

THE LEGAL CAUSES OF REFUGEE MIGRATIONS

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Abstract: The movement of refugees and population displacement has been a crisis that has affected the Great Lake region of East Africa, including Kenya, Uganda, and Tanzania. The region has seen wars, starvation and violence resulting in a number of individuals moving away from their countries of origin. The case has led to the call for protection by both the domestic nation and the international body to make them live peacefully. This study, therefore, looks at legal causes of refugee migrations of Great Lakes Region countries and suggest measures on how to share the responsibilities amongst the regions. The study recommends need to review existing refugee protection policies. Refugee protection is a major problem in the Great Lakes Region. The protection of human rights is critical and there is need for the protection and respect for human rights in refugee camps in the Great Lakes Region. There is therefore, need to introduce new measures in order to curb the problems facing refugee protection. The new measures must also address the security situation in the host countries. All existing policies and legislation on the refugee protection in the Great Lakes Region must be reformed so as to establish an efficient refugee protection system in the region.

Keywords: Great Lakes region of East Africa, Refugee Migrations.

1. INTRODUCTION

The movement of refugees and population displacement has been a crisis that has affected the Great Lakes region of East Africa, including Kenya, Uganda, and Tanzania. The case has led to the call for protection by both the domestic nations and the international body to make them live peacefully.¹ Over an extended period, people who have been displaced from their various places of resident from within their own country have been facing difficulties and dangers in their movement. The crisis has occurred either while leaving their own country or while on the move. Their rights have been violated in the hosting countries and do not enjoy some of the reasons.

The Great Lakes Region is faced with refugee crises and it is apparent that it is one of Africa's most adversely affected regions by the large volume of refugee influx. The region has seen wars, starvation and violence resulting in a number of individuals moving away from their countries of origin. The region is too wide, not only comprising of the Democratic Republic of Congo, Burundi, Rwanda, Kenya and Tanzania but it also includes South Sudan, Somalia, Sudan, Angola, Ethiopia, Central African Republic, Malawi, and Eritrea.² All these countries share and experience internal and external conflicts which result in large volumes of refugees migrating in the region and to other countries outside the region. This study, therefore, looks at legal causes of refugee migrations of Great Lakes Region countries and suggest measures on how to share the responsibilities amongst the regions.³

¹ Y Kalikat, Assistance des populations' affectées par les déplacés. La Banque Mondiale mobilise 50 millions de dollars supplémentaires pour la RDC. Forum des as (2015) 21 December, p. 8

² Kalikat, 2015 (n 2 above)

L Hovil, 'Self Settled Refugees in Uganda. Alternative Approach to Displacement?' (2017) 20 Journal of Refugees studies <<https://academic.oup.com/jrs/article-abstract/20/4/579/1526566>> accessed 13 November 2019³

2. LEGAL CAUSES OF REFUGEE MIGRATION

Majority of the people around the globe have had a chance to leave the places they were born, perhaps moving as far as the adjacent city or locality. Nonetheless, for others, they will have to leave their home places not just for the short time, but in other circumstances for eternity. The rational for the movement of people to other countries so as to rebuild their lives is multifaceted; while others leave to further their education and search for decent jobs, others are compelled to leave in order to avert the violation of their rights as well to avoid persecution and torture. Millions have fled to from wars and violence, while others feel unsafe because they may be targeted on the basis of their beliefs and other factors such as ethnicity and political affiliations.⁴

These excursions, which all begin with the expectation of a good future, can likewise be loaded with threat and dread. A few people risk falling prey to illegal exploitation and different types of abuse. Some are confined by government officials when they show up in another nation. While some may settle and acclimatise to the new life, they begin to face prejudice and elements of discrimination. Others end up lonely and in desolation because of losing touch with relatives, colleagues, and other supportive networks.⁵

⁶Studies have indicated the reasons why it is usually difficult or lethal for individuals to stay in their home countries, including fleeing from wars, starvation, disasters, harsh climate, and poverty. Others such as women and young girls flee because of their gender or sexual orientation. In most cases, individuals will always face an amalgam of these unfortunate circumstances.⁷ Overall, while a number of people will flee from their countries to avert forms of danger, others want to secure good education or job opportunities in other countries. Others may wish to link up with their relatives who live in other countries; as such, the rationale for the movement of people to other countries is usually complex.⁸

3. LEGAL CAUSES OF REFUGEE MIGRATION IN THE GREAT LAKE REGION

The leading legitimate reason for the influx of refugees in the Great Lake region is political crisis and war between different tribes that have forced the movement of people to a secure excellent lake region. War in the neighboring countries has resulted in people moving away from their place to the lake region. An example of this is the Rwanda genocide. Five hundred thousand innocent people lost their lives during this genocide, while the people who managed to escape ended up finding themselves settling as refugees in the Great Lakes region of East Africa.⁹

In the context of refugee migrations in the Great Lakes Region, several crucial legal aspects play a significant role in shaping the movement of displaced populations. One prominent legal cause is the application of the principle of non-refoulement, enshrined in international refugee law. For instance, if a refugee flees from a conflict-ridden country in the region and seeks asylum in a neighboring state, that country must adhere to the non-refoulement principle and refrain from returning the individual to the place of danger.¹⁰ This principle ensures that refugees are provided with protection and prevents their forced return to potentially life-threatening situations. Another legal aspect contributing to refugee migrations in the Great Lakes Region is the national asylum laws and procedures of each country involved. These laws dictate the processes by which asylum claims are assessed and the rights and benefits granted to recognized refugees. Discrepancies in asylum procedures among countries can lead to varying outcomes for refugees, potentially influencing their decision on where to seek protection within the region.¹¹

⁴ James SA, 'Credibility, proof and refugee law' (2009) vol. 21, no. 4 International Journal of Refugee Law 700.

