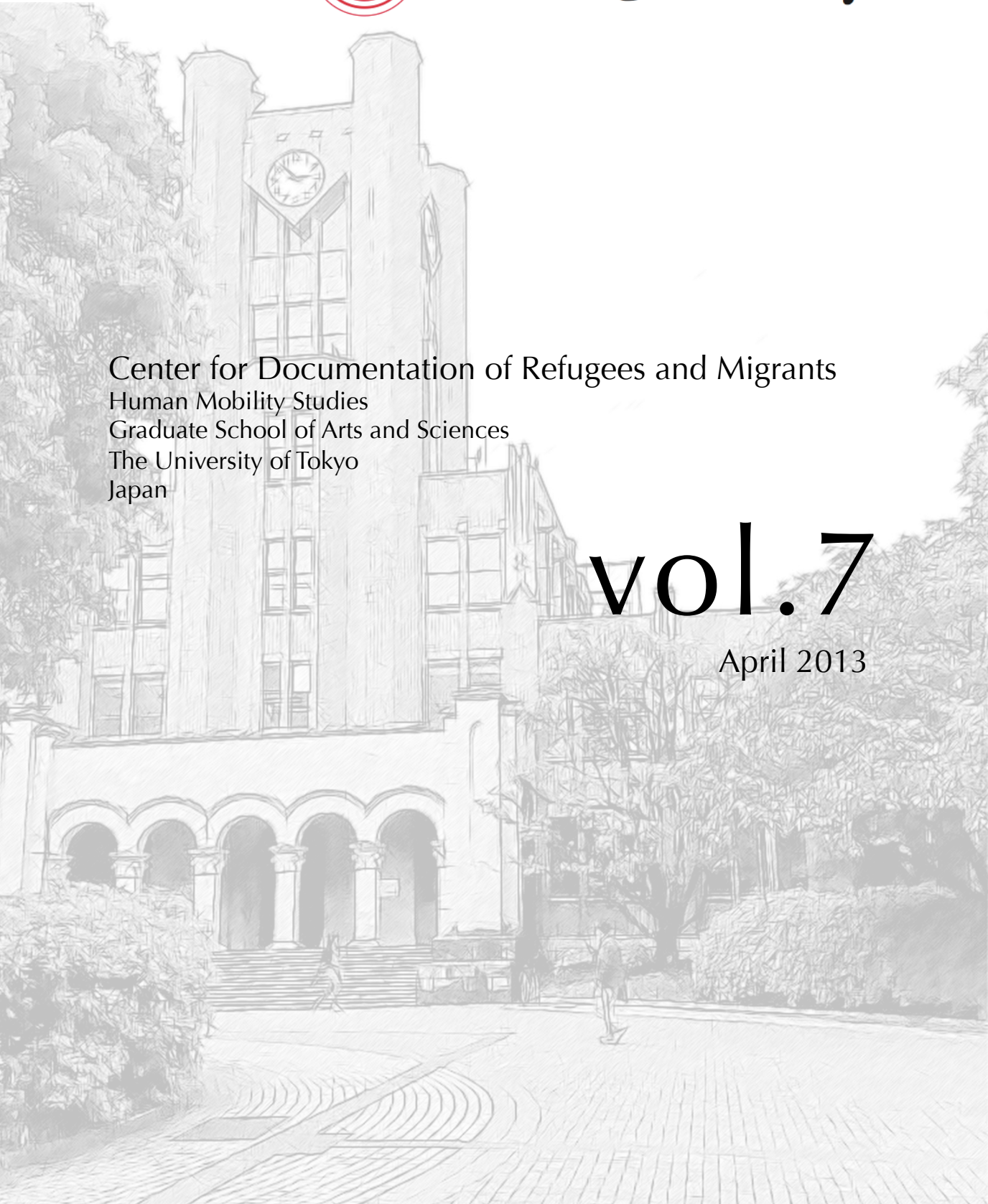# CDR Quarterly

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NOTE FROM THE EDITORS

The Centre for Documentation of Refugees and Migrants (CDR) is a research organisation and the secretariat of "Human Mobility Studies (HMS)", a series of lectures in the University of Tokyo. The CDR is charged with several tasks relating to the documentation and dissemination of information on forced displacement and migration issues; these issues are to be considered from a broad range of disciplinary perspectives. Our tasks include inviting experts including academic researchers and practitioners, government officers, and lawyers to discuss the pressing issues in our field of research. In addition, by the publishing of original research and information and by providing lectures and training sessions for students, professionals, and the general public, CDR contributes to the building of a more conscious public opinion on human mobility and the future of our society. Moreover, the CDR is developing an online database for knowledge accumulation and dissemination.

We are happy to deliver vol.7, which was originally intended to be a special issue on re-settlement but now covers not only resettlement but also a variety of topics. The feature article by Sho Akahoshi explores how the IDP has emerged as a separate concept apart from refugees, by analyzing the deliberation process of the International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa (SARRED, 1988). The working paper by Fumi Hirabayashi introduces the refugee resettlement programme in the US from the direct service perspective, which should be helpful in analysing and improving Japan's current resettlement programme. The working paper by Chiaki Ito and Kyoko Tokuda introduces an example of successful public-private partnership in providing clean water to vulnerable IDPs in Somalia. Finally, the interview features Mr. William Barriga, the current IOM chief of mission in Japan, who answered our questions on various issues including resettlement and human trafficking.

We would like to thank the authors for their valuable contributions, and welcome submissions relating to human mobility from all parts of the world.

Editors: Satoshi YAMAMOTO and Miki ARIMA

April 2013

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REMARKS FROM DIRECTOR

It is truly an honour for us to publish an independent quarterly concerning the issues relating to the movement of people. Until now in Japan there have been no journals or magazines focused specifically on the issues of the movement of people, and which utilise a multidisciplinary approach through which to view these issues. Moreover, there have been no journals published in English, on this field in Japan. The CDRQ is the first of its kind in Japan. Although the level of discourse in Japan has developed to a point, the situation and activities in Japan have not been made well known to the rest of the world. The CDRQ will act as a doorway by which to pass through the language barrier and open the discussion in Japan to the rest of the world.

Japanese society is now facing serious decreasing of population and aging society. While it is recognised that these issues should be tackled from a multidisciplinary perspective, there has been an insufficient platform for networking and discussion until now. Discussion across disciplines and interactive information exchange connecting different fields of professionals is important not only to benefit academia, but also to make research contribute to society. The academic world should be more aware of facilitating engagement to the real world, as long as it tries to handle social issues. In this sense, I hope CDRQ to be one of the attempts to open a new frontier in discourse.

It is challenging to keep a balance between setting up an open platform for discussion and establishing an authoritative academic journal. However, I hope many of us might contribute to advancing the discussion and finding new solutions. Especially I expect those among the younger generations will propose to undertake unconventional styles of research, even though these new approaches may not be immediately complete. I strongly believe that we can improve our approach day by day, as long as we continue to try.

Yasunobu SATO

CDR Director
Professor, Graduate School of Arts and Sciences,
The University of Tokyo

March 2013

CONTENTS

ARTICLE

WHAT MADE IDPs A SEPARATE CATEGORY FROM REFUGEES?
THE CHANGE IN LOGIC OF IDP TREATMENT IN THE SARRED CONFERENCE

Sho AKAHOSHI*

ABSTRACT

This article explains the origin of the concept of internally displaced persons (IDPs) by analyzing the deliberation process of the International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa (SARRED, 1988). Although SARRED has been largely ignored in the literature, the international community came to recognize IDPs as those with a distinct need from refugees protected by international law through the SARRED process. This process was triggered by the withdrawal of the office of the UN High Commissioner for Refugees (UNHCR) from IDP issues, due to the Western states' opposition, which resulted in IDPs not being covered by any UN agencies. At that time, the Organization of African Unity (OAU) initiated the discussion over IDPs as a political strategy to criticize the apartheid policy by South Africa. Through the efforts by the OAU, the IDP concept was acknowledged among member states in the UN General Assembly, and consultations on IDP issues began among the UN secretariat. These consultations produced the prototypical ideas upon which the current approaches to address IDPs are based. SARRED served as a "turning point" for international protection to IDPs in its identification of the IDP concept as an independent category.

The first United Nations initiative to raise the question of institutionalized assistance to internally displaced persons was launched by the International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa (SARRED), held at Oslo in August 1988.

Francis Deng (UNCHR, 1993: para. 4)

I. Introduction

The Guiding Principles on Internal Displacement (GPID) has been accepted among the international community as the normative framework to protect internally displaced persons (IDPs). The UNHCR and several non-governmental organizations (NGOs) refer to the GPID as "guidance," and its ideals are also supported by the UN member states,[1] even though the GPID does not have legal binding force. IDPs are defined in the GPID as:

> persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border (UNCHR, 1998: para. 2 in Introduction).[2]

The practices and rules of IDP protection, such as the establishment of the GPID, have developed dramatically since the end of the Cold War (e.g. Phuong, 2004: 81; Betts, 2012: 127). Such developments are based on the assumption that IDPs have a *distinct* need from refugees, due to the lack of international mechanisms to deal with them. Although the number of IDPs has been increasing, owing to the spread of civil wars and re-demarcation of national borders (see Figure 1), they cannot enjoy protection under the UN Convention Relating to the Status of Refugees (the Refugee Convention), as they do not cross national borders. Therefore, the international community recognized the necessity to develop norms, institutions, and operational strategies designed for IDPs (Cohen and Deng, 1998: ix). Weiss and Korn (2006) focuses on the role of Francis Deng, the former Representative of the UN Secretary-General on Internally Displaced Persons, in drafting the GPID to address IDPs on the basis of "international human rights law and humanitarian law" (UNCHR, 1998: para. 3 in Introduction). Deng then persuaded countries burdened by IDP issues to accept and respect the GPID (e.g. Ikeda, 2003; Weiss and Korn, 2006). As a consequence, all of the UN

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1   About brief reactions to the GPID by UN bodies and states, see the Website of Internal Displacement Monitoring Centre (IDMC), the Geneva-based NGO:
    http://www.internal-displacement.org/8025708F004D404D/(httpPages)/168DF53B7A5D0A8C80 2570F800518B64?OpenDocument (accessed on November 26, 2012).

2   The way to count the number of IDPs has various perspectives for each organization, reflecting its experience and mandate, as Crisp (1999) indicated in the case of refugees.

member states recognized the GPID as "an important international framework" and resolved to "take effective measures" to protect IDPs in the UN General Assembly (UNGA).[3] Further-more, African states adopted the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention), which is the first legally binding international instrument to target IDPs in a regional scope.[4] Mooney (2005) argues that IDPs have been regarded as an *independent category* to be protected since the 1990s. However, has the international community treated IDPs as an independent category all the time? In other words, are IDPs naturally distinguished from refugees?
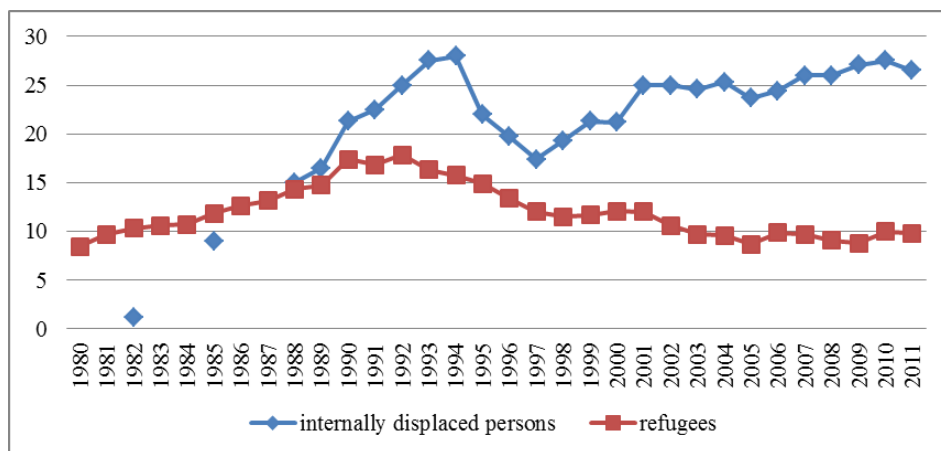
[Figure 1] Number of Internally Displaced Persons and Refugees[5]

Existing literature (e.g. Mooney, 2005) barely examines what made IDPs a separate cate-gory from refugees.[6] In fact, IDPs had once been assisted *within* the UNHCR's program on

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3   A/RES/60/1, 2005, para. 132.

4   The Kampala Convention came into effect on December 6, 2012, after 15 states ratified it. See the IDMC Webpage: http://www.internal-displacement.org/kampala-convention (accessed on February 2, 2013).

5   The number of IDPs is based on the IDMC Website: http://www.internal-displacement.org/8025708F004CE90B/(httpPages)/10C43F54DA2C34A7C1 2573A1004EF9FF?OpenDocument&count=1000 (accessed on March 15, 2013). However, the data in 1982 and 1986 are cited from Weiss and Korn (2006: 15) because the IDMC data are only published after 1989. The number of refugees is based on the Website of the UNHCR Statis-tical Online Population Database: http://www.unhcr.org/pages/4a013eb06.html (accessed on March 15, 2013).

6   The reason why existing studies did not focus on the distinction between refugees and IDPs in the UN system is that they have expertise in the Refugee Convention (*infra* note 9), and therefore take this distinction for granted.

refugee protection, especially related to voluntary repatriation of refugees (UNHCR, 1994). With the Sudanese operation in 1972 as a start, UNHCR engaged in assisting IDPs only when there was a "clear link to its core mandate of refugee protection" (Betts, 2012: 132). Behind this, there were states' expectations that UNHCR should deal with IDP issues with its expertise and experience (Phuong, 2005: 72). Such UNHCR's commitments to IDPs during the Cold War meant that IDP assistance was carried out *as part of refugee protection*. In other words, assisting IDPs was an accompanying issue with refugee repatriation.

We can observe the change in logic of IDP treatment: from *IDP assistance as part of refugee protection* during the Cold War, to *IDP protection as an independent category* during the post-Cold War.[7] What brought about this change in logic of IDP treatment? This article will try to answer this question by analyzing political struggles between African and Western states through the International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa (hereafter, SARRED). Although Deng gives prominence to SARRED as the first institutional UN initiative to assist IDPs (UNCHR, 1993: para. 4), existing studies touch upon this conference in a cursory manner, and offer little explanation of what influence SARRED had on the practices of IDP protection in the following decades (e.g. Hakata, 2003; Abe, 2005; Weiss and Korn, 2006). These studies ignore the impact of the SARRED conference in creating IDPs as an independent category. In fact, the UNGA Resolution 43/116 (1988), reflecting the SARRED outcome, called on the UN Secretary-General (UNSG) to address IDPs, devoting one paragraph to IDP issues apart from that of refugees.[8] Based on this Resolution, the UN secretariat also started consultation on these issues within the UN system. Namely, SARRED accelerated the IDP discussion within the United Nations. It serves as a "turning point" of the change in logic of IDP treatment.

This study is based on the qualitative method, especially tracing the historical process of how IDPs were separated from refugees (George and Bennett, 2005: chap. 10), mainly relying on the primary materials collected by the author in archival research at the UNHCR Research and Archives in Geneva through the summer of 2011. It will analyze the change in the logic of IDP treatment during the Cold War by focusing on discourses of states' representatives and the UN officials in the UNGA and the UNHCR Executive Committee (ExCom). The paper is organized as follows. First, as a brief background, it will describe the UN commitment to IDPs in the beginning, and explain the logic of IDP treatment since the 1960s. The logic of IDP assistance was as *part of refugee protection*. Tracing the process of the SARRED conference, this paper then attempts to answer why this logic has been changed into protecting IDPs as *an independent category*. The simple answer is that the political debates between African and Western states led to re-define the IDP concept. Western states were reluctant to

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7   In this article, *IDP protection* has a broad meaning, compared with refugee protection based on asylum provided by receiving countries. *IDP protection* indicates that IDPs can be the subject to be protected by international law. Its aim is "to ensure that authorities and other actors respect their obligations and the rights" of IDPs (ICRC, 2008: 752). On the other hand, *IDP assistance* refers to only material support to IDPs, not based on any legal instruments but only from the humanitarian perspective.

8   A/RES/43/116, 1988, para. 6.

commit the UNHCR to IDP issues while the OAU played an important role in setting these issues as a global agenda. The final part will explain the consultations within the UN secretariat and other UN organs after SARRED.

II. THE LOGIC OF IDP ASSISTANCE IN THE BEGINNING

The international refugee protection institution, comprised of the UNHCR (established in 1950) and the Refugee Convention (adopted in 1951), excluded IDPs from the definition of a refugee. This definition consists of at least two requirements: persecution and "alienage," which means that he/she remains outside of his/her country.[9] Although Belgium, Canada, and Turkey recognized the existence of "internal refugees,"[10] other countries, such as France, strongly opposed including such persons in the refugee definition.[11] Finally, it was concluded that only persons who manage to cross national borders could be legally classified as refugees.

Despite the exclusion of "internal refugees" from refugee protection, states in Africa and

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9   In the Refugee Convention, a refugee is defined as any person who "as a result of events occurring before 1 January 1951 and owing to a well-founded fear of being persecuted for reasons of race, religion, nationality membership of a particular social group or political opinion, is outside the country of his nationality, and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country." These "events occurring before 1 January 1951" are interpreted as "events in Europe." Namely, the definition of a refugee originally consists of four elements: (1) time limitation, (2) geographical limitation, (3) persecution, and (4) alienage. However, the UNHCR had expanded its range of assistance programs since the late 1950s (Loescher, 2001: 91-139; Barnett and Finnemore, 2004: 86-93) by introducing an innovative concept called "good offices." Good offices indicated that the UNGA and the UNSG gave the UNHCR authority to raise funds and start assistance programs regarding out-of-mandate issues (Loescher et al., 2008: 23). This is based on the Article 9 in the Statute of the Office of the United Nations High Commissioner for Refugees: "The High Commissioner shall engage in such additional activities […] as the General Assembly may determine, within the limits of the resources placed at his disposal": A/RES/428 (V) Annex, 1950. Finally, the Protocol Relating to the Status of Refugees (1967) abolished the time and geographical limitation reflecting the expansion of the UNHCR's activities in the 1960s.

10 A/C.3/L.130, 1950.

11 "[T]he expansion of the Convention to internal refugees […] could only encourage the diplomatic conference to adopt some other definition," "[The definition of a refugee] would not and could not in any event apply to internal refugees who were citizens of a particular country and enjoyed the protection of the government of that country. There was no general definition covering such [internal] refugees, since any such definition would involve an infringement of national sovereignty": Statement of Mr. Rochefort of France, in the Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons (1951), cited from Hathaway (1991:31).

