

A case study of forced migration



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The International Organisation for Migration (IOM) defines Forced migration (or displacement of people, another term that will be used in this paper), a global issue estimating one of every thirty-five persons in the world to be a migrant. At the end of 2008, there were some estimates putting 42 million forcibly displaced people worldwide. Only half of those individuals were receiving assistance and protection from the UNHCR. The number of people displaced within their country as a result of armed conflict is estimated at 26 million, and again half of them were protected or assisted by the UNHCR. Some 12 million stateless persons were identified worldwide, children represent 44 per cent of refugees and asylum seekers and women and girls representing 47 per cent.[1]According to Willis, the number of international migrants increased double with 190. 6 million, Europe standing for the largest share of international migrants where people in the other European countries' movement within the European Union members States between 1970 and 2005[2]. 1. 6 million Chinese immigrants in the United States made them the country's fourth-largest immigrant group in 2008[3]. It says that 2000 Philippines leaves for overseas each day for the lack of employment according to a Philippine organisation[4]. There are also people forced to move as a result of policies and projects to enhance development, example being infrastructure projects such dams, parks, roads[5].

These above figures show the displacement is a direct result of war, conflict, natural disasters, poverty, and economic, political or social issues, compelling these individuals in response to flee for a better protected life somewhere else. To bear in mind, many of these people are not as

successful and find themselves trapped in these circumstances for a long time if not ever.

Under article 13 and 14 of Universal Declaration of Human Rights (UDHR) declare the rights of seeking and enjoying asylum. This is one of the earliest human rights instrument to develop establishing universal standards for the protection of persons. Following the UDHR and among other existing treaties and conventions within the international human rights system[6], the 1951 Refugee Convention was adopted and together with its 1967 Protocol, the Convention was placed to recognise the entitlement, benefits and rights of refugees and asylum seekers in States. Other treaties and relevant conventions[7], such the International Covenant on Civil and Political Rights (ICCPR) provides in article 2 that “ Each State Party to the present Covenant undertakes to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”. It is to say that the host countries, which have ratified the Convention, have duty to not only comply with the implementation of the respective provisions but also to take positive measures to ensure the protection of the refugees and asylum seekers.

To comprehend what forced migration is, it is significant that one must first identify and understand the concept of migration, then recognise and examine who is a migrant and which group falls under which category of the term. According to the National Geographic, migration (human) is the movement of people from one place to another for the reason of taking up

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semi or permanent residence usually across a political border. People can either migrate voluntarily or involuntarily be forced to migrate because of dissimilar reasons. A well acknowledged type of migration is the rural to urban movement, people on the move from rural area to the metropolis. However migration also takes place within countries, continents and region. There are many different types of migration including internal and external migration, step and chain migration, return and seasonal migration. But the focus in this paper is dominantly on population transfer or forced migration, namely refugees and migrants. Forced migrants are usually people forced to leave their homes to seek better living standards, such employment and population transfer is another term used to define forced migration where a government drive a massive group of people out of the country based on ethnicity, religion or other political factors and causes[8].

According to the UN, a refugee is someone fearing for persecution for reasons of race, religion, nationality, belonging to particular social group or their political opinion. Furthermore, a population eligible to fall under the above category, the individual must be resident outside of the native country[9]. The other type of refugees is the population displaced within their own countries called internally displaced people (IDP). These people are linked to the failure of the state and subsequently neglected by the state, resulting in the breakdown of their economic and social foundations.

According to the International Humanitarian Law, people that are classed as internally displaced people the primary responsibility falls to the state to provide the basic necessities to insure that lives loss is kept at the absolute minimum. However states are not bound by any law to ward off any

economic problems, hence it is the responsibility of the international community to assist in its moral and ethical duty of helping those in more needed of assistance.[10]

To also get a further understanding about migration it is important to understand why people decide to leave. Leaving a country of origin or residence has multiple factors in place. Example of these reasons can be found in the push and pull factors. The push factor could be environmental destruction, spread of disease, conflicts, wars, religion, ethnicity, poverty, bad governance, and excessive use of resource. Push factors generally force migrants out of their country of origin. The pull factors in most cases are economic, medical care, education, political and religious freedom that often decides where these migrants end up[11].

