

Gil Loescher

**The UNHCR and World Politics — A Perilous Path**

Oxford University Press, Oxford, 2001, 431 pages

“For the past half century, the Office of the United Nations High Commissioner for Refugees (UNHCR) has been at the heart of many of the gravest breakdowns of social and political order and tragic human loss in recent history.” This first sentence of a timely book sets the stage and, at the same time, expresses the author’s main message: while UNHCR was established fifty years ago to focus on protection and humanitarian relief for refugees in their host countries, events have led the organization to assume a much broader role. UNHCR is now part of an international order which has to ensure respect for human rights and justice, facilitate peaceful resolution of conflicts and guarantee the right of individuals to humanitarian assistance. And, in the author’s words, “UNHCR has not just been an agent in world politics but a principal actor” (page 6). An example of this proactive attitude is UNHCR’s role in codifying, promoting and monitoring respect for international refugee law by all States.

The author of this book on UNHCR, now celebrating its fiftieth anniversary, is an expert on refugee affairs and has both field experience and academic qualifications. Such a background is, of course, eminently useful for a project of this nature, and his account of the organization, its history and the evolution of its response to current problems reveals excellent insight into the working of the High Commissioner’s Office.

After presenting some of the major issues UNHCR has had to face in the fifty years since it came into being, Loescher points out that mass movements of persons have always been part of history: refugees are not a phenomenon of our times. Moreover, in several periods of (European) history, refugees have not been considered as liabilities but as assets for a country’s cultural life and its economic

development. It was not until the immense movements of population before, during and after the First World War that they became an object of international concern. Fridtjof Nansen's appointment as High Commissioner for Refugees by the League of Nations in 1921 accordingly signalled that international protection of refugees had become one of the permanent tasks of the organized international community. However, the period preceding the Second World War, marked by the Evian Conference to resolve the problem of Jewish refugees as one of its (negative) highlights, was a dismal failure of international refugee policy. With the foundation of the United Nations, the 1948 Universal Declaration of Human Rights and the adoption of the 1951 Refugee Convention, coupled with the appointment of a High Commissioner for Refugees as part of the United Nations system, postwar efforts to grant refugees not only protection but also a chance to create a new life finally started to take shape.

The central part of the book examines UNHCR's policy and action between 1951 and today, with a chapter on each High Commissioner from van Heuven Goedhart to Sadako Ogata, attributing to each of them specific aspects of UNHCR's development. The author goes into great detail and does not hesitate to give good or bad marks to the various office holders. In doing so he brings to light spectacular changes of UNHCR's attitude toward refugee-causing events, in particular armed conflicts. While UNHCR refused, for instance, any involvement during the Vietnam War and was even reluctant to offer its services in the civil wars which shook the Third World during the sixties (Indonesia, Nigeria, etc.), by the end of the twentieth century it was in the forefront of humanitarian activities, particularly in the Balkans. During High Commissioner Ogata's term in office, UNHCR's agenda was dramatically expanded.

This (over)expansion of UNHCR's activities leads the author to seriously question what he calls "the pitfalls of the UNHCR's new approach to refugees" (page 338). The last chapter of the book, with the title "Toward the Future: The UNHCR in the Twenty-First Century", provides many arguments and helpful insight which should enable readers to form an opinion on the issues and

problems UNHCR must face in the coming years. The following issues and ideas are but a few of those discussed by the author.

One of his main criticisms is concerned with UNHCR's relinquishment of its balanced approach to providing refugees with not only assistance but also protection. In the author's view, the immensity of the task of assisting the civilian population in an emergency such as the Balkans war led to an overstretching of UNHCR's capacities, and its protection activity was bound to suffer first. Finding a new balance between protection and assistance operations should be the first task to be accomplished by UNHCR in the 21st century. Ensuring protection for refugees, *inter alia* by promoting and monitoring respect for the fundamental rules of refugee law by States, in particular the rule of *non-refoulement*, must remain a high priority among the agency's activities.

This is particularly important in view of what Loescher calls "the crisis of refugee protection" at the domestic level or, in other words, "the worldwide asylum crisis" (page 351). Acceptance of refugees is not the highest priority of States at this moment. He does not see how UNHCR can improve the situation as long as the State has the last word on granting refugee status to asylum-seekers. Does this situation call for a body of new international law, and in particular for the revision of the 1951 Refugee Convention? The author is doubtless right to conclude that opening up a revision process could bring more harm than progress and might in the end seriously weaken existing international law. He concludes on this point that "the 1951 Convention, properly applied, remains the essential underpinning of the refugee protection system" (page 366). A stronger response by the international community to refugee problems must follow other channels.

The author also discusses other topical issues such as coordination among institutions at the international level, the international approach to internally displaced persons, the gap between humanitarian assistance and development, lack of accountability of UNHCR as an institution, and many more. He finally calls for a reversal of the erosion of refugee protection and stresses the need for a more effective, coordinated international response to refugee situations. One of the ways to achieve such a goal should be "a renewed, more effective

UNHCR” (page 374). He rightly points out that respect for the basic rules of international refugee law is essential not only to preserve an open society but also to ensure international security.

Loescher’s book has unquestionably been published at the right moment. It should serve as a reminder of past experiences — trials and errors — and achievements of an organization which has no easy task. It should also help to define the right questions and find the right answers in the ongoing process of reconsidering and, if necessary, revising UNHCR’s role. For the present reviewer, who is not an expert in refugee matters, Loescher provides fascinating reading on a highly relevant chapter in the history of humankind: the international community’s response to the plight of those who have to leave their country “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion...” (Article 1 of the 1951 Refugee Convention).

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Editor