

The Plight and Promise of Refugees in the Middle East after the  
Arab Re-Awakening

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I am very pleased to be addressing you in the Dialogues in Democracy Series, sharing some reflections on the situations of refugees in the Middle East, as they are affected by the Arab Spring, or Arab Awakening as some have re-branded it. I prefer to use the term Re-Awakening, to credit the achievements of Arabs in past centuries and to acknowledge previous 'Awakenings' in the 1950s and 60s in Egypt, Syria, Algeria, Yemen and Libya. These twentieth century 'Awakenings', over time, grew into oppressive systems, which are being challenged today, following a chain of events sparked off by a young street trader in Tunisia who immolated himself in December last year, after he was prevented from selling his foodstuffs.

When I first suggested this topic some months ago, I, along with many other interested observers, were excited about the origins and hopeful about the possible outcomes of the Re-Awakening all across the Middle East. However, many of the countries, whose people, especially the young among them (now eclipsed by others), responded to the Tunisian inspiration, are not yet demonstrating achievements to equal the Tunisian model. There, last month the interim authorities succeeded in conducting free and fair elections, whose results have been accepted by the populace. (For a more in-depth and detailed analysis of the early characteristics of the 'revolutions' and the deviations which have followed, I suggest you see the Hussein Agha and Robert Malley article, 'The Arab Counterrevolution', in the 29.9 New York Review of Books.)

My remarks, therefore, will not be even as positive as I still felt able to be in an endnote lecture I gave in July for the summer Refugee Studies Course in Oxford on a similar theme. They will also be influenced by the work I have been doing since September as a Commissioner on the United Nations Human Rights Council's Commission of Inquiry into Alleged Human Rights Violations and Possible Crimes against Humanity in the

Syrian Arab Republic. Our team, unable to access Syria itself, has spent the past two months travelling in Lebanon, Jordan, Egypt and Turkey, interviewing victims, witnesses, human rights organizations and opposition groups. We are humbly aware of our daunting responsibility in presenting our first report to the HRC at the end of this month.

I expect many of you will be familiar at least with the general outlines of what I shall describe today, as events in the region have become a popular subject of national and international media coverage. Therefore, I shall not delve, in any depth or breadth, into the wide range of developments and unrelenting changes throughout the Middle East. Instead, my focus will be on how mainly Middle Eastern refugees are faring in light of the turmoil and consequent uncertainty, which, in some cases, is creating new refugee outflows.

I speak also from a background of almost three decades of work with refugees around the world, including from 2000 to 2010 as Deputy, then Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), based in Gaza.

I save for last the presentation of current conditions and future possibilities for the Palestine refugees as an example of the 'plight and promise' mentioned in the publicity for this dialogue. As I touch on other refugee situations in the region, I shall view all of them through the Arab Re-Awakening lens. For the record, and so that we are all 'on the same page,' as it were, the definition of a refugee according to the 1951 Refugee Convention, is 'someone who is outside her homeland and unable to return to that homeland, for fear of persecution for reasons of race, religion, nationality or membership in a particular social group or for expressing a particular political opinion.'

This is a wide-ranging definition, to be sure, and one that has been flexibly interpreted in courts of law around the world. One example is that 'particular social groups' have been deemed to include domestic violence victims and gender orientation, in the exercise of refugee status determination in some countries. I digress to cite the expansion of the refugee definition before this audience, as the United States is the country that participates to a greater extent than any other in the 'resettlement' solution for refugees. The question of defining vulnerabilities of an individual or a group is often raised when it comes to making decisions on

the limited number of persons who will be accepted into such programs among the millions of refugees around the world.

While 'plight' and 'promise' characterized refugee conditions during earlier months of the Re-Awakening, what faces refugees today, as the spring turned into to summer, then into autumn, and now into winter, might be more accurately seen as a scenario of ever evolving 'challenges' and 'opportunities'. The people of the Middle East generally, and the refugees more particularly, are encountering both, as they find themselves caught up in events that may appear chaotic and confusing, but where, after many quiescent years, they have a chance to make their voices and desires known.