⁵ K Khamanga, 'International Refugee Law In East Africa: An Evolving Regime' (2015) 3 Georgetown Journal of International Affairs

⁶ Hovil 2007, (n 2 above)

⁷ Kamanga, 2002 (n 2 above)

⁸ Sweeney 2009, (n 2 above)

⁹ Kalikat, 2015 (n 3 above)

¹⁰ Omeje, K. and Hepner, T.R. (eds), Conflict and Peace Building in the African Great Lakes Region. (Bloomington: Indiana University Press ,2013).

¹¹ The State of Freedom of Movement for Refugees in Tanzania: An Overview - United Republic of Tanzania." Relief Web. Accessed November 13, 2019 <https://reliefweb.int/report/united-republic-tanzania/state-freedom-movement-refugees-tanzania-overview>

Additionally, regional agreements play a critical role in managing refugee flows. The Intergovernmental Authority on Development (IGAD), for instance, has been instrumental in facilitating cooperation and coordination among countries in the Horn of Africa and the Great Lakes Region. Such agreements address issues like burden-sharing, harmonization of asylum policies, and the provision of humanitarian assistance to refugees. Analyzing the effectiveness of these regional agreements can provide insight into their impact on refugee movements and protection in the region.¹² Moreover, understanding the legal framework surrounding statelessness is pertinent in this context. Stateless individuals often face increased vulnerability and challenges in accessing protection and assistance, making them more susceptible to becoming refugees. Addressing statelessness through legal reforms and international cooperation can potentially mitigate refugee outflows from the region.¹³

An in-depth analysis of the legal aspects related to refugee migrations in the Great Lakes Region has also considered the role of conflict and human rights law. Armed conflicts in countries like the Democratic Republic of Congo, South Sudan, and Burundi have been major drivers of refugee displacement. Analyzing how international humanitarian law and human rights law has been applied in these conflict situations can shed light on the legal protections available to affected populations and identify potential gaps in their implementation.¹⁴

Ethnic Division in the Great Lakes Region

Literature on the disturbances in the Great Lakes Region indicates that ethnic tensions are the major drivers of refugee migration in the Great Lakes Region. The Great Lakes Region consists of diverse ethnic groups scattered all over the regional countries. For instance, ethnic conflicts in Burundi, Rwanda, DRC, and Uganda have been fuelled by ethnicity or which is promoted by political leaders for their own political gains. Ethnic tensions in the Great Lakes Region are not only confined to Hutus and Tutsis in Rwanda but extend to places such as the Rwanda-Burundi borders and other nations such as the DRC. Some feel affiliated with tribes such as the Banyarwanda in DRC's North Kivu province and the Banyamulenge in DRC's South Kivu province.¹⁵

The civil wars that have been affecting Burundi, the Democratic Republic of Congo, and Southern Sudan have resulted in communities migrating to East Africa's Great Lake region. Over two million Rwandan people migrated to Uganda's great lake region. The harsh conditions in their country could not allow them to stay in their homeland.¹⁶

The Great Lakes Region has been plagued by civil wars and ethnic conflicts, which have been major drivers of refugee migration in the area. One of the most notable conflicts is the Rwandan Genocide, which took place in 1994. Lasting approximately 100 days, the genocide resulted in the mass killing of an estimated 800,000 people, predominantly from the Tutsi ethnic group.¹⁷ The violence and atrocities committed during this period led to a large-scale refugee crisis, with over two million people fleeing Rwanda to neighboring countries, particularly the Democratic Republic of Congo (DRC) and Tanzania.¹⁸

The Democratic Republic of Congo has been deeply affected by long-standing civil wars and ethnic tensions. The First Congo War (1996-1997) and the Second Congo War, also known as the Great War of Africa (1998-2003),¹⁹ have been major drivers of displacement. These conflicts involved multiple armed groups, regional players, and complex political dynamics, leading to millions of people being displaced both internally and across borders. Ethnic conflicts between groups like the Hutus, Tutsis, and other communities have also played a significant role in exacerbating the crisis. For instance, the 1996-1997 conflict saw many ethnic Hutus fleeing Rwanda to escape retaliation for their role in the genocide, leading to further refugee movements within the region.²⁰

¹² K Landgren, 'The Future Of Refugee Protection: Four Challenges' (2016) 11 Journal of Refugees Studies

¹³ M Van Leeuwen, 'Imagining the Great Lakes Region: Discourses and Practices of Civil Society Regional Approaches for Peacebuilding in Rwanda, Burundi and DR Congo (2008) vol 43, no. 2 The Journal of Modern African Studies 393.

