

Conclusion



On a trip to Greece in the summer of 2008, a few months after leaving my post in Kabul, I visited an unofficial camp that had arisen on the outskirts of the port of Patras. It was home to young Afghans waiting for the right moment to cross the Adriatic Sea by clinging to the underside of lorries driving onto the ferry, in the hope of reaching Western or Northern Europe. Having entered the European Union by way of a perilous crossing of the Aegean Sea, they were keen to leave Greece, where the economic crisis was deepening and xenophobia was rising, as soon as possible. It was here that there began the long process of distancing whereby I moved from my initial enthusiastic support of the ACSU project to resituating it in its context of production and implementation, and using it as a heuristic tool with which to analyse the UNHCR and its work.

In Patras I realised for the first time that the existence of a ‘comprehensive’ strategy in Asia was the counterpart to the system of selection at European borders. Not without surprise, I realised that throughout my posting in Geneva and the year spent in Kabul, I had never thought about the situation of Afghans in Europe and the relationship between the UNHCR’s policies in Europe and Asia. I had remained enclosed in a cognitive framework that I had internalised and that induced me to see the migration of Afghans to Europe as ‘secondary movements’, to perceive ‘South-West Asia’ as the only true geographical context of the ‘Afghan refugee problem’, to view repatriation and reintegration in Afghanistan as legitimate key concerns, and the ACSU project as the only solution, unfortunately jeopardised by the attitude of the Iranian and Pakistani authorities.

Leaving the organisation and considering the issue of ‘Afghan displacement’ from the vantage point of Greece thus opened up the way for reflection that enabled me to recognise how Afghans’ migrations are shaped by a highly restrictive mechanism, of which UNHCR programmes are a part. The deportations from Iran, the closure of the camps in Pakistan, and the

land allocation programme analysed in this volume show that ultimately the UNHCR is unable to mitigate the arbitrariness and violence to which Afghan non-nationals are subjected by states. The organisation is therefore itself induced to regulate the relationship between people and territories in accordance with the nation-state logic, becoming part of a mechanism structured around emplacement in Afghanistan, illegalisation of international migration of Afghans, and the containment of that movement within the Iran-Afghanistan-Pakistan region.

The emplacement of returnees in Afghanistan was instituted under pressure from the Iranian and Pakistani states, and it was legitimised by the bureaucratic production of the ‘voluntariness’ of repatriation. The UNHCR’s process was centred, financially and administratively, on Afghan territory – the only portion of the planet deemed the legitimate place of residence of Afghans. Here the organisation sought to implant returnees at any cost, in a project funded by donors and implemented in collaboration with dozens of NGOs. International migration was illegalised through the establishment of systems of surveillance and control of Afghan non-nationals (censuses, issue of residence permits and passports, border controls). Whilst they were presented as ways to ‘regularise’ Afghan presence in Iran and Pakistan, these measures were in fact introduced in a way that encouraged repatriation, discouraged subsequent migration, and increased the costs and risks of any movement undertaken outside this framework. Finally, the containment of Afghans in the region, sought by European countries and consistent with the objectives pursued by the UNHCR in ‘South-West Asia’ and at the gates of Europe, removed any legal way to reach Europe: an Afghan who wanted to go to a European country and obtain refugee status there had to take a new clandestine route, which was much more costly and dangerous than those within the region.

Assessing the ACSU Project

In this volume I have shown how the ACSU project encountered various obstacles, both internal and external, that prevented it from making any major change to the UNHCR’s sedentary, state-centred worldview. Within the organisation, it was contested, and its implementation generated a great deal of tension. And even when Saverio and Eric arrived in Kabul in early 2007, despite the new impetus that this gave to the long-term strategy, it was relegated to the background amid the emergencies of camp closures, deportations and the rise of violence in Afghanistan. The longer-term promotion of the project remained on the ‘back burner’; it continued to be partially detached from other programmes and occupied only a tiny part of its authors’ time and

energy. They themselves had to admit that the times were not conducive to the achievement of their vision.