A challenge confronting everyone in the region is to keep alive the spirit and promise of the people's revolutions as they began in Tunisia and Egypt. This is important in influencing subsequent movements in Bahrain, Libya, Syria and Yemen, which have been caught up in varying degrees of violence and external intervention, to move toward stable, democratic regimes with functioning economies that serve the majority. While these are tall orders, they are necessary goals, based on the desires of those who joined the uprisings around the Arab world.

You may have seen the article this past week in the Financial Times by Hernando de Soto, the influential Peruvian economist. He interviewed the brother of the young Tunisian who immolated himself and set off the Re-Awakening. When de Soto asked him what he thought his brother would identify as the desire of today's protestors, he replied, 'for even a poor man to be able to buy and sell freely.'

De Soto, as an economist, builds on this from an economic perspective and gives advice on what new and reforming governments should keep in mind in terms of the people's material demands and needs. I prefer to hear it as a voice speaking on behalf of the poor more generally, a voice crying out for freedom and equality, demanding recognition that the marginalized, too, should have a role in decision-making. Their demand is for a system that will serve them, in contrast to what had been the way of their governments for so long, favoring the elite and well-to-do and well-connected, [often from the military].

Refugees, as a particular, foreign category in whichever country they have sought asylum, face problems and a lack of opportunities peculiar to their refugee status. This is true for refugees already hosted by some of the Re-

Awakened countries, and for other, new refugee groups created by the conflicts associated with the Re-Awakening. Evolving events in these countries have, as well, influenced and had an impact on actions in Palestine that have a direct bearing on the lives of Palestine refugees, both those in the occupied Palestinian territory and in the regional Diaspora and beyond. The eagerness of the Palestinian Authority to take a statehood bid to the United Nations takes legitimacy partly from what has been happening in neighboring countries. I shall return to this point later.

Let me move, after this long 'introduction', to refugee experiences in and from Tunisia. Many Tunisians, and other sub-Saharan Africans who were working in Tunisia, fled by precarious boat voyages across the Mediterranean to escape the fighting early on in the revolution. Around 54,000 persons, half of them Tunisians, sought refuge in Italy, where they encountered an unenthusiastic reception, to say the least, on the small island of Lampedusa (population 6,000), their first port of call. Their asylum status was questioned, and their presence precipitated serious refugee protection and asylum discussions within the European Union.

Italy was keen to allow (rather encourage) the refugees to move on to other European countries, given their numbers and the government's inability to absorb all of them. Italy's neighbors, however, balked at receiving them. When Italy and France took the issue to the European Commission for informal arbitration on what was allowable under European conventions, a judgment was returned that both countries were right, Italy to allow the refugees to leave and France to enforce strict border controls on their entry!

A more acrimonious debate, on what restrictions could be put on movement across European borders under the Schengen agreement (travel documents, means of support?), was avoided by the flight of former Tunisian President, Ben Ali and subsequent favorable developments in Tunisia. Many refugees decided to return home, reducing the number European countries were obliged to accommodate (although 1300 African workers remain in limbo in Italy). In September a fire in the camp led to 200 Tunisians being deported, and last month, the Lampedusa camp was closed after the last 600 Tunisians were sent home. Reportedly, the deportation was agreed between the Italian Government and the Tunisian Transitional Government in exchange for aid to the Transitional Council of Tunisia.

Interestingly, shortly after their own 'revolution' erupted, Tunisia became the asylum country for as many as 200,000 thousand refugees fleeing violence in Libya. The UN Refugee Agency (UNHCR), responsible for the protection and assistance of all refugees, other than the Palestinians in the Near East, mobilized its standard emergency services, aided by other UN and non-government agencies, to address the needs of these groups. By now, most of the estimated one million Libyans who originally fled the fighting have returned home voluntarily. Only a few thousand remain in Tunisia in a camp near the border with Libya. Voluntary choice to either stay, resettle in a third country or return home is the accepted, Convention-dictated basis for all refugee protection decisions and actions.

Tunisia has received deserved accolades from many, for its timely adherence to a calendar of planned reforms. Free and fair elections were held last month, with an outcome which is, so far, accepted by the electorate, including those who have been proud of and benefitted from the previous regime's 'modernism' and secularism. Women's groups are watching carefully, monitoring any threat to the freedoms they were allowed under the old guard. Observers are hopeful that the moderate Islamic parties who won 40% of the vote, in a coalition with liberal parties who won 30%, will manage the country, internally and internationally, in the manner of Prime Minister Erdogan in Turkey.

