



Book Review

UNHCR: THE POLITICS AND PRACTICE OF REFUGEE PROTECTION
(SECOND EDITION)

ALEXANDER BETTS, GIL LOESCHER AND JAMES MILNER
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Reviewer Profile

Ipshita Ghosh is an MPhil student of English Literature at Delhi University. A graduate of Lady Shri Ram College in history, she has completed a Diploma in Conflict Transformation and Peace Building from University of Delhi. She has also worked as a consultant with WISCOMP. Her research interests include postcolonial studies, globalization and culture. She has been a student of culture industries and politics at the National University of Singapore and participated in a course on Modernism at the University of Edinburgh. In 2009, her essay on 'India's Youth Power and Potential' was selected among the National Top 15 and published in the India Habitat Center Journal 'Voices of the Young'. She has also presented papers at various national seminars. Earlier, she also interned at Transparency International India.

Many institutions affiliated to the United Nations have undergone vast changes in their scope and functions over the years. Perhaps this is most true for the Office of the UNHCR. Set up in 1950 to 'resettle' the thousands displaced by the Second World War, it has now expanded its focus much beyond Europe. The second edition of *UNHCR: The Politics and Practice of Refugee Protection* is a compelling history of change and adaptation that has made the organization an important force in global humanitarian affairs. The authors are not only eminent scholars but possess field experience of working with the UNHCR. The book combines theoretical rigor with historical examples to outline the origin, growth and the development of UNHCR in a concise way that a scholar of the subject and a lay reader will find equally engaging.

One of the core objectives of the book which the authors point out in the *Introduction*, is to draw lessons "from the history of change and adaptation and consider how the Office can more predictably confront the challenge of change and adaptation in the future." As a part of the series on Global Institutions, this book serves as a critical review of the evolution of UNHCR.

The antecedents of UNHCR were the United Nations Relief and Rehabilitation Agency (UNRRA) and the International Refugee Organization (IRO). The IRO was set up to replace the UNRRA in 1947 and this also constituted a fundamental shift in the approach of international refugee policy. Previously, international organizations only dealt with specific groups considered as having refugee status and therefore a person had to be a member of a particular group for gaining refugee protection. However, the IRO changed the definition of refugeehood to individualized "persecution or fear of persecution" due to race, religion, nationality and political opinion. Thus, individual's specific circumstances became the determining factor for acquiring refugee status rather than membership of a group.

The UNHCR was established with narrow authorities and limited functions. The Statute that established the UNHCR laid down its primary responsibility to protect displaced persons and find permanent solutions to their plight, either through voluntary repatriation or assimilation in their new national communities. Significantly, the original mandate did not include the provision of material assistance to refugees, which has eventually become a major responsibility especially in the context of India and Pakistan. The United States, in particular attempted to restrict the UNHCR and it was reduced to serve as an agency for the international legal protection of displaced persons. However, one of the central points that this book makes is that notwithstanding these challenges, the UNHCR soon evolved to expand its mandate and offer innovative ways to protect and assist refugees. The authors credit the successive High Commissioners of the Office who maneuvered around the restrictions imposed on the agency for this change. For instance, High Commissioner van Heuven Goedhart enlarged the scope of the institution by obtaining the capacity to gather funds independently and not remain completely dependent on states. A major funding from Ford Foundation in 1952 enabled the UNHCR to provide assistance to a range of NGOs working for refugee protection in Western European nations. As it lacked coercive enforcement power, the Office was seen as a humanitarian agency with a strong moral authority. The High Commissioners portrayed it as an impartial agency with considerable expertise on refugee movements and laws. Thus, many States found themselves depending upon the UNHCR in ways that had not been anticipated at its inception.

The authors trace the changing roles of the UNHCR across the world, from its early actions like the successful intervention in the Hungarian refugee crisis to the expansion into the developing world through the "good offices" approach. In many cases, the UNHCR came into direct conflict with a powerful State. For instance, when it decided to aid Algerian refugees, it faced strong opposition from the French government but the moral authority exercised by the Office helped them fulfill their responsibility.