Externally, the steps taken to advance the project were blocked by the wall of Iranian and Pakistani state sovereignty. The UNHCR's expert discourse came up against the arbitrary power to manage immigration that states enjoy in the interstate arena. The results of the UNHCR's negotiations with the Iranian and Pakistani authorities were modest. The latter refused to revise their official position that all Afghans should leave their territory. They thus made any discussion or agreement conditional on completion of the repatriation programme, at a time when their policies were becoming increasingly aggressive and restrictive.

While Afghan mobility was an idea that met with little acceptance, my study also reveals that the ACSU project was in fact less innovative than it appears at first sight. It claimed to promote a different conception of mobility, but without questioning the episteme of the national order, thus incorporating the nation- and state-centred bias at the heart of the organisation's thinking. Ultimately, the ACSU project did not challenge either the relationship between people and territories assumed by the nation-state order or the logic whereby finding a solution involves promoting the effective incorporation of 'displaced' people into a state's jurisdiction. Mobility is thinkable provided that it is regulated and controlled by states. Thus, the project ultimately recommended more regulation and more management – and hence more control – of migrants by states, despite the fact that these states were adopting an overtly repressive approach. Even though the project advocated recognising the agency of Afghan migrants, it continued to treat them as victims and failed citizens. Other sociopolitical orders, such as the tribal order, were not considered to be on an equal footing with the state order, despite the fact that they have a real impact on the lives of Afghans, sometimes greater than that of the state. Analysis of this project thus confirms that institutions influence, frame and very often hamper reforms by restricting the space of the thinkable and defining their repertoire of action (Bezes and Le Lidec 2010).

To this should be added the function of this relatively innovative EU-funded project, given the aim of European countries' to curb Afghan migration. By confining to the regional space the movement that it recommended accepting as inevitable and by limiting its applications to only the Iranian and Pakistani authorities, the project contributed to the containment and illegalisation of extraregional migration, in contradiction with its declared principles and objectives. The fact that the innovative solutions proposed applied only to the region distracted attention from extraregional migration and from the ultimately highly accommodating position the organisation took in relation to European states.

Subsequently, the project was very quickly discontinued. After 2008, the ACSU venture was gradually wound down, and with it the challenge it raised to the organisation's thinking. In mid-2008, Saverio, learning that he was soon to be a father, left Afghanistan for a senior post in a calmer capital. Eric would remain at the helm of the Afghan Operation for two further years. In 2010, under the rotation system, he returned to Geneva, where he took up a senior post, but was no longer involved in the Afghan crisis. The strategy developed by the new leadership in Kabul was presented at a conference two years later (UNHCR 2012). The theme of mobility had completely disappeared, and there was an even stronger emphasis on repatriation as the 'most preferred solution' and on reintegration. The geopolitical context of the 2010s, marked by the gradual disengagement of donor countries from Afghanistan, helped to discourage any urge to put these ideas into practice.

The initiative led by the director of the Policy Development and Evaluation Service between 2007 and 2010 might have enabled the ACSU project to continue. As noted in Chapter 2, this initiative sought to shift the position of the UNHCR, international organisations and states in regard to refugee mobility. In the autumn of 2007, donor states and others gathered at a forum in Geneva. Drawing on the work of researchers (Betts 2010b; Crisp 2008; Long 2009, 2010), the strategy documents presented by the UNHCR proposed approaching mobility as an 'inevitable human phenomenon', inviting those present to think of 'migration as a solution', and even referred to 'freedom of movement' and the need to ensure that the rights of undocumented migrants were respected (UNHCR 2007o, 2007r, 2007s, 2008c). It was in this context that the ACSU project was promoted as never before, that anthropologist Monsutti's articles were extensively cited, and that studies on Afghans in Europe were commissioned (Cipullo and Crisp 2010; Mougne 2010; UNHCR 2010). But the reluctance of state representatives, the competition among international organisations and the retirement a few years later of the director who had promoted the initiative resulted in an institutional impasse.