Egypt received another 250,000 thousand Libyans, only 15,000 of whom remain there in exile today. UNHCR mobilized to help Egypt as well, in the throes of its own transition, to meet the assistance and protection needs of the refugees. These short term refugee outflows have been managed fairly smoothly through basic emergency responses, well honed by the UN and voluntary, non-government agencies accustomed to dealing with large scale refugee movements in much more difficult circumstances.

Notable is the to-ing and fro-ing of population groups in and out of countries themselves in some disarray and hardly equipped, therefore, to face this foreign 'burden' with the welcome and resources expected of them by their having ratified the 1951 Refugee Convention. Neighboring asylum countries, that is, where refugees arrive first when they flee, are bound by the Convention to offer asylum, calling upon assistance, should they find it necessary, from UNHCR and the international community more widely. Furthermore, they will be pressed to allow the refugees, again with support from the UN and other voluntary organizations and governments, to try to allow some degree of 'self-sufficiency' for the refugees, so they will

not be a long-standing burden, either on the host government or on the international community. But I am straying far from describing the current state of refugee movements in the Middle East.

Egypt is in a critical moment of its own 'revolution'. The interim authority, the Supreme Council of the Armed Forces (SCAF) has not kept its own promises and deadlines for leaving power and holding Presidential and parliamentary elections, to name the more obvious and more pressing demands and expectations. Nor have they made, or been able to make, significant progress on promised reforms in the security services (protecting protestors and investigating torture of female detainees), the courts (putting the corrupt on trial and no more military trials for civilians), the economy (reforms to meet the legitimate demands and aspirations of the people) and other issues, such as allowing the media complete freedom.

These are all linked to the Tahrir Square events of January and February this year. There is serious anxiety on the part of many who took part in the 'revolution' that their demands will not, or cannot be met, at least in the short, or even medium term. Disaffection is widespread as well among ordinary people, particularly small traders and businessmen and those associated with the now defunct tourist trade, not to mention the 20% of the population who already lived below the poverty line. Most of the 82 million Egyptians are affected to some degree or in some way by the losses inflicted on the economy during and since the 'revolution'. There is a general pessimism among the public (and observers) about what may—or more realistically, what may not, happen next. Serious debate is going on regarding returning to 'the Square', or about other means that might put the revolution back on track.

Palestine refugees have long suffered discrimination in Egypt. In the early years of their exile, Egyptian leaders, particularly Gamal Abdel Nasser, welcomed the Palestinians. UNRWA, therefore, maintained only a public information and networking-type presence in the country, leaving assistance (as in basic needs--education, health) and protection to the government. Later governments under Presidents Sadat and Mubarak became less friendly toward the Palestinians, who were seen as potentially troublesome, and obstacles and a possible threat to new relationships and policy directions that were being developed. The opportunity to establish an UNRWA presence was long gone, so the protection of Palestine refugees in Egypt was left to UNHCR. Their programs are much more

circumscribed than those provided by the quasi-governmental services offered by UNRWA elsewhere in the Middle East.

This same 'history' was replicated in Iraq, by the way, where Saddam Hussein had granted and guaranteed many privileges to Palestine refugees (shelter, jobs, education, health care), to an extent that when he was deposed, there was a widespread reaction against the Palestinians. Hence the flight of almost the entire Palestinian population in Iraq to Jordan and Syria and other neighboring countries. The 20,000 who did not manage to leave Iraq continue to face harassment and discrimination, and have become completely dependent on UNHCR assistance. In Jordan and Syria, UNHCR maintained responsibility for the Palestinians who fled Iraq. UNRWA became an 'implementing partner' of UNHCR by absorbing the neediest refugees into their programs and into the existing Palestine refugee camps. Resettlement, mainly to the United States, an ongoing program, remained under the aegis of UNHCR, given their singular expertise on this Refugee Convention solution, usually the least preferred solution, repatriation being the first choice of all refugees I have known (but a solution not available to Palestinians today, as we know).