Southeast Asia had kept grave concerns with the plight of displaced persons that remained within their home countries since the late 1960s. In particular, the UNHCR was intensely interested in the Sudanese refugee problem, which afflicted the country by holding twice as many IDPs as refugees.[12] The Sudanese government not only failed to promote refugee repatriation, but it could not ensure the security of IDPs inside Sudan (Loescher, 2001: 148). Therefore, it requested UNHCR's assistance to IDPs in addition to refugees.[13]

Sadruddin Aga Khan, the head of the UNHCR at that time, was concerned that assisting IDPs inside Sudan might lead to infinite expansion of its mandate.[14] At the same time, the UNHCR recognized the necessity to promote prompt voluntary repatriation of refugees,[15] due to the high cost of maintaining camps and settlements of Sudanese refugees in neighboring countries such as Uganda and Kenya as well as the security risks caused by these refugees to the host countries (Loescher, 2001: 148). In order to facilitate this repatriation program, the UNHCR came to the realization that "rehabilitation was needed in a whole area – for former refugees as well as for *internally displaced persons* (emphasis by author)."[16] In short, the UNHCR's main aim was refugee repatriation; therefore, IDP assistance was an accompanying issue.[17] To put it differently, the UNHCR started to commit itself to such IDP assistance for the purpose of promoting refugee repatriation.

This Sudanese operation triggered stretching the UNHCR's range of activities by introducing the concept of "displaced persons" (Loescher, 2001: 150; Goodwin-Gil and McAdam, 2007: 27). The UN members requested the UNHCR "to continue to promote […] durable and

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12 "[T]he office of the High Commissioner was anxious to establish contact with the Sudanese authorities in order to discuss [refugee] problem as a whole": *Mission to Sudan*, UNHCR Archives, 13.01.BOX.0014, 1966: 1.

13 "The office finally received an invitation addressed to the High Commissioner from Prime Minister Mahjoub to visit Khartoum": *Mission to Sudan*, 1.

14 "The High Commissioner was not empowered to utilize his limited funds for such project [on assistance to IDPs] since his programme had to cover the minimum needs of refugees – as defined in his statute – all over the world": *Statement by UN High Commissioner for Refugees in Relief and Resettlement Conference*, UNHCR Archives, 11.03.BOX.0029, 1972: 4.

15 "The High Commissioner declared that he would actively continue to promote voluntary repatriation": *Statement by UNHCR*, 3.

16 *Statement by UNHCR*, 4.

17 Sadik el-Mahdi, Prime Minister of Sudan, argued that IDP assistance was regarded as a "show window to stimulate refugees to return": *Mission to Sudan*, 4. Loescher (2001: 149) interpreted this statement as the fact that IDP assistance helped to "restore normal conditions in the south as an incentive for repatriation."

speedy solutions to problems of refugees and displaced persons wherever they occur."[18] Through the 1970s, states expected the UNHCR as the best agency to assist IDPs in other cases as well,[19] and the UNHCR, in turn, lived up to their expectations in cases where "programs for internally displaced persons linked to UNHCR's assistance and protection functions towards repatriating refugees" (UNHCR, 1994: para. 6). In other words, these assistance programs at that time were based on IDP assistance as *part of refugee protection*, and IDPs were not considered as those who had a distinct need from refugees at that time.

III. LIMITING THE LOGIC OF IDP ASSISTANCE

The aforementioned logic of IDP assistance was changed into that of IDP protection as *an independent category* through the process of the SARRED conference. This process is divided into four phases: (1) denial of the existing logic of IDP assistance, (2) creation of a new IDP concept by the OAU, (3) approval of the new IDP concept among the UN members through SARRED, and (4) elaboration of the IDP concept in the follow-up process to SARRED within the UN system. In the first phase, this change was triggered by the heated discussion over IDPs between African states and others. Western countries, especially, denied the logic of IDP assistance as part of refugee protection, strongly insisting on the confinement of the UNHCR's activities to its original mandate.

A. The Situation of Forced Migrants in Southern Africa

Even in the 1980s, African countries continued to struggle with the treatment of forced migrants, including refugees and IDPs, who had been displaced by the Cold War proxy conflicts.[20] Among these forced migration issues, "the continued deteriorating political and security situation in Southern Africa has been of great concern to the Organization of African

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18 A/RES/34/60, 1979, para. 2. The UN members also recognized "the importance of the essential humanitarian tasks which the High Commissioner is called upon to perform and for which his Office has acquired particular expertise and experience": A/RES/31/35, 1976.

19 "On the question of the distinction between refugees and displaced persons, […] its desire for a clarification of those concepts did not […] imply that there should be a new division or classification of the High Commissioner's different programmes: definitions must be interpreted liberally and in a humanitarian spirit": Statement of Mr. Høstmark of Norway, A/AC.96/SR.291, 1977, para. 6.

20 The OAU, therefore, appealed for the adequate compensation by Western countries, claiming that these conflicts and displacement issues were affected by the tension between Western and Eastern blocs (Betts, 2009: 53; Loescher, 2001: 214-224). It also condemned that the situation was aggravated by Western states that had set a strict criterion for asylum seekers who tried to enter Europe (Loescher, 2001: 235).

Unity" (OAU, 1988: 1). The reasons for its concern were as follows. Firstly, the OAU had the intention to criticize and delegitimize South African policies by emphasizing the plight of IDPs in Angola and Mozambique.[21] The apartheid policy of South Africa caused a large-scale forced displacement,[22] which was also affected by the Cold War: the United States during this period indirectly encouraged South Africa to attack neighboring countries in order to weaken the socialist regimes in Mozambique and Angola (Thompson, 2001). African states believed that the continuation of South African policies would make it impossible to improve the situation of forced migrants in the southern African region. Yilma Tadasse, Assistant Secretary-General of the OAU, referred to "the new phenomenon of displaced persons which had been brought about by the destabilization activities of the Pretoria regime […] in both Angola and Mozambique."[23]

Secondly, the OAU needed to prevent international refugee movements from spreading further. Countries neighboring Angola and Mozambique were exhausted from a mass-influx of refugees from these two countries.[24] If no international measures were taken, IDPs in these two countries could become refugees. Therefore, the OAU had to ask developed countries to contribute more financial and material assistance for IDPs in Angola and Mozambique.[25] In sum, the OAU, acting for all African states, had a great interest in solving this IDP issue in order to criticize South African policies and to prevent further international refugee movement. Thus, it attempted to hold an international conference – SARRED – to attract interna-

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21 "Mozambique is gripped by a vicious war in which the level of brutality is almost impossible to grasp. Half of its population is threatened with hunger because rural farmers are afraid to till their land or have had to abandon it in fear of their lives, becoming 'displaced' within their own country or just outside its borders" (SARRED, 1988: 8). "The population of Angola, like that of Mozambique, has been massively disrupted by South Africa's war, with over half a million people displaced internally" (SARRED, 1988: 16).

22 "Pretoria's destructive strategy has disrupted economic development and caused human suffering on an incomprehensible scale. Over 2.5 million people are displaced in countries bordering on South Africa. Two thirds of these are displaced within their own national boundaries, having fled from their land in fear of their lives, losing relatives and belongings" (SARRED, 1988: 1).

23 *Meeting Assistance Secretary General in Charge in Political Affairs, Monday 25 January 1988, Arusha International Conference Centre, United Republic of Tanzania*, UNHCR Archives, 11.03, 391.88/A/2, 1988, 2.

24 For instance, "the number of Mozambicans entering Malawi started to increase substantially. […] it is estimated that by then a total of 70,000 persons had sought refuge in Malawi": *Brief Note of Mozambican Refugees in Malawi*, UNHCR Archives, 11.03, 391.88/D/15, 1988, 1.

25 *(Draft) Executive Summary on International Conference on the Plight of Refugees, Returnees and Displaced Persons (SARRED Conference)*, UNHCR Archives, 11.03, 391.88/D/16, 1988, paras. 37-44.

tional attention to this issue.[26] The main theme of this conference was to discuss how to deal with refugees, returnees and IDPs in the southern African region.

B. Exclusion of IDPs from the UNHCR Mandate

However, the OAU's first attempt to set the IDP issue as an agenda resulted in failure in the 42nd UNHCR ExCom. In 1987, member states in the ExCom discussed the OAU's request to hold an international conference on forced migration in southern Africa. In this discussion, competing views clearly emerged between African states and others as to how to treat IDP issues. In fact, Western countries strongly opposed the idea that the UNHCR should address these issues.

African countries requested the UNHCR to continue assisting IDPs as it did in the 1970s. The OAU expected that "the Conference [SARRED] will focus on the humanitarian chal-lenges presented by […] problem of displaced persons" (OAU, 1988: 3). Maintaining a good relationship with the UNHCR, African states still required its cooperation for solving the IDP issue in southern Africa.[27] The Tanzanian representative requested the UNHCR "to give full support to the proposed international conference on the situation of refugees and war-displaced persons in southern Africa."[28] Tadasse also asked the international community to be aware of "greater numbers of internally-displaced persons in the region."[29] African countries, in unity, called on the UNHCR, as a lead agency, to address the IDP issue in Mozambique and Angola. It was linked to the solution of apartheid policy.[30]

Other participants in this ExCom, on the other hand, expressed a negative attitude toward the UNHCR's commitment to IDPs. Some of them denounced the UNHCR's *limited* activities to IDPs. Cambodia criticized the UNHCR's programs regarding IDPs because the UNHCR had refused to assist Cambodian IDPs unless such people had clearly entered other countries

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26 "Request the Secretary-General to pursue the contacts already established with SADCC Member Countries with a view to organizing the International Conference on the Situation of Refugees in Southern Africa, to be attended by all African States and International Organizations such as the UNHCR": CM/Res.1084 (XLV), 1987, para. 19. The SADCC (Southern African Development Co-operation Conference) was established in 1980 in order to pursue the economic and political independence from South Africa. The member states at that time were Angola, Botswana, Leso-tho, Mozambique, Swaziland, Tanzania, Zambia, and Zimbabwe.

27 For instance, African states and the UNHCR had already co-sponsored the International Confer-ence on Assistance to Refugees in Africa (ICARA), but this conference could not attract attention of donor countries and failed in fund-raising on African refugee problems (Betts, 2009: chap. 2).

28 Statement of Mr. Linjewile of the United Republic of Tanzania, A/AC.96/SR.414, 1987, para. 5.

29 Statement of Mr. Tadasse of the OAU, A/AC.96/SR.416, 1987, para. 82.

30 A/AC.96/SR.413-424, 1987.

and could be considered as "refugees" (ICIHI, 1986: 123-4). The International Committee of the Red Cross (ICRC) also implicitly condemned the UNHCR's inflexible IDP programs by emphasizing the ICRC's more flexible commitment to such displacement issues than the UNHCR.[31] They made an attempt to find another appropriate agency in charge of IDPs instead of the UNHCR.

It was Western countries that resisted the UNHCR's *expanded* engagement in IDP issues for the following reasons. First, many donor states requested the UNHCR to downsize its programs, staff, and expenses as other UN organs did (Loescher, 2001: 262). Therefore, they would not permit further expansion of its activities. Second, Western countries no longer regarded the UNHCR as "the sole authority and source of legitimacy" on forced migration problems because it often collided with Western states over reception of asylum-seekers in the 1980s (Loescher, 2001: 238).[32] Third, because Angola and Mozambique were socialist states in the Soviet bloc, Western countries were unwilling to discuss the IDP issue in these two countries, considering their friendly relationship with South Africa as a stronghold of the liberal bloc.[33]

Reflecting these negative opinions toward the UNHCR's commitment to IDPs, Western states captured the initiative on this matter, and maneuvered to exclude IDPs from the UNHCR mandate. The United States was intensely against including IDPs originating from South African policies in its mandate because "there would be a risk of misunderstanding vis-à-vis the High Commissioner's mandate."[34] The Netherlands agreed with this US assertion,[35] and Japan also stated that "war victims did not fall within the responsibility of the office of the High Commissioner for Refugees [… And] *it had been agreed to delete the reference to*

31 "[ICRC] was concerned with the problem of displaced persons and refugees, its mandate being to ensure the protection and assistance of refugees and displaced persons during armed conflict […]. [ICRC] had provided protection and material assistance to hundreds of thousands of displaced persons in Africa": Statement of Mr. Veuthey of the ICRC, A/AC.96/SR.418, 1987, paras. 95, 97.

32 For instance, "Recent cases of large-scale *refoulement* in southern Africa, to which UNHCR had apparently failed to respond in a timely and effective way": Statement of Mr. Bleakley of the United States of America, A/AC.96/SR.418, 1987, para. 10.

33 "The resolution […] gave the impression that the policies of the South African Government were the sole cause of the refugee problem in southern Africa. While those policies were the fundamental cause, other factors also contributed to the human suffering in that area": Statement of Miss Byrne of the United States of America, A/C.3/42/SR.54, 1987, para. 88.

34 "[I]t had been understood that *war victims remaining in their countries of origin* were the responsibility of the ICRC, while those who crossed an international frontier […] came under the OAU's extended definition (emphasis by author)" of refugees: Statement of Mr. Kelly of the United States of America, A/AC.96/SR.424, 1987, para. 198.

35 Statement of Mr. van den Berg of Netherland, A/AC.96/SR.424, 1987, paras. 199, 201.

displaced persons (emphasis by author)."[36] The claim of emphasizing the alienage element by Western states was finally accepted at this meeting, even though Tanzania tried in vain to oppose.[37] The agreed document stated that the ExCom:

> Invites the High Commissioner to intensify his efforts to provide required assistance to refugees (including those displaced *outside their country* because of war) as a result of conflict in the countries of the southern African subregion, so as to alleviate their suffering (UNGA, 1987: para. 209-3, emphasis by author).

Due to this decision, the UNHCR had become incapable of dealing with IDP issues. In other words, there were *no* institutions in charge of IDPs: therefore, the existing logic of IDP assistance as part of refugee protection no longer worked effectively. After this decision, few countries indicated IDP issues in the third committee of the UNGA.[38] Finally, the UNGA Resolution 42/106 (1987) failed to clearly articulate the IDP issue in southern Africa, but only indicated the phrase as a set of "refugees, returnees and displaced persons," though it succeeded in making a decision to convene SARRED.[39]

In this phase, the negative side which criticized the UNHCR's commitment to IDPs took the initiative on this discussion in the ExCom. However, this group agreed only that *the UNHCR should not deal with IDP issues*. The grounds for this agreement were different: Western states criticized the UNHCR's *expanded* mandate whilst others denounced its *limited* activities in regard to IDPs. Hiding this difference, they decided the UNHCR's noncommitment to IDPs.

IV. OAU's Initiative to Set the IDP Issue as a SARRED Agenda

In addition to the fact that the OAU failed to request the UNHCR to continue assisting IDPs in the ExCom, the OAU also tried in vain to assign responsibility to assist IDPs to other UN agencies. In the preparatory meeting for SARRED that took place between the OAU and the United Nations on January 25, 1988, the IDP issue was allocated to the UN Office of the

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36 Statement of Mr. Nakamura of Japan, A/AC.96/SR.424, 1987, para. 202.

37 Such confrontation between African and Western countries occurred in other international issues. For instance, the creation of an anti-mercenary law was largely led by the African states but ignored by Western states. Both agreed with the necessity to control the mercenaries but disagreed *how* to do so (Percy, 2007: 381).

38 Mozambique, Honduras, Cyprus, Cambodia, and Uganda indicated the plight of IDPs. Not related to SARRED, Honduras stated clearly that it was necessary to find other competent organs of the United Nations in charge of IDPs. A/C.3/42/SR.47-50, 1987.

39 A/RES/42/106, 1987.

Emergency Operation in Africa (UNEOA/ OEOA).[40] Although it was requested to research and write documents on this issue, the UNEOA was unable to prepare anything by the opening of SARRED.[41] The UNEOA did not work as much as expected, which means that the OAU's attempt to find another agency to handle IDPs also resulted in failure. A serious institutional gap continued to exist, and no UN organ was responsible for IDPs.

It was at this moment that the OAU itself started to initiate the discussion on IDPs. In the second phase, the OAU took the initiative to set the IDP issue in Mozambique and Angola as an agenda in SARRED. In contrast to the ExCom, the OAU was able to exert agenda-setting power and to prepare reports on the proceedings and conclusions of SARRED (UNGA, 1988: 4). Agendas in SARRED were first elaborated by the OAU, and it checked and finalized all materials regarding this conference. In this way, the OAU could utilize its institutional power to shape the contents of SARRED as an initial sponsor.

At the SARRED meetings, the OAU put an emphasis on the "new and serious dimension" of IDP issues to attract further attention.[42] Learning from the experience in the 42nd ExCom, the OAU was increasingly aware that IDP assistance had to be provided outside the scheme of the UNHCR. For Western and several countries agreed that *the UNHCR should not deal with IDP issues*. Nevertheless, developing and Nordic states could lend support to the OAU's

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40 *Meeting, 25 January 1988*, 4. The UNEOA was established by the UNSG in 1984 in order to coordinate relief programs to displaced persons both within and outside their own countries, especially in the famine areas of Africa (ICIHI, 1986: 121).

41 Based on this author's archival research in the UNHCR Archives, there were no references to the UNEOA other than this task allocation. According to the UNSG's report (1989: 2), the UNEOA had been transformed into the Department of Special Political Questions, Regional Co-operation, Decolonization and Trusteeship in 1986. Abdulrahim Farah, who was the chief of this Department, constantly participated in the process of SARRED, but further research is necessary on the role of this Department in SARRED.

42 *Telegraph April 25, 1988*, UNHCR Archives, 11.03, 391.88/D/14, 1988.

initiative because they shared the view that assisting IDPs had become an urgent issue.[43] By giving a new idea, it attempted to draw more support from the majority of participating governments or to at least forestall opposition by some would-be skeptics.