Should the decline of the ACSU project be seen as a failure? Those who hoped for a radical reform of the organisation's policy view it as one. But it can be assessed differently if we consider the functions that this project performed in the careers of its authors and for the organisation. While the project's career ended after eight years, those of Saverio and Eric continued, leading both of them to occupy the most senior positions at UNHCR headquarters a few years later. The ACSU project thus benefited them in the internal competition for jobs. Certainly, their main springboard was the leadership posts they had held in the regional operation, but the ACSU project played a decisive role in distinguishing them as competent, committed and proactive professionals. They certainly took a risk in addressing the issue of mobility head-on, but this was a calculated risk (particularly given that the ACSU project was presented as

a pragmatic solution to a specific problem) and ultimately paid off. Moreover, in Kabul, while they did not disown their ideas, they proved themselves aware and respectful of the limits imposed by the institutional order. Bringing their ideas to completion would have prevented them from fulfilling the institution's expectations.

Furthermore, the ACSU project enabled the UNHCR to present itself as a dynamic organisation capable of innovating and welcoming reforming projects – an organisation that was reflective and in permanent contact with the world of research (see, for example, Long and Crisp 2010). This image is of great value for an intergovernmental organisation that aspires to remain influential on the world stage.

The ACSU project also played an important role in my own career. Being associated with an unorthodox project that valued academic research, and believing in its innovative impact, enabled me to obtain a post in the organisation where I could reconcile a critical approach with commitment, and they legitimised this decision in the eyes of a number of interlocutors (researchers, NGOs, activists, asylum seekers and refugees) who were highly critical of the organisation.

The Implantation of the National Order and the Paradoxes of the UNHCR

The uncertain future of sites for landless returnees, the violence exerted through camp closures in Pakistan and deportations from Iran, and the restrictions that force Afghans to travel at risk of their lives if they wish to reach Europe raise serious questions about the relationship among people, territories and states that forms the core of the national order. As surplus humanity produced by the national order, the figure of the refugee reveals the flaws in, and the inequitable nature of, that order. As Agamben and, before him, Hannah Arendt (1951) point out, because they breach the alignment between a person and a citizen, the refugee is 'a border concept that radically calls into question the principles of the nation-state and, at the same time, helps clear the field for a no-longer-delayable renewal of categories' (Agamben 1995: 117).

What is problematic about the figure of the refugee is not only their destitution, but the larger, highly symbolic danger that it represents for the national order by pointing out its limits.

Far from challenging the national order, the UNHCR's activity reinforces it and makes it more fully functional. This activity, which is structured by a state-centred, sedentary mentality and dedicated to creating a physical and legal place for refugees within states (conceived as nation-states), has the effect of implanting the national order. Acting on states, migrants and collective

imaginaries, the UNHCR's interventions imprint the national order on the world, at both the material and symbolic levels.

I have examined this process of establishment of the national order at work from various angles, such as when I considered the type of state promoted by UNHCR programmes in Pakistan and Afghanistan: a liberal-democratic, law-based state with absolute power that works through the production and application of the law, a state endowed with administrative surveillance mechanisms that enable it to distinguish between nationals and non-nationals. I have also noted this process in the habitus of the UNHCR expatriate staff, whose points of reference and sociopolitical allegiances are defined in relation to a national order seen as the normal state of affairs, even when they oppose it. Thus, through their lifestyle and their professional practices, the international officers of the UNHCR reproduce and reinforce the principle of nationality, the myth of state sovereignty and the sacredness of national law. I have also pointed out the transformative power of the categories, modelled on the national order, through which the UNHCR grasps and defines phenomena and problems: by structuring knowledge and action, these categories actively transform the populations and political systems with which the UNHCR intervenes, and they also influence the imaginaries of thousands of officers and observers. Finally, and more fundamentally, we have seen that the production of a population of 'refugees' – through the mechanisms of selection, identification, enumeration, attribution of status and issue of documents – in order to render it tangible and govern it, makes the national order more effective. As a corollary of the distinction between nationals and non-nationals, the figure of the 'refugee' is an integral part of that order, and the exception that the UNHCR advocates for refugees validates, consolidates and reasserts it.

