

FINAL

Report of the Brainstorming on Environmental Impact of Refugee Settlement and Flows in Africa 14-15 September 2000 UN Compound, Gigiri, Nairobi, Kenya

CHAIR: Mr. Donald Kaniaru, Director, DEPI, UNEP.
SECRETARY: Mr. Manab Chakraborty, Task Manager, DEPI

Opening session:

Mr. Donald Kaniaru read out the opening remarks of Mr. Shafqat Kakakhel, Deputy Executive Director. Mr. Kakakhel noted that the question of refugees is a very important one not only for Africa, but globally as well. After Asia, Africa is the home of the second largest number of refugees in the world. Africa's refugees are among the poorest, and socially marginalised, and often the victims of torture, rape, violence and political repression. In the first eight months of the year 2000 alone, at least 1.5 million people in Africa fled their homes. This is equivalent to nearly 50,000 new refugees and internally displaced people per week. The newly uprooted people join millions of other Africans who remain refugees or internally displaced from previous years totaling cumulatively some 14.2 million Africans currently displaced or unable to return home. The United Nations is paying ever-greater attention to addressing Africa's challenges. In line with the on-going efforts to strengthen commitment to the implementation of the UN Special Initiative on Africa, one of the five focal areas of UNEP's programmatic intervention is Africa. The thrust of the present Brainstorming therefore fits very well with the core of UNEP's work programme. Further this is an issue to which the UN Secretary General gives high importance, and our recent action by UN organizations in Guinea should be viewed in this light.

The objectives of the two day brainstorming is to appreciate how environmental impacts are currently identified, and remedied. The objectives of the brainstorming are:

- a) to exchange views and experience on environmental damage prevention and mitigation in refugee situations;
- b) to receive critical comments and suggestions on the UNEP proposal "Prevention and Mitigation of Environmental Impact of Refugee Settlement and Flows in Africa";
- c) to identify gaps and prioritize actions which could be addressed through mutual collaboration and consultations.

He further noted that among the Expected Outcome of the Brainstorming were:

- Emergence of action-oriented partnerships which would actively share experiences and avoid additional research, analysis, or action where this groundwork has already been done;
- Promoting and enabling greater transparency and responsibility among UN organisations and implementing partners in refugee operations including monitoring, assessments, implementation and follow up;
- Greater awareness of the complexity of environmental issues in planning and managing refugee operations.

Mr. Donald Kaniaru, elaborated on UNEP's present refugee care work in various parts of the world. Along with UNHCR, OCHA and other partner agencies, UNEP has been involved in number of refugee projects not only in Africa but elsewhere as well. To give a few examples:

- Pre-assessment of environmental impact by Refugees in Guinea. This was done in collaboration with UNHCR. UNHCR has assisted UNEP in preparing for a pre-assessment Mission, which was carried out in Feb. 2000.
- Environmental Assessment in the Balkan Region. UNEP/UNCHS Balkan Task Force carried out an assessment of the environmental and human impacts of settlements of the Kosovo conflict. As a

- follow-up to this, UNEP is carrying out a further assessment of the impacts in Albania and Macedonia. Of the 15 experts addressing environmental concerns one is being addressed by a UNHCR Consultant.
- Environmental Assessment. UNEP was represented at the design workshop in Nov. 1999 for an UNHCR project developing appropriate methodologies and practical tools for environmental assessment and monitoring for use in refugee operations, by UNHCR staff and implementing partners
- Participation in the UNHCR Steering Committee of the Project "Towards Sustainable Environmental Management Practices in Refugee-affected Areas"

He noted with appreciation the close collaboration that UNEP has developed with UNHCR in environmental assessment work through its recent involvement in Guinea and Balkan Task Force. UNEP is ready to assume its role, in accordance with its core competence and mandate, to prevent and minimize the environmental impact of refugee settlements in Africa. However, this is predicated upon developing new partnerships and arrangements to work together, and pooling of human, institutional and financial resources. The Brainstorming, through frank and open discussion, would offer new ideas and approaches on how refugee, environmental and development agencies could join forces to meet the many gaps which hinder environmental care. He encouraged UNEP staff to participate freely and express their personal views and thoughts.

Sustainable Environmental Management Practices in Refugee Hosting Areas (UNHCR)

In their presentation, Mr. Aziz Ahamed and Mr. David Stone recalled that the United Nations mandates UNHCR to lead and coordinate international action for the worldwide protection of refugees and the resolution of refugee problems. UNHCR's primary purpose is to safeguard the rights and well being of refugees. By assisting refugees to return to their own country or to settle in another country, UNHCR also seeks lasting solutions to their plight. UNHCR's efforts are mandated by the organization's Statute, and guided by the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol. International refugee law provides an essential framework of principles for UNHCR's humanitarian activities.

