Magdalena Malima - Lessons drawn from refugees' problems

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TITLE:
THE LESSONS DRAWN FROM THE REFUGEES’ PROBLEMS

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1.0. The meaning of “refugee”

A refugee is a person who has a well-founded fear of persecution due to his or her nationality, race, religion, membership in a particular group or political opinion and who is outside of his or her country of origin or residence. A refugee moves from his country to another in order to be a member of that country even if it is not his or her home country. This occurs when there is persecution or war in his or her home country. Most refugees move out of their countries in order to save their lives.

The legal definition of “refugee” has four (4) elements. If one of the elements misses a person cannot be considered as a refugee. These elements are: First, a refugee must have a well founded fear of persecution, this means that fear must be real and not simply perceived. Second, the fear must only be based on grounds of nationality, race, religion, membership in particular group and political opinion. This means that if the fear is based on any other reason, a person will not qualify to be a refugee. Third, in order for a person to qualify as a refugee he or she must be outside of his or her country. If a person has not crosses the border of his or her country or habitual residence, he will not be considered to be a refugee even if he or she has a well founded fear or persecution. If a person has not crossed the border and has a well founded fear or persecution on the basis of above grounds he or she will be regarded as an Internally Displaced Person (IDP). The instrument that governs matters concerning IDPs in Africa is known as the Kampala Convention. Fourth, for a person to qualify as a refugee he or she must be unable or unwilling to return to his country or to be protected by that country. So when a person complete all the conditions can be considered as a refugee.

At the international level matters relating to refugees are governed by the Convention on the Status of Refugees of 1951. This Convention is also known as the 1951 Convention. The 1951
Convention has its protocol which is commonly known as 1967 Protocol. The responsible organ at the United Nations (UN) level in matters relating to refugees is the United Nations High Commissioner for Refugees (UNHCR).

UNHCR deals with matters relating to refugees, IDPs, asylum seekers and stateless persons. And also refugees who come from their countries must report to the United Nations High Commissioners for Refugees.

In the African context the instrument which deals with matters relating to refugees is the African Union Convention Governing Aspects Relating to Specific Problems of Refugees in Africa is (The AU Refugees Convention). The AU Refugees Convention has many things which are similar to the 1951 Convention and the 1967 Protocol except that it extends the grounds of persecution to include foreign aggression, foreign domination, and any other event that seriously disturb the order. Therefore, in Africa a person can qualify to be a refugee if his or her fear is based on natural calamities like hunger, earthquake and many natural calamities.

2.0. Significance of the Word Refugee Day

The World Refugees Day reminds people that there are many people who have lost their lives and others have lost their properties and run from their home countries to other countries. For example, in Somalia many people have moved outside their country in search for peace.

The World Refugees Day reminds all refugees to return back to their country after the grounds of fear cease to exist. This is because they can share the experience they obtained from the countries they lived as refugees. By returning to their home countries, refugees will decrease overcrowding and environmental degradation in the country where they live as refugees. This is particularly true where refugees live in camps.
World Refugees Day raises awareness that people are supposed to stay in their original places in order to get some sustainable development because when they move from one place to another they lower their ability to develop. So it is better when they stay in one place. People should also find a way of stopping wars which cause people to move from their home countries. By moving, people lose their land for agriculture.

Every person has the duty to solve the refugee problem. Leaders must avoid wars. Experts in conflict resolutions must work hard to end conflicts. Even refugees themselves should organize themselves and discuss how to face the future.

On the other hand, refugees contribute to the increase of crimes in the receiving states. For example, during “Operation Kimbungena” it was revealed that many refugees from neighbouring countries were involved in criminal acts. This operation was carried in 2014. It was carried out by the Tanzania Police Force.

In Tanzania refugee is any person who qualifies to be a refugee either under 1951 Convention or the AU Refugee Convention or any person who is granted the status of the refugee by the President. Tanzania has had the reputation of hosting many refugees from neighbouring countries. Tanzania has well cooperated with UNHCR and has treated refugees very well.

Tanzania has carried out that task despite the problems caused by refugees. Refugees have contributed to environmental degradation in areas where they stay in big numbers. They have also spread diseases (e.g. cholera) and some have involved themselves in criminal conducts.

World Refugees Day reminds people that there are refugees with bad intentions. These bad intentions can eventually lead to loss of lives and property as well as injuries. For example, it was said that some Al-Shaabab terrorists used refugee camps in Kenya as a
hideout. That is why the Kenya Government wanted to close these camps. However, this intention to close the camps was criticized because it was in violation of refugee rights.

So the government is supposed to put some rules or principles which impose severe punishments to refugees who commit crimes. These laws would deter refugees to commit crimes. Also people have the duty to report any refugee who commits crimes. This will reduce the number of crimes committed by refugees. The police and the government should also educate the people the importance of reporting refugees who commit crimes.

The inflow of refugees is mainly caused by political conflicts. These conflicts make people to move from one country to another because of fear. Therefore, in order to stop the problem of refugees, the politicians must stop conflicts in their countries. Leaders must also respect constitutions and the will of the people. Recently, Burundi has produced a lot of refugees because President Nkurunzinza intends to run for a third term contrary to the will of the Burundians.

3.0. Conclusion

Refugees are a world problem. Everyone has the responsibility to share the burden. However, the most important duty is stop acts that are the causes of refugees like wars and conflicts. Every year the World Refugees Day reminds us of this important duty.