NAVAL
POSTGRADUATE
SCHOOL

MONTEREY, CALIFORNIA

THESIS

**THE ADOPTION AND IMPACT OF RESTRICTIVE
REFUGEES AND ASYLUM SEEKERS' POLICIES
IN MALAWI**

by

Fraser N. Sinoya

December 2021

Thesis Advisor:	Anne M. Baylouny
Second Reader:	Rachel L. Sigman

THIS PAGE INTENTIONALLY LEFT BLANK

1. AGENCY USE ONLY *(Leave blank)*	2. REPORT DATE December 2021	3. REPORT TYPE AND DATES COVERED Master's thesis	
4. TITLE AND SUBTITLE THE ADOPTION AND IMPACT OF RESTRICTIVE REFUGEES AND ASYLUM SEEKERS' POLICIES IN MALAWI			**5. FUNDING NUMBERS**
6. AUTHOR(S) Fraser N. Sinoya			
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000			**8. PERFORMING ORGANIZATION REPORT NUMBER**
9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A			**10. SPONSORING / MONITORING AGENCY REPORT NUMBER**
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government.			
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release. Distribution is unlimited.			**12b. DISTRIBUTION CODE** A

13. ABSTRACT (maximum 200 words)

Forced reallocation of people across borders is one of the universal challenges the world is facing, with a significant number being hosted in the Sub-Saharan Africa region. The ongoing conflicts in most countries in the region and terrorist attacks in Mozambique will likely exacerbate the problem. These refugees are treated differently in host countries, depending on policies adopted by the country, despite most of those countries being bona fide members of international law. This thesis examines why Malawi adopted restrictive policies in comparison to Uganda, which opted for liberalized policies. Scholars argue that the burden associated with refugees drives the closed-door policies of host countries. However, this thesis argues that three main factors—socio-economic and security concerns associated with refugees, and rhetoric politics surrounding refugees—influence nations' decisions on whether to adopt permissive or closed-door policies. These strategies are self-reinforcing when adopted. Malawi's adoption of closed-door policies has instigated more constraints on refugees, negatively impacting their rights. Conversely, Uganda's liberalized policies turn out to be a developmental tool that attracts support from the international community. The study finds that the socio-economic impact of refugees, security concerns associated with refugees, and the need to survive in politics are the main factors that made Malawi adopt a closed-door refugee policy.

14. SUBJECT TERMS refugees, asylum seekers, economic impact, security impact, refugee policies			**15. NUMBER OF PAGES** 101
			16. PRICE CODE
17. SECURITY CLASSIFICATION OF REPORT Unclassified	**18. SECURITY CLASSIFICATION OF THIS PAGE** Unclassified	**19. SECURITY CLASSIFICATION OF ABSTRACT** Unclassified	**20. LIMITATION OF ABSTRACT** UU

THIS PAGE INTENTIONALLY LEFT BLANK

THE ADOPTION AND IMPACT OF RESTRICTIVE REFUGEES AND ASYLUM SEEKERS' POLICIES IN MALAWI

Fraser N. Sinoya
Major, Malawi Army
BSA, Bunda, 2003

Submitted in partial fulfillment of the
requirements for the degree of

MASTER OF ARTS IN SECURITY STUDIES
(COMBATING TERRORISM: POLICY AND STRATEGY)

from the

NAVAL POSTGRADUATE SCHOOL
December 2021

Approved by: Anne M. Baylouny
              Advisor

              Rachel L. Sigman
              Second Reader

              Afshon P. Ostovar
              Associate Chair for Research
              Department of National Security Affairs

THIS PAGE INTENTIONALLY LEFT BLANK

ABSTRACT

Forced reallocation of people across borders is one of the universal challenges the world is facing, with a significant number being hosted in the Sub-Saharan Africa region. The ongoing conflicts in most countries in the region and terrorist attacks in Mozambique will likely exacerbate the problem. These refugees are treated differently in host countries, depending on policies adopted by the country, despite most of those countries being bona fide members of international law. This thesis examines why Malawi adopted restrictive policies in comparison to Uganda, which opted for liberalized policies. Scholars argue that the burden associated with refugees drives the closed-door policies of host countries. However, this thesis argues that three main factors—socio-economic and security concerns associated with refugees, and rhetoric politics surrounding refugees—influence nations' decisions on whether to adopt permissive or closed-door policies. These strategies are self-reinforcing when adopted. Malawi's adoption of closed-door policies has instigated more constraints on refugees, negatively impacting their rights. Conversely, Uganda's liberalized policies turn out to be a developmental tool that attracts support from the international community. The study finds that the socio-economic impact of refugees, security concerns associated with refugees, and the need to survive in politics are the main factors that made Malawi adopt a closed-door refugee policy.