¹⁴ Kalikat, 2015 (n 4 above)

¹⁵ The State of Freedom of Movement for Refugees in Tanzania 2019, (n 2 above)

¹⁶ P Uvin, *Aiding Violence: The Development Enterprise in Rwanda* (West Hartford: Kumarian Press, 1998)

¹⁷ Birmingham, M. E., Lee, L. A., Ndayimirije, N., Nkurikiye, S., Hersh, B. S., Wells, J. G., & Deming, M. S. (1997).

¹⁸ Landgren, 1998, (n 2 above)

¹⁹ Van Leeuwen 2008, (n 2 above)

²⁰ Kumarian Press 1998 (n 2 above)

In Burundi, ethnic tensions between the Hutu and Tutsi communities have been a central feature of the country's conflicts. The Burundian Civil War, which started in 1993 and lasted until 2006, saw cycles of violence and displacement driven by these ethnic divisions. During this period, hundreds of thousands of Burundians were forced to flee their homes, seeking refuge in neighboring countries.²¹

Uganda, another country in the Great Lakes Region, has also experienced internal conflicts, most notably the Lord's Resistance Army (LRA) insurgency. The LRA, led by Joseph Kony, waged a brutal guerrilla war that resulted in widespread displacement, with an estimated two million people displaced within the country and thousands seeking refuge in neighboring countries. Additionally, intrastate conflicts have occurred within the region, such as the Ituri conflict in the DRC, which involved clashes between various ethnic militias and led to significant displacement of populations.²²

Inequitable Access to Land in the Great Lakes Region

Land and its importance are often the main cause of widespread violence and an important factor in building peace and economic recovery in post-war situations. If access, control, and use of land are not properly managed, this could affect peace-building in the post-war region. Many countries in the region have land agencies and policies that serve as mechanisms for resolving land disputes.²³

Land problems in the Great Lakes region are among the causes of conflict in remote communities. Rwanda introduced laws under the Arusha Agreement to help refugees recover their property after returning home. This is an effective way to prevent ethnic conflicts on land. The current political crisis in the region has sparked controversy over the decision of lawmakers to continue the constitutional rule of the president, pushing back thousands of refugees who have limited their responsibilities in Tanzania, Rwanda, and the Democratic Republic of the Congo. Despite the instability of many international organizations due to continuing instability, most refugees do not return home due to the possibility of returning to a long-armed conflict.²⁴

The use and access to land in the Great Lakes constitutes a portion of the reasons that influence the prevalence of tensions and conflicts in the region. For instance, in Rwanda, the inequitable access to land catapulted the 1994 Genocide. The limited access to land, aggravated by the unfair distribution, population displacement, and irregular state distribution of land has been cited as exacerbating the prevalence of tensions and violence in the region.²⁵

It is undeniable that inequitable access to land in the Great Lakes Region is a major cause of conflicts in countries such as Burundi. Inequitable access to land contributes to poverty and famine which results in political disturbances leading to unending coup d'états in the region. In the DRC, land remains a cause of conflict and violence among ethnic groups.²⁶

Lack of Peace and Security in the Great Lakes

The Great Lakes Region is characterised by numerous conflicts and these conflicts are either interstate or intrastate. The conflicts are widespread and complex due to the fact that the conflicts involve a number of parties both regional and international. The conflicts involve miss governance, exploitation, and unequal distribution and access to natural resources. Governments in the region have failed to manage the various ethnic groups in the region and this has largely contributed to refugee migration in the region. It is as a result of such inability that there is a lack of peace, tranquillity, and safety in the region and the lack of peace and security in the Great Lakes Region is one of the contributors to the refugee movement in the Great Lakes Region.²⁷

²¹ Kalikat, 2015 (n 5 above)

²² Martin F and Straubhaar Large-scale economic migrations has often occurred from countries not in such a transition phase, but usually in the context of a migration recruitment scheme, or as chain migration once a migration network has been established. (1997), 97-8

²³ Landgren, 1998, (n 3 above)

²⁴ Landgren, 1998, (n 4 above)

²⁵ Kumarian Press 1998 (n 3 above)

²⁶ Kalikat, 2015 (n 6 above)

²⁷ KR Mills Norton, 'Refugees and Security in the Great Lakes Region of Africa' (2019) 5 Civil Wars
<https://www.researchgate.net/publication/254228071_Refugees_and_security_in_the_great_lakes_region_of_Africa>
accessed 13 November 2019.

Further, armed groups fuel the migration of refugees in that they recruit people on ethnic grounds to fight across borders. There is rampant exploitation and illicit trade of natural resources such as gold and diamonds which in the end fuel conflict at regional levels. The armed groups have support from politically influential people who supply arms and fiscal resources which flow across state boundaries. As a result, populations are compelled to flee their settlements and cross the region to avert forms of violence, hunger, and elements of injustice.²⁸

The presence of armed groups such as the United Democratic Party in the eastern part has worsened the security crisis, killing innocent men and women. Such attacks drive away thousands of people, forcing them to cross borders to peaceful countries. In Kenya, for instance, hundreds of thousands of refugees stay in Dadaab and Kakuma camps. Presently, Kenya hosts more than 2 million refugees from the Great Lakes region.

Natural Disasters in the Great Lakes Region.