Events in Libya, I assume, are familiar to most of you. The uprising began in February, in imitation of its neighbors, over the arrest of a human rights activist, and ended with the capture and killing of Mu'ammarr Qaddafi last month. However, the nature of the 'upheaval' there is far from clear, as are the leanings of many of those who took part. Given the heavy introduction of arms to the 'opposition', many 'donated' to the uprising from outside, alongside the already widespread presence of arms among Qaddafi loyalists, tribal groups and other individuals, there is widespread uneasiness about the affiliations and future actions of these groups. In addition, even some of those who were active in getting rid of Qaddafi, and earned internal and external approval, are insisting on maintaining their status as heads of armed militia—to protect the revolution, as they insist. Whether those who have been 'elected' and appointed to civilian positions will be able to bring these disparate groups together, let alone under control, is, at this moment, uncertain.

[Bahrain, where protests were largely carried out by its 60-70% majority Shi'a population, is quiet for the moment, having been able to count on its neighbor, Saudi Arabia, to intervene to help to quell the demonstrations militarily. The protests erupted as a result of a longstanding feeling of oppression among the Shi'a, who are poorly represented in government

and the civil service, and even the private sector. Demonstrators have been dealt with harshly, arrested and reportedly mistreated in prisons, while even hospital workers who treated wounded demonstrators have faced jail sentences and worse.]

The [165 refugees in Bahrain and the] 8,000 refugees in Libya are not a significant factor in the Re-Awakening events there. However, Libya may still be 'home' to thousands of foreign workers, mainly Africans, who were not able to escape during the fighting. While not recognized refugees, they are in refugee-like conditions, residing now probably illegally without employee sponsorship and likely without means to support themselves. They have also suffered from harsh treatment by ordinary Libyans and armed groups who identified them, mostly falsely, with the African mercenaries that Qaddafi relied upon, and reportedly recruited in ever larger numbers, once the uprising against him began.

Yemen remains a large question mark. Protests began in January of this year, led by the Nobel Laureate, Tawakkal Karman, again following the Tunisian inspiration. Demonstrators called for economic improvement and an end to corruption and unemployment and, again, regime change. The longtime ruler, Ali Abdullah Saleh, in power since 1978, has at least three times promised to step down 'in a few days'. He has failed to do so, even after having been badly wounded by a bomb detonated in a mosque in his presidential compound where he was praying. He spent months in Saudi Arabia being treated for his injuries, but has recently returned to Yemen.

The country is seriously divided into at least two powerful 'factions,' Saleh supporters and the pro-democracy opposition, which has been joined by some senior military officers and well known tribal leaders and politicians. It is, therefore, another of the countries most in danger of dissolving into civil war, returning to an era when there was a North (Arab Republic) and a South (Democratic Republic) of Yemen. The identification of Yemen as a haven for several senior al-Qaeda operatives increases concern over unrest, instability and the country's future leadership. Yemen is also host to 170,000 Somali refugees and a growing number of Ethiopian and Eritrean Refugees, around 8,000 at last count. These are potentially destabilizing factors in themselves, given the minimally-resourced conditions in which the refugees live.

Syria is another matter altogether. Its geographic, demographic and political importance cannot be overlooked. It is host to perhaps a million

Iraqi refugees and more than 400,000 Palestine refugees, all of whom have been treated like 'brothers'. Ninety per cent of its 22 million people are Muslim (75% of those Sunni, 10% Alawite, 3% other Shi'a, 3% Druze and 9%Kurds). The other 10% of the population is Christian. The rulers since the advent of Hafez al-Assad in 1970 have been from the small Alawite sect, related to Shi'a Islam (hence the link with Iran and Hizbullah in Lebanon). The [Christian, Druze, Kurd and Shi'a] minorities generally associate their protection and security with the secular al-Assad regime.

While all groups insist that the uprising/revolution is not a sectarian one, the conflict pretty much takes place according to religious affiliations. When there are discussions about developments, they usually deteriorate into accusations and descriptions of clashes along these lines. The roles and interests (and agendas) of outsiders, e.g. leaders of neighboring and other Middle East countries, are fairly easy to perceive, as the demonstrations and battles take place largely around the border towns. At the same time, individuals and groups, including well-to-do businessmen and the minorities, go about their business as usual in the large cities of Damascus and Aleppo.

Still, sanctions are biting, the important tourist trade is absent and the economy is gradually sinking. These are factors which may eventually affect the loyalty of many of those supporting the government until now.