The push factors are considered to be the strongest motivation for the displacement of people. As mentioned above, the push factors manifest themselves in different forms as a result of forced migration. Conflict for instance forces people to leave for the safety of neighbouring nations because during a conflict the mechanisms of a society are abandoned or misused. During a conflict food may be looted, harvest maybe burnt, farmers maybe forced to leave, and the consequence would be shortage of food. Similar practises apply to water and how people may be forced to migrate due to the lack of safe drinking water. Some people such IDPs have no alternatives but to stay because neighbouring countries may close their borders. IDP's are most affected by the lack of safe drinking water because of the absence of an alternative. Water born diseases begin to take hold on the IDP communities and lack of basic healthcare results in high numbers of

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casualties. Developing regions lack of sustaining economical growth could lead to food shortage which in turn goes hand in hand with poverty and set off mass departure. For too many migrants leaving seems to be the merely way to largely improve their standard of living.

Poverty, inequalities, social and political differences have weakened the developing nations for centuries. All this could lead to war, famine, food insecurities and unbearable economic situations. Historically, for instance, the Berlin Conference in 1884-85 can be seen arguably the defining moment in the lives of millions of Africans. Prior to the scramble for Africa, the colonial powers divided landscapes and civilian groups/ tribes of different culture and ethnic groups into one region causing immediate conflict and civil war. The division was made by the Europeans for the Europeans who had little or no knowledge of where and what Africa was.[12]

Inequality is one of the root causes creating conflict. Inequality between groups rather than individuals is the primary reason of conflict for example in Africa. It can exist on economic, social and political level. In countries such as Rwanda, Liberia and Sierra Leon political inequality was most visible with one group monopolising power. Unequal political access leads to a decline of resources and revenue which lead to preferential education for the group dominant in politics which plays a key role in sustaining inequality.

[13]Inequality in Africa can be traced far back as the colonial period and a prime example is the state of Rwanda and the Belgian classification of the Hutu and Tutsi tribes. After the Berlin conference of 1884-85 the colonising powers favoured the Tutsis because of their natural leadership skills and the resemblance to the colonizers. The Tutsis were lighter in colour and taller

than the Hutus and Twa. Although the Hutus made up close to 85 per cent of the population, they were denied higher education and positions of influence just to solidify the rule of the minority Tutsis. This inequality soon developed into resentment both from the Hutus and the Tutsis, the Hutus resented the Tutsi rule and the Tutsis began to resent the Belgian rule which in early 1950s led to an uprising by the Hutus who continued to practice the racial classification resulting in the death of hundreds of thousands.[14]

Economic decline and economic shock play a major role in conflict and can lead to a State collapse. Economic decline can take several forms, ranging from natural catastrophe to large shifts in trade.[15] Collapse of a State coupled with economic decline usually results in the lack of agricultural produce. Conflict will ensue when the hungry masses demand a change in government and the government utilises the military against its own masses. The result of such conflicts is often the destruction of standing crops and farmable land. This further pushes a State to the brink of famine.

When a population leaves a developing country for the reasons mentioned above several new issues arise beside a new wave of refugees and IDP's going to the host country. When people migrate, their skills leave with them creating an arena of continued conflict. As it is suspected of the educated in a society to continue educate the generations to come, once they decide to leave that cycle is broken. This could result in the reversal of the economy and the breakdown of institutions. The most affected areas would be agriculture, educational institutions, small industry as well as large ones. With people leaving the labour, in other words brain drain. The country's livelihood and the already unstable economy hits rock bottom. Some of the

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population who managed their own agricultural farming leave and the crops are left to rot, the mineral and mine field are left empty. The non continuous progress of basic, higher education or better opportunities in employment sector pushes millions of people from developing nations to overseas and not returns back even if the country is showing progress and stability. In response to the lack of opportunity, due to conflict or any other causing factors mentioned would lead these individuals to escape for better paid and working conditions creating high level of unemployment, loss of professionals in the country of origin . These people are the key solution that could help reduce poverty and develop new technology and ideas for their own countries economic growth and create a sustainable democracy in which all factions of the society could flourish in all possible ways[16].