The other legal cause that has made people flee is human or natural disasters like famine and the violation of human rights. Hunger has been another big, legitimate reason for people migrating. In Ethiopia, a prolonged drought affected many people and led to the loss of lives in the region.²⁹ Due to this, families fled to look for a place they will be able to get food for survival, and they end up settling in Kenya and some parts of Uganda. Somalia also was affected by food security due to drought ending up paying in Kenya Lake region as refugees.³⁰ The displaced communities had to travel from their homeland where there was violence and look for a better place where they can be accommodated. The community ends up settling in the great lakeside of Kenya where they were welcomed and provided with their basic needs.

Hunger and diseases have affected people in the lake regions. Famine and disease, it has forced many to leave their respective countries to escape starvation in most developing countries. The government of their various countries has failed to create opportunities and the necessary sources which ensure a steady supply of food to the citizen. Therefore, their citizens are forced to migrate to a more developed country. Health problems like a breakout of diseases have made citizens migrate from the affected areas to escape the plague.³¹

The threats towards refugees originate from many sources such as organised crime, rowdy government forces, militia groups, local populations, and the refugee groups themselves". The susceptibility of refugees is worsened in circumstances where they have constrained material and fiscal resources because their community structures have been broken down. Goitom, 2016 also mentions that in other cases, "refugees who often lack any assistance or secure legal status may be targeted for cries and abuse by the host population."

Socio-Economic Problems in the Great Lakes Region

The Great Lakes Region consists of countries that are mostly poor and most of them have experience conflicts that continue to occur now and then. These conflicts are not resolved and as a result, there is no stability in the region. Poverty is so extreme in the Great Lakes Region and it is regarded as one of the causes of the refugee migration in the region.³²

The eruption of land disputes in the Great Lakes Region is also another factor which contributes to refugee migration in the Great Lakes Region. Land ownership is identified as one of the causes of unending violence in the region. Access to, control and usage of land is poorly managed and administered in the Great Lakes Region and that makes violence to erupt due to land ownership disputes. For instance, in Burundi and the Democratic Republic of Congo, land disputes have been one of the major causes that have ignited conflicts in rural communities. To that end Rwanda has put in place a legislative framework, as part of the Arusha Agreement, for refugees to repossess their properties upon return as a way to prevent land-based ethnic conflicts and violence in the region.³³

²⁸ Mills, K., & Norton 2002, (n 2 above)

²⁹ ME Birmingham and others, 'Epidemic cholera in Burundi: patterns of transmission in the Great Rift Valley Lake region' (1997) 349 no, 9057The Lancet 981.

³⁰ H Goitom,, 'Refugee Law and Policy: Kenya' (2016) In Law Library of Congress.

³¹ Kalikat, 2015 (n 7 above)

³² Kumarian Press 1998 (n 4 above)

³³ Kumarian Press 1998 (n 5 above)

4. EXPLAINING INTERNATIONAL MIGRATION AND FORCED DISPLACEMENT

Prior to highlighting the models of migration, it is pertinent to lightly differentiate between the types of explanations most often raised. Scholars classify the theoretical perspectives of international migration into three broad categories. The Macro theoretical perspective usually reiterates the structural and objective functions that facilitate migration. For the instance of economic migrations, the push factors would typically include unappealing remuneration, massive unemployment, and low per capita income. On the flipside, the pull factors connote aspects such as migration laws and the market situations of the receiving nations.³⁴

Involuntary displacement can be conceived from a variety of factors such as state repression and fear of violence resulting from civil strife. The “push” and “pull” theoretical conception of migration is prone to one or more shortcomings. For one, it fails to explain why there is persistent voluntary migration despite the variation of economic conditions of the receiving countries. Besides, it fails to explain why much migration takes place from comparatively few places: a variety of push factors exist in the sending areas, but whereas in certain cases they create mass emigration, in others there is almost no movement.³⁵

The Meso theories can effectively account for the presence of such migration incongruities. In practice, they denounce the macro theoretical reliance on push and pull factors and instead emphasise the notion of complex connections among states, wherein the concepts of systems and networks prevail.³⁶ Migration is deemed to take place within a migration system, that is, among a group of countries that are essentially linked to socioeconomic and political ties. On the other hand, networks refer to the multiple ties, such as religion and family, which link individuals. Once solidified, they influence the volume of migration through the provision of fiscal and social support. In particular, the resources that flow from a network enable migration, making it attractive to potential migrants.³⁷ As such, the meso conception cannot be used to explain the rationale for forced migration, although it can explain the reasons for the choice destination among refugees.³⁸

The meso level of analysis holds great significance in various social sciences, including sociology, psychology, economics, politics, and management. Positioned between the micro and macro levels, the meso level examines groups, organizations, institutions, and communities, providing valuable insights into the dynamics within these smaller social units.³⁹ To justify statements using the meso theory effectively, it is essential to elaborate on its relevance within the chosen topic. In sociology, understanding crime rates in a neighborhood requires examining Meso-level factors like community cohesion and local policing strategies. Similarly, in psychology, investigating workplace motivation involves exploring organizational culture and team dynamics. Economics gains insights into regional economic growth through Meso-level factors like infrastructure investments and government policies. Political science benefits from analyzing Meso level factors like political party platforms and media influence when studying voting behavior. In management studies, meso-level factors such as communication channels and management practices significantly impact workplace productivity. Providing precise explanations and examples, the theoretical framework of the article is strengthened, enhancing the understanding of how meso-level factors shape individual behavior and larger societal patterns within the specific fields.⁴⁰