Many of the measures which kept Syria a safe and attractive place for loyal citizens and foreigners, appealing to tourists and Arabic language students, among others, are now used in excess in an attempt to quell the demonstrations, so far unsuccessfully. Over 3,500 (although our carefully and conservatively substantiated Col list has more than 4,200 names on it) have been killed, thousands are missing ('forcibly disappeared' in human rights parlance), while thousands more have been detained, many of them tortured in infamous manners. This past week, Human Rights Watch released a detailed report, entitled 'We Live as in War,' on events in the Homs governorate, the scene of the most widespread and violent protests. I recommend it to anyone interested in the grim outlines of the struggle.

President al-Assad has promised reforms, and initiated some, citizenship for Kurds and a declaration of an amnesty for defectors. As in Yemen, however, many promises have been made and not honored, and others remain as documents only, without benefit of action. There has been no movement on dialogue (though it is largely the opposition groups who have

not agreed to this, as long as the violence continues) or the promised constitutional reform, which would include allowing multiple political parties. It is unclear whether the regime can hold onto power, although the President continues to insist he has the support of the majority of his compatriots, while the demonstrators are determined to continue and intensify the protests until there is regime change.

Reportedly, some unnamed leaders in neighboring countries have stated that Bashar al-Assad must go, offering him safe passage and asylum. The Arab League met yesterday and suspended Syria, one of its founding members, unless all violence against protestors stops by this coming Wednesday. Their resolution also called for Arab ambassadors to be withdrawn and for Arab League sanctions to be imposed, should violence continue. The League has been very displeased since their own agreement with the President from two weeks ago, to stop the violence, withdraw troops from the cities and release prisoners, was not respected. Today, al-Assad expressed outrage at this 'illegal' decision and called for a full Arab League meeting at the highest level to review it.

As in Yemen, warnings of civil war have been sounded by many observers, an outcome that strikes fear in the hearts and minds of many inside and outside Syria. Syria's prominent geopolitical place in the region and its previous 'success' (through whichever means) to maintain internal order and to respect agreements with its neighbors, including Israel (over the Golan Heights), make some wary about anticipating the end of the regime. Reinforcing anxiety over a change is the uncertainty over who might take over and how they might rule. The Muslim Brotherhood (whose numbers are unknown as they were banned, and thousands killed in 1982 in Hama, by Hafez al-Assad), probably have the widest and longest existing network among opposition groups contending for future power. It is also likely that there are pockets of the more radical Salafist Muslims in the country. Christian and other minorities have been alerting fellow believers around the world to their concerns about regime change since protests began in March. An article published yesterday in the Chinese press spoke of Christians' 'unwavering' support for the al-Assad regime.

Refugees, both Palestinian and Iraqi, do their best to keep out of harm's way and out of the confrontations. Palestine refugees in a camp on the outskirts of Latakia were caught in the crossfire of an operation against the city in August, which resulted in five Palestinians killed and a brief flight of half of the camp's 10,000 residents. Over the decades, Palestine refugees

have enjoyed exceptional hospitality from the Syrian government, similar to the Palestinian experience in Iraq. Short of citizenship, they have privileges equal to Syrian citizens, hence their reluctance to join the struggle, much like the businessmen and minorities who have also appreciated their protected status under the al-Assads' secular regime.

Last, but not least, I turn to the less direct, but still discernible effects of the Arab Re-Awakening upon the 4.8 million Palestine refugees in the 'Near East' as UNRWA's title reads—and the 5-6 million in the Diaspora.

I have already mentioned some of the 'collateral' Re-Awakening effects on Palestine, and other, refugees. Refugees and other non-citizens often become a target in countries in turmoil, as those who are driving the demand for change may take out some of their ire on 'strangers' among them, particularly if such groups are seen to have accrued benefits under the old regime. This, as I have noted was the case in Iraq, a scenario that could very well be repeated in Syria. Besides the attack on the Latakia camp I referred to above, I received unconfirmed information yesterday that refugees were suddenly being targeted, like many others, in Homs.

My main thrust on Palestinians, however, will concentrate on how the Re-Awakening is affecting (or not) decisions and actions by those inside the occupied territory of West Bank and Gaza. There have been some expressions of 'disappointment' that so few Spring-inspired actions have been apparent among Palestinians. Palestinian interlocutors explain this by noting that their leaders, like themselves, suffer enough and have enough to contend with under occupation, so as not to deserve attacks from within. What all Palestinians want to change is the occupation and their statelessness status.