While on the whole, the authors acknowledge the contribution of the UNHCR, they also point out its various shortcomings. For instance, in the 1980s, the administrative and financial burden of the UNHCR is attributed to its own faulty policies and its willingness to align itself with western strategic interests rather than follow the mandate. Moreover, at the end of the 1980s, the Office struggled to prove its relevance as donor countries channeled their contributions to high profile NGOs and relief programs. Consequently, under the new High commissioner Jean Pierre Hocke, the UNHCR adopted a different policy that emphasized repatriation and assistance rather than protection. This was an attempt to make the UNHCR a more comprehensive body in a new global environment.

The core of the book is the fourth section '*The Politics and Practice of UNHCR's Mandate*' where the authors abandon chronological narrative in favour of a critical approach to understand the complexities involved in fulfilling the mandate of the UNHCR. It explores the difficult relationship between the UNHCR and the states and also brings to the fore the highly political nature of the work involved in an apparently apolitical endeavor. The authors do this by constantly referring to the political and historical contexts that shaped the policies of the organization. They highlight the core mandate of the UNHCR, that of protection and the tools it can use to influence states' behavior. The legal instruments in the Statute and the Convention provide specific social, economic and political rights to the refugees that the UNHCR has to protect. The quantity and quality of asylum that is assured by the Convention ultimately has to be ensured by the UNHCR through careful negotiation with the states. However, the non fulfillment of the states' responsibility has ensured that the UNHCR has expanded its original mandate and is now directly involved in the management of camps and determination of refugee status. The increasingly political nature of refugee protection suggests the need of greater political engagement. One of the central arguments of the book is that the UNHCR needs to develop a greater sense of political analysis, in order to gauge the way in which states will respond to responsibilities towards refugees. The UNHCR should not misinterpret their 'non political' nature and remain dependent on states' altruism. It needs to recognize that the practice of refugee protection is itself political in nature. Thus, the authors suggest ways to overcome one of the UNHCR and the UN's core limitations - their inability to make states act for the welfare of those in need of protection. Moreover, they do this by suggesting ways to make internal changes in the policies and orientation of the organization even as they retain their fundamental character. This is one of the striking achievements of the book.

Following this, the authors discuss the internal structure and dynamics of the UNHCR. This chapter may well have preceded the earlier one as it contains details on the way the UNHCR is positioned within the UN system. The details of organization within the headquarters and the field and its relationship with other NGOs and international bodies constitute other elements of this chapter. The authors also discuss the refugee regime complex and show the complex inter-linkages of development, labor migration, human rights and other regimes that overlap. These 'complementary overlaps' create opportunities for collaboration to complement the work of the UNHCR. The authors also dedicate a chapter to the new trends and issues facing UNHCR including that of urbanization, migration, climate change and the kinds of displacement emerging out of these. These kinds of issues also point to the need of change within UNHCR's mandate with regard to 'who to protect' and 'how to protect'.

In conclusion, the authors note how the UNHCR has responded to new political and institutional issues by constantly reinterpreting its original mandate. From taking its focus beyond Europe in the early years, to emphasizing material assistance in the 1960s, to managing camps and providing humanitarian assistance, it has successfully adapted itself to continuity and change. To learn from the past and prepare for the future, the UNHCR needs to learn from its own history of change and how strategic decisions at certain points in history have redefined its status from a time bound European institution to an increasingly relevant global organization. It also needs to recognize its own structural features that inhibit any radical measure. The method of appealing to states' political interest often fits uncomfortably

with the UNHCR's moral authority and normative power. The authors thus emphasize the need for political analyses, even handedness and effective partnerships to enable the organization to prepare for new directions in its work in a fast altering global environment.

In recent times, most literature produced on the UNHCR has been specific in nature, providing details on the particular policies and achievements of the organization. In the 60th anniversary of its inception, this book serves an important purpose - looking at the past, documenting the changing political dynamics and making suggestions for the future accordingly.