The Micro theories mostly rely on the factors which influence an individual person's decision to migrate, usually investigating how probable migrants indulge in the cost-benefit analysis of migrating. They usually draw from rational choice theories, which explain why and how people make decisions. While costs would include the financial and psychological incurred in moving, the benefits include higher wages and safety. In a nutshell, the micro theories provide a framework to check or control the previous theories, explaining how people actually make decisions based on rationality and objectivity. In a summary, one would say that among the three theories, the macro theories offer the most appropriate explanation for forced migration. On the other hand, the Meso theories best illustrate the rationale for the prevalence of voluntary migration, as well as the choice of destination for migrants. Lastly, the micro theories how the two theoretical postulations translate into a migrant's decision to relocate.

³⁴ Kalikat, 2015 (n 8 above)

³⁵ H Lambert, 'The EU asylum qualification directive, its impact on the jurisprudence of the United Kingdom and international law' (2006) Vol. 55, no. 1 International & Comparative Law Quarterly 161.

³⁶ P Le Billon, The Political Ecology of War: Natural Resources and Armed Conflict. Political Geography, 20, pp. 561–584.

³⁷ Le Billon, 2001 (n 2 above)

³⁸ Mills, K., & Norton 2002, (n 3 above)

³⁹ Lambert, 2006, (n 2 above)

⁴⁰ Kalikat, 2015 (n 9 above)

The typology of the above theories provides an appropriate background for analysing the causes of migration, which are typically categorized as root causes, proximate causes, enabling conditions, and sustaining factors. This notwithstanding, the major task is to analyse the policy responses that can aid in alleviating these causes. The root causes refer to structural and systemic factors that provide an impetus for migration, and may include factors such as unemployment, underdevelopment, and plain social fragmentation. The proximate causes include the immediate causes that invoke migration, and may include violence and persecution. These are usually related to the theories of conflict prevention, which can be structural, micro and macro. Notwithstanding, scholarship and practice in conflict prevention have emphasized the essence of categorizing the causes of conflict according to the probable intervention levels as well as the policy tools to prevent conflict.⁴¹

Typically, the categories include context or root causes that can be resolved by "structural" or "heavy" intervention; and proximate or triggering factors that can be avoided through "operational" or "light" intervention.⁴²

Both types of categories, such as the collapse of local livelihoods or a new opportunity abroad, are important to our frame work. Enabling conditions enable the actual travel, entry and stay to be made possible in the destination countries. Factors such as infrastructure, regulations and border restrictions, transport possibilities, and networks will require them. Finally, continuous or chain migration from unique locations or countries of origin is facilitated by enduring influences. This are almost entirely a feature of networks of migration. As we shall see these four groups of triggers suggest distinct forms of policy reaction.⁴³

5. THE DYNAMICS OF CONFLICT AND REPRESSION

In the instance of forceful displacement, the macro factors assume dominance over the meso factors. Studies in the genesis of refugees have established that the levels of displacement are directly related to the violence experienced in the refugee's country of origin. However, if state violence or armed confrontation happens, it is hard for foreign parties to interfere to resolve these proximate causes of displacement.⁴⁴ Therefore, it makes sense to look at the root causes or structural circumstances that make it more likely that aggression or serious acts of state repression will intensify. A very general account of the causal processes that frequently contribute to armed confrontation and state repression, which in turn cause large-scale forced migration, is what follows. The account is kept generic so that most big refugee-generating circumstances will "fit".⁴⁵ Each unique case obviously requires a much more detailed and complex description. Consequently, this scheme is meant to be a basis for categorizing the stages and types of policy response, rather than a stand-alone justification for any disagreement in question. The presence of a poor or non-consolidated state is one major root cause of both conflict and repression. The weakness of a state may assume the form of a lack of external sovereignty or internal legitimacy.

According to this system, the loss of legitimacy may emerge from two causes (often mutually reinforcing): the inability of the state to fulfill basic socio-economic requirements or a small power base. Exogenous causes, such as natural disasters, population pressures or the effects of global economic developments or shocks, may be responsible for failing to fulfill socio-economic needs. State mismanagement, like inadequate policy preparation and execution, inequitable representation, or corruption, can also cause or intensify it.⁴⁶ Lack of legitimacy can also derive from a more underlying view of the state as unrepresentative, often due to a limited racial makeup, or due to the biased allocation between various classes of rights and goods. Where there are deep social wrangles based on ethnic differences, such grievances over scarce resource distribution may assume the form of ethno-political conflicts and confrontations.⁴⁷

In different ways, weak states can respond to challenges to their legitimacy. One reaction is to attempt to resolve concerns through legislative change, or systemic democratization. Alternatively, by coercion, the state can consolidate its control. This may include mobilizing support for a common national identity, partially by removing 'stranded' minority groups, as

⁴¹ Lambert, 2006, (n 3 above)

⁴² Kumarian Press 1998 (n 6 above)

⁴³ Kalikat, 2015 (n 10 above)

⁴⁴ Crisp, Jeff. "Africa's refugees: patterns, problems and policy challenges." *Journal of Contemporary African Studies* 18, no. 2 (2000): 157-178.