UNHCR defines refugee situations as evolving through distinct but related phases: emergency, care-and maintenance and durable solutions. Since the early-1990s, when the environment became a policy priority for the Organisation, UNHCR has greatly strengthened its environmental work and is currently working and supporting more than 20 practical projects in almost as many countries. As part of its response to the challenges it faces, UNHCR, together with its implementing partners, have developed a range of technical information and guidelines dealing with environment-related subjects as diverse as water and sanitation, health, social services, logistics, etc. UNHCR's Environmental Guidelines (1996) outline the organisations' environmental policy – a clear statement based on several years of deliberation and exchange of views with implementing partners and UN agencies.

Although environmental problems confronting UNHCR, refugees and local populations vary a great deal due to specificity of an area's climate, the physical setting and socio-economic conditions, there are several key principles which are applied in UNHCR's environmental work. Four major principles summarized in the UNHCR Environmental Guidelines (1996) are:

- a) integrated approach
- b) local participation
- c) cost effectiveness and
- d) prevention before cure.

Raising awareness of environmental issues in refugee operations is an important part of most projects supported by Engineering and Environmental Services Section of UNHCR, both at local and government levels. So too is ensuring that local training is encouraged and certain tools and materials provided. To increase awareness and enable managers and others better deal with managing environmental concerns in such situations, UNHCR has, since 1998, hosted regional training programs for selected staff, implementing partners and government agencies. Mainstreaming these actions into programmes and transforming policies, such as those outlined in the Environmental Guidelines, into action is an increasing area of growth and collaboration with partners.

Mr. Mathew Owen, UNHCR Consultant, outlined the Lessons Learned from the TSEMPRAA (Towards Sustainable Environmental Management Practices in Refugee-Affected Areas) activity carried out in 1997-1998. The selection of environmental lessons is drawn from the reports of five inter-agency missions in 10 refugee-hosting or former refugee-hosting countries. A number of lessons have been integrated within the

operation of the refugee agencies, including UNHCR. Other lessons cannot, however, be realistically duplicated in many places given institutional, financial or political constraints.

Attention was also drawn to ten key principles contained in UNHCR's publication "Key Principles for Decision-making" which puts forward some of the most pertinent lessons learned from a wide range of refugee situations in Africa and Asia.

Several participants commenting on the presentations observed the need for greater environmental awareness and training of staff of environmental and refugee agencies as well as harmonization of approaches and guidelines currently in use by different partners. Further clarification was then given to the emergence of a revised, tailored training programme by the EESS, which is now also intended to cater for wider geographic coverage. Attention was also drawn to the growing programme on environmental education and awareness raising initiated by UNHCR and UNESCO PEER. The need to involve both local communities and refugee communities in camp management and management of natural resources was also highlighted as an integral part of ongoing activities.

Presentation of UNEP proposal "Prevention and Mitigation of Environmental Impact of Refugee Settlement and Flows in Africa"

Mr. Manab Chakraborty of UNEP presented the proposal on "Prevention and Mitigation of Environmental Impact of Refugee Settlement and Flows in Africa". After in-house review, the proposal was circulated in May 2000 to UNHCR, WFP, Oxfam, CARE and many others for comments. This brainstorming is an integral part of gaining support for the proposal. The principles for UNEP's involvement were non-duplication of existing efforts, transparency, accountability to UNEP's governing structures, and conformity to its core competence and Mission objectives. The project proposal is expected to offer: -

- hands-on training of field workers and national planners from both a wide spectrum of agencies viz. refugee organisations, environmental bodies, legal institutions, and those concerned with national security and interior affairs;
- strengthen institutional capacity in key national and regional organisations in targeted research, access to best practices, natural resource management technologies, know-how and information;
- promote policy dialogue among planners and implementers at Africa level among concerned ministries/States and subject matter specialists.

Possible role for UNEP could include: -

- Providing accompaniment to refugee projects
- Long term environmental impact monitoring
- Demonstration projects to rehabilitate environmental damage of areas vacated by refugees
- Advocacy work with AMCEN and OAU
- Coordination with relief and development agencies for continued dialogue, joint activities, and development of training manuals, tool kits, guidelines etc.