Thus, the organisation maintains the sedentary, statist order that lies at the heart of the 'refugee problem' it is supposed to resolve. The UNHCR's repertoire of action thus incorporates a structural limitation on how it approaches mobility. Incorporating 'displaced' Afghans into the national order means restricting their movement and their access to transnational resources, despite the fact that this movement and these resources continue to be crucial not only for the survival of these populations but also for the viability of the Afghan state. It is clear that the 'refugee problem' is defined *by states* as a problem *for states* caused by the presence of undesirable non-nationals. These people, who are often undesirable and mobile, are destined to remain surplus, to not 'fit' into the national order, making the 'problem' insoluble.

The national order is not only at the root of this major structural limitation on the UNHCR's activity; it is also the foundation of the organisation, which continues in existence and grows in authority. Without it, there would be neither refugees nor the UNHCR; with it, on the other hand, the UNHCR sees

its work guaranteed and its existence legitimised. The insolubility of the ‘refugee problem’ ensures the need for the UNHCR. Through measures aimed at reinstating the national order, the state of exception of the ‘refugee’ is normalised. My analysis thus shows why, despite the jargon and practices that focus on emergency, exception and the temporary nature of programmes, the ‘refugee’ has become a standard feature of the contemporary international order. ‘Refugee situations’ have proliferated throughout the world. The Afghan case resonates with other ‘insoluble’ situations, from the longstanding case of the Palestinians to the more recent plight of the Syrians.

My analysis highlights the fundamental paradox underpinning the UNHCR’s activity, but it also reveals the influence of the nation-based thinking that continues to shape the world and justify political action that is no longer under the sway of state elites, but operates through the work of the staff of international organisations, and no longer with the aim of establishing a particular state regime, but rather as an ideology and a technique to govern the world’s population. In this regard, the promotion of the national order has two significant effects on the UNHCR’s activity.

First, this study shows that the implantation of the national order promoted by the UNHCR makes it contribute to the hegemonic liberal project. The type of state put forward as the model for how the world should operate is that of the nation-state as developed in the liberal democracies of Europe and North America. This view makes it difficult to see not only nonstate forms of political organisation, but also other ways to manage a state as equally legitimate. Self-determination is conceived only in terms of nationality and democracy. This effectively turns a particularism, a vernacular political model (what the Comaroff’s call ‘Euromodernity’ (2012)), into a universalism. It is in this way that the UNHCR supports the liberal model’s claim to superiority and its use as a measure of civilisation. The equality among the states of the world that is in principle at the basis of the UN’s work is in fact replaced by a hierarchy between those countries that can claim the authorship and exemplariness of the liberal-democratic political system, and those that are inadequate and in need of therapeutic and normalising interventions. I have shown, for example, that by aligning itself with the reconstruction project in Afghanistan, the UNHCR contributed to defining the Afghan state as inferior, marginal, incapable of governing and maintaining order, thereby justifying external intervention. Similarly, I have examined the different standards that the UNHCR applies in its relations with the Iranian and Pakistani states, which it asks to radically alter their policies, and European countries, which it considers as a whole to be champions of human rights capable of managing their immigration policies.

Second, the gap between the nation-state model and the particular political and social characteristics of the contexts in which the UNHCR intervenes –

a gap that is very rarely taken into account within the organisation – explains the profound changes and the risks of destabilisation resulting from the UNHCR's activity in those contexts. Although the nation-state model has spread far and wide and has proved to be adaptable (Anderson 2006), many states, including Iran, Afghanistan and Pakistan, operate in a partially different way. Thus, the implantation of the nation-state may in fact involve substantial engineering that can give rise to major sociopolitical reconfigurations. I have demonstrated this in the case of Afghanistan, whose state authorities are torn between internal and external criteria of legitimacy.

Moreover, the inability to recognise the legitimacy of forms of political organisation other than the nation-state is a second paradox in regard to the UNHCR. The increasing number of attacks on its staff, and the security rationale that now governs the organisation's presence not only in Afghanistan but also in many other regions of the world, suggest that the UNHCR's political and epistemic position, and its incapacity to recognise and take responsibility for it, may be detrimental to it and generate insoluble conflicts of legitimacy.