⁴⁵ B Rutinwa, 'The end of asylum? The changing nature of refugee policies in Africa' (2002) *Refugee survey quarterly* 12.

⁴⁶ Crisp 2000, (n 2 above)

⁴⁷ Rutinw 2002, (n 2 above)

in the case of Ugandan Asians under Idi Amin, Kurds in Iraq or Albanians in Kosovo before 2000.⁴⁸ It is also possible that persecution would include cracking down on activists and general abuses of civil liberties. If the state is unable to consolidate an authoritarian system in this manner, generalized aggression or civil war is a third option.⁴⁹

In both of the second instances, forced relocation is expected to occur. In the case of Tamils in Sri Lanka, Iraqi Kurds, or Zimbabwean opposition parties, individual activists or members of particular ethnic groups could avoid the regime in oppressive conditions. In the second example, the refugees flee civil conflicts, potentially carried out in an ethno-political manner (e.g. Bosnia, Croatia and Rwanda). Refugees may also escape from pervasive inter-state or international military action (e.g. Kosovo, Afghanistan).⁵⁰ This categorization of conditions to various degrees of escalation in the situation of refugees helps to recognise alternative modes of action to escape the causes of migration in the near future.

These devices would be discussed later in the chapter and their shortcomings. There are apparent conditions that influence whether refugees are allowed to obtain security in a protected part of the country, in a nearby region or a country farther abroad, for example, victims of persecution or widespread abuse. Accommodating factors include external causes of underdevelopment, state mismanagement, low power base, loss of authority, disputed boundaries, destabilised neighbours, shortage of fundamental need, unequal allocation of rights and wealth, and mobilizing support along racial or social lines (by government and/or rebel factions). It should be remembered that in several refugee cases, the plurality of asylum seekers have little links to the sort of services and knowledge that allows them to migrate to European nations.⁵¹

In the debate on violent repression, it was believed that such objective push forces are enough to produce takeoff. In comparison, meso-level considerations play a much bigger part in the case of voluntary massive immigration. Probable refugees are required to make choices in countries of origin and destinations based on the relative evaluation of the circumstances and prospects. This means that their judgement is often shaped by the existence of migration processes and structures, and not just by macro factors.⁵² Yet it helps to track cycles of events that contribute to overall and massive migration, just like in the case of internal evictions. Again, it will allow us to identify potential interference thresholds by means of various government policies.⁵³

It is now normal to find that significant emigration does not take place in the least developed countries. Instead, it would come from countries that have access to reliable infrastructure, resources and connections to countries of destination for a large number of persons. This would be less normal in the impoverished communities where people survive by small farms, no commerce or interaction with other places.⁵⁴

However there are other explanations why more refugees are originating from the countries described as middle-incomers. International migration arrives from social and economic transformation countries requiring economic reform. This may interrupt agricultural or conventional manufacturing practises, trigger inflation or decrease incomes. Wage and jobs discrepancies between numerous regions in the country (mostly rural-urban) are likely to contribute to immigrants. Initially, this displacement is mostly domestic, however as the urban regions are overwhelmed with refugees, it typically becomes foreign migration. Such industrialization macro stresses can be compounded by other situations. One of them is overpopulation, which puts more strain on labour markets, raises the lack of agricultural soils, or creates worsening of the ecosystem. Another is the societal change that can disrupt existing social systems triggered by industrialisation.⁵⁵ The introduction, for instance, of international firms that hire local employees will generate a vast pool of low-skilled, high-migrant manufacturing wage labour in cities. The transfer of the business and the resulting layoffs could cause mass migration.

⁴⁸ Lambert, 2006, (n 4 above)

⁴⁹ Kalikat, 2015 (n 11 above)

⁵⁰ Jacobsen, Karen. "Can refugees benefit the state? Refugee resources and African state building." *The Journal of Modern African Studies* 40, no. 4 (2002): 577-596.

⁵¹ Lambert, 2006, (n 5 above)

⁵² Rutinw 2002, (n 3 above)

⁵³ Jacobsen 2002, (n 2 above)

⁵⁴ Kalikat, 2015 (n 12 above)

⁵⁵ G Okoth-Obbo, 'The OAU/UNHCR Symposium on Refugees and Forced Population Displacements in Africa-A Review Article' (1995) vol 7 *Int'l J. Refugee L.*

Industrialization is also paired with female's rising involvement in work which means women's mobility is much greater and more likely to relocate in order to pursue better opportunities abroad. Migration would most likely take place among nations that have a moderately high trade, social, cultural, linguistic, or other connection within a migration mechanism. Such ties are also formed in countries near the reception countries that are major trading partners or beneficiaries of foreign capital, such as Central European and EU countries or Central America and the US. They could have come from a former reciprocal migrants' job deal like they had been with a number of European states in southern Europe, Turkey, and North Africa, as was the case for the 'Guest Worker' agreements in the 1930s and 1960s. Colonialist relations were also important in the growth of professions, particularly where the former imperial force, as in the case of European countries such as France and the UK, had a very open view of immigration and border protection. Urbanization is expected to expand current linkages with expanded access to information and modern products, leading to greater awareness of the culture of the West and growing perceptions of opportunity for industrialized and modernized countries.⁵⁶

