an information resource for concerned individuals and institutions. SDPI's function is thus twofold: an advisory role fulfilled through research, policy advice, and advocacy; and an enabling role realized through providing other individuals and organizations with resource materials and training.

The Energy and Resources Institute (TERI). The Energy and Resources Institute was formally established in 1974 in New Delhi with the purpose of tackling the acute problems that mankind is likely to face in the years ahead resulting from the depletion of the Earth's energy resources and the pollution their unsustainable use causes. The Institute works to provide environment-friendly solutions to rural energy problems, tackle global climate change issues across continents, advance solutions to the growing urban transport congestion and air pollution, and promote energy efficiency in Indian industry. TERI is the largest developing country institution devoted to finding innovative solutions toward a sustainable future. TERI has established affiliate institutes abroad: TERI-NA (North America) in Washington, DC; TERI-Europe in London, UK; and has a presence in Japan and Malaysia.

Southeast Asia

Center for Migrant Advocacy Philippines (CMA). The Center for Migrant Advocacy–Philippines is a nonprofit, nongovernmental advocacy group that promotes the rights of overseas Filipinos, land- and sea-based migrant workers and immigrants, and their families. It works to help improve the economic, social, and political conditions of migrant Filipino families everywhere through policy advocacy, information dissemination, direct assistance, networking, and capacity building. CMA is also a resource center that gathers information, conducts studies, and analyzes urgent issues on overseas migration and related concerns and disseminates information to its partners, networks, and constituents.

CMA is a member of the Philippine Migrant Rights Watch, Migrant Forum in Asia, and the Philippine Alliance of Human Rights Advocates.

Centre for Strategic and International Studies, Jakarta (CSIS). The Centre for Strategic and International Studies, based in Jakarta and established in 1971, is an independent nonprofit organization focusing on policy-oriented studies on domestic and international issues. Its mission is to contribute to improved policymaking through research, dialogue, and public debate. CSIS believes that long-term planning and vision for Indonesia and the region must be based on an in-depth understanding of economic, political, and social issues, including regional and international developments. In the area of foreign policy, the Centre's research is complemented and strengthened by its relations with an extensive network of research, academic, and other organizations worldwide. CSIS's research is used by government, universities, research institutions, civil society organizations, media, and businesses.

People and Nature Reconciliation (PanNature). People and Nature Reconciliation is a nonprofit organization based in Hanoi, Vietnam, and was established in 2006 by a diverse group of dedicated Vietnamese environmental professionals. Its mission is to protect and conserve diversity of life and to improve human well-being in Vietnam by seeking, promoting, and implementing feasible, nature-friendly solutions to important environmental problems and sustainable development issues. PanNature implements activities and programs with the following tools: research and environmental education, training and capacity building, communication and publications, field conservation initiatives, policy analysis and advocacy, and networking and partnership development.

S. Rajaratnam School of International Studies (RSIS). Based in Singapore, the S. Rajaratnam School of International Studies was established in January 2007 as an autonomous school within the Nanyang Technological University. RSIS is a leading research and graduate teaching institution in strategic international affairs in the Asia-Pacific region. Its name honors the contributions of Mr. S. Rajaratnam, who was one of Singapore's founding fathers and a well-respected visionary diplomat and strategic thinker. RSIS includes the International Centre for Political Violence and Terrorism Research, the Centre of Excellence for National Security, the Centre for Non-Traditional Security Studies, and the Consortium of Non-Traditional Security Studies in Asia. The focus of research is on issues relating to the security and stability of the Asia-Pacific region and their implications for Singapore and other countries in the region.

Singapore Institute of International Affairs (SIIA). The Singapore Institute of International Affairs is a nonprofit NGO dedicated to the research, analysis, and discussion of regional and international issues. Founded in 1961 and registered as a membership-based society, it is Singapore's oldest think tank. Its mission is to make Singapore a more cosmopolitan society that better understands the international affairs of its region and the world.

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No Land's Man: Migration in a Changing Climate

"Countries most vulnerable to climate change are currently urging the international community to assist them in adaptation and are devising policies to manage migration induced by climate change. Such adaptation not only includes policies that discourage migration by containing environmental degradation...but in extreme circumstances may involve planned migration."

—Deepti Mahajan, *The Energy and Resources Institute*

Mobility, Poverty, and the Cities of East Africa

"...Refugees, like other migrants, can greatly contribute to the economy of the host country rather than function as a liability...The positive aspects of labor and refugee migration and increased urban development outweigh the negative, and it is up to the East African governments to cooperate more effectively to harness this potential."

—Charles Dulo Nyaoro, *Moi University*

Refugees and International Security

"To keep the Iraqi refugee crisis from becoming violent, international refugee protection must be reconceived as a problem of international security. If states view refugee protection as a way to protect their own borders, they will be motivated to comply with international refugee law."

—Jill Goldenziel, *Harvard University*

Iraqi "Temporary Guests" in Neighboring Countries

"It is in the interest of both the US and Iraqi governments to ensure the eventual return of the Iraqi refugees, but also to provide assistance while they are displaced. Whether returning refugees are educated or not, radicalized or apolitical, reconciled or more deeply divided than ever, will be major factors affecting the future stability of Iraq."

—Sara Sadek, *The American University in Cairo*

Labor Migration in Southeast Asia

"For governments, the number of migrants and amount of remittances are the indicators of a successful migration policy...these policies, however, are shortsighted, and the unsustainable levels of labor export may ultimately be detrimental to the economies and peoples of Southeast Asia."

—Ellene Sana and Rhodora Alcantara Abano, *Center for Migrant Advocacy–Philippines*

Human Trafficking in Asia: Trends and Responses

"The justification for exploiting trafficked persons takes place at many levels. Whether it is a cultural norm... the use of sexual services, socially sanctioned discrimination based upon ethnicity or class, or the general dehumanization of people, these justifications allow all parts of the demand chain to rationalize their behavior."

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