

Epilogue

This book has concentrated on the development of refugee policy in Sudan over the period 1967-1984. A new phase began in 1984-1985, as a massive influx of Eritreans and Tigrayans crossed the border. It resulted in a state of chaos and raised more questions about what the appropriate policy response should be.

A detailed analysis of the problems which arose in that period goes beyond the scope of this study. However, it is arguable that the 1984-1985 tragedy occurred as a direct result of the confusion and conflicts which had characterised the earlier period. In summary, the events which occurred in 1984-1985 and the dramatic problems which arose had their roots in the earlier period, and in many ways resulted from the failure of the government and the aid organisations to devise a satisfactory formula for dealing with the refugees.

Size and Nature of the 1984-1985 Influx

The new influx had a special characteristic; they were mainly starving people from inside Ethiopia who had moved into areas controlled by the TPLF and EPLF. Since 1982, the TPLF had tried to manage its own relief operation for affected people inside Tigray. However, in 1984, not only did people voluntarily move, but the failure of the TPLF and the Ethiopian Government to agree on a truce to facilitate the safe passage of relief provisions left the TPLF with one option; namely, to organise the departure of people from Tigray to the Sudan itself. In October 1984, the Sudanese Government had no other alternative but to deal with the TPLF and its humanitarian organisation, REST. In November 1984, the rate of the influx to Eastern Sudan reached 1,500 per day, adding to approximately 182,000 who were already in COR reception centres in Eastern Sudan.

As the influx from Tigray and Eritrea continued throughout 1985, yet another influx arrived in northern Darfur from Chad. In August

1985, the total number of refugees in the Sudan was estimated by the government to be 1,160,000 (Kidane 1985: 14-15).

Controversy over the Eligibility of the 1984 Influx for Refugee Status

With the deteriorating situation in both Tigray and Eritrea, the TPLF and EPLF argued that the plight of the Tigrayans and Eritreans was the result of a combination of war, drought and starvation. They explained that starvation was caused by the 'cumulative effects of war', as the bulk of the population of Tigray lived in areas controlled by the TPLF. Similarly, much of Wollo and Gondar regions, as well as Eritrea, were effectively administered by the various liberation movements. It was in these areas that the famine was most severe. It was also in these areas that the Dergue had least control. This meant that newcomers to Eastern Sudan were as eligible as any other refugee in the Sudan for legal status. However, both the Sudanese Government and UNHCR initially thought otherwise.

UNHCR justified its position of not treating the new arrivals as refugees on two grounds. Firstly, forgetting the OAU definition, it evoked its own statute, which defines refugees according to the criterion of an individual's 'well-founded fear of persecution'. As fear of individual persecution could not be proved in the case of the 1984-1985 influx, UNHCR did not consider itself to be directly responsible for them. Secondly, UNHCR also considered its role as provider of assistance to be dependent on a government request. As the Sudanese Government had not made this request, UNHCR would not intervene unilaterally. Any dealings with the TPLF were inconceivable, as UNHCR dealt only with governments.

Added to this, the Sudanese Government was at first unwilling to receive yet another influx. Since 1983, attempts to establish reception centres had been strongly opposed by the local authorities. At the central level, a committee representing the Ministry of Foreign Affairs, the Ministry of Internal Affairs, and the State Security recommended a policy of closing the border and denying newcomers the right of seeking asylum. They realised, however, that the decision to close the border did not in itself constitute an effective measure if food could not reach the people. Consequently, it was recommended that the policy should allow food provisions to reach Eritrea and Tigray via the Sudanese border. This suggestion also had its problems as it necessitated cooperation with the TPLF, thereby creating more difficulties with the Ethiopian regime.

The peak of the influx in November 1984 did not facilitate government plans. It was at this point that the President of the Republic asked the Governor of the Eastern Region to declare the official closure of the border, which was, however, impossible not only because of the terrible plight of the refugees, but also in practical terms. The Governor ignored the President's request by referring the issue back to him on the grounds that the closure of international borders was the responsibility of the national rather than the regional government. Subsequently, the government changed its position by arguing that:

... the famine situations in both Chad and Ethiopia are compounded by political factors and in both cases the people fleeing to Sudan are considered as refugees under the OAU and UN Conventions. (COR 1984)

Simultaneously, UNHCR changed its mind about the eligibility for assistance of the 1984-1985 influx. Although it did not agree that the refugees fell within the statute, it did admit that the exodus was caused by drought and civil unrest. In an appeal made in April 1985, UNHCR argued:

While it is difficult to reach categorical conclusions on the possible refugee status of such persons, they must at this time be of proper concern to UNHCR. The office, in cooperation with the governments concerned, is ready to assist with basic emergency care and maintenance within a special programme framework, until such time as climatic conditions for agriculture or actual fund availability in their own countries permit those who can to go.

By taking this middle position of considering the 1984-1985 influx as a special case, UNHCR absolved itself from any permanent commitment and paved the way for future withdrawal.

However, the immediate result was the launching of a massive relief operation. Despite UNHCR's earlier attempts to dismantle COR management in Eastern Sudan, the fact that the office of the GPM remained intact played a crucial role in managing the massive emergency programme (with \$33.7 million from UNHCR alone) (COR/GPM 1984). COR and aid organisations were at last working to meet the emergency situation created by the 1984-1985 influx.

The Dilemma of Isolating Refugees from Local Hosts

The widely held assumption that the host population was necessarily better off than the refugees had rarely been put to the test, and

few comparative studies had been carried out. Governments argued that there was in fact a relationship between the economic status of the host communities and the economic status of the refugees, and attempted, somewhat unsuccessfully, to quantify the sacrifices made as a result of refugee influxes (see Chapter 6). This, however, was not accepted as a direct concern of UNHCR, and in spite of the ICARA II recommendations, the policy of isolating the refugees from their hosts continued to be applied.

In 1984-1985 the Sudanese communities in Darfur and the Eastern Region experienced severe drought, which led to starvation on a massive scale. Since the famine occurred precisely in those regions where relief was being provided for refugees, it could scarcely have passed unnoticed. Yet, astonishingly, the relief programme ignored the needs of the indigenous community.

Observers subsequently justified donors' belated response to the plight of the Sudanese on the grounds that Nimeiry had never drawn attention to the problem. However, Nimeiry was overthrown in April 1985, as a result of a mass uprising against many causes of discontent relating to the mismanagement of the whole political and economic situation in Sudan. During the backlash against Nimeiry's regime in 1985, the longstanding discrepancy between assistance that had been provided for the refugees and that provided for their hosts became a major issue.

Conclusion

The same theoretical issues which were discussed, for example, at the ICARA I and ICARA II conferences, and never satisfactorily resolved, lay at the heart of the 1984-1985 crisis. Was it justifiable to assist refugees without paying equal attention to the problems faced by the host community? Should African governments be expected to make a permanent commitment to refugees? Could the 'open door' policy be sustained? What responsibility, if any, did UNHCR have to assist internally displaced people? To what extent was it justifiable, and to what extent possible, to influence population movements in one direction or another? Were the new arrivals 'refugees' in the strict sense, and if they were not, what were the policy implications? In the heat of the 1984-1985 crisis, no ready solutions were available, in spite of the fact that these issues had been on the international agenda for nearly two decades.

References

COR (1984) Briefing Document.

COR/GPM (1984) The 1984-1985 Budget, 20/B/1/1, Showak.

Kidane, Y. (1985) *Sudanow* 10(1):14-15.