Career conditions in host countries are also critical in shaping migration decisions and flow path. There are also many important "pull" influences in the receiver nations in addition to macro drive factors and migration processes. The largest is potentially the huge demand for inexpensive, moderately low-skilled labour.⁵⁷

With the stresses of globalization forced production firms to become more versatile and innovative, many increasingly rely on suppliers of low cost flexible work, which is also used on an intermittent basis. The majority of nations still rely on additional low-skilled immigrant workers in hospitality and farming, as well as domestic assistance.⁵⁸ In the receiving country, other related requirements include regulations on immigration, such as bilateral treaties or other labour migration quota schemes. Sustainable causes are also self-perpetuating until migration is started from individual countries (or places within them). Original immigrants will have support and assistance, which make the transfer for potential migrants within one social network far less costly and risky. In countries of birth, community migration can usually be viewed as the best approach for growing wages or social status, or as an incentive for a more stable life for young people. Therefore, channels not only minimise migration risks and costs, but can also create a community" of relocation in shipping areas.⁵⁹

Emigration is more created by increased jobs for future migrants and returning migrants, which is likely to decrease in the industrial growth. There is also expected to be a need for increased cheap labour under these circumstances, generating migrants from other nations. Thus, a drop-in emigration has been characterized by an increase in migrant movements in the former emigration countries of Southern Europe and more recently, in several Central European countries.⁶⁰ Established policy experience in EU states means highly restricted opportunities for low-skilled employees to move annually. Where no access is possible through family events and temporarily employed jobs, unlawful access or legal admission to a temporary visa and eventual overtime is the only other choice for potential emigrants. In the event of unlawful entry, it would in the majority of cases need significant financial capital to pay or to pay to be smuggled to an EU state for forged papers, tickets and papers. These journeys also pose substantial dangers, as has been well reported. The viability of the (anomalous) residency and the job would rely on connections and networks in the country of destination for people with the possibility to receive a seasonal tourist visa (including those from CEECs into the Schengen countries).

In either case, immigration monitoring systems, particularly in countries of destination, would have a considerable effect on the expenses, threats, and viability of unauthorized or over-related entry and of irregular jobs. Which clearly makes immigration more complex and irregular stays more complicated for the border protection, local checks on people and employer restrictions.⁶¹

This making requirements for migration can also be restricted in stringent law and its compliance by means of police, border checks and sanctions. But it is important to emphasise two requirements. Second, these control mechanisms are simply a blank mechanism which does not differentiate willing migrants from migrants. Secondly, intervention to restrict these

⁵⁶ Hovil L, 'Self Settled Refugees in Uganda. Alternative Approach to Displacement?' (2017) 20 Journal of Refugee studies <<https://academic.oup.com/jrs/article-abstract/20/4/579/1526566>> accessed 13 November 2019

Cassandra VR 'Refugee Women in Kenya and Tanzania.' Forced Migration in Eastern Africa, 2007, Hannibal, 201689–2⁵⁷

⁵⁸ Kalikat, 2015 (n 3 above)

⁵⁹ Hovil 2007, (n 2 above)

⁶⁰ Okoth-Obbo 1995, (n 2 above)

⁶¹ J Crisp, 'Africa's refugees: patterns, problems and policy challenges' (2000) Vol.18, no.2 Journal of Contemporary African Studies 157.

facilitating situations would not eradicate the source and close cause of migration, thereby stopping people from seeking to emigrate. Rather, they frequently contribute to the unintentional impact of facilitating greater opportunities for more advanced smuggling and risk-taking in their travel arrangements.⁶²

6. AVERTING THE CAUSES OF FORCED DISPLACEMENT

The root causes of forced migration were seldom discussed directly. The 1996 geographical conference arranged by the United Nations High Commissioner for Refugees (UNHCR) and the International Organisation for Migration to tackle the issues of migrants and asylum seekers in the CIS was one exception (IOM).⁶³ Rigorous methods, such as the 1989-94 CAD were also probably preventive, to the degree that they sought to prevent further disruption. However, intervening to stop violence and persecution and allowing refugees to live in areas of origin, such as Bosnia, Iraq and Haiti is a more appropriate intervention.

This section of the chapter shall consider the issue of proximate prevention before delving into root causes. Later on there would be a more detailed list of future acts. Significant state violence including severe violations of human rights and oppression of ethnic groups and armed confrontation have been illustrated in two main proximate issues earlier.⁶⁴ There are few possibilities for effective action in this next step. Tyrannies with a set model of coercive rule or repression of minority groups may not respond to explicit or implicit change pressures in cases of highly oppressive states. Much depends on the way the state measures the reform's costs and benefits. The complexities of internal dissent and the degree to which state relies on the EU for trade, aid for development, political support or future EU membership will depend on that.⁶⁵ The EU will have more space to control the government while the second element is present to enact steps to support democratisation, human rights and civil society programmes. Involvement in this close phase can be much more complicated in the case of armed war. The lack of military action to stop or contain civil wars is sufficient literature and documentation, and in any case, the EU has a limited role in such campaigns. In the post-conflict reconstruction of the kind conducted in Bosnia and Herzegovina, Kosovo or Afghanistan, the EU has played a comparatively greater role. This sort of restoration can be understood as a method of avoidance of the re-displacement of refugees and can promote resettlement and re-integration, albeit it seeks to resolve root causes rather than close ones.⁶⁶

