

REFUGEES AND VIOLENCE

This is the title which Michel Venthey, Legal Adviser to the ICRC, gave to the paper which he read to the Congress for the Study of the World Refugee Problem, in Geneva last October (see International Review, December 1972). We take pleasure in publishing his paper below :

This theme is unfortunately a commonplace tragedy: there is a close connection between refugees and violence. The very idea of seeking refuge implies the existence of violence and indeed the dictionary definition of a refugee is someone who flees to a place of safety, especially to a foreign country, to escape danger and persecution in his own country because of his race, religion or political beliefs, or as a result of war.

After being the victim of violence, the refugee may in turn become a source of violence. History and countless events provide many examples of this cycle.

War, the acme of violence, is the most frequent cause of refugees. With the development of warfare and its legal and political context, development was inevitable in the refugee problem as was the violent counteraction it engendered.

A conflict which is conventional in form (declared war) and in its legal and political context (between States which recognize each other), like the Second World War, brings in its wake millions of refugees, and it is frequently among refugees, with backing from outside, that resistance is kindled and not infrequently develops into guerrilla warfare and irregular hostilities.

In internal conflicts taking the form of irregular hostilities, refugees might well cause the conflict to become international and to take on the nature of conventional warfare. The most recent

example of this is the Indo-Pakistani war of 1971-72 which began as a civil war in East Pakistan and gave rise to some 8 million refugees.

Contemporary events show that the conventional type of warfare where there is a definite front, as was the case in Europe during the two World Wars, with its hordes of refugees, has become the exception, giving way to warfare without a front, guerrilla warfare. Contemporary conflicts cause refugees not by the movement of armies at the front but precisely because they have no front. The fighting aims to strike the combatant through the civilian population or, to paraphrase a well-known cliché, where the guerrilla fighter lives among the population like a fish in water, to deprive the fish of its water.

In other words, people are then made refugees by being ejected, a practice which, it will be recalled, started during the Boer War when "concentration camps" were first instituted. More euphemistic phrases have been used to conceal the inhumanity of such policies involving the uprooting of hundreds of thousands, and even millions, of civilians to park them in "villages of peace", "protection villages", "hamlets of prosperity" and so forth. Such practices have been current in Kenya, Malaysia, Indochina and Algeria. In the Algerian conflict, for instance, two million Muslims were "relocated", in conditions often involving hardship, to maintain the illusion of having won them over!

When verbal subterfuge no longer suffices to conceal the tragedy of this form of warfare, or where a belligerent's military forces are unable to cope with the transfer of population on the scale they would wish, other means are used, such as shelling and bombing, "combing" operations by the infantry, the chemical destruction of forests and even of crops, and the laying of traps or mines over a wide area, to make life untenable for civilians who persist in staying put and to force them to leave their homes and seek so-called refuge. In South Vietnam and in Laos, a third of the population have become refugees. How then can they be expected to remain passive and to abstain from joining in the fighting by every means at their disposal, in a natural reflex impelled by the human dignity of people who have nothing to lose but their lives?

MISCELLANEOUS

As Pierre Boissier said in "*L'Épée et la Balance*" (The Glaive and the Balance), today civilians are so hard hit by war that it is difficult to demand of them that impassibility which, with sound reason, used to be expected of onlookers.

This situation, in which the civilian population is the first victim and consequently sometimes a protagonist in the hostilities, both in international and internal war, in both conventional and guerrilla warfare, is deplorable.

The "escalator" can only be reversed if, in international and non-international conflicts and even in peacetime, essential human rights and legal provisions for the protection of the civilian population against hostilities are respected in all circumstances, and provided that policies and methods of warfare or government designed directly or indirectly to make people refugees are exposed. Only then can the refugees or those threatened with the possibility of becoming refugees be asked to abstain from violence.