International Commissions often play a role as producers of new ideas (e.g. Thakur et al., 2005). The OAU referred to the idea of the Independent Commission on International Humanitarian Issues (ICIHI),[44] which published a report titled *Refugees: The Dynamics of Displacement*. This report was submitted to the UNGA in 1986, Chapter 9 of which was devoted to IDP treatment. This ICIHI report had assumed a high level of credibility and legitimacy in the field of forced displacement issues, for the reasons that one of the ICIHI co-chairs was Sadruddin, the former head of the UNHCR, and that all the UN member states were requested to take note of the ICIHI reports.[45]

Based on the idea forwarded by the ICIHI,[46] the OAU framed IDPs in Angola and Mozambique as an *independent category*. This report said that the logic of IDP assistance as part of refugee protection, which had been adopted by the UNHCR till then, reached its limit (ICIHI, 1986: 123-4). There were no specific UN organs in charge of assisting them, even though some NGOs and the ICRC tried to commit themselves to IDP issues (ICIHI, 1986: 115). The international community, therefore, needed an innovative approach to assisting IDPs, which

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43 Norway, especially the Norwegian Refugee Council (an NGO) and Foreign Minister Thorvald Stoltenberg, welcomed the purpose of SARRED and eagerly supported this OAU attempt mainly through financial assistance (UNGA, 1988: 20). Middle power countries such as Norway have a tendency to pursue a unique status in international society concerning humanitarian issues in order to build a good international reputation (Yamasaki, 2007: 266). In fact, Sören Jessen-Petersen, the UNHCR's Regional Representative for Nordic Countries, heaped praise on Norway's support, stating that SARRED would be "another demonstration of Norway's prominent position in the domain of refugees": *Letter from Sören Jessen-Petersen to Thorvald Stoltenberg*, UNHCR Archives, 11.03, 391.88/E/22, 1988. In addition, Gro Brundtland, Prime Minister of Norway at that time, was a refugee as a child, due to the invasion by Nazi Germany into Norway (Brundtland, 2002: chap. 1). Her experience also led the Norwegian government to make a strong commitment to this conference. Also, Cambodia and Honduras, as stated above (*supra* note 38), realized the urgent necessity to solve IDP issues.

44 The ICIHI was established outside the framework of the United Nations, and was composed of leading personalities in the humanitarian field in July 1983. A/RES/37/201, 1982. Its members were, for instance, Desmond Tutu, South African archbishop, and Sadako Ogata, the future head of the UNHCR.

45 A/RES/42/120, 1987.

46 We can infer that the OAU adopted the idea of this ICIHI report from the following reasons. Firstly, member states were called on to "take note" of ICIHI activities. A/RES/42/120, 1987. Therefore, it is highly possible for the OAU member states to refer to this report. Secondly, Tutu participated in both the ICIHI and the preparation meetings for SARRED. He would play a role of transmitting the ideas articulated in the report to the OAU member states.

would allow them as an independent category separated from refugees. Finally, the ICIHI called upon the UNGA to set "adequate institutional arrangements on behalf of internally displaced persons" (ICIHI, 1986: 129). Referring to this report, the draft SARRED outcome, prepared by the OAU secretariat in June, 1988, clearly regarded IDPs as a distinct category from refugees.

> […] distinct actions are necessary in connection with assessment of needs of, and delivery of assistance to, persons falling under this [IDP] category. In view of the absence of a United Nations operational agency specifically charged with the overall coordination and implementation of relief programmes for displaced persons, the Secretary-General of the UN is requested to take the necessary and appropriate measures to strengthen the existing ad hoc mechanisms with a view to enhancing their operational capacity.[47]

Two characteristics of the new categorization of IDPs were proposed in this draft document. First, the OAU emphasized the absence of a UN operational body specifically charged to deal with IDPs. It made an attempt to clearly contrast IDPs with refugees protected by the Refugee Convention. The OAU, hence, called on the UN system to re-establish and re-arrange itself and demanded a systematic approach for solving these issues. This means that IDPs should be treated as an independent target to be dealt with in the UN system. Second, IDP issues should be considered to have an international dimension, not simply a domestic affair. Although IDPs remained in their home countries, the main cause for producing such uprooted people in this region was South African policies, which necessitated an international response in resolving this IDP issue. The coining of the IDP concept as an independent category brought a "new dimension" to the issues of displaced persons.

By using this IDP concept, now re-defined as an independent category, the OAU launched the initiative to persuade other participants to cooperate with the IDP issue. Its secretariat, as an initial sponsor of SARRED, inserted independent paragraphs on "internally displaced persons" within the Executive Summary, which was distributed among SARRED's participants.[48] As an attempt to attract broader attention to this issue, the OAU had invited distinguished journalists to southern African countries, where seminars for them took place.[49] Consulting with the European Economic Community, the OAU representative expressed that "a specific and new problem of displaced persons" would be discussed in SARRED. Emphasis by the OAU on the plight of IDPs caused by apartheid made it difficult for states to ignore or refuse to assist them. In this consultation, European NGOs and the OAU reached a consensus to

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47 *SARRED Declaration and Plan of Action*, UNHCR Archives, 11.03, 391.88/E/24, 1988, para.15-ii.

48 *(Draft) Executive Summary*, paras. 37-44

49 *Meeting, 25 January 1988*, 8. The journalists were selected from almost all regions of the world, such as Nordic countries, Arab (Middle East/ North Africa), Europe, Africa (Francophone/ Anglophone), Oceania, North America, and Japan.

mobilize international public concern in favor of forced migrants.[50]

V. APPROVAL OF THE NEW IDP CONCEPT IN SARRED

This new IDP concept created by the OAU was recognized among states in the SARRED conference. SARRED, in which all the UN members except South Africa participated, took place in Oslo, Norway on August 22-24, 1988. Gro Brundtland, who had already gained a good reputation for her successful political leadership in the World Commission on Environment and Development (called Brundtland Commission after her, in 1987), delivered a remarkable opening statement. She highlighted the urgency of dealing with IDP issues globally for humanitarian, political and economic reasons:

> […] it was essential that a mechanism be established to deal more effectively with the delivery of assistance, in particular to internally displaced persons. Such a mechanism could be established under the authority of the Secretary-General of the United Nations. In this context, the co-ordination of the activities of existing agencies had to be looked into so that internally displaced persons also became the responsibility of the world community. It would also be important that the appropriate agencies […] be deeply involved (UNGA, 1988: 12).

This speech by Brundtland had a symbolic influence on other participating actors, who in the course of SARRED came to recognize IDPs as a global issue to be urgently approached. Her statement was based on the IDP concept proposed by the OAU: IDPs with a distinct need from refugees, and IDP issues with an international dimension. As a result, touching on Brundtland's statement, Afghanistan, Pakistan, and other countries keenly insisted on the necessity to re-discuss IDP issues later in the ExCom.[51] It can be assumed that Brundtland's speech raised the salience of IDP issues among SARRED participants. Following her, Moussa Traoré, Chairman of the OAU who hosted this conference, also expressed concern because of the dramatic deterioration of the situation of IDPs and the absence of any international law to address IDPs, and he appealed to its participants to discuss such mechanisms or arrangements to protect them (UNGA, 1988: 13).

In a plenary session, indeed there was unanimous agreement on the necessity to provide

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50 *Fax from Felly to Kpenou*, UNHCR Archives, 11.03, 391.88/F/32, 1988.

51 *Incoming Cable 06/10/88*, UNHCR Archives, 11.03, 391.88/H/51, 1988, 2.

international protection to IDPs.[52] However, Roland Richter (1989: 288), a freelance journalist who attended this conference, pointed out that "the proposals during the deliberations ranged from creating a new institution within the UN-system to the redirection of already existing organs for this task." Namely, there was a common understanding among SARRED participants that IDP issues necessitated an international response. What they could not agree on, however, was *who* and *how* to solve IDP issues within the UN system.

At the final session convened on August 24, SARRED participants adopted by consensus the Declaration and Plan of Action on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa (hereafter, the Oslo Declaration). The section about "internally displaced persons" was inserted in the Oslo Declaration, Paragraph 21 of which stated that:

> In view of the absence of a United Nations operational body specifically charged to deal with the problems of and assistance to internally displaced persons, the Secretary-General of the United Nations is requested to undertake studies and consultations in order to ensure the timely implementation and overall co-ordination of relief programmes for these people (UNGA, 1988: 26).

The text of this paragraph was mostly based on the draft document prepared by the OAU. However, the phrase in the OAU draft "to take the necessary and appropriate measures" was modified in the Oslo Declaration into "to undertake studies and consultations." In other words, specific actions toward IDP issues in the Oslo Declaration were made much less ambitious than in its draft. According to Richter (1988: 291), the reason for such toning down was that the advocates of the non-interference principle dominated the drafting group that prepared the Oslo Declaration.[53] Be that as it may, the Oslo Declaration could be understood as the first step toward discussing IDPs in the global arena, in that the UNSG was requested to study and consult IDP issues within the United Nations.

VI. IDP Issues Embedded in the UN Agenda After SARRED

Based on the Oslo Declaration, the SARRED outcome was next discussed in the third committee of the UNGA on November 18, 1988. Several countries endorsed the attempts of the UNSG to have consultations over IDP issues. The Mozambican representative delivered

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52 "[B]oth the displaced persons and the refugees are generally fleeing for the same reasons": Statement of NGO officials; "There is no difference in the plight of people displaced inside or outside the country. They are merely separated by the international border": Statement of Mr. Mocumbi of Mozambique; "The solutions required are very similar for both refugees and displaced persons": Statement of Mr. Hocké of the UNHCR, all of which are cited from Richter (1989: 288).

53 The drafting group consisted of Algeria, Angola, Australia, Brazil, Bulgaria, China, East Germany, Greece, Kuwait, Mali, Mozambique, Norway, Saudi Arabia, Tanzania, and the United States (UNGA, 1988: 11).

an impressive remark: "new people had been brought into *the category of affected and internally displaced persons* (emphasis by author)."[54] Abdulrahim Farah, Under-Secretary-General for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship, demanded urgent relief assistance "particularly" to IDPs, and stressed that the plight of forced migrants, including IDPs, was a "global responsibility."[55] In addition, the Ugandan representative hoped that the United Nations would find "an early solution" to IDP problems.[56] After the Oslo Declaration was warmly welcomed in the third committee, the UNGA Resolution 43/116 was consequently approved without a vote. This Resolution requested the UNSG to "undertake studies and consultations in order to consider the need for the establishment, within the United Nations system, of a mechanism or arrangement to ensure the implementation and overall co-ordination of relief programmes to internally displaced persons."[57] This means that IDP issues were officially set as an agenda in the UN system.

In accordance with this Resolution, Farah called on other UN bodies to hold consultations on IDP issues in order to elaborate the IDP concept proposed by the OAU. The first meeting was held on June 2, 1989,[58] during which it was stated that the urgent need to assist IDPs was "appearing with increasing frequency on the international agenda."[59] In this meeting, participants such as the UNHCR and the UN Disaster Relief Coordinator (UNDRO) sought to identify appropriate measures to protect IDPs. Specifically, its main topics were (1) who IDPs were, (2) what the legal basis of their protection was, and (3) who had the responsibility to support IDPs.

Firstly, reconfirming that no international mechanism existed for IDP protection as the Oslo Declaration stated, the UN secretariat produced a first working definition of IDPs:

> persons who have been obliged to abandon their homes or their normal economic activities, while remaining inside their countries of origin, because their lives, security or freedom have been threatened by generalized violence, armed conflicts, internal upheavals or similar events seriously disturbing the public order.[60]

In the Analytical Report prepared by the UNSG (UNCHR, 1992: para. 12), the UN secretariat elaborated the IDP definition based on this working one, although the victims suffered from

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54 Statement of Mr. Chidumo of Mozambique, A/C.3/43/SR.45, 1988, para. 41.

55 Statement of Mr. Farah of Under-Secretary-General, A/C.3/43/SR.44, 1988, para. 25.

56 Statement of Mrs. Semambo-Kalema of Uganda, A/C.3/43/SR.47, 1988, para. 61.

57 A/RES/43/116, 1988, para. 6.

58 The meetings on IDPs were also held on June 5 and 14, 1989, led by Farah.

59 *Internally Displaced Persons, 2 June 1989*, UNHCR Archives, 11.03, 391.88/H/55A, 1989, 6.

60 *Internally Displaced Persons*, 2.

natural disasters were not included at that time.

Secondly, the legal basis of IDP protection was discussed. Participants confirmed that all international instruments on human rights could apply to IDPs. As stated above, IDPs had been assisted within refugee protection before SARRED. However, it was reconfirmed at this meeting that the Refugee Convention could not be applied to persons who had not crossed national borders. Rather, IDPs could enjoy protection by the international human rights instruments.[61] This can be assessed as a significant change in the logic of IDP protection because the basis of IDP protection was clearly parted from the Refugee Convention. This was followed by the development of IDP protection since the 1990s to reframe the concept of IDPs as persons to be protected based on the international human rights law instruments (e.g. Ikeda, 2003: 189).

Thirdly, state responsibility to protect IDPs was clearly articulated. IDPs, "as they remain within their own territory, fall under the normal jurisdiction of their own Governments."[62] This was the core concern among states with respect to IDP protection for fear that other international actors might intervene in state sovereignty. It was, hence, emphasized that the United Nations did not have any intention to forcibly violate state sovereignty but only to provide protection to IDPs by its presence. It was reaffirmed that the UN activities to deal with IDPs were performed "at the request or with the agreement of the sovereign host Government."[63] This affirmation was of crucial significance in alleviating the states' concerns.

As a consequence of these meetings, the UNSG's follow-up report was submitted to the UNGA on September 28, 1989, the third section of which was devoted to the discussion on protection mechanism for IDPs (UNGA, 1989: 16-19). This report included four proposals about IDP protection. The first proposal was to make the recommendations of this report "applicable not only to the situation in southern Africa but also to those other areas which are experiencing problems relating to internally displaced persons" (UNGA, 1989: para. 80). Universal guidelines for IDP protection were proposed in this report, stating that IDP issues were common problems on all continents. The second proposal was to make all international human rights law applicable to IDPs (UNGA, 1989: para. 73). Thirdly, it was suggested to clearly specify that IDPs were "first and foremost the responsibility of national Governments" (UNGA, 1989: para. 73). States were primarily responsible for IDP protection owing to state sovereignty.

Finally, the UN system was called upon to "assist national Governments […] in responding to situations of internally displaced persons" when its governments were generally "unable to provide the necessary assistance" (UNGA, 1989: para. 73). This final point was cru-

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61 "While displaced persons do not receive international protection in the way that refugees falling within the mandate of UNHCR do, all international instruments on human rights nevertheless do apply to them": *Internally Displaced Persons*, 7. In this discussion, the UN participants only showed an abstract idea that IDPs should be protected by all international instruments on human rights, but not concrete possibilities to apply such instruments to IDPs.

62 *Internally Displaced Persons*, 3.

63 *Internally Displaced Persons*, 4.

cially important as it articulated the responsibility of the United Nation to protect IDPs. In other words, it framed IDP issues as an official concern within the UN system. It may be argued that this was the first time the United Nations clearly acknowledged the need to take institutional responsibility for IDP protection, as Deng evaluated SARRED as the first UN institutionalized initiative for IDP assistance (UNCHR, 1993: para. 4). Finally, this UNSG's report was confirmed in the UNGA Resolution 44/136 (1989).[64]

VII. CONCLUSION

This article empirically elucidated the origin of the current IDP concept by tracing the change in logic of IDP treatment. It is true that undertaking to assist IDPs had started in the 1970s as part of refugee protection. However, in the late 1980s, initiatives by the OAU successfully led to the emergence of an innovative idea that IDPs should be treated as a distinct category from refugees. This change in logic was caused by the decision in the 42nd ExCom on the UNHCR's non-commitment to IDP issues, due to the Western countries' opposition. This decision led to a situation in which no leading agency in charge of IDPs existed within the UN system. To fill the institutional gap, the OAU initiated the agenda-setting process on IDPs by the use of the new IDP concept as an independent category. This concept was approved among the heads of states in SARRED and the UNGA, which started the UN institutional approach to IDP issues.

Period	1951 ~ 1972	1972 ~ mid-1980s	1988 ~
Lead agency	No agencies	UNHCR	OAU
Logic	Non-commitment to IDP issues	Assistance as part of refugee protection	Protection as an independent category
Sub-logic	—	▪ Refugee repatriation ▪ Flexible interpretation of the Refugee Convention	▪ Application of Human rights ▪ State responsibility ▪ Responsibility of the United Nations

[Table 1] Change in the Logic for Treatment of Internally Displaced Persons

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64 A/RES/44/136, 1989, para. 1.

Through the analysis of SARRED, several important implications on the subsequent developments of IDP protection since the 1990s can be identified.[65] First, IDPs were regarded as a separate category from refugees through the deliberation process of SARRED, recognizing that IDPs had a distinct need for which there was no international mechanism. The UNSG's follow-up report of SARRED instigated the endeavor by Deng and other UN officials to fill the gap and to create the elaborative IDP definition and the international instruments targeting IDPs (UNECOSOC, 1991: paras. 118-9; UNCHR, 1992: paras. 12-16). The current developments of IDP protection, such as the establishment of the GPID and the Kampala Convention, are based on the IDP concept that they are treated as an *independent* target to be protected (Mooney, 2005).

Second, the UN secretariat treated the existing international human rights law and humanitarian law as the legal basis for IDP protection (UNECOSOC, 1991: para. 124; UNCHR, 1992: paras. 74-105). Through the SARRED process, it was reaffirmed that IDPs could not enjoy protection under the Refugee Convention. Instead, they were protected by the international human rights instruments. The application of the existing international laws had already been observed in the follow-up meetings of SARRED, which seems to have shaped the following process of norm development (e.g. Ikeda, 2003: 189).

Third, the prototypical idea of "sovereignty as responsibility," coined by Deng (1993: 11, 14-20), was observed in the UNSG's follow-up report as early as in 1989. Considering that Deng indicated the importance of SARRED, we could surmise that his inspiration for the idea of "sovereignty as responsibility" came from the SARRED outcome. The follow-up report to SARRED did not go as far as "forfeiting" state sovereignty. Rather, the international community, especially the United Nations, was requested to support national governments in assisting IDPs when governments had no capacity to deal with them. The United Nations had to some extent obligations to respond to the situation of IDPs.

Finally, in preparing SARRED, the OAU played an important role in setting the agenda and formulating its contents. In the International Relations (IR) literature, the OAU has been regarded as a weak regional organization, compared with the European Union and other regional organizations. For example, Gomes (2008: 117) asserts that "the OAU was a silent observer to atrocities committed in a number of member states." In counter to conventional understandings of the OAU's position in the IR study, this research found out that it played an active role in setting the agenda on IDP issues.[66] After restructuring into the African Union (AU), the AU initiated the drafting process of the Kampala Convention in collaboration with

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65 Identifying the causal relationship between SARRED and the following UN development of IDP protection requires further research by analyzing the discussions on IDP issues among the UN secretariat around 1990. However, referring to several materials, such as the Cuénod Report (UNECOSOC, 1991) and the Analytical Report (UNCHR, 1992), it can be inferred that SARRED conference had an impact on the subsequent IDP protection.

66 The initiative by OAU to create an international anti-mercenary law can be raised as another example of its active role in international arena (Percy, 2007). However, due to intervention by Western countries, the laws regulating this area have loopholes which make them inefficient (for instance, Article 47 of Protocol I Additional to the Geneva Conventions).

the UNHCR. The AU/OAU may be regarded as a pioneer concerning IDP issues.