Therefore, let me describe a few of the more unusual, or more accelerated, actions of the Palestinian Authority, as well as Palestinian civil society, that owe something to the atmosphere and spirit of change elsewhere in the Arab World and are directed at moving them out from under the control of the occupying power.

Initiatives that have been 'below the radar' for some years, and have gained in currency and momentum in recent months, include the protests against the barrier (actually part fence and part wall) between Israel and the West Bank, under construction since 2002, and so devastating to Palestinian economic, social and cultural life. The protests now mobilize larger numbers of both local and international actors, from Israelis to

Desmond Tutu, on a regular, weekly basis. The weekly protests in East Jerusalem, against evictions and demolitions targeting Palestinians and their homes, have benefited from similar increased attention and the presence of a diverse group of demonstrators.

A more direct result in Palestine of the Re-Awakening in Egypt has been the much more determined and hence successful Egyptian brokering of the reconciliation between Fatah and Hamas. An agreement was announced in May, tentative steps have been taken since then, and a first meeting between President Abbas and the Hamas leader, Khaled Mashal, is scheduled for 24 November. The ability to make progress, or even to be taken seriously in negotiations on a peace agreement, let alone statehood, depends on reconciliation and eventual unity between what are now two separately ruled parts of what should be a whole.

The Boycott (of settler goods), Divestment (from companies aiding the illegal settlements) and Sanctions movement (known as BDS), begun in 2005, is enjoying a swelling of support around the world, with very welcome, strong backing from some of the churches here in the United States.

Then, there are the moves in United Nations circles. Success has been achieved at UNESCO with an overwhelming majority (107 for, 14 against, 52 abstentions) voting in favor of admitting Palestine. As we know, the displeasure of our own government with this outcome has led to the decision not to pay their 20% dues. While this might cause temporary difficulties for some of UNESCO's scientific, educational and cultural projects, the organization has weathered an earlier withdrawal of the U.S.

The even more far-reaching statehood bid is at a decisive moment, unlikely to get through the Security Council, where the U.S. has promised a veto in any case, but almost certain to succeed, at least to grant an upgraded status, in the General Assembly. The Authority is pondering its next steps.

Finally, one of my own long admired initiatives was given a boost by the launching this past week of an international on-line voter registration drive for all unregistered Palestinians anywhere in the world, to elect a new Palestinian National Council and the PLO parliament. A round the world 'focus group' study published in 2006, supervised by the Civitas group in Oxford, provided overwhelming evidence of the interest among the Diaspora in participating in Palestinian political life. Subsequent years of planning have culminated in this potentially narrative-changing event,

which will take off more concretely in the spring of 2012. This will be Palestine's own, entirely internal, contribution to the Arab Spring.

There is a noteworthy element in all these actions, which should be acknowledged, whether we, from outside, agree with all of them or not, or even if we are uncertain about their impact on the egregious Palestinian problems of occupation, exile and statelessness. Palestinians, backed by a growing number of internal and international supporters, are demanding changes in their circumstances and making their choices known by peaceful means. They are doing so, despite the discouraging examples over many years, as in the First Intifada and the endless, result-less machinations of the so-called Peace Process, where their repeated efforts and engagement led over and over to both political and physical losses.

The new Palestinian peaceful assertiveness, internally and externally, is worthy of appreciation and support. It may be precisely what has been missing, and is sorely needed on the road to peace in the region, a region whose instability has repercussions well beyond its own geography. I suggest there is a role for all of us to ponder this new environment. Perhaps we might wish to add our voices to the gradually swelling chorus that is asking our own government to engage in a more balanced way in the Middle East.

I leave you with this thought as one of the more optimistic conclusions from a review of the Arab Re-Awakening through a refugee prism. It is too early to reach conclusions about the future in most of the Awakened countries, and there remain many challenges. Yet there are also many opportunities, which if taken advantage of, should advance the aspirations of both citizens and refugees all over the Middle East, and may eventually be of benefit to all of us.

Iraqi refs--no discuss as not result of arab spring (but maybe events that eventually provoked the arab spring)

Be prepared for iran, hamas questions