The Perilous Path of an Immanent Bureaucracy in the World

Following the trajectory of the ACSU project also enabled me to observe the operation of the UNHCR from within. I conceptualised it as a ramified, polymorphous apparatus, shaped by its contexts of intervention and embedded in power relations that extended beyond it and framed its repertoire of action, its room for manoeuvre and its range of options. This is far from the image of the organisation presented in normative approaches, and by the UNHCR itself, which primarily emphasise its coherence and verticality.

Rather than being a monolithic body, the UNHCR apparatus only exists by virtue of a multitude of offices and officials, among whom negotiations and tensions are omnipresent. Hence, its operation often requires achieving a compromise among different conceptions of problems and priorities. The organisation is enmeshed in diverse realities, systems of meaning, and power relations that shape its various offices. Each of these offices is engaged in a particular arena where it must establish its legitimacy and develop the global project of an organisation whose activity has to be viable everywhere – in Kabul, Islamabad, Brussels, Geneva, Peshawar and Jalalabad – and for all its interlocutors. I have described, for example, the severe tensions that arose between the Kabul and Islamabad offices, and how the concept of 'voluntary return' was stretched to the limits of contradiction in an attempt to reconcile the Pakistani authorities' pressure for return and Afghanistan's capacity for hosting. Rather than being an institutional reality, unity (of the UNHCR as a

collective actor acting with a single purpose and speaking with one voice) is a representation and an objective sought by the institution.

The alleged verticality of the UNHCR (the conception of the organisation as acting from a position of transcendence, like a *deus ex machina*, from the elevated sphere of the international arena) is also a representation that bases its claims on neutrality and global encompassment. It derives from the organisation's links with the state system and its conception of power, in which the state is the fundamental actor and form of political organisation. Observing the UNHCR in action in fact reveals an organisation in a position of immanence in, rather than exteriority to, the world. It is embedded in it, not only from the spatial point of view, by the territorialised islets of its offices, but also because each office is an integral part of a particular arena. In its way, the UNHCR has an osmotic relationship with the world, in the sense that its deployment and its interventions are shaped, from the inside, by its contexts of intervention and its interlocutors.

I have shown, for example, the extent to which a set of power relations over which the organisation has no control, structured primarily by the United States' 'war on terror' and the marginal and subaltern position of Afghanistan in the interstate system, restricts and shapes the UNHCR's activity in Afghanistan. The organisation is caught up in an irresolvable conflict of legitimacy: by aligning itself with the international project of 'state-building', it forgoes the support of the Taliban and therefore access to half of the country. While in 2001 these power relations offered the organisation plenty of room for manoeuvre, this was reduced to a minimum after 2007. The UNHCR was then forced to make difficult compromises and resort to extreme measures – issuing a press release threatening to condemn violation of the 'voluntary nature' of return, the decision to embark on an audacious programme of land allocation to returnees, and resignation in the face of European countries' restrictive migration policies.

Several researchers who have studied the UNHCR point out, often using corporeal metaphors, that a number of aims coexist in tension. Verdirame and Harrell-Bond (2005) define the UNHCR's activity as 'Janus-faced' – one face turned towards states, the other towards refugees. Barnett speaks of the 'sovereign face' of the UNHCR, emphasising the difficulty the organisation has in freeing itself from the supervision of states, and suggests it has two 'hands' – one working on behalf of refugees and the other against them (Barnett 2001: 246). My work suggests pushing this polymorphism further: the organisation has as many facets as it has offices (or even officials) who think and express themselves in their own context.

The diffuse, multiscalar nature of the UNHCR provides opportunities to act, but also imposes constraints. In his book on the history of the UNHCR, Gil Loescher (2001a) uses the term 'perilous path' to evoke this choice

between seeking room for manoeuvre and dependence on power relations between states. This is an appropriate image with which to describe the subtle balance that the institution has to maintain in order to stay on the scene and establish its authority in the contemporary world. But my study offers a more nuanced account of the shifting waters the UNHCR must navigate. Interstate relations are in fact just one of the many elements in the constant pull of contradictory priorities that the UNHCR as institution has to balance and manage.