This article makes an attempt to re-evaluate the significance of the SARRED conference in the development of IDP protection. SARRED served as a "turning point" for the change in the logic of IDP treatment. This change was ironically triggered by the retreat of the UNHCR from taking responsibility for IDP assistance. As a result of its withdrawal, the original ideas that were later stipulated in the GPID were proposed in the discussions during and after SARRED. To put it differently, IDPs were not naturally separated from refugees, but the IDP concept was politically created, reflecting the OAU's interests. The author finally argues that, in understanding the UN approaches to IDPs during the post-Cold War period, we need to look at them as a continuum within the context of SARRED. This agenda-setting process by the OAU was indeed successful in raising the salience of IDP issues. However, its process might have hidden other persons who needed international protection (e.g. Schattschneider, 1960). For instance, the UNHCR's expanded commitment to IDPs during the post-Cold War era was severely criticized for violating the right of asylum (e.g. Goodwin-Gil and McAdam, 2007). We ought to pay attention to such aspects of agenda-setting that hide other potential issues. It is also necessary to continue the discussion of who should be the subject of international protection.

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WORKING PAPERS

FROM THE FIELD: THE DIRECT SERVICE PERSPECTIVE IN THIRD COUNTRY RESETTLEMENT

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ABSTRACT

The United States (US) is the biggest destination for the refugees who resettle through third country resettlement program. Drawing upon the author's experience working in a US resettlement agency, this paper aims to bring attention to the process involved in completing mandated tasks of the Reception and Placement program. Through case examples from the field, the paper illustrates how the process in the direct service could facilitate the positive course of integration.

I. INTRODUCTION

"I had dreamed about coming here (the US) my whole life," said a Karen refugee who was interviewed about her resettlement experience in the US.[1] For some refugees, resettlement to a third country could be the only chance to rebuild their lives, and for many, the US provides that opportunity.[2]

In fact, the US receives the vast majority of refugees who resettle through third country resettlement program. In 2011, more than sixty thousand refugees departed to third countries for resettlement with the assistance of the Office of the United Nations High Commissioner for Refugees (UNHCR). Of those, over seventy per cent of the refugees were resettled in the US.[3] For the above-mentioned Karen refugee, coming to the US was a dream, and perhaps it is a dream for many. On the other hand, arriving in the US is not the end of their journey; rather, it is the start of a new chapter.

The refugees who arrive in the US through resettlement receive service under the Reception and Placement (RP) program provided through one of the Voluntary Agencies (Volags).

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1 Gilbert, Hein, and Losby 2010, 21.

2 USCRI 2011.

3 UNHCR 2012, 8.

From Alaska to Hawaii there are about three hundred and fifty affiliated agencies of the Volags helping refugees integrate into local societies.[4] As described in the word "reception" and "placement," it is a short program to assist in the early stage of the resettlement for up to ninety days.

As an established resettlement program, RP Basic Terms of the Cooperative Agreement (hereinafter referred to as the cooperative agreement) provides clear guidelines, concrete tasks, and expected measurable outcomes.[5] The set guidelines, tasks, and outcomes are certainly important tools to keep the high standard of the US program. However, the provision of RP services is not simply a set of concrete tasks. It is a process that facilitates a positive course of integration. It is possible to say that the process that happens before, during, and after completing the concrete tasks is as important as the completion of task itself.

Drawing upon the author's experience working in a US resettlement agency, this paper aims to bring attention to the process involved in completing mandated tasks of the RP program, and how the process could facilitate the integration in the long run.[6] Through the process, it was aimed to facilitate integration by building trust, maximizing the use of available resources, and changing the environment to better meet refugees' needs.[7]

First, the next section will introduce the setting where resettlement took place, and the subsequent sections will discuss three aspects: trust building, maximizing the use of available resources, and changing the environment to better meet refugees' needs. Each aspect will include some specific examples from the field.

A. The Setting

The cooperative agreement provides the minimal standard for the RP program. However, how RP services are delivered is unique to each agency. Therefore, this section will provide a brief description of the agency where the author worked.[8]

The agency is located in a county in the vicinity of one of the biggest cities in the US. The county and the surrounding area host people from diverse backgrounds. Let us say the county is located in the state of A. The agency's refugee resettlement department consists of the case

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4   As of October 2012, nine Non-Governmental Organizations (NGOs) have contracts with the Department of State to assist these refugees once they arrive in the US. U.S. Department of State, Refugee Admissions.

5   U.S. Department of State 2011.

6   The author worked in a US resettlement agency from 2007 to 2011.

7   Hepworth et al. 2006, 17. Here, the environment refers to social and physical setting of one's habitual setting.

8   The specific information about the agency is not disclosed in this article to protect the privacy of the clients.

management section (for the purpose of this paper, hereinafter it will be referred to as the resettlement team) and the employment section. In addition, the agency provides multiple services for refugees and immigrants. The refugee resettlement department operates two federally funded programs (Match Grant program and RP program) and a state funded refugee resettlement program. Most RP clients receive services from Match Grant and/or state resettlement program after the completion of RP services. In addition to the refugees admitted to the US through resettlement, the department serves others who are eligible for programs funded through the Office of Refugee Resettlement.[9] Due mostly to the geographic location, the department serves clients from all over the world.[10] At the time when the author worked in the agency, the largest group served was Cubans. Large numbers of other clients originally came from Cameroon, Chad, Egypt, and Iraq. In total, the department would usually serve about three hundred new clients in a given year. With regard to the RP program, the arrival of refugees steadily increased in the past few years, and in the fiscal year 2010, the number of RP clients increased to over a hundred individuals.

The resettlement team consisted of two full-time and one part-time case managers, four to six full-time volunteer/interns, and the author as a coordinator.[11] This setting shaped the way in which the resettlement team implemented the RP and other programs.

II. THE PROCESS IN DIRECT SERVICE

A. Building Trust

In any social service agency, clients come with different capacity to trust others.[12] For refugees who have experienced extreme hardships, such as violence and human rights abuse, their capacity to trust others may have been impaired. While refugees would need to find new resources and establish new support network in the new environment, inability to trust

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9   The refugee resettlement department of the agency served Convention refugees, victims of human trafficking, Cuban/Haitian entrants, and Special Immigrant Visa holders (SIVs).

10 In a given year, the resettlement team would serve clients from approximately twenty-five different countries. Each country group may include refugees with differences in religion, ethnicity, language, sexuality, age, health status, economic status and so forth.

11 Two full-time case managers spoke Spanish and mainly worked with the Cuban population. The program coordinator's primary function was to manage RP grant, oversee all RP cases, oversee non-Spanish speaking cases for other refugee resettlement programs, provide direct case management services, and coordinate services with State officers and the headquarters.

12 Hepworth et al. 2006, 551.

others may hinder refugees' capacities to do so.[13] Therefore, the process of building trust with refugees was taken as a priority of the resettlement team. It served as a first step for refugees to build trusting relationships with others. During the RP service period, this trust building process was reinforced by managing refugees' expectations and providing emotional support.

The following section will provide examples of expectation management and provision of emotional support through an RP task: provision of housing.[14] The examples will illustrate the way this seemingly plain and simple task involved the trust building process.

1. Expectation management

One of the ways to build trust in a helping relationship is for the service provider to accomplish the tasks that it has agreed to do.[15] Thus, completion of concrete tasks detailed in the cooperative agreement is certainly important in building trust. In the process of completing these tasks, the resettlement team had learned that it was crucial to manage expectations. In other words, it was necessary to assess and address refugees' expectations and create mutual agreement about the tasks.

Refugees arrive in the US with certain expectations. Those could be about the quality of life, services they will receive, kind of employment they would gain, and so forth. Without understanding and managing these expectations, refugees and the resettlement team may have different understandings in the tasks and in the ways the tasks would be completed. If the discrepancies are not addressed, even when the resettlement team thought the tasks were properly completed, the refugee might feel otherwise. This could hinder the development of trust. The following brings out an example where the lack of expectation management hindered the trust building process.

The resettlement team came to realize the importance of managing expectations through the task of providing housing for B and his family. B had a respectable job in the academia, and he and his family had a relatively affluent life in the country of origin and in the country of asylum. After arriving in the US, the family moved numerous times within the first year. It was due to the discrepancies in the expectation of "decent, safe, and sanitary" housing between the family and resettlement agencies.

B's family was supposed to be resettled to another state about four hundred kilometres away from State A. On the day of arrival, the family claimed that the condition of the provided housing was awful, and decided to stay in a hotel. After discussion with the local resettlement agency, the family decided to move to State A where they had a family friend. After B and his family moved to State A, the housing became an issue for the family again. The first apartment was secured for them based on the housing quality standard advised in the cooperative agreement. Soon after, the quality of the housing became an issue for the family. Against the advice from the resettlement team, the family moved again to another apartment,

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13 UNHCR 2002, 20-26, 78.

14 U.S. Department of State 2011.

15 Hepworth et al. 2006, 551.

whose quality they approved, yet the rent was more expensive. When the family's resettlement rental assistance came to an end, they had to move to a cheaper apartment to receive approval for the state rental assistance. Despite enrolment in an English class and employment assistance, B's English language skill and employment preferences had limited his employment options. B was unable to find an employment in State A, and moved out of the state to look for better opportunities.

Serving B and his family was challenging. They posed many demands and did not easily agree to the resettlement team's guidance. The family did not have an easy time as well. They were supposed to "re-settle," but had to move from one place to another. The prolonged instability was a stressful experience for them. This unproductive situation was caused due mainly to the discrepancy between the expectations B's family had and what was realistic in the resettlement process. For instance, they may have been told at the overseas orientation that they would be assisted into a "decent, safe, and sanitary" housing as indicated in the cooperative agreement.[16] However, there was a gap between the definition of "decent, safe, and sanitary" detailed in the cooperative agreement and the expectation of housing B's family had in mind. The resettlement team did not start the resettlement process by understanding and discussing about their expectations and the realistic housing options within the given framework. In other words, there was no mutual understanding in the tasks involving housing. As a result, B and his family may have thought they were given misinformation at the overseas orientation and/or treated unfairly in the US by the resettlement agencies. Accordingly, they may have felt the needs to assert their demands to obtain what they thought they were entitled to.

Learning from this experience, the agency made it a priority to manage refugees' expectations along with completing tangible tasks. When we start from assessing refugees' expectations, we may find discrepancy between their expectations and what is realistic for them. It could be about the standard of housing or something as simple as the duration of time it takes to receive food stamps. If the discrepancies go without being addressed, it could make refugees doubt the ability and/or sincerity of the agency to complete the tasks. Accordingly, the completion of the tasks could lead to trust building, when it starts with the process to understand refugees' expectations, and establish mutual understanding between the refugees and the service provider.

2. Providing emotional support

Another way to build trust in a helping relationship is through demonstration of commitment, patience, and respect.[17] These attributes were shown through the resettlement team's dedication to provide emotional support for the refugees.

Most of the refugees experienced the emotional distress throughout the refugee

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16 U.S. Department of State 2011.

17 Hepworth et al. 2006, 551.

experience.[18] When they finally land on the US soil, many of them are happy and excited as you can imagine from the quote in the beginning. However, the resettlement experience could be an emotional roller coaster. Even if the refugees were happy in the beginning, with time, it was not uncommon to see the same refugees coming into the agency furious that they had been treated unfairly at a county board of social services (CBSS); frustrated that they had not been able to obtain an employment; or sad that they were not being able to provide more for their children.[19] Throughout this stressful experience, providing emotional support was a process as important as completing the concrete tasks. The section below illustrates this process with the resettlement team's work with C.

When C and his family arrived in the US, C had expectations about his resettlement process, which was not realistic in the given circumstances. After some discussion, C and the resettlement team came to an understanding that it would take time for him to independently provide for his family. As C's younger brother was resettled in the US several years before C and had a stable employment, C and the family decided to stay with the brother until C had a stable income. Months after his arrival, C came into the office quite upset. His voice was raised, and his speech pattern was fast and scattered. He repeatedly expressed his disappointment with the life in the US and the service provided for him. He also expressed that he could not accept the situation any longer and regretted coming to the US.

What C experienced was not unusual. Most refugees have some methods to cope with their stress. However, even for those with effective coping skills, high levels of stress may cause breakdowns.[20] The resettlement team went through these experiences and provided emotional support. In C's case, recognizing the emotional distress he was facing, the resettlement team first listened and acknowledged his feelings and circumstances. However, this would not be enough to calm his heightened emotion. As described in his fast and scattered speech pattern, C was not able to clearly describe his issues. This is common in a helping relationship, where a person who is seeking assistance may not know how to describe the issue.[21] Thus, the second step we took was to assist him identify what were the sources of his frustration. As a result of this process, we understood that among other issues, C's main frustration stemmed from the fact that he was sharing an apartment with his brother.

C lived in an apartment, which was decent, safe, and sanitary as described in the cooperative agreement. Thus, the concrete task was completed, but the task itself did not solve C's emotional distress. Before arriving in the US, C was the head of the household and was independently providing for his family. However, in the US, he was no longer the head of the household. He had to share the financial responsibility with his younger brother to cover all the expenses. It was a realistic option at that moment, but C may have felt his power was be-

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18 UNHCR 2002.

19 CBSS are commonly called "welfare agencies." Refugees apply for welfare benefits such as Food Stamps and Medicaid in these offices.

20 Hepworth et al. 2006, 202.

21 Lukas 1993, 2.

ing diminished. Coupled with some other issues, C was unable to cope with the stress. Understanding his issue, the third step we took was to help C identify some realistic approaches. By the time C left the agency, he was calm and had concrete action plans to make changes. After this incident, C experienced similar emotionally challenging moments from time to time. Every time, the resettlement team was there to identify ways to cope and move forward.

As described in C's case, most refugees experience many emotional ups and downs during the process of resettlement, and the resettlement team went through the experience each time with the refugees. This process showed patience in their resettlement experiences, respect in their feelings, and the commitment to provide them with support. This process was vital in building trust with the refugees.

While they are not measurable concrete tasks, the resettlement team took the process of managing expectations and providing emotional support as important ways to build trust with the refugees. The refugees' eroded capacity to trust may hinder their ability to access resources in the new country. Being able to form a trusting relationship with the resettlement agency would help the refugees to re-establish a sense of trust in others. The completion of tasks is certainly important, but the process of building trust is equally important. This process in the early resettlement period fosters the start of a positive integration process.

B. Maximizing the Use of Resources

The US offers a range of resources for refugees. To give a few examples, with some restrictions, refugees are entitled to the same benefits as the US citizens. Refugees can also receive some specific services through programs such as Matching Grant and Individual Development Account program.[22] Assisting refugees to access these resources is one of the important tasks stated in the cooperative agreement.

Connecting refugees with resources in the environment such as those mentioned above was a start, not the end. What the resettlement team considered as important in the resettlement was the process of empowerment. The process involved two main objectives. First was to provide support to maximize the benefits of the resources. The second was to assist the refugees gain the ability to utilize the resources to meet their own needs.[23] For instance, the governmental health insurance, Medicaid, is one of the resources for refugees. Connecting refugees with Medicaid and providing general orientation of the healthcare system could be completed as simple tasks. However, completion of these tasks may not be sufficient. To help refugees' integration in the long run, support was provided to best utilize the Medicaid program. Further, the support was provided with an intention to help refugees understand how to navigate the US healthcare system to meet their needs. The episode below provides an example from the field.

The resettlement team resettled a refugee family with an infant D, who had medical needs. Her condition was difficult to operate and she was not able to receive needed treat-

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22 ORR 2011. Matching Grant program is an employment oriented program. Individual Development Account is a special saving bank account program for refugees.

23 Hepworth et al. 2006, 357-358, 411.

ment in the country of asylum. The family's only hope was for D to be seen by the US based physician, E, who was of international renown in the field. After arriving in the US, D was seen by physician E. D's surgery was covered by Medicaid and completed with success. D received a series of follow up examinations by the physician, which was also covered by Medicaid. Through State A's medical assistance, D was also connected with aftercare services such as physical therapy, medical case management, and a program for special needs children. While the case had many successes, it was not without challenges. The family thought arriving in the US would enable D to be seen by the physician, but the medical system in the US was more complicated than they had thought. It was not as simple as receiving Medicaid, calling the doctor, and making an appointment. Even with a coordinated effort by the resettlement team and the State officers, it took well over three months for D to be seen by the physician E and be connected with other needed services. [24] In other words, the simple task of obtaining Medicaid and receiving general orientation on the healthcare system did not enable the family to make the best use of this resource.

First, let us discuss the case further to illustrate how support was needed to best utilize Medicaid. One of the challenges was the restriction in the choice of physicians. The US health insurance usually limits the choice of physicians one can be seen by.[25] For D to be seen by the physician E, who practiced in a state over six hundred kilometres away from State A, her Medicaid needed an authorization to provide an out-of-network procedure. In order to receive authorization, D needed to see specialists in the nearby area, and receive letters acknowledging their lack of capacity to treat her condition. Then, the State Refugee Health Coordinator reached out to other well-known hospitals in the vicinity of State A to reaffirm the D's need to be seen by the particular physician. Owing to the collaborative efforts and advocacy of the state officers, D was then able to receive the out-of-network procedure authorization.

Another challenge was the continuation of the treatment. One operation was not the end of D's medical treatment. She required a series of follow-up examinations and aftercare services. While her treatment was continuing, her federally funded Medicaid changed into the state administered Medicaid.[26] State A's Medicaid employed the managed healthcare system. Due to the managed healthcare system, in order for D to go for follow-ups, it required a refer-

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24 Each state has a State Refugee Coordinator and many states also have a State Refugee Health Coordinaor. They oversee the refugee services in the State. The list of state refugee coordinators can be found at: http://www.acf.hhs.gov/programs/orr/resource/state-refugee-coordinators, last accessed 21 December 2012. The list of State Refugee Health Coordinators can be found at: http://www.acf.hhs.gov/programs/orr/resource/refugee-health-coordinators, last accessed 21 December 2012.

25 HealthCare.gov.

26 ORR 2011. There is an eight-month cap in federally funded Medicaid. After the eight month, refugees can receive state administered medical assistance if they qualify.

ral by a Primary Care Physician (PCP).[27] Thus to go for each follow-up, the resettlement team assisted D's mother to reach out and coordinate services among PCP, health maintenance organization (HMO), and the specialist, not to mention the authorization required each time. In addition to the periodical follow-up examinations, there were aftercare services available for D. With the guidance of the State Refugee Coordinator, the resettlement team was able to connect her with physical therapy, programs for special needs children, and the medical case manager.

As illustrated by the above example, the resources were there. However, understanding the available resources, navigating the system, and making the best use of the resources were challenging, and D's family needed support. Not all refugees have special medical needs like D, but the difficulties in understanding the available resources, navigating the system, and making the best use are something that the majority of the resettled refugees face. Connecting refugees with the resources is a start, and the support beyond it is crucial.