Several participants commented that the gap in current refugee-environment interface is not lack of knowledge, technology or know-how. Rather what is critical is weak field and policy level implementation of mitigating and mediation measures to counteract negative environmental impact of refugee settlements. It was noted that the proposal could improve the quality of environmental management in refugee situations. UNEP observed that the central objective is to complement UNHCR and its partners efforts in the field of environment, hence it is of utmost importance to define clearly what and how some of the "Gaps" outlined in the proposal could be addressed. The Chair encouraged participants to offer ideas in writing on how the "Gaps" could be met. These comments would be incorporated in the subsequent revision of the proposal.

Presentation of work of respective agencies. Focus: experience, lessons learnt with illustrations:

Ms. Jane MacAskill made presentations of ICRC about their work done in the field of refugee and internally displaced persons concerning environment. Dr. Chris Gakahu of UNDP described the special situation of northern Kenyan pastoralist from Turkana area who occasionally cross Kenya's borders in search of pasture. He emphasized the need for better institutional networking.

Thematic discussions (problems and possible solutions):

Firewood:

Dr. Peter Croll of the German Development Co-operation (GTZ) made his presentation about the RESCUE project and EMER "Firewood" Project, which dealt with two refugee camps namely Kakuma and Dadaab located in arid and semiarid parts of Kenya. The main objectives of the two projects were to reduce firewood related degradation in and around the refugee camps and to mitigate exposure of refugee women and children to banditry and sexual assaults while collecting firewood. The main lessons learned were: a) the implementation of environmental activities from the first day of refugee arrival will mitigate environmental destruction, b) all stakeholders should be involved, like refugee community, host community, UN agencies, government, NGOs and others. The provision of fuelwood should always be combined with promotion of energy saving techniques, rehabilitative activities e.g. afforestation, and environmental by-laws in camp management.

The discussion following the presentation sought clarification on the role of Environmental Working Groups at camp sites; methods for selection of indigenous species into reforestation, and to what extent rehabilitative activities had reduced soil erosion.

Water:

In his presentation, Mr. Aziz Ahamed of UNHCR noted that two main problems facing refugees in Africa are scarcity of water in many regions and poor access due to difficulties in tapping, and distributing water at household level. Therefore, it is important to ensure appropriate water resource assessment into site planning, to expand safe water supply and sanitation services that are adequate in quality and quantity to meet basic human needs and to find ways to protect water sources from pollution. He pointed out that water should not be seen as a single issue on its own but that it is an important part in refugee shelter and site planning operations.

Protected Areas:

Ms. Annette Lanjouw of the International Gorilla Conservation Programme described the status of protected areas comprising Mgahinga Gorilla National Park-Uganda, Parc National des Volcano-Rwanda and D.R.Congo. Ms. Lanjouw's presentation focussed on the Virunga National Park within the DRC, dealing with a Rwandan refugee population. She highlighted the long-term impacts arising from short-term measures such as location of 'temporary' refugee camps within or in the vicinity of protected areas. A useful tool in persuading decision-makers to stop converting protected areas for agricultural or settlement purposes is economic valuation of biological resources and ecological functions rendered by the protected areas. Her Organisation has successfully used Gorillas as a flagship species for promoting conservation, sustainable use of forest resources and attracting tourist revenues.

Small scale irrigation:

Mr. Ayo Abifarin of World Vision stressed that small-scale irrigation is a vital component of subsistence farming in much of Africa. He showed that mismanaged irrigation and insufficient technical equipment could cause lower productivity and worsen local food insecurity. Small-scale irrigation increases food yield and reduces dependence on vagaries of rainfall. Intensive farming may indirectly reduce pressure for cleaning virgin land to grow food crops. Home gardening is a valuable source of nutrition and is particularly apt in refugee areas where land availability is restricted. Another virtue of minor irrigation is that it creates valuable assets owned by small farmers, which in turn has strong distributive implications.

Shelter and settlement planning:

In his presentation, Mr. John Hogan of UNCHS (Habitat) recognized the importance of UNHCR's TSEMPRAA initiative in mainstreaming environmental concerns into its day-to-day operations. Lessons learned from the Great Lakes Region point to the fact that lower population densities, decentralized camps and sound spatial planning result in proportionately less intense use of natural resources and also improves refugee's well-being and health. However, the siting of refugee camps is a highly political process generally negotiated at a national level without the benefit of local knowledge, expertise and base-line data. If further advances are to be made in minimizing the impacts of refugees upon the environment, the following challenges need to be addressed:

- Baseline data needs to be collected during the emergency phase in a timely and accurate manner.
- Improved consultation mechanisms between international agencies, local authorities, national government and refugees are required.
- Technical and financial support is required to implement sustainable and low-cost shelter and fuel provision programs.
- Existing training programs need to be evaluated and opportunities for inter-agency collaboration identified.
- Modalities for institutionalizing long-term land-use strategies of refugee campsites, which include recovery, need to be developed.