Environmental change, rising food and fuel prices, poverty, financial difficulties and also poor public rule are some of the main issues that have wounded developing countries in the world for decades. All of these reasons give birth to the inevitability of conflict which leads to high figures of death and forced migration. Freedom of movement in the West comes as a choice, as opposed to the ‘ pushing’ factors which cause people in the developing countries to leave namely natural disasters and internal and external conflicts. 1989 can be considered as a symbolic year for the freedom of movement. It was the year the Berlin wall; symbolising the Cold War era, separating east from West Germany for more than three decades fell. Citizens demanded change and they succeeded to an extent to travel outside and safely to reunite with the families they have been separated from. But the reality of today’s type of migration movement can’t

unfortunately be seen through the same glasses. It is far more complex than tearing down a wall to be free to live and travel of choice. Migrations have always occurred since the beginning of time. People from West travel to South etc for employment reasons, higher quality of living and not forgetting a major key factor ' conflict'. But because of the awareness of the global circumstances in the twentieth century has increased, a brighter light has been shed over the situations for refugees, human movement and population displacement. The what it seem never ending conflicts and political issues that is taking place today have affected not only citizens to leave their home land but it also have an impact on those receiving countries and its socio-economics.

Forced migration in the developing world is highly concentrated in Africa, Middle East and Asia. Displacement of people can force people towards areas that may only be producing enough food for their own needs which could lead to a new conflict for people escaping the old one. Since the foundation of United Nations (UN), guidelines and direction was set up on how to assist the developing world with the hardship they are experiencing. One of these guidelines is the Millennium Development Goals. World leaders pledged to achieve the eight goals promised by 189 nations to by all means necessary end universal inequality, human right violation and half the poverty by 2015. But the process of that promise is going rather slow and only five years to go, much more progress needs to be done[17]. With the world heading in a new direction, the right of life, liberty and security of a person have never been more vital. World leaders as well as people in the westernised countries have recognized that in order to sustain the world

order something must be done collectively for the ‘ greater good’. But in the subject matter,

But how does forced migration affect the goals of international development? Does forced migration oppose development? Or is forced migration the result of the failure of development processes? Article 56 of the UN Charter commits member States to all jointly work towards achieving the object and purpose of article 55[18]. However, these commitments gave rise to concerns of whether not the international community had a role in assisting these fragile States, especially those with lack of resources, to achieve these higher living standards, full employment and social and economical progress to their peoples. That is when the Declaration on the Right to Development was adopted creating a set of rights and freedoms committing all State parties to ensure these human rights are fully enjoyed by their peoples[19]. The Declaration on the Right to development was adopted by the UN General Assembly in 1986, defining the rights as “ an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.[20]” Looking back at the history of the decolonization in 1960s when new emerging States joined the UN members and wanted to restructure the global economy through the New International Economic Order (NIEO), there were many debates to reach an agreement on the Right to Development. The General Assembly passed Resolutions that later officialise and incorporated into the global human rights framework. This however was criticised by many developed countries, for example the US[21]. They were

reluctant to the idea and felt that they had no legal obligation to assist developing countries with their economy. Many of these developed countries favoured civil and political rights as primary, while developing countries rather prioritise elements of ESC rights to be essential. Even though both Covenants consists of equally important sets of human rights seize to jointly respect, protect, and promote the realization of full enjoyment of its people these two Covenants have different character of rights with regards to their means of implementation and also not being developed on an equal pace in practice, it can be said that they inseparable and complement each other[22]. However, the subject over the right to development remains until today a controversial concept creating different views among governments and scholars on whether the Declaration constitutes a right[23], the only people strangled in the middle are these forced migrants not be able to exercise their fundamental freedoms and human rights and facing violations of these rights forcing them promptly to seek protection elsewhere.

From the above discussion and in the past, it has shown challenges on how to apply human rights to development and vice versa. As the concept of development covers various ranges of areas, one to be the subject matter of this paper, each area comes with different kind of issues requiring different approaches to the concept of rights and obligations to solve each one. Even though the context of development policy did not exist in human rights considerations until late 1990s, the role human rights plays in development however some may argue centralises the process of development and promotes human rights aspects in shaping the relevant policies and progress of development. According to Sen, he argues that development is “ a