Second, the following will illustrate how the support was given with an intention to help D's mother gain the ability to utilize Medicaid on her own. In the beginning of the process, thorough assistance was provided. When D's mother took D for the first surgery, the resettlement team arranged everything including airport pickup to assistance in registration for accommodation and the hospital. It was deemed necessary as we assessed that comprehensive assistance would be required for D's mother. Only three months in the US, it could have been overwhelming for D's mother to navigate through the unfamiliar US system with her language barrier especially when she was anxious about D's surgery. As D's mother went through the entire process for D, each step and resource was explained as many times as needed. For instance, phone calls to the HMO were made in the presence of D's mother. It helped her learn the ways to communicate with HMO. She was also encouraged to try accessing service on her own. When she encountered challenges, the resettlement team solved the problems with her. After about two years from the arrival, D's mother was managing through most of the available resources to meet D's needs.

Providing assistance to access resources was only the start of an empowerment process. Equally as important was to assist refugees making the best use of the available resources, and help them utilize the resources on their own. This process starts during the early resettlement period, and may take longer than the given time of RP services. At any rate, the process was a crucial part of RP services that empowered refugees and facilitated their integration in the society.

C. Working with the Community Stakeholders

The resettlement occurs in the context of a particular environment. While the preceding sections focused on the work between the resettlement team and refugees, the environment has much impact on the work. For instance, resources and systems differ from one environment to another. The environment also could either promote or jeopardize the efforts of refugees to adapt in it. Although the whole environment may not be able to change drastically, some elements of the environment can be fostered in a way that complements the refugees'

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27 American Academy of Family Physicians.

efforts.[28] Alongside with the direct service for the refugees, the resettlement team worked to establish positive working relationships with some elements in the environment, in particular the community stakeholders, such as schools, CBSS, landlords, social security offices and other service providers.[29] The resettlement team worked to build and maintain cooperative working relationships, and to familiarize the community stakeholders with refugees' needs. This process facilitated the better interaction between refugees and the community stakeholders, and supported the effectiveness of direct service.

For instance, CBSS was a common resource that was associated with Medicaid. The cooperative agreement instructs resettlement agencies to assist refugees apply for Medicaid or other medical assistance within a week from arrival.[30] In order to complete this task, it was necessary to first build a cooperative relationship with CBSS. Refugees have special waivers and needs when applying for Medicaid. They are waived from certain restrictions on benefit eligibilities, including Medicaid, which applies for immigrants.[31] On the other hand, refugees may not be able to present certain documents such as passport and social security card that are usually requested to apply for Medicaid. Thus without promoting CBSS' understanding in refugees, the task could become a challenge.

Working with community resources was crucial. That being said, it was challenging for the resettlement team. One of the main reasons was that the agency worked with US tie cases.[32] Most resettlement agencies that resettle non-US tie cases place refugees in one county or a few counties, therefore working with a limited number of community stakeholders. However, in order to place refugees close to their US ties, the resettlement team carried caseloads of refugees who were placed in multiple counties.[33] This made it difficult to focus on the area, cultivate and build constant working relationships with each community stakeholder. In a given fiscal year, the resettlement team's placement of refugee families usually spread out into five to seven counties.[34] This means that the resettlement team regularly worked with five to seven different CBSS, multiple schools in different school districts, several

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28 Hepworth et al. 2006, 229.

29 Refer to the footnote 19 for the explanation of CBSS.

30 U.S. Department of State 2011.

31 Broder and Blazer 2011.

32 US tie cases refer to refugee cases that have some "ties," such as relatives and friends, to the placement area.

33 This is because the US tie usually prefers to have the refugees close to them and the agency was encouraged to place refugees within the same city as the US tie.

34 In the area, where the agency was located, each county usually consists of ten to twenty municipalities.

social security offices, multiple landlords in each county, and such. The resettlement team had some success and challenges in this process. To illustrate how successful relationships with the community stakeholders can support the efforts made in direct service, the following will compare the successful and challenging relationships through an example of a task: assisting refugees apply for Medicaid.

First, let us go through cooperative working relationships with some CBSS, which helped to create a positive environment for refugees. Among the CBSS with which the resettlement team worked, three had a constant flow of large numbers of refugees. These CBSS had a designated worker to work with refugee cases. With these counties, the resettlement team kept regular contacts with the workers and was able to maintain cooperative relationships. The workers were trained in refugee policies, and the resettlement team provided updates when there was any. Making an appointment to apply for Medicaid was usually completed with one direct phone call to the workers. The workers understood refugees' limitations such as the lack of passport and social security card.[35] If any problem came up, such as suspension of Medicaid, one phone call would usually took care of the issue. In case the workers had difficulty communicating with the refugees due to cultural or linguistic barriers, they worked with the resettlement team to facilitate the communications. When there was a turnover in personnel, the resettlement team was notified, and was facilitated to maintain the relationship. This established working relationship promoted completion of the task, and also made it easier for refugees to navigate the system.

In comparison, the lack of cooperative working relationships made it difficult to complete the task and navigate the system. It was a challenge to maintain good working relationships with other CBSS due to the absence of a constant flow of refugees. Not to mention the differences in the language and culture, refugees could face multiple barriers when service providers are unfamiliar with the refugees' needs. Let us go through Medicaid application process step by step to illustrate multiple barriers the agency and the refugee could face. First, making an appointment to submit a Medicaid application could become a challenge. In some counties, reaching someone on the phone to make an appointment was almost impossible. In another county, appointment had to be made by applicants in person. In this case, it is likely that the waiting period takes few weeks. Second, even when there was an appointment, refugees could face multiple barriers. On the day of the appointment, an issue could happen at the reception desk, where a receptionist tried to turn away refugees from applying for Medicaid because they did not hold permanent residency status. Another issue could happen with an intake person who may suggest refugees to obtain assistance from their country of origin before applying for welfare benefits in the US. Third, submitting the application is not the end. After the submission, there could be a caseworker who would not process refugees' Medicaid application without a social security number. The refugees' caseworker may contact the refugee for a missing document, but refugee may not be able to comprehend what was communicated to them. Further, issues may arise after receiving Medicaid. If there was a problem utilizing Medicaid, it could be a challenge to get hold of their caseworkers, who are

35 The cooperative agreement requires the resettlement agencies to help refugees apply for medical assistance within seven days of arrival, and social security card within ten days of arrival. Therefore, refugees usually do not have a social security number, which is required to apply for benefits.

dealing with so many other cases. In this way, there could be multiple obstacles for the agency to assist refugees and for the refugees to navigate the system.

In an effort to improve this issue, the team often sought assistance from the State counterpart and had the State conduct refugee-specific trainings for CBSS staff members. However, because it was not possible to train everyone from the receptionist to the supervisor, and the CBSS had a high turnover rate,[36] the training was not enough to solve the problem. As illustrated, the absence of a cooperative relationship could hinder refugees in many ways.

The resettlement happens in a particular environment. Thus, the resettlement team took a holistic approach to work with both refugees and with the community stakeholders. When the agency works well with the community stakeholders and the community stakeholders have an understanding of refugees' needs, the efforts in direct service and the interaction between refugees and the community stakeholders could be facilitated. Though working with community stakeholders posed challenges for the resettlement team, it was a vital process. This process not only facilitated the completion of the RP task, but also promoted refugees' efforts to adapt and facilitated a positive start in the course of integration.

III. Conclusion

"I love it," an Eritrean refugee described his life in the US during an interview conducted on the refugee integration process. At the same time he also said, "I am still integrating" after eighteen years from his arrival.[37] Integration does not happen overnight. As it is described by the Karen refugee's word at the beginning of this paper, most refugees are happy to arrive in the US. However, arrival to the third country is not the end of their journey, but the start of a new chapter of their journey. The RP program is a short resettlement program that can help refugees start a positive new chapter. The provision of direct service in RP program is not merely a set of concrete tasks, but is a process. By building trust, assisting to maximize the use of resources, and working with the community stakeholders to better meet the refugees' needs, the process promotes the positive course of integration. The resettlement team often continued the work with the refugees long after the end of the RP program. Each refugee encountered challenges from time to time, and overcame those difficulties. Some were able to buy a car for the first time in their lives, some had their children become the first one in the family to have higher education, some overcame traumatic experiences and became outgoing, and others became parents of American born children. The resettlement poses multiple challenges for refugees, but with support, refugees can start a new and a long chapter of their lives in the positive direction.

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36 HHS Secretary.

37 Gilbert, Hein, and Losby 2010, 24.

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MULTI-SECTORAL PARTNERSHIP TOWARD GLOBAL ISSUES: INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM)'S WATER, SANITATION AND HYGIENE (WASH) PROGRAMME TO ASSIST VULNERABLE INTERNALLY DISPLACED PERSONS (IDPs) IN SOMALIA

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ABSTRACT

This is a working paper on the triangular Public-Private Partnership project implemented by the International Organization for Migration (IOM), the Ministry of Foreign Affairs of Japan and Poly-Glu Social Business Company Limited (Poly-Glu SBC), a small-sized Japanese company. To improve human security in Somalia, IOM, with financial support from the Japan International Cooperation Agency (JICA) and the Ministry of Foreign Affairs of Japan, purifies water using Poly-Glu water flocculant technology. The innovative technology has made it possible for IOM to provide safe water to over 50,000 internally displaced persons (IDPs) and their affected host communities through 13 water treatment systems, over a period of 14 months.

IOM has achieved the following results:

1. Provision of safe and clean water;

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2. Reduction of water-borne diseases;

3. Improvement of community awareness about hygiene and sanitation conditions;

4. Improvement in hygiene and sanitation conditions;

5. Capacity building on water, sanitation and hygiene (WASH) related skills for stake-holders (local non-governmental organisations (NGOs), government officials and IDPs;

6. Creation of employment;

7. Contribution to strategy guidance and project planning of United Nations agencies.

I. PREFACE: JAPANESE APPROACH TO CO-OPERATION WITH PRIVATE SECTOR TOWARD GLOBAL ISSUES

The private sector is increasingly expected to take a major role in development. In the middle of 1990s, Official Development Assistance (ODA) took a backseat to private capital flows being injected into developing countries. According to the Hudson Institute report, '2012 Index of Global Philanthropy and Remittances,' private development assistance amounted to $575 billion in 2010, surpassing the $128 billion of ODA (Hudson Institute 2012, 15). Speaking at the Busan High-Level Forum on Aid Effectiveness in November 2011, Hillary Clinton, the United States Secretary of State, stated: "With official development assistance representing a much smaller share of resources flowing into developing countries, we have to think differently about how we use it (Aid Effectiveness PORTAL)." As the Millennium Development Goals (MDGs) expire in 2015, international communities are concerned about post-MDGs. In this context, the Government of Japan has taken a lead in this discussion and formed the Post-MDGs Contact Group which was a forum for informal policy dialogue on the development agenda beyond 2015. A Chair's tentative summary note was circulated in September 2012, emphasising the necessity of seeking effective global partnerships with the appropriate combination of resources among a wide range of development partners, including traditional donor countries, international organisations and the private sector, based on their respective strengths and characteristics (Post-MDGs Contact Group 2012, 6-7).

In response to the raised awareness on the importance of the private sector in development, Japanese government launched the support programme utilising ODA to overseas business expansion by small and medium sized enterprises (SMEs) after the massive earthquake of March 11, 2011. Due to the financial constraint, it is urgent for Japanese government to utilise even ODA in order to promote earthquake reconstruction through the revival of the Japanese economy. The Ministry of Foreign Affairs (MOFA) of Japan tries to keep playing the key role in development without reneging on international commitments and expects to gain public understanding by improving overseas business environments in both soft and hard infrastructure with utilising ODA.

As the importance of cross-border issues such as displacement increases, Japan continues to take the lead in translating the notion of Human Security into practical activities. Following negotiations, UN member states built a consensus on a common understanding of Human Security by adopting a resolution in September 2012 (United Nations General Assembly 2012a), followed by the second report of the Secretary-General on human security proposed in April 2012 (United Nations General Assembly 2012b). As a proponent for this resolution, now more than ever, the Government of Japan is expected to actively champion for Human Security. The second report of the Secretary-General clarifies the actors responsible for promoting human security in the paragraph **VI**, stating that the cross-border "threats have highlighted the need for greater collaboration among Governments, international and regional organisations and civil society and community-based actors (United Nations General Assembly 2012b. p.8)". The resolution reflects the Secretary-General's concept in 3(g), which refers that "human security requires greater collaboration and partnership among Governments, international and regional organisations and civil society (United Nations General Assembly 2012a. p.2)". With the current trend in the reduction of Japanese ODA, multilateral-bilateral partnership is emphasised to maximise aid effectiveness. Japan's net multi-lateral ODA disbursements in 2010 (the latest data) totalled 323.3 billion Japanese yen (3,684 million USD), which accounted for 33.3 per cent of overall ODA (Ministry of Foreign Affairs). Utilising international organisations including non-UN organisations with specialised skills, the Government of Japan is working towards the realisation of Human Security, even in countries where bilateral aid is prohibited due to political sensitivities, and access for Japanese nationals is limited for security reasons. For example, the Japan Trust Fund for International Planned Parenthood Federation (IPPF) has supported Human Immunodeficiency (HIV) prevention programmes to internally displaced persons (IDPs) in the Philippines, Rwanda, Burundi, Chad and Iran.

In addition to contributing 3.6 billion Japanese yen towards the International Organization for Migration's counter trafficking and border management programme in 2011 (Ministry of Foreign Affairs 2011), the Government of Japan supports the deployment of 31[1] Japanese nationals (out of the total staff of more than 8,500), who serve as programme officers at IOM. 12 Associate Experts funded by Japanese Government have worked for IOM since its human resource related programme began in 1995. Not only financially but also politically, Japanese government strongly encourages IOM to recruit and empower Japanese officers in the organisation[2].

In response to the Horn of Africa's worst drought in 60 years, IOM Somalia contacted Poly-Glu Social Business Company Limited in 2011 to explore a public-private partnership (PPP) that would lead to the improvement of vulnerable IDPs' human security through the

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1 As of January 2013.

2 Mr. William Lacy Swing, the Director General of the International Organization for Migration, has visited Japan five times. Taking the opportunities of his courtesy calls on MOFA of Japan, the successive Parliamentary Senior Vice-Ministers for Foreign Affairs requested the positive recruitment of Japanese nationals and their capacity building (Ministry of Foreign Affairs of Japan 2011, Ministry of Foreign Affairs of Japan 2012, and Ministry of Foreign Affairs of Japan 2013).

provision of safe and clean water. An innovative Japanese water treatment flocculant technology is used to purify the water.

This working paper highlights the achievements of the on-going unique PPP between Poly-Glu Social Business Company Limited, the Government of Japan, and IOM, and examines the potential for scaling up and enhancing the direct impact of projects.

II. IOM Somalia's
Water, Sanitation and Hygiene (WASH) Projects

A. Background

Somalia's development and humanitarian indicators are among the lowest in the world, with the country ranking at the bottom of almost all the MDG indicators.[3] In particular, basic services such as provision of safe water and healthcare services are insufficient throughout the country. The aftershocks of the Horn of Africa's worst drought in 60 years, which happened in 2011, still reverberate. According to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), among an estimated population of 9.5 million, 4.24 million persons are currently in urgent need of safe and clean water and improved sanitation.[4] The World Health Organization (WHO) and the United Nations Children's Fund (UNICEF) are frequently raising alarms about the risk of outbreaks of water-borne diseases such as cholera, and have flagged the South-Central region of Somalia, which hosts 1.36 million IDPs, as one the highest risk areas.

On the other hand, the establishment of Somalia's first government in September 2012, following more than two decades of civil conflict, has lead to tremendous improvements in the country's security, economic framework, and political space. Somalis in the diaspora, and Somalis who have been displaced within Somalia, are now returning to their places of origin in large numbers.[5][6]

Within this context, government authorities, community leaders, beneficiaries of humanitarian services, the United Nations, civil society organisations and local non-governmental organisations are prioritising the provision of basic services such as clean and safe water.[7]

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3 Transitional Federal Government, 2010 Millennium Development Goals Progress Report Somalia.

4 OCHA, 2012, Somalia Consolidated Appeal 2013-2015 (page 5).

5 UNHCR, 2013, Population Movement Tracking Monthly Report.

6 United Nations Return Consortium.

7 OCHA, 2012, Somalia Consolidated Appeal 2013-2015.

B. Projects Achievements

In partnership with Poly-Glu SBC and with financial support from the Japan International Cooperation Agency (JICA) and the Japanese Ministry of Foreign Affairs, IOM has achieved the following targets:

1. Provision of safe and clean water;

2. Reduction of water-borne diseases;

3. Improvement of community awareness about hygiene and sanitation conditions;

4. Improvement in hygiene and sanitation conditions;

5. Capacity building on water, sanitation and hygiene (WASH) related skills for stake-holders (local non-governmental organisations (NGOs) and internally displaced persons (IDPs));

6. Creation of employment;

7. Contribution to strategy guidance and project planning of United Nations agencies.

In areas where water-borne diseases are prevalent, IOM has provided safe and clean water to over 50,000 internally displaced persons (IDPs) and their affected host communities through 13 water treatment systems, between January 2012 and February 2013 (on-going as of March 2013). In particular, where water is turbid, Poly-Glu[8] has proven to be effective in flocculation. Communities report that diarrhea among children has been dramatically reduced. With the provision of safe and clean water to IDP settlements and host communities, children and women are saving their time going to fetch the water and thus could use their time for income generation activities and education. Injuries associated with fetching water have also been reportedly reduced, including attacks from crocodiles that make their homes in rivers. In addition, the construction and maintenance of water systems has provided employment opportunities and contributed to the local economy.

It is now well known that health conditions improve only when safe and clean water is provided with appropriate hygiene promotion. Thus, IOM has trained approximately 700 Somali hygiene promoters and they have conducted community social mobilisation and hygiene promotion, reaching approximately 82,000 persons.

IOM has also conducted two large-scale WASH studies in the country. The studies con-

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8 Poly-Glu is an innovative Japanese water treatment flocculant technology. PGα21Ca®, commonly known as Poly-Glu, is patented by Nippon Poly-Glu Company Limited (NPG), based in Osaka, Japan. Poly-Glu is cost-effective, time-saving, simple to use and handle, environmentally-friendly, and most importantly, less toxic than other chemicals.

sisted of 1) water sampling from over 200 water points; and 2) a hygiene survey with 1,200 IDPs. The studies were a break-through as they were the first-ever scientific WASH studies conducted in Somalia through rigorous sampling and testing methods focusing on the most vulnerable persons. The results identified sources of water contamination and are contributing to the United Nations' WASH strategy as well as guiding programme planning and implementation.