The participants shared several examples before innovations are made to use alternate building material. In Dadaab, for instance flattened oil drums are used as roofing material for schools. It was acknowledged that well-managed refugee camps have a less adverse impact on the environment and can be recovered faster, and that the converse is also true. Alternative building materials and fuel (non-wood) should be encouraged. The presence of settlement specialists for physical planning, consultation with the refugees, and environmental assessments of a site at an early stage has also been proven to mitigate environmental impacts.

Small-scale Agriculture:

Ms. Pauline Dolan of CARE described how her organization is promoting small-scale agriculture in Kigoma refugee settlements in Tanzania. Officially, law permits, only home gardening; however, much farming takes place inside forest areas well outside the settlement limits. Forest cover in the area is roughly placed at 30 per cent. Opening up of forest areas for agriculture leads to deforestation, soil erosion and disturbance of hydrological cycle. She showed that these home gardens together with training in the camps could provide refugees with additional nutrition and can aid natural recovery of vegetation.

During the discussion, it was observed that the presence of multitude of NGOs carrying out similar activities lead to avoidable duplication of efforts and attendant difficulties of co-ordination. The dilemma posed by illegal agriculture was noted. Legalization of encroachment may not remove threats for further occupation, while treating such farming as illegal, deprive small farmers from any official assistance for extension support, improved inputs, advise on land use planning and crop selection. It was also stated that whether property is public or private might call for different treatment.

Environmental Impact of refugees in Guinea:

Mr. Cheikh Sow of UNEP/ROA presented the highlights from a report to the Secretary General on the findings and recommendations of the pre-assessment on the environmental impact of refugees in Guinea. Over the years many Liberians and Sierra Leoneans have been forced to abandon their homes because of conflicts in West Africa. To ascertain the environmental impact of refugees in Guinea, UNEP, in close collaboration with UNCHS and UNHCR, executed a pre-assessment a rapid assessment consisting of desk study and field mission in November-December 1999. He explained that in Guinea refugee were allowed to freely locate in small camps close to existing villages, which has resulted in a high level of integration with the local population. It is therefore difficult to isolate the extent of environmental impact of refugees from those caused by other factors. However, it is noticeable that there is an ongoing land degradation and deforestation in most areas affected by refugee settlements. The Mission recommended a full-scale assessment and suggests a follow-up mechanism based on coordinated action of UNDP, UNHCR, WFP and other agencies. He highlighted the work of the UNDP-led Environment and Sustainable Development Initiative, to meet the refugees food needs and to create public sanitation packages for distressed towns and to ensure peace and stability in the sub-region.

In the ensuing discussion, UNHCR viewed with concern several generalizations made in the presentation. In particular, it was felt that recent moves to disband distributed settlements in favor of large camps would aggravate environmental problems caused by concentration of large number of refugees. UNHCR also informed

the Brainstorming of various follow-up measures that have been initiated in collaboration with UN agencies and partners and offered to share this information with interested parties.

Synthesizing Africa's environmental and refugee statutes:

Mr. Manjit Iqbal, Legal Officer in UNEP/DPDL outlined relevant sections of different international conventions and national laws. The bottom line was that international refugee instruments were adopted well before environment emerged high on the global agenda. Since environmental impacts resulting from involuntary movements were not anticipated, no remedial measures are contained in these international instruments. However, the Convention relating to the Status of Refugees of 28 July 1951 does not require that refugees be confined in camp situations. In fact the 1951 Instrument states that each contracting State shall accord to refugees lawfully in its territory the right to choose their place of residence and to move freely within its border, subject to any regulations applicable to aliens generally in the same circumstances. Further, constitutions of several countries require equal and non-discriminatory treatment to all 'persons' residing within any State. The definition of "persons" includes refugees and consequently offers protection by national laws. Refugees are also obliged to respect laws of the hosting nation. The Convention relating to the Status of Refugees, once ratified by a State, cannot be applied selectively to exclude refugees –who are persons governed by the national laws – from enjoyment of fundamental liberties such as freedom of movement, speech and association. Hence, confinement of refugees in camps cannot be justified from an international legal point of view. If the right to movement of refugees is accepted, then new approaches to mitigate the environmental impact that is caused by the high population density in refugee camp areas ought to be addressed.