First, the organisation has to show that its activity is appropriate, necessary and successful, despite the fundamental paradox that underpins its mission and makes any resolution of the ‘refugee problem’ illusory. But it must also ensure that its activity is viable in multiple arenas, engaging with a vast number of actors, while at the same time establishing its own legitimacy and its reputation on multiple levels. Another discrepancy arises in the UNHCR’s quest for institutional consistency and unity (both internally and in the way in which it represents itself and its work), which is countered by inconsistencies and disconnections in its practice, and by the multiple faces and voices that it adopts in different contexts. I have also shown that as a global bureaucracy, the UNHCR has to deal with the disparity between an order in which reality must be represented as manageable (a ‘disorder that can be put in order’) and the complexity of a reality that evades standardised categorisations owing to the incommensurable specificities of diverse contexts of intervention.

My study has focused particularly on a central tension underlying the UNHCR’s activity, a tension that derives from the organisation’s interstate character. Although it is designed to transcend this system, the latter inevitably shape its repertoire of action. Thus, the organisation stands in opposition to the system from which it originates, within which its mandate has meaning, and which circumscribes and shapes its authority and its actions. The UNHCR’s repertoire is inextricably entangled with the interstate system: states are not only its primary interlocutors, but also the basis on which it defines itself, understands the world and grounds its claims to universalism, encompassment, neutrality and moral superiority. This explains the deep and complex interweaving of the state and interstate dimensions. Because the UNHCR strives to influence state policy on non-nationals, relations between the organisation and its state interlocutors are often confrontational. But the state is ultimately reasserted and reinforced by the state-centred activity of the UNHCR, which is the first to recognise its ultimate power. States remain the organisation’s primary interlocutors, the only actors it believes capable of providing protection for populations – to the extent that the UNHCR reinforces the myth of state sovereignty and reproduces, extends and implants the state regime on both the material and symbolic levels.

In order to prosper and to maintain its authority, the UNHCR must somehow manage these dilemmas and discrepancies, either by attempting at any cost to reconcile contradictory priorities, imperatives and constraints or by concealing their irreconcilability. The organisation has to demonstrate that its mission is relevant and its interventions are successful. It must give the illusion of managing reality, of being able to deal with difference. It must show that it has the capacity to influence states' policies while respecting the principle of state sovereignty. It must give an impression of consistency and unity. In short, it must constantly re-establish itself and continually recreate its myth.

The procedures through which the UNHCR apparatus is organised (including the combination of local and expatriate staff, the production of standards) are conceived precisely in order to manage complexity and ensure internal consistency. The distributed nature of this apparatus is such that its activity takes place in multiple arenas on multiple scales: no single instance encompasses it or can give a sense of the global scope of its work. Consequently, the UNHCR has, if not the monopoly, at least an 'oligopoly' over discourse about its activities and their effects, whence derive the mechanisms of depoliticisation that cloak the organisation's initiatives in technicality, but conceal or absorb frictions and paradoxes while legitimising its activity. Moreover, the UNHCR has powerful frames of reference that are already hegemonic in the contemporary world. The ACSU project also evidences the organisation's ongoing capacity to adapt and adjust, as demonstrated by its constant search for new conceptual and operational tools, and particularly its capacity to channel its policies in directions that are both feasible and innovative.

In the early 2020s, the UNHCR remains a key international organisation, still expanding, constantly sought-out and cited, and that young graduates dream of joining. Its 'success' thus needs to be reconsidered in these terms: it is not so much the resolution of the 'refugee problem' by way of a suitable strategy, but the fact that the UNHCR manages to travel the 'perilous path' that enables it to continue to exist, to reproduce the system in which it can exist, and thus to continue to exert authority in the contemporary world. The impossibility for the organisation to achieve its stated mission, which is kept in the background and reformulated in positive terms, justifies its tenacity in achieving all that 'remains to be done' and addressing the 'challenges ahead'.