C. Lessons Learnt

IOM made concrete achievements within a relatively short project implementation period (14 months), and documented these points as lessons learnt from implementation:

1. The number of people that require safe and clean water far outstrips the amount of safe and clean water that is available. This is largely because of the swelling number of IDPs, especially along border regions. Men, women and children from neighbouring countries stream in on a regular basis, en route to their places of origin. Consequently, many IDPs are forced to use water from rivers where people do laundry, water cattle, and swim, leaving them vulnerable to outbreaks of water-borne diseases like cholera.

2. Multi-sectoral partnership is important, in order to strengthen community resilience against potential natural and man-made disasters, which are common in Somalia. While providing safe and clean water to address immediate emergency needs, partnership with development partners in other sectors such as agriculture and health is important for an all-encompassing approach to a sustainable community resilience strategy.

3. Mid- and long-term planning is a challenge with a single-year project like this one. A possible solution could be the use of financial contributions from beneficiaries to maintain the water treatment facilities. If beneficiaries can see the value of clean and safe water, and would be willing to buy water, at a nominal fee, it would go a long way in enhancing the sustainability of the project. However, it would take time to get here, and would require extensive hygiene promotion activities and coordination among stakeholders.

In order to tackle these challenges, IOM is currently mobilising resources for a 5-year project divided into two phases. Phase 1 (3 years) will see IOM scale up the provision of safe water in large areas, reach a higher number of beneficiaries, and conduct extensive hygiene promotion activities. If successful in large areas with large numbers of beneficiaries, the demand for safe water will increase and subsequently potential markets shall be formed which in turn will pave the way for Poly-Glu as a sustainable solution. In addition, this will contribute to the creation of employment opportunities. In Phase 2 (2 years), building on the success of Phase 1, IOM, in partnership with other UN agencies, will facilitate a consortium, linking the private sector with the government authorities. IOM will primarily assist the government

authorities through technical assistance, such as by the placement of Somali diaspora experts in government offices to facilitate the capacity building of civil servants.[9]

According to a 2010 report published by the Transitional Federal Government, the only MDG that is likely to be met in 2015 is *Goal 1: Eradicating extreme poverty and famine*.[10] This is because of the expected growth in the economy due to the stability in the country. In IDP settlements, there are IDPs who are interested in generating income from distributing and selling Poly-Glu. The government authorities, in particular the Ministry of Water, recognise the potential use of Poly-Glu in large-scale water provision and are fully committed to support the project. Within this positive environment, it is possible to expect the markets for safe water to grow. Other donors may also be interested in contributions if the initiative is found to be successful.

D. Project Contribution towards MDGs in Somalia

In addition to safe water distribution, which is directly linked to *MDG 7: Ensuring environmental sustainability*, the project is likely to have positive knock-on effects on almost all the other MDGs. In particular, with improved employment opportunities from large scale water provision systems, the project is likely to contribute to *Goal 1: Eradicating extreme poverty and hunger*. Safe water provision can also contribute to *Goal 4: Reducing child mortality rates*, and *Goal 5: Improving maternal health*. In addition, it is in line with *Goal 6: Combating HIV/AIDS, malaria, and other diseases*, because the project targets areas where malaria is prevalent.[11] Furthermore, it is likely to indirectly contribute to *Goal 2: Achieving universal primary education*, and *Goal 3: Promoting gender equality and empowering women,* by reducing the amount of time women and girls spend fetching water from far-off water sources. If properly coordinated, the project could also have a positive effect on enhancing social systems such as health systems.

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9   IOM Somalia has been contributing to the capacity building of Somali authorities by recruitment and placement of diaspora experts through the Migration for Development in Africa (MIDA) programme.

10 Transitional Federal Government, 2010 Millennium Development Goals Progress Report Somalia.

11 Since 2010, IOM has implemented HIV projects targeted at reducing HIV infection among mobile populations and their host communities. The projects were funded by the Global Fund to Fight against AIDS, Tuberculosis and Malaria (GFATM). By linking the HIV projects with the proposed project, safe water provision will support people living with HIV by preventing them from becoming AIDS patients because people living with HIV develop opportunistic diseases due to their suppressed immune systems when they drink unsafe water.

E. Comparative Advantage

The uniqueness of this project is the use of Poly-Glu to flocculate a large amount of turbid and contaminated water in a short period of time, which maximises the effect of chlorination. In Somalia, almost all other aid agencies rely on groundwater from shallow wells or bore-holes. However, groundwater is hard and has high salinity. In addition, groundwater has relatively high production costs and limited yield, especially where people use groundwater for both human consumption and agricultural purposes.

On the other hand, the project uses river water, which is often available in large volumes on a permanent basis. With a combination of Poly-Glu and chlorination, the project can produce a large amount of clean and safe water from turbid sources that have been contaminated with excreta disposal, while at the same time preventing water-borne diseases such as cholera.

III. CONTRIBUTION OF THE PROJECT BY STAKEHOLDERS

The above described project is a win-win tripartite PPP. The Japanese government's ODA charter indicates its basic policies as: 1) supporting self-help efforts of developing countries, 2) perspective of "Human Security," 3) assurance of fairness, 4) utilisation of Japan's experience and expertise, and 5) partnership and collaboration with the international community (Government of Japan, Ministry of Foreign Affairs 2003, 2-3).

In terms of contributing to the Government of Japan's ODA strategies, the project:

1. Enhances public-private partnership (PPP) for post-MDGs;

2. Links Japanese ODA to Japanese staff members working for multilateral organisations; and

3. Promotes ODA among the Japanese business communities.

At the same time, the project serves IOM's interests by:

1. Strengthening its accountability to the Government of Japan by utilising innovative Japanese technologies;

2. Improving the project's effectiveness and efficiency with innovative technologies; and

3. Developing a replicable aid model.

Poly-Glu Social Business Company Ltd also benefits from the partnership by:

1. Developing new markets in Africa; and

2. Utilising public and professional resources as risk management.

A. PPP's Significance for the Government of Japan

This PPP has considerable significance for the Government of Japan.

First, this PPP draws the attention of people involved in post-MDGs such as members of the High-Level Panel on the Post-2015 Development Agenda. Since last year (2012), representatives of various organisations have held discussions on post-MDGs; however, no concrete model has been designed to utilise private resources. The Chair's statement mentions only the importance of involving new actors in the "appropriate" way (Post-MDGs Contact Group 2012, 6-7). The Overseas Development Institute (ODI), which is the United Kingdom's leading independent think tank on international development and humanitarian issues, and which plays a core role in the High-Level Panel on Post-2015, has reported on successful cases only by emphasising the importance of discussion by industries, sizes and so on (ODI. 2012a. 8-17 and ODI.2012b. 1-7). An outcome of the discussions is that traditional donors have to take into account the characteristics of for-profit entities. This means that the international community should not force companies to contribute to the global issues as obligation. The best practices by private entities will be "encouraged" not by tax or regulation but by public grant programmes. Poly-Glu SBC is a successful case in which a private company makes good use of subsidy provided by the public sector, i.e., the Japanese Ministry of Economy, Trade and Industry (METI) and JICA.

Two years ago, the Government of Japan started a grant programme to encourage Japanese companies to develop social businesses that contribute to global development concerns. Before that, the Japanese government waited on companies to approach it and to propose PPP initiatives. Under its passive scheme, only a few projects were implemented by progressive companies such as Tsumura in Laos and Terumo in Mexico. As soon as the new grant programme was launched, Poly-Glu SBC applied for it. Poly-Glu SBC's proposal was not adopted initially, but eventually got adopted in 2012. During the application process, Poly-Glu SBC established a relationship with public sector entities including the international organisations, METI, JICA and the Japanese Ministry of Foreign Affairs. At the same time, the Japanese media, which also included government-run channels, started to pay more attention to Poly-Glu Social Business Company Limited because, in addition to it being a small-sized hitherto unknown company in the western part of Japan, it also used a unique water-purifying technology that was inspired by the massive 1995 earthquake in Kobe. Owing to the media publicity it generated, an IOM programme officer working in Somalia learned about Poly-Glu, and reached out to the company to propose a PPP project. The Government of Japan's current aggressive policy encourages small and medium sized companies to gain an opportunity to explore innovative cross-border business models, which, in turn, creates opportunities for international organisations and governments to find more effective ways to achieve objectives closely related to MDGs.

Secondly, having a counterpart who is fluent in Japanese should have facilitated the process for Poly-Glu SBC in creating the project. The number of Japanese officers does not reflect the financial contribution by the Japanese government. The Japanese Ministry of Foreign Affairs encourages Japanese officers in multilateral agencies to obtain the ODA budget and lead

its implementation. The project in Somalia was a case in which Japanese officers played a key role, which meets the expectation by the Japanese government.

Related to the above two benefits, leading the international discussion such as post-MDGs, supporting the Japanese private sector, especially the small and mid-sized companies, and utilising the budget of the multilateral ODA lead to a better understanding of securing the ODA budget. The business community represented by the Japan Business Federation (Keidanren) shows a positive reaction when ODA directly contributes to Japanese companies.

B. Benefits for IOM

The Japanese government financially supports more than 150 multilateral organisations and funds. All these entities compete over the limited ODA budget. As the total budget of the Japanese ODA decreases, almost all disbursements to international organisations are reduced every year. Japan's disbursement to IOM was 2.5 billion JPY in 2007, 2.4 billion in 2008, 2.2 billion in 2009, and 3.6 billion in 2010 (Ministry of Foreign Affairs 2007 and 2009). Since internal and external auditors evaluate the validity of the budget, it is somewhat fair to say that the 2010 boost in funding reflects on IOM's efficiency and transparency.

Despite facing severe competition, this project was financially supported by the 2012 Japanese supplementary budget. As described in Section II of this working paper, with its visible and prompt achievements, the project has become a favourite in many quarters.

Triangular PPP also contributes to aid effectiveness. Using this innovative technology, more beneficiaries are reached in a shorter period of time, which is one of the reasons why traditional donors welcome private sector partners.

The most valuable gain for IOM as an organisation is the replicable aid model that can be applied to other emergency assistance. IOM, as the aid agency specialising in assistance to displacement in emergency settings, explores ways to carry out its mission. Poly-Glu, the technology by the private sector, makes it possible for IOM to apply such a model and implement its operations more effectively and efficiently.

C. Benefits for Poly-Glu Social Business Company Limited

Poly-Glu Social Business Company Limited (Poly-Glu SBC) succeeded in developing a new market for its innovative water treatment technology through this project. Poly-Glu has been used in Asian countries such as Bangladesh, Indonesia and India, but the company did not have any distribution channel in Somalia before the project started. Once Poly-Glu SBC started to deliver its service to displaced people in Somalia, the market for purified water was recognised and created in Africa. In the short term, it would have been difficult for Poly-Glu SBC to start up a business in Somalia by itself without public resources, including the strategic social network and the team of experts.

In the process of creating a proposal for this WASH project, Poly-Glu SBC also established a relationship with the Japanese Embassy in Kenya. One of the Japanese Embassy's responsibilities is to watch over the security of Japanese nationals deployed in the field. For safety reasons, there are certain places where the Embassy staff is prohibited from visiting. The secu-

rity situation changes all the time, which can be an obstacle to implementing a project. In place of the Embassy's staff, officers working for international organisations are able to oversee the implementation of projects. In this instance, IOM's staff is trained to work in high-risk areas. Thus, PPP plays an extraordinary role in business risk reduction.

IV. CONCLUSION

This working paper explores the case of IOM's emergency assistance funded by Japanese government with Japanese technology. This project is a win-win tripartite PPP and also replicable. In contrast to the individual business activities in the developing countries, the trilateral PPP is involved in aid donor coordination. In a way, the IOM's accidental encounter with Japanese technology brings this significant outcome towards displaced persons in Somalia. Yet, it is necessary to construct the mechanism which translates technologies developed by the private sector into the solution to issues on human security.

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INTERVIEW

INTERVIEW OF Mr. William Barriga, Chief of Mission, IOM Japan

Interviewed by Junko MIURA and Miki ARIMA*

on 24 August 2012 at IOM Japan

PROFILE OF THE INTERVIEWEE

Mr. William Barriga was born in Cebu City, Philippines in 1958. After working with the local government audit office, and an international NGO, he joined IOM in 1988 in the context of the Indochinese refugee crisis. He was a member of the first IOM emergency team to organize the largest ever humanitarian airlift to evacuate stranded third country nationals from Kuwait and Iraq in 1990-1991. Two years on, he helped set up IOM's Emergency Response Unit in its Headquarters in Geneva. Between 1992 and 2003, he travelled extensively around the world responding to humanitarian crisis and post-crisis situations under the framework of the UN Inter-Agency Standing Committee. He served as the Head of the Labour and Facilitated Migration Division in IOM Headquarters prior to taking up his current position in Tokyo in July 2010.

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* CDR staff. We would like to thank Ms. Haruka Ono, a high school volunteer who assisted in recording the interview and asked the final question.

Q1. Please tell us about your background (academic, professional, and personal). What prompted you to work for IOM?

A1.

I am from central Philippines. I have an undergraduate degree in Philosophy and English, and a postgraduate degree in Philosophy. My first work was teaching, and then moved on to the local government audit office. After that, I joined an international NGO, Catholic Relief Services (CRS). It's based in Baltimore, USA, and is older than IOM. CRS was established in 1943 working on resettlement of war refugees in Europe, while IOM was established in 1951, also in Europe, helping large populations displaced by the war. I worked with the CRS for 5 years, and then joined IOM. Since then, it's been almost 25 years now.

What prompted me to work with IOM? Actually, I didn't know IOM at the time. I like the current generation when you really learn where you want to go and work. During my time, whenever there was a job, we went for it. That was the attitude then at least where I came from. IOM happened to be there, and it was one of the many organizations that I applied for.

My first IOM work was as Head of IOM sub-office in the Philippine First Asylum Camp (PFAC), Palawan, Philippines, from 1988 to 1992, where Indochinese boat people were hosted till their refugee status was determined. During that time, there were about 10,000 Vietnamese boat people in the camp. While in this position, I was sent abroad for short emergency missions, particularly during the Kuwait-Iraq war. After PFAC, I was asked to go to IOM headquarters in Geneva, to help set up the first emergency unit of IOM, called Emergency Response Unit. It still exists now though with a different name, Emergency and Post-Crisis Division. If you think of emergency humanitarian operations after the fall of the Soviet Union until East Timor, I was probably there. I left the emergency work in 2003. This meant that more than half of my professional career, CRS and IOM combined, was spent on humanitarian emergency operations.

Q2. We understand that IOM works closely with UNHCR on refugee issues as well as protection and assistance of internally displaced persons, for example currently in Syria. It is not always clear to outsiders, however, how the work is divided between the two organisations, especially as refugee and migration issues seem to be more and more intertwined. Please explain how you draw the line.

A2.

Between UNHCR and IOM, drawing the line is clear and easy to understand. Refugee (fleeing persecution) issues, UNHCR leads; migrant (not fleeing persecution) issues, IOM leads. For mixed migration flows, the two organizations work closely to ensure no gaps and overlaps. In the Syrian crisis, for Syrian refugees, UNHCR leads; for stranded third country nationals, IOM leads. The same with Libyan crisis before that.

UNHCR and IOM were extracted from the same rib, the International Refugee Organization (IRO) and were created in the same year (1951). The two were addressing the same caseload (refugees and displaced persons in Europe post WWII) although IOM was also assisting Europe's "surplus population" – the population whom the European war-battered economy could no longer support. UNHCR was established within the UN system mandated to provide legal protection to refugees, while IOM was established outside the UN system to provide assistance to refugees and find new homes overseas to the surplus population. UNHCR is a mandate organization, while IOM is a service organization. UNHCR and IOM have a cooperation agreement further delineating areas of cooperation. Their senior managers gather together yearly in Geneva for a one-day retreat to further enhance understanding and coordination.

For IDP's, neither UNHCR nor IOM is the lead. There is no single agency with formal responsibility for IDPs. In the UN system, the reference point for IDP issues is the UN Emergency Relief Coordinator (ERC), who is the Head of UN OCHA and the Chair of InterAgency Standing Committee.

Mid-2000s, the UN system, upon recommendation of donors and governments, established the "cluster approach" to strengthen interagency partnership and ensure predictability and accountability in international response to humanitarian crises. For example, IOM is the cluster lead for camp coordination / camp management during natural disasters.

Before the Syrian crisis, IOM had already a huge presence in the country. We were doing refugee resettlement for Iraqi refugees coming into Syria for safety. They were processed for resettlement to various third countries, particularly the US. What we are doing now is assisting third country nationals who are stranded in Syria and those already across the neighboring countries, arranging emergency evacuations to bring them safely back home. For refugees, UNHCR is there. We assist with the logistics and provision of emergency relief assistance if asked to do so.

Q3. Since 1951, IOM has supported the resettlement of over 15 million refugees and migrants around the world. From IOM's experience in providing pre-departure cultural orientation and language training, as well as transportation assistance, have you noticed any characteristics particular to 'Myanmar Refugees' that may be different from other refugees?

A3.

It's difficult to say. We have assisted so many refugees, and to compare the Myanmar refugees with other refugees is difficult because even two persons of the same nationality will always have peculiarities. And besides, there will be a risk of stereotyping if we start comparing.

Let me just highlight what we see as common characteristics of Myanmar refugees and those that resettlement countries have also observed, without comparing with others. They have peculiar love for education, not only for themselves but particularly for their children.

They are highly motivated; they do whatever is possible where resources or opportunities are available. Like most Asians, they are polite and modest. They tell you what they think you want to hear; that's very common. They may say yes, but they may actually mean no. Respect for the elders and those in authority is common too. They don't show their anger outwardly. And if they have problems, they don't share. They would rather be alone. That's also typical. Human relations are more important than time. Expect them to be late for appointments at times. Concept of time is compromised for human relations, that is. Family is more important than anyone. If the family is in distress, they will stay there no matter what. Thus other obligations or commitments may have to be ignored.

Let me also mention that IOM's resettlement assistance is actually more than that. Typically, IOM's resettlement assistance includes: a) case processing; b) health assessment and treatment; c) pre-departure cultural orientation / language training; and d) transportation assistance.

In addition, some countries also ask us to provide other services. For example, in Norway and Finland, we are asked by the governments to conduct awareness-raising for the host community who are expected to receive refugees. The purpose is to facilitate integration of refugees in the host community. We prepare the cultural profile of refugees who are arriving. Then, we organize community awareness-raising. We organize workshops; we invite people from different walks of life – police, teachers, health workers, etc. and bring them together and explain who these refugees are, what they went through, what their cultural characteristics are, things like that.