Eventually, the possibility of humanitarian aid directed at securing or aiding countries and areas of origin should be taken into consideration. Such a programme may be seen as deterrence in the sense that it attempts to eliminate incentive to pursue asylum in European nations by offering the IDPs or the refugees in neighbouring countries a large adequate layer of safety and help. However, again the drawbacks of such methods should be carefully considered. First, conditions such as in Bosnia-Herzegovina and the Great Lakes have been seen to threaten the refugees or the destabilisation of neighbouring countries in efforts to give safety in or close to their areas of origin. Secondly, security in places of origin cannot replace refuge or transitional protection in EU member states for a variety of international legal and humanitarian purposes.⁶⁷

7. FINDINGS

The findings indicate that refugee migrations in the Great Lakes Region are influenced by a combination of legal, political, and socio-economic factors. Refugee migrations in the Great Lakes Region result from a mix of legal, political, and socio-economic factors. Political crises, wars, and ethnic conflicts force people to seek safety in the lake region, with civil wars in Rwanda, Burundi, DRC, and Uganda causing large-scale displacement. Inequitable access to land and lack of peace and security further contribute to tensions and conflicts, leading to cross-border movements. Natural disasters and extreme poverty also play a role in displacing communities. Understanding these complex causes is vital for addressing the refugee crisis and implementing effective solutions to support and protect displaced populations.

On the issue of international migration and forced displacement, the study's findings show that international migration and forced displacement are complex phenomena influenced by macro, meso, and micro-level factors. Theoretical perspectives categorize these influences into economic push and pull factors, complex connections among states and networks of

⁶² Kalikat, 2015 (n 14 above)

⁶³ Veney 2007, (n 2 above)

⁶⁴ Okoth-Obbo 1995, (n 3 above)

⁶⁵ Cole Georgia. 'The role of semiotics in connecting the spaces, words and embodied experiences of refugee politics' (2017) vol. 42, no. 2 Transactions of the Institute of British Geographers 303.

⁶⁶ Hovil 2007, (n 3 above)

⁶⁷ Cole, 2017, (n 2 above)

individuals, and individual decision-making. Forced displacement can stem from systemic factors like violence, while voluntary migration may be driven by socio-economic conditions. Understanding the diverse causes of migration allows for targeted policy responses to address root issues and create a conducive environment for both voluntary migrants and refugees, fostering effective solutions to the challenges of migration and forced displacement. Also, the findings indicate that the dynamics of conflict and repression play a significant role in forced displacement, with macro factors taking precedence over meso factors in refugee genesis. Weak and non-consolidated states, lacking external sovereignty or internal legitimacy, contribute to conflict and repression, leading to large-scale forced migration. Root causes of conflict may include state mismanagement, inability to meet socio-economic needs, and ethnic tensions over resource distribution. Voluntary migration, on the other hand, is influenced by meso-level considerations, such as migration processes and resources in destination countries. Addressing the root causes of conflict and repression should be the focus of policy responses to forced migration while acknowledging the complexities of controlling migration and the unintended consequences of stringent measures.

Finally, the study's findings found that averting forced displacement requires a comprehensive approach addressing both proximate and root causes. Proximate prevention involves intervening in severe state violence, human rights violations, and armed conflicts that trigger forced migration. However, the effectiveness of such interventions may be limited in highly oppressive states or civil wars. Post-conflict reconstruction and humanitarian aid for areas of origin can support resettlement and reintegration, but careful evaluation is needed to avoid risks to refugees and neighboring countries. While providing safety in or near areas of origin can deter migration to Europe, it cannot replace refuge and protection in EU member states based on international legal and humanitarian considerations. A multifaceted strategy tackling both proximate and root causes is essential for sustainable solutions to forced displacement.

8. CONCLUSION AND RECOMMENDATIONS

Need to review existing refugee protection policies. Refugee protection is a major problem in the Great Lakes Region. There is, therefore, a need to introduce new measures in order to curb the problems facing refugee protection. The new measures must also address the security situation in the host countries. All existing policies and legislation on refugee protection in the Great Lakes Region must be reformed so as to establish an efficient refugee protection system in the region. The Great Lakes Region should make fresh measures and legal instruments to assist in the protection of the refugees. It is proposed that the refugee crises in the Great Lakes Region must be solved through a regional program that is based on regional cooperation premised on willingness to share the problem equally.

Protection of fundamental human rights; The protection of human rights is critical and there is a need for the protection and respect for human rights in refugee camps in the Great Lakes Region. All persons who violate human rights must be prosecuted and punished with stiff penalties so as to discourage would-be violators. Minority groups and vulnerable members of society such as women and children need to be protected from sexual violence and there is a need to put an end to forms of sexual violence through mechanisms such as enacting legislation that would see the prosecution and punishment of offenders in the Great Lakes Region. Another avenue for the protection of this vulnerable populace is through the establishment of mechanisms to facilitate the provision of medical, material, and social needs to the victims. Refugees around the world and also in the Great Lakes Region are criminalized, and in most cases do not get the required protection from the existence of international law principles which promote the protection of refugees and respect for human rights by the governments.

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