process of the real freedoms that people enjoy and that freedom is seen as the primary end and the principal means of development talking about constitutive and instrumental role of freedom”. [24] In other words, he believes development is the process of expanding freedoms. He further demonstrates that these role of freedoms with the interrelation of other basic freedoms not only strengthen and complements their joint importance but creates significant central to enhance not only in human life but also contributes to the expansion of human freedom in general to seize in consideration to development policies. Criticizing Sen’s concept of development as freedom, Chimni suggests that the frame of his theory is accommodated in contemporary international law discourse to development reflecting to the dominant classes in a society or the State [25]. Because of Sen’s narrow view, Chimni point out the issues Sen left out in his theory in a more detailed manner highlighting the absence of crucial indicators such a theory of practice to equalise with development, the political economy into social processes to centralise the goals of development, the different classes in a society, the failure to explore the absence of possible conflicts surrounding the social factors, political economy in

It is crucial to highlight the causes of displacement of people such wars and conflict is an increased mixture of political, economical and environmental factors. This does not only affect the country in question but refugees put a heavy burden for the host countries environment, and economy. It takes a large scale of ground large to build shelters, (these shelters are usually built on arable land) and protection and even more money to maintain security infrastructure, along with the ever present threat of violence from the host

population towards the incumbent population. The funds that are now helping maintain the refugee influx comes from humanitarian assistance, which contributes to the host nation's growth[26]. The UNHCR concede in the Global Forum on Migration and development meeting in 2007, that refugee population may have negative effect and impact on the development of the host countries such the damage of the environment, place a strain on local infrastructure, deprive government bodies of skilled personnel and disrupt ongoing development activities[27]. However, by establishing the Global Forum on Migration and Development, this new process was designed to take better practical ways to strengthen the relationship linked between migration and development, additional assistance to the development aid in those refugee-hosting countries, stronger corporation, adopting new mechanisms and consistent policy approach, NGOs and other organisations to work more effective in filling the gaps between the activities such the national and international human rights standards and their application and finally for the host countries to ensure the refugee population receive fair treatment in the society[28]. NGOs known for their non-profit “ good doing” in dealing with relief and emergency efforts in international development, these non-State actors play a growing role in development and, as some may argue, a central component of civil society where governments are in much need for their assistance by pursuing activities in promotion protection and raise public awareness of human rights in campaigning and other practical ways[29]. However, the effectiveness of NGOs has given rise to many debates in the past. But still this leaves a room of questions on their legitimacy, performance and accountability[30]. In this matter, the role of NGOs is to provide advocacy,

security and protection to the basic social and economic rights of these refugees and oppose to any political mistreatment towards them. In their many tasks, NGOs cooperating with other service agencies would work closely and effectively with these governments programming in assisting them, monitoring human rights standards and ensuring that progress has been achieved.

In 2008, the President of the World Bank Group talked about fragile States and identified in his speech how these fragile states are one of the challenges confronting the Bank[31]. Zoellick highlights the critical challenges and effects these unresolved global threats such poverty, conflicts, weak governance, diseases, refugee flows, criminality, terrorism not only affect these fragile States but has also impact that can transit to their neighbouring countries economy, security and governance. He notes that fragile States are the most vulnerable and most challenging in the world of development. However, he suggested that by securing development, a new framework is needed to build security, governance, economy and legitimacy in order to ensure and sustain peace and stability[32].

Nonetheless, in order to build the stability of a country's economy and securing development, then how does these large-scale development projects funded by the Bank itself forcing people to leave their homes matches with the speech above? It is hypocritical to consider that some of these causes of forced migration may be coming from the Bank or IMF where these financial organisations representing industrialised States providing financial assistance in many developing countries may be funding

development projects of dams creating growing numbers of mass displacement in most of these developing nations[33].

Conclusion

Wars that caused forced migration increasingly merge from political, economic, social and environmental factors which highly problematically consequent to poverty, violence and displacement. The effects of forced migration on the developing nation's economies and their societies as a whole are disastrous to say the least. An attempt has been made to address all the issues that plague the developing world in respect to economic stagnation and the role of forced migration. Whether development is potentially the solution to forced migration is arguably a compelling discourse of development once the recognition of main causes of forced migration has been emphasized and its linkage with development. Migration is good for development where the intuitions are strong and can benefit from expertise of the incumbents. Forced migration builds resentment and can never rebalance the society that has had most to lose. It is nature's law that dictates that once people move they move to settle, because of the process of rebuilding takes a life time to build but a few moments to destroy.

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