At one point, mid-2000s, US was concerned that, in the camps in Thailand, Myanmar refugees were not applying for US resettlement. As in any resettlement countries, refugee quota is a political agenda. If annual quota can't be filled, there will be various implications. To address the low applications, US Government asked IOM to conduct an information campaign in the camp to promote US as a resettlement country. We did and the result was unexpectedly good; resettlement applications for the US increased. We did theater plays, information campaigns, and focus group discussions inside the camp.

Another interesting one is Canada. Settlement service providers in Canada are responsible for helping landed refugees integrate smoothly into the receiving community. Many of them mentioned to the Canadian Government that they could provide better services if they know beforehand who these arriving refugees are, their cultural background, what they went through in life, what are their skills, what are their weaknesses and strengths, etc.. As a test case, the Canadian Government asked IOM to conduct a pilot individualized profiling survey in several specific groups of refugees who are expected to resettle to Canada. IOM did. Settlement service providers were pleased with the usefulness of the information.

(CDR: Isn't the Canadian Government involved in the screening and the selection of the refugees?)

Upon referral of dossiers from UNHCR, prospective resettlement countries conduct screening and selection interview using their own set of criteria, just like Japan. However, screening and selecting refugees for resettlement is different from the individual profiling of refugees for targeted resettlement assistance.

(CDR: Has the Japanese government requested IOM to conduct a similar campaign?)

No, but we are prepared if we are requested to.

Q4. IOM has given encouragement to resettled refugees in Japan on various occasions, such as Director General Swing's visit to Japan in February 2012 and the graduation ceremony at the end of the training period. With regard to resettlement in Japan, does IOM continue to be involved after arrival with the training and resettlement assistance for refugees?

A4.

No, we are not [involved in the post-arrival phase]. No international organization is involved in refugee integration that I know. It's usually the government or local service providers commissioned by the government who do so.

Japan commissioned IOM to provide pre-arrival assistance to refugees resettling to Japan. No role in post-arrival assistance apart from information dissemination concerning Karen refugees to those involved in receiving refugees in Japan, both at central and local levels, e.g. distribution of the Japanese version of the cultural profile "overview of Karen refugees" and our inputs at the EGM (Expert Group Meeting)[1]. However, since we provide the pre-departure cultural orientation and language training, we would like to know the progress on refugee integration in Japan so that we can learn lessons and adjust and improve the delivery of our future programmes. That is our interest.

Q5. Based on the principle that "humane and orderly migration benefits migrants and society", IOM has engaged in diverse activities. Where does the refugee resettlement programme stand among the various programmes of IOM?

A5.

IOM's comprehensive approach to migration management is divided into four pillars: namely, migration and development, facilitating migration, regulating migration, and addressing forced migration. Refugee resettlement is under the "addressing forced migration" pillar. Under the same pillar, we also have assistance to IDPs, assistance to stranded third country nationals, assistance to victims of natural disasters, assistance to former combatants and their

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1   EGM was established in March 2012 and its members are selected by GOJ. They come from different sectors in the society, including the academia, NGO, local government, and human rights lawyers. UNHCR, IOM and RHQ are invited as observers.

dependents, etc.

Q6. What are some examples of contributions that migrants have made to the host community, as observed through IOM's activities in support of humanitarian migration? For example, Albert Einstein was a refugee.

A6.

We often distinguish migrants from refugees and displaced persons. The former move voluntarily with the intention of improving their life and their family's – this mobility falls under the regular migration regime. The latter move involuntarily with the intention of saving their life and their family's – this falls under the humanitarian migration regime.

Let me start with migrants. This is not an exhaustive list of migrants' contribution to the host community. Migrants bring: labour that addresses labour shortage and thus maintains the host country's competitive edge in the world market (e.g. contract workers helping GCC countries develop their oil industry; flexible seasonal farm workers from Central America to Canada); expertise and investment that help the local economy and services (e.g. highly skilled migrants and entrepreneurs as catalysts and movers in the booming US Silicon Valley); athletic and artistic skills complementing the native population and thus keep the host country's position in the world arena (e.g. sumo wrestlers in Japan; world class football stars in UK and France); local economic vitality due to increased consumption (e.g. about 80% of migrants' income is usually spent locally in the host country); motivated entrepreneurs and risk-takers imparting productive energies that drive healthy business competition (e.g. Chinese immigrants settling in the Philippines dominating major businesses in the country). They also balance the imbalanced demography that is greying with fewer births (e.g. Europe).

Refugees come for humanitarian reasons, so in principle, we don't expect something from them. But they do bring contribution too to their host community. You mentioned Einstein. Henry Kissinger and Madeleine Albright, former U.S. Secretaries of State, were also refugees before. Being a refugee doesn't mean passive, dependent, unskilled and untalented. The Australian Government once said that the majority of the refugees who are resettled there are educated middle class whose education, profession or political opinions at home have drawn them to the attention of the authorities and resulted in their persecution. Refugees are survivors. They survived because they have the courage, ingenuity and creativity to do so. What the resettlement governments can do is try to help process these skills and experiences among the refugee population to be able to contribute to the host society.

Q7. What is IOM's general objective when it is involved in resettlement –- in Japan and in other countries?

A7.

To concern itself with the organized transfer of refugees, displaced persons and other individuals in need of international migration services for whom arrangements may be made between the Organization and the States concerned, including those States undertaking to receive them; to provide, at the request of and in agreement with the States concerned, migration services such as recruitment, selection, processing, language training, orientation activities, medical examination, placement, activities facilitating reception and integration, advisory services on migration questions, and other assistance as is in accord with the aims of the Organization. (ref: IOM Constitution, Chapter 1, Article 1.1.a and b)

IOM was created to do that job in the first place; that's our *raison d'être*. IOM is an intergovernmental organization created by States to provide migration services to governments and migrants in need; and resettlement is a major work of the organization. There are individuals who, without international migration assistance, will be in a very vulnerable situation. At the request of and in agreement with the concerned State, and in cooperation with UNHCR, IOM provides resettlement assistance to refugees.

Q8. What is the objective of the Japanese government in commissioning IOM for resettlement support? What is the expected role of IOM?

A8.

I don't know, but I can guess. I can see four things. First, during the Indochinese refugee crisis, IOM was asked by Japan to help in arranging family unification for resettled Indochinese refugees, so they know us already. Second, we have more than sixty years of experience in resettlement assistance, that's probably a big factor why they decided to use IOM. Third, several resettlement countries, huge and small ones, are using IOM's resettlement assistance, so Japan may have also thought of IOM as a service provider of choice. And fourth, Japan is a member state of IOM, so why not take advantage of IOM's services. Of course, only the GOJ has the answer to your question.

The expected role of IOM is the provision of pre-arrival resettlement assistance. This includes: 1) logistical assistance to GOJ's selection / interview missions; 2) pre-departure cultural orientation and language training; 3) pre-departure health assessment and treatment; and 4) travel documentation and transportation. GOJ also expects that IOM provides advice on resettlement assistance matters based on its long years of global experience. The distribution of the Japanese version of the cultural profile "Overview of Karen Refugees" to receiving agencies and communities is an example.

Q9. Have there been any differences of intentions, views and so on between IOM and the Japanese government?

A9.

If there were strong differences, GOJ probably would have already taken another agency to do the job. Japan is new to a comprehensive resettlement programme and is open to suggestions and recommendations from the experts and those with experience. IOM has its own views on things and makes them known, but we don't impose them on others. We serve member states and migrants, guided by the principle that humane and orderly migration benefits migrants and society. Should there be a conflict between what IOM believes in and the government's or migrants' intentions, our services wouldn't apply.

Q10. In the pre-departure phase, does the language training in Japanese require special care that may be different from training in major languages like English? How about the cultural orientation for the Japanese culture?

A10.

This is our first time getting involved in Japanese comprehensive resettlement. So, for us, Japanese language training is new. And since it's new, it needs special care. Luckily, we have experts in teaching Japanese as a second language, AJALT. They have over 30 years of experience conducting Japanese language training for foreign nationals including refugees. IOM contracts AJALT to do pre-departure language training.

Because Japanese is not as common as English among refugees going for third country resettlement, we conduct three weeks of pre-departure Japanese language training. Canadian resettlement used to have months of pre-departure English language training, but they stopped it in 1996. Now all the language training for resettling refugees is post-arrival. IOM still does organize pre-departure English language training for migrants bound for Canada though. For Central Americans going to Canada for seasonal work, they need to undergo 150 to 250 contact hours in learning English. IOM organizes it.

Regarding pre-departure cultural orientation, we follow our usual procedure. Any pre-departure cultural orientation curriculum is to be developed together with the destination country. Each destination country has a different priority message. For example, for the US-bound refugees, the message is immediate self-sufficiency. Resettling refugees are encouraged to be productive and independent members of the host community as soon as possible. Pre-departure cultural orientation for US-bound refugees therefore is geared towards employment; how to answer job interviews, for example. For Canada, it's different. Canada's interest is more on smooth integration into a multicultural society. For Canada-bound refugees, therefore, the message is understanding and tolerance to various cultures, traditions and practices.

Development of Japan's pre-departure cultural orientation was closely coordinated with GOJ and with RHQ. RHQ has over 30 years of experience in helping refugees settle in Japan.

The message is immediate self-sufficiency as the US but also learning quickly the Japanese language, an important factor for survival in Japan. Japan is eclectic. It gets many things; it chooses what are needed, develops and adapts them to the local setting. Japan doesn't stick to one template. What works in one country may not work here.

The approach that we take in delivering pre-departure cultural orientation is experiential and participatory, conducted by culturally sensitive trainers in relaxed and welcoming atmosphere.

Q11. It has been pointed out that the 180-day training programme upon arrival is too short. What do you think about that?

A11.

It varies from country to country. US for example will arrange 30 to 90 days programme upon arrival, though there are additional assistance afterwards, e.g. cash and medical assistance for 8 months; federally funded public benefits for the next 5-7 years; and under 18 refugees can go to any school free of charge. Australia, Canada, Finland and UK have 12-months assistance programme for new arrivals. "Shortness" is relative. For example, if it was an urban caseload, 180 days probably is more than enough. Also, although other countries of resettlement may have longer assistance programmes, perhaps they are not as intensive as Japan's 180 days.

Q12. The first group of refugees did not remain together but instead settled in Chiba and Mie. This has had a significant impact on the subsequent life of refugees, due to the difference in the local communities' engagement with foreign residents. Currently, Mie is said to be a successful example. What are IOM's views or observations on this issue?

A12.

You mentioned "IOM's views." This is an important point to remember because as mentioned earlier, IOM is not involved in post-arrival activities.

Regarding the first batch of the pilot project, ideally, they should have been resettled together in the same municipality or at least the same prefecture, so that they could easily mutually support each other. They are a close-knit family, culturally, and depend a lot, morally or otherwise, on the support from their own community. However, what is ideal may not necessarily be always possible in reality. Because receiving municipalities are not prepared or have no capacity to receive a larger group, new arrivals needed to be split in two. I suppose this was the reason but you may check with GOJ as well. The second batch was settled together.

You mentioned Mie as being a successful example; I would like to re-phrase that. "Suc-

cessful" perhaps is too early to say at this stage. But we could say "Mie cases are less problematic." The real success of resettlement may be seen in the second or third generation. The first generation is sort of an "investment", a humanitarian action by the resettlement country. It is a scarred generation, traumatized by the conflict and persecution.

Q13. How does IOM view the future of Japan's resettlement programme – whether or not it will continue, whether or not it will expand, etc.?

A13.

The EGM (expert group meeting, see footnote 1) would be the one to advise the Government of Japan for what decision to be made. In any case, the decision on continuation or expansion shall be based on a reflection or evaluation of the pilot project; how did it go, what went good, what went bad, lessons learned, good practices, etc. Based on that, and based on the expert advice from the EGM members, GOJ will decide whether or not to continue and whether or not to expand.

The resettlement community, including IOM, really wishes that Japan would continue. Japan has started a positive trend. It is the first in Asia to venture into this. In fact, Korea and China are already considering a similar pilot.

Q14. How do you expect the refugees and immigrants to "succeed" in the Japanese society?

A14.

Mutual adaptation by the newcomers and the host community is essential for the former to succeed in the Japanese society. On one hand, the newcomers need to learn and master the local language as quickly as possible. Speaking the local language is a key factor for their survival. Newcomers need to be productive members of the host community as well. Dependency has no place in a highly competitive market economy like Japan. On the other hand, the host community needs to accept the newcomers and appreciate the conditions by which these newcomers are here in Japan – refugees had been in camps for decades surviving solely on humanitarian assistance from the asylum country and the international community; there was very little they could do while in the camp. Local appreciation, understanding and support by the receiving Japanese community are thus needed by the newcomers to succeed.

An all-society approach to the pilot resettlement project [is needed], rather than just an all-government approach. We cannot entirely depend on the government. The host local communities need to contribute too. But for them to be able to contribute, they need to understand and appreciate the pilot resettlement project in the first place. We need the buy-in

from the receiving local communities. More involvement and support from them may give the pilot resettlement project better chances of success.

Q15. How do you view resettlement from the perspectives of human security? Perhaps there is too much focus on the government rather than resettled refugees as individuals.

A15.

Human security is a big word; it covers everything basically. It is defined in many different ways depending on who you ask or from which source you read it. Its concept is sometimes challenged particularly when viewed vis-à-vis human rights or individual freedom. But this won't stop us of course from taking advantage of the positive implications of this new paradigm.

Refugee outflow is an indication of human insecurity. And resettlement is one of the three durable solutions to refugee problem. From the perspective of human security therefore, resettlement is an attempt to address human insecurity.

Human security, I believe, should be eliminating the source of the problem rather than addressing the effects of the problem. Human security is freedom from want and fear by addressing the cause of human insecurity and deprivations rather than their effects. Refugee resettlement is addressing the effect of refugee problem rather than addressing the cause. Can we say that resettlement is secondary best viewed from human security angle?

We have heard and read that human security is people-centered. However we also know that governments of third country resettlement, without exception, do have their own set of selection criteria as to which refugees they can admit. Is resettlement therefore a human security action or a state security action?

There are about 800,000 refugees urgently needing resettlement each year. However, only about 100,000 or less find a place to resettle. Why? Because not so many countries are offering resettlement, and those who are offering resettlement can only take a few. So I would say that countries today accepting refugees for resettlement, no matter how small their intake, are courageous, contributing to international responsibility-sharing, and deserve praise.

Q16. Let us move on to the issue of human trafficking. Japan remains a major destination country in Asia for human trafficking, but not much information is available to the public. Are there any statistics? Approximately how many persons are being trafficked to Japan every year, and from which countries?

A16.

The clandestine nature of this crime makes it practically impossible to have any sensible statistics. Even to get approximations will be difficult. And worse, high or low approximation will give the same result, which is inaccurate. What we can provide is the number of people we have assisted through our counter-trafficking project. Obviously, it doesn't represent the entire group of people being trafficked to Japan. Since 2005, when we started the project, we have already assisted 236 persons or an average of 33 persons per year. They came from China, Colombia, Indonesia, Korea, Philippines and Thailand; mostly from the Philippines, Indonesia and Thailand, in that order.

This is not directly answering your question, but ILO recently (June 2012) published new estimations of the extent of forced labour globally: 20.9 million persons are in forced labour situation at any given time between 2002 and 2011. 18.7 million persons out of the 20.9 million (90%) are exploited by private individuals / enterprises, while 2.2 million (10%) by states and militaries. 14.2 million persons out of the 18.7 million exploited by private individuals / enterprises are on labour exploitation, while 4.5 million persons on sexual exploitation. Also, UNICEF reported that 1.2 million children are trafficked within and across borders every year.

Q17. How are the victims identified and treated in Japan? Do you think the current system is adequate?

A17.

Once they are out of trafficking experience and are in the hands of the authorities, they are placed under protection in public or private shelters and undergo identification screening process. In Japan, the entities authorised to conduct the identification screening process are the Immigration Bureau and the National Police Agency. Those who are identified as victims of trafficking are referred to IOM for assistance – voluntary return and reintegration. The identification of victims of trafficking is complex and difficult. It is a challenge not only of Japan but by all countries facing problems of human trafficking. While under protection in shelters, the individuals are provided with medical, psychosocial and legal assistance.

Typically, and which is understandable, the main intentions of the authorities are immigration control and crime reduction. These are the key drivers of their counter trafficking policy and practice. These imperatives, however, risk blinding the authorities on the victim-ness of the individuals concerned. There is a risk that victim identification can lead to highly discriminatory outcomes of identification procedures, e.g. individuals are punished for crimes

they are forced to commit during their trafficking experience. And this is the very thing that the UN Trafficking Protocol wanted to avoid.

In our small way, IOM assists governments, including Japan, in better identifying victims of trafficking. We have a handbook titled "Direct Assistance for Victims of Trafficking," which also has guidelines on the identification process. We translated the handbook into Japanese and widely distributed it in the Immigration Bureau and the National Police Agency. Often, we are asked by these offices to provide sessions during their staff training, or in really complex cases, they sometimes ask IOM to help in the pre-identification interview.

I mentioned that the identification of victims of trafficking is complex and difficult. Why? For many reasons. The victims of trafficking are scared. They don't trust anyone. They are scared for themselves; they are also scared for the safety of their family back home. They don't know the language; they don't know the culture; they have a big debt to pay; they are threatened and sometimes physically abused. They don't know what to do, to cooperate with the authorities or not. And if they cooperate, what is it to them? The police and the immigration officials will always have these challenges.

(CDR: Are these people picked up during the regular immigration raids?)

There are various cases. One is raid. If the authorities suspect or receive tips of possible presence of trafficked victims, they study, reconnoitre, and once confirmed, they conduct raid and rescue. Two is escape. The victim, on her own or with the help of others, may have been able to escape from the trafficker and sought help with the police, a friend, relative, etc. Three is referral from Embassy, NGO or religious group. These entities may have been approached directly by individuals, or friends or relatives of these individuals who are potentially victims of trafficking.

(CDR: Does the immigration bureau or the police have special people trained in victim identification?)

They have focal points. Unfortunately, they move on. Like any government agencies, officials in the Immigration Bureau and the National Police Agency do rotate. Thus continuous training programme is necessary. IOM is sometimes asked to deliver a session in their training. We know that these agencies also ask other UN agencies to conduct sessions, on human rights and international law, for example.

(CDR: Do you think the current system in Japan is adequate?)

An adequate system is still a dream that each country is aiming for. The international community, including the UN agencies, NGOs and IOM, are also working hard to find that elusive system and help governments.

In Japan, IOM, since 2005, is assisting a small number of victims of trafficking, about 33 individuals per year. With that experience, I would say that the system in the country is improving. Of course as anything else, there is always room for improvement.

Q18. What specific services does IOM provide for the protection of trafficked persons?

A18.