Discussion on Step forward:

This section presents various ideas and suggestions made during the two-day workshop, as well as those communicated to the organizers outside of the meeting. The final session at which discussions were to have been elaborated was rather thinly attended; hence a limited development of ideas and suggestions. Consequently, the list below does not reflect agreement on the various issues, but is intended as a list of suggestions by individual participants. This section can be seen as tentative at this stage. This list is being included here with the hope of furthering reflection, dialogue and follow up among the participants in their various pursuits of issue.

Suggested Priority Actions:

- Depending on the existence of national laws that refer to environmental issues in refugee-hosting areas, it was suggested that efforts might be needed to help governments to implement such laws. Such efforts could be made through training and environmental awareness programmes via relevant ministries and refugee and development organisations at field, sub-national and national levels.
- A review of Africa's refugee and environmental laws would be a useful contribution in determining the extent to which refugee-related environmental issues are adequately covered.
- The focus of refugee environment work is often limited to a single country. However, to comprehend and address environmental impacts, an ecosystem-wide approach could be more appropriate in some cases. This might include working on multi-country shared ecosystems, which may have a bearing on ecological processes in a number of states, thus influencing regional stability, human welfare and economic development. The case of protected areas comprising the Mgahinga Gorilla National Park-Uganda, Parc National des Volcano-Rwanda and D.R.Congo was cited. It was suggested that a multi-country approach covering the entire protected area could be a more effective approach rather than limiting actions within the political boundary of a single county. Ecosystems do not respect political boundaries.
- The sharing of information should not only be systematic and include projects with good results but also those ones that did not work, in order to avoid repeating mistakes.
- Positive effects of refugee movements should be documented. Thoughts also need to be given on how to better utilize and manage infrastructure left behind by returnee refugees.
- Simple but effective technologies such as improved cookers, solar electricity and the internet may have utility in some refugee situations. The promotion of methodologies such as improved cookers has been going on for many years through UNHCR and its partners, but there may be room for further developments, taking into account environmental, cultural and economic considerations.
- Opportunities for raising funds via French GEF and GEF may be actively explored.

Co-ordination:

- There are many environmental guidelines suggesting rules and procedures to minimize environmental impacts of refugees. There may be opportunities for greater harmonisation of these guidelines. Further, national environmental planners and refugee decision-makers should be appraised of them. Best practices in refugee management should be published and regularly updated.
- Co-ordination links among UN-agencies and partners should be strengthened, so that duplication is avoided, experiences shared and channels of communication kept active.
- Implementation of refugee projects is sometimes based on ad-hoc partnerships. Attention should be paid to building and sustaining long-term relationships with NGO partners.
- In order to carry forward the UNEP project proposal on “Prevention and Mitigation of Environmental Impact of Refugee Settlement and Flows in Africa”, it was suggested that UNEP constitutes a Steering Committee to guide its work. UNHCR was mentioned as one of the key steering committee members, but agreement was not reached on its participation given the lack of clarity over the project modalities, including funding.
- At the national level there is sometimes a need for better coordination and communication between environmental and refugee planners. Many environmental projects in refugee-affected areas are being undertaken in isolation of other environmental activities/processes initiated by the host government or other non-relief agencies. For example some countries have developed Environmental Action Plans or National Biodiversity Strategies and Actions that cover districts that are hosting refugees but refugee environmental impacts or related mitigation of efforts are often not explored in detail. Moreover, few mainstream environmental agencies work with refugee population at the field level. Without prior government approval, major donors such as GEF are not permitted to fund refugee environmental activities in refugee hosting areas.

Potential Gaps:

A number of ‘gaps’ in knowledge were suggested during the meeting, although consensus was not reached on their existence:

- The environmental impact of refugees is not always known on areas vacated by them on repatriation, and on areas where they are re-settling.
- Little or no documentation is available regarding decommissioning and closure of refugee camps.
- Limited user-friendly guides are available to assist senior decision-makers in the government. UNHCR’s publications “Selected Lessons Learned” and “Key Principles for Decision-making” may be usefully updated. UNHCR volunteered to coordinate such an undertaking in 2001.
- It is acknowledged that prevention and planning should be based on knowledge of traditional practices, sources of natural resources and political and cultural sensitivities. However, there are opportunities for greater involvement of local communities and their knowledge systems for sound environmental management. Mechanisms such as ‘environmental working groups’ or ‘environmental task forces; can facilitate continuous sharing of information, knowledge and insights with refugee communities, decision-makers, refugee and environmental planners and operation managers.

The meeting concluded with a vote of thanks to UNEP, the organizers, and all the participants.

The final version of the report and some of the thematic presentations would be available at <http://www.unep.org/depi>.