With funding from GOJ, IOM provides voluntary return and reintegration assistance to victims of trafficking. Return assistance includes security risk assessment, counselling and referral, travel arrangement, pre-departure briefing, airport and transit assistance, operations or medical escort for highly vulnerable cases, reception at country of origin, temporary shelter there, transport to final destination. Reintegration assistance includes medical and psychosocial care, legal aid, small-income generating projects. Assistance is tailored to the specific need of the individual.

In principle, IOM Japan's involvement begins when the victim is identified as a victim. When we receive a call, it's not from the victim, rather from the police, immigration, shelter staff, Embassy or other helping entity. The victim of trafficking probably doesn't even have any idea that IOM exists. The front-liners here are the governments of country of destination and country of origin. We are only a support.

Q19. How does IOM evaluate Japan's efforts regarding human trafficking, in terms of prosecution, protection, and prevention? Is there a specific area where you would like to see more improvement?

A19.

Japan's efforts are encouraging. Here's a brief run through: in December 2002, Japan signed the UN Trafficking Protocol; in April 2004, it established an inter-ministerial task force to deal with human trafficking; in December 2004, it adopted the "Action Plan on Measures to Combat Trafficking in Persons"; in 2005, it made various amendments to relevant national laws and established trafficking in person as a crime; same year it funded IOM's project "Voluntary Return and Reintegration Assistance to Victims of Trafficking in Japan"; in December 2009, it revised the "Action Plan" taking into account the five years of experience since it was adopted as well as various recommendations not only from IOM but also from the report of the UN Special Rapporteur on Trafficking in Persons. Japan's intention in curbing trafficking in persons is genuine.

As usual, there will always be room for improvement. Where we want to see improvements are already known to GOJ, such as a mechanism to help male victims of trafficking; trained bilingual caseworkers (who should also act as cultural mediators) at shelters; not prosecuting victims of trafficking for crimes committed during their trafficking experience; tangible incentives for victims of trafficking willing to cooperate with the authorities in identifying and prosecuting the perpetrators.

(CDR: What about in the area of prevention?)

Typically, prevention should be done at the country of origin, for example, by warning vulnerable communities of the dangers of trafficking in persons. On the side of the country of destination like Japan, ideally, demand for the services of victims of trafficking should be reduced or abolished. With the risk of over-simplifying things, yes, trafficking in persons is a result of demand and supply. If there is a high demand for sexual services or a high demand for cheap labour, traffickers will always find a way to supply those. So if we talk about prevention efforts, they should not be only in Japan, the country of destination, but also in countries of origin where these victims came from. Thus, international collaboration is essential.

Q20. Regarding Japanese-Filipino children (JFC), the 2008 decision of the Japanese Supreme Court and the subsequent revision of Japan's Nationality Law opened ways for descendants of Japanese nationals to obtain Japanese nationality regardless of the parents' marital status at the time of birth. What kind of impact has this decision had on the JFC community?

A20.

The law only takes effect if the Japanese parent officially recognises the child. Indeed, the law brings hope to many of the JFCs especially those who are abandoned and are in very difficult situation back in the Philippines. They have the hope that finally they could join their parent in Japan. At the same time, we have heard disturbing reports of JFCs lured by human traffickers to exploitative jobs in Japan, taking advantage of the nationality law amendment.

Japanese-Filipino Children usually refer to children born to Japanese and Filipino parents, in or out of wedlock, from the economic boom years of the 80s till the present. Majority of them are fathered by Japanese. We take note that not all JFCs are in difficult situation because there are also happily married Japanese and Filipinos couples.

The exact number is unknown, but the number of JFCs is said to be between 100,000 and 200,000, if we combine those living in the Philippines and Japan together. Many Filipino entertainers from the Philippines came to Japan in the 80s. Many of the JFCs therefore are already in their late 20s.

A year ago, IOM concluded its "JFC Multisectoral Networking Project" (http://www.jfcmultisectoralnetworkingproject.org/index.php/en/who-are-the-jfcs) funded by the Toyota Foundation. The purpose of the project was to promote the welfare and human rights of JFCs and their mothers through strengthening of support networks and through pilot cases of sustainable migration / return scheme for the JFCs from the Philippines to Japan. In the context of this project, regional and national conferences were organised both in the Philippines and in Japan; and two JFCs pilot cases migrated to Japan, one to Tokyo, the other to Okayama. This is to show that there is a humane and orderly way for JFCs to migrate or settle in Japan.

Filipino out-migration is known. One in every ten Filipinos is a migrant, and that is from a country with 96 million people. Out-migration is not only now; even many years back, Fili-

pinos were already travelling overseas. Perhaps it's in our nature to travel. Not only for job opportunities but for family reunification too as well as education.

(CDR: How do you think about the development of the Philippines, with everyone going outside?)

Migration and development are highly interdependent processes. Migration cannot be a substitute for development; and development is not necessarily dependent on migration. However, these two processes can profoundly influence each other. Since time immemorial, migration has been an action taken by people to improve their lives, to improve their communities, or to protect their lives from danger. Migration, if humane and orderly, is a force that can enhance human development, community development, regional and international development; creating opportunities not only for the present generation, but also for the future.

While job creation at home is the first best option, an increasing number of countries, including the Philippines, see international employment as an integral part of national development and employment strategies by taking advantage of the globalised market economy.

There will always be positive and negative effects of all these. On the positive side, remittances of Filipinos overseas reached USD 10 billion during the first half of this year, a huge boost to the Philippine economy. The Philippines is the fourth biggest recipient of remittances after China, India and Mexico. Remittances not only fuel household consumption but also allow parents to send their children to school, have some cash for emergency medical services, as well as initial capital to start a small business enterprise. On the downside, there is the social cost of Filipinos leaving overseas for work, often the unseen effects of migration; children are parentless taken care of by proxies, grandparents or relatives, which is not an ideal situation for raising children.

During my time in school, education was geared towards supplying human resources overseas rather than filling the needs of the nation. For example, each year, the Philippine education system was churning thousands and thousands of nurses because there was an almost endless need for Filipino nurses overseas. When the need for nurses overseas dropped, there was a glut. Many new nurses were unable to find jobs overseas or at home. Brain-drain and de-skilling followed as many of these nurses were applying overseas as babysitters or domestic helpers. Other professions promoted due to overseas human resources demand are civil engineers, IT engineers and nautical engineers. Today, Filipino seamen and sea-women, or "sea-based migrant Filipino workers", account to some 20% of the world's entire sea-based migrant workers' population. In the traditional sense, education system should be designed towards the need of the country rather than the needs of other countries. But I don't know now if it's bad or good. Today, the world is so small. Countries are becoming so interconnected and inter-dependent. No one is an island anymore. If the Philippines is supplying needed human resources of other countries, why not? So long as it is a humane, orderly and rights-based arrangement.

Q21. *You said that in order to solve these problems, you need both the co-operation of the government and the community. Is there any specific message that you would like to send to students in Japan?*

A21.

I would say "challenges" rather than "problems." To address these challenges, we need the collaboration of the government and the community; an all-society approach. We cannot depend entirely on the government. They have limitations not only in terms of resources but also in terms of reach. It is the community that every day interacts with the newcomers.

School is a place where all walks of life come and interact. If we talk about refugee integration, school is the best place to start and promote it. If refugee children are accepted and integrated in school, likely they will also be accepted and integrated in their host community. This will then have a ripple positive effect to the refugee parents as well. School is also a place where local children, the future leaders of the community or country, could be made to understand refugee issues and how they could help contribute to facilitating refugee integration.

Specific contribution of students includes better understanding, appreciation, and disseminating information about the plight of the refugees. Supporting the cause of helping institutions dealing with refugee issues. Tell your friends and your parents how these people become refugees, and why they are here, and that everyone needs to help them smoothly get into the mainstream society.

The school is an excellent place to spread accurate understanding. Through the students and through the school, we can convince the larger community to help in refugee integration and refugee assistance. Often misunderstanding and stereotyping are borne out of lack of information as well as of certain old mindsets.. Students have a very important role in spreading accurate information and understanding as well as in changing that old mindset.

The Arab Spring was started by students. The first "people power," which happened to be in my country (the Philippines, 1983-1986), was started by students. Students are a very important and powerful force.

NOTES

DEVELOPMENTS OF HMS/CDR

Satoshi YAMAMOTO

I. Supporting System for Refugee Status Determination: COI-DB Project launched by CDR

As a contracting party to the 1951 Refugee Convention, Japanese government has been conducting refugee status determination (RSD) since 1981 similar to other parties. The recognition rate is very low, and therefore several systematic problems have been pointed out including the quality of decision-making. The burden of proof of being a refugee rests upon the asylum seeker, but on the other hand it is said that it is difficult to submit the evidences in many cases. In the case if the evidences do not meet the standard of proof, credibility of the statements made by the asylum seeker plays a very important role.

Country of Origin Information (COI) is one of the elements necessary to improve the quality of the credibility test, as the information is useful to check the consistency of the asylum seeker's deposition. So called "external consistency" of a statement means congruence with known facts. If the COI is insufficient, it is difficult to conduct the credibility test successfully. In that sense, contracting parties of the Refugee Convention have been developing their original COI respectively (such as by UK and US), and some international cooperation has resulted in the creation of databases such as RefWorld by UNHCR and ECOI by ACCORD of Austria to accumulate the information internationally.

By learning from the experiences of some predecessors in this field (Ireland, Austria, and Belgium), CDR has been preparing our own original system to manage the COI in Japanese, especially focusing on the major countries where asylum seekers in Japan come from. First, CDR has developed an original web database system. Then we designated specialists for each country of origin, to secure the quality of information. We have designated specialists on Myanmar, Nepal, Bangladesh, India, Iran, and Turkey, and they started to input information. Now the number of the records amounts to 300, mainly from news on the web, human rights reports by NGOs, and COI reports by other contracting parties.

At the same time, as a part of the COI project, we CDR also started to engage in a COI Query service in February 2013. The service is to provide a report to a questioner (mainly assuming Refugee Examination Counsellors and asylum applicants) on some specific queries related to persecution (e.g. Is there any information related to religious persecution in Sri Lanka, etc.). LexisNexis Japan is one of our partners for the project, and they have contributed to research the queries, with their specialty as a legal database company. For now, about 12 queries have been answered.

CDR is moving forward with the COI project, by combining the strengths of each actor in civil society with our academic background.

See the details (Japanese Only) at: http://cdr.c.u-tokyo.ac.jp/coi_project/

II. STAFF AS OF APRIL 2013

General policy of CDR is decided by the CDR Executive Committee in its monthly meetings. The daily work of CDR is managed by the following staff members.

A. Members of the CDR Committee

- Professor Yasunobu SATO (Chair)
- Professor Mitsugi ENDO
- Professor Misako KAJI
- Professor Yuichi SEKIYA

B. Staff

- Yasunobu SATO (Director)
- Satoshi YAMAMOTO (Editor / Vice Director)
- Miki ARIMA (Editor / Researcher)
- Junko MIURA (Secretariat / Researcher)
- Kumiko NIITSU (Research Assistant)
- Mutsuhisa BAN (Research Assistant)
- Kie HORIKOSHI (Research Assistant)
- Douglas MACLEAN (Fulbright Scholar)

III. EVENTS

October 2012- April 2013

【*Seminars and Symposia*】

- ***Law and Development: New Challenges for the World Bank***

  Date: 11 October 2012,15:30-17:45
  Venue: Building No.18 Hall, Komaba Campus, the University of Tokyo
  Welcome remarks:

  - Mr. Toshikazu HASEGAWA (Dean, Graduate School of Arts and Science, the Univer-

sity of Tokyo)

Complimentary speech:

- Mr. Koji TSURUOKA (Deputy Minister for Foreign Affairs, Ministry of Foreign Affairs)

Keynote Speaker:

- Ms. Anne-Marie LEROY (Senior Vice President, Group General Counsel of the World Bank)

Panelists:

- Mr. Kimitoshi YABUKI (Director, International Legal Cooperation Center, the Committee on International Relations of the Japan Federation of Bar Associations (JFBA))

- Mr. Motoo NOGUCHI (Director of International Cooperation Department, Research and Training Institute, Ministry of Justice)

- Associate Professor Teilee KUONG(Associate Professor, Center for Asian Legal Exchange, Nagoya University)

- Professor Eiji OYAMADA (Professor, the Graduate School of Global Studies, Doshisha University)

- Professor Makoto MARUYAMA (Professor, Graduate School of Arts and Sciences, The University of Tokyo)

Closing remarks:

- Ms. Masako EGAWA (Commissioner, The University of Tokyo)

Moderator :

- Professor Yasunobu SATO (Professor, Graduate School of Arts and Sciences, The University of Tokyo)

    Language : English/Japanese (simultaneous interpretation provided)

    Organisers: Graduate Program on Human Security of the University of Tokyo

    Co-organisers: Institute for Advanced Global Studies (IAGS), Japan Federation of Bar Associations (JFBA), Center for Documentation of Refugees and Migrants (CDR)

    Supporters: Ministry of Foreign Affairs, Graduate School of Global Studies of Doshisha University, Japan International Cooperation Agency (JICA)

    Co-supporters: Human Security Forum (HSF)

- ▪ *Public Symposium Droit d'ingerence and Right of Abstention 15 November 2012*

Date: 15 November 2012,13:00-15:00
Venue: Building No.18 Hall, Komaba Campus, the University of Tokyo
Panelists:

- Professor Yasunobu Sato (Professor, Director of Research Center for Sustainable

Peace, Institute for Advanced Global Studies, Graduate Program on Human Security, Graduate School of Arts and Science, the University of Tokyo)

- Professor Toshiki Mogami (Professor, Faculty of Political Science and Economics, Waseda University)

- Professor Kenji Isezaki (Professor, School of International and Area Studies, Tokyo University of Foreign Studies)

- Mr. Michael Neuman (Research Director, MSF Centre de Reflexion sur l'Action et les Savoirs Humanitaires (CRASH))

- Mr. Eric Ouannes (General Director, MSFJ)

Moderator:

- Mr. Kazuhiro Momose (Journalist)

> Language : English/Japanese (simultaneous interpretation provided)

> Organisers: Medecins Sans Frontieres Japan

> Co-organisers: Research Center for Sustainable Peace, Institute of Advanced Global Studies (IAGS), the University of Tokyo

> Supporters: Graduate Program on Human Security of the University of Tokyo (HSP), Center for Documentation of Refugees and Migrants (CDR)

> Sponsors: Graduate Program on Human Security, University of Tokyo (HSP), Center for Documentation of Refugees and Migrants (CDR), Kumon Educational Japan, Gunze Limited, Sigma Corporation, Shogakukan Inc.

【*Projects*】

▪ *Country of Origin Information (COI)*

Upon request by the Austrian Centre for Country of Origin & Asylum Research and Documentation (ACCORD), Yamamoto and Arima have provided comments on the draft update of its training manual "Researching Country of Origin Information". The original training manual is available in English, German, French, Spanish, Romanian, Russian and Italian, and has been widely circulated.

▪ *Resettlement*

CDR is planning to host a seminar relating to the issues of resettlement of refugees to Japan at the end of July. The focus will be the updated information on the current situation of resettled refugees, and their actual lives in receiving society. To get accurate information from parties concerned, the seminar will introduce the effectiveness of research methods such as

AGDM (Age, Gender, Diversity Mainstreaming) and analyse the essence of the methodology. At the same time, outcomes and discourses in the Annual Tripartite Consultations on Resettlement (ATCR) scheduled to be held in July in Geneva will be introduced to the participant. The aim of the report is to know the global trend of refugee resettlement program, and share the knowledge of other countries.

The details of the seminar will be available on our website in July.

■ *Translation*

Translation of the Rights of Refugees under International Law by Professor James C. Hathaway is under way.

【*Publications*】

■ *HM Inspectorate of Prisons Inspection Manual 2008 Japanese Edition, January 2013. Translation supervisors: Satoshi YAMAMOTO, Kumiko NIITSU, and Hiroshi MIYAUCHI*

■ *"Legal Routes to Undue Influence: Vulnerabilities in the Korean National Human Rights Commission Act", Yonsei Law Journal, Vol.3 No.2, November 2012, by Douglas MACLEAN*

■ *"Global Asylum Trends 2011" and "A review of the 1951 Convention Relating to the Status of Refugees and Its 1967 Protocol: a Commentary, ed. Andreas Zimmermann", Refugee Studies Journal Vol.2, December 2012, by Miki ARIMA*

■ *"Social Integration of Resettled Refugees in Japan: The Case of Karen from Thai Refugee Camp", Ritsumeikan Heiwa Kenkyu, The Ritsumeikan Journal of Peace Studies Vol.14, March 2013, by Junko MIURA.*

【*Other*】

- *Lecture at Japan Federation of Bar Associations, 28 February 2013, by Yasunobu SATO*

- *Credibility Assessment in Refugee Status Determination, 184th International Relations Studies Regular Meeting, the University of Tokyo, 6 October 2012, by Satoshi YAMAMOTO*

- *Lecture for students of Harvard University and the University of Tokyo (Re: Refugee and Migrant Issue in Japan, Harvard College in Asia Program, 21 March 2013, at the Nippon Foundation Building, Toranomon, Tokyo), by Satoshi YAMAMOTO*

- *Presentations and lectures on inspection system of immigration detention centres at the Center for Asian and Pacific Studies in Seikei University, Aichi Bar Associations, Gunma Bar Associations and Japan Federation of Bar Associations (24 February, 14,17 and 19 April 2013), by Kumiko NIITSU*

- *The Role of Lawyer and Civil Remedies in Fighting Human Trafficking -- Case Studies from America, Lawyering Network for Foreigners, 1 March 2013, by Douglas MACLEAN*

- *Wives from Abroad - Love, Business, and Organized Crime, International Christian University, 20 February 2013, by Douglas MACLEAN*

- *Marriage Migrants in Asia, Beyond the Internet-Order Bride, Temple University, 11 January 2013, by Douglas MACLEAN*

- *Presentations on human trafficking by international marriage (18 September 2012, Study Group on Human Trafficking, Meiji Gakuin University; 7 December 2012, JETRO Institute of Developing Economies) by Douglas MACLEAN*

CALL FOR CONTRIBUTIONS

CDRQ is an open journal published on a quarterly basis. The aim of the journal is to disseminate information collected from research activities of CDR and related partners. It also welcomes contributions not only from academics but also from practitioners who are facing real social problems. This journal primarily focuses on issues of movement of people. However the contents also include variety of related fields such as governance and conflict resolution and prevention, as these issues induce and escalate forced displacement and more longer-term movement of people. The purpose of the journal is to provide a crosscutting perspectives on refugee and migrant issues with comprehensive awareness of the issues of movement of people.

For more details, please access the official website of the CDR and download the "CDRQ Handbook": http://cdr.c.u-tokyo.ac.jp/Quarterly/Q_handbook.pdf

Official Website of CDR [http://cdr.c.u-tokyo.ac.jp/]