THIS PAGE INTENTIONALLY LEFT BLANK

TABLE OF CONTENTS

LIST OF FIGURES

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF ACRONYMS AND ABBREVIATIONS

AU	African Union
BICC	Bonn International Centre for Conflict Studies
CAR	Central African Republic
CARA	Control of Alien Refugees Act
CDEDI	Centre for Democracy and Economic Development Initiatives
CRRF	Comprehensive Refugee Response Framework
DHO	District Health Office
DRC	Democratic Republic of Congo
EFL	Education for Life
JSR	Jesuit Refugees Services
MCP	Malawi Congress Party
NGO	Non-Governmental Organizations
OAU	Organization of African Unity
ReHoPE	Refugees and Host Population Empowerment
RENAMO	Mozambican National Resistance
SADC	Southern Africa Development Community
SRS	Self Reliance Strategy
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
WFP	World Food Programme

THIS PAGE INTENTIONALLY LEFT BLANK

ACKNOWLEDGMENTS

I wish to express my heartfelt gratitude and appreciation to the following people for their respective contributions to this study:

First and foremost, I praise God for providing me with the insight and tenacity necessary to finish this thesis. I am extremely grateful to my advisors, Professor Anne Baylouny and Professor Rachel Sigman, for their tremendous patience, excellent guidance, encouraging comments, and discussions throughout the process. The insights each of them provided from their extensive professional backgrounds paved the way in so many areas of this thesis. During those times where I *thought* I was providing the reader with clarity, they graciously pointed me in the right direction.

I'd also like to express my gratitude to the Graduate Writing Center staff, who were always willing to help. To my fellow students, I am eternally grateful for your contributions to my accomplishment.

Last but not least is my profound gratitude to my wife, Eluby. She has been my grounding force throughout this process and provided comfort when I thought I could not push through. I am thankful to all my three boys: Festus, Francis and Praise, who endured over a year without their father's care.

To see this work this far, a lot of people were involved. To all those who played a part in the completion of this thesis, I appreciate the captivating spirit you created in the course of this project.

THIS PAGE INTENTIONALLY LEFT BLANK

I. INTRODUCTION

A. BACKGROUND TO THE STUDY

There are several challenges in the world that force people to relocate from one geographical space to another, the phenomenon referred to as migration. Human-made violence, climatic changes, and natural disasters are the prominent factors that cause forced migration. According to the 2020 United Nations High Commissioner for Refugees (UNHCR) report, 272 million people were displaced worldwide by the year 2020, 82.4 million of which were forcibly displaced.[1] Africa is plagued with territory conflicts, civil wars, and terrorist attacks that exacerbate forced migration. Some of those conflicts include the protracted civil wars in Democratic Republic of Congo, Burundi, Mali, and Ethiopia. Terrorist attacks are predominant in Nigeria, Cameroon, Niger, Kenya, Somalia, and Mozambique. Although people are forced to flee their home country, they still remain somewhere within the continent. According to the 2019 African Union report, by 2017, a significant percentage of the 41 million of Africa's forced migrants were residing in within the continent.[2]

Globally, many countries are signatories or ratifiers of the 1951 United Nations Convention on the Status of Refugees, and thus have the obligation to protect and safeguard the refugees' rights and freedom at the most basic level.[3] Nevertheless, Richmond Msowoya reports that of the 145 nations that are parties to the 1951 Refugee Convention, a significant number of them have declared reservations, and often impose conditions on access to labor markets despite granting refugees the right to work.[4]

---

[1] UNHCR, "UNHCR's Refugee Population Statics Database," *Refugee Data Finder*, June 18, 2021.

[2] African Union, "Africa Migration Report: Challenging the Narrative," Sectoral Reports (Addis Ababa, Ethiopia: African Union, October 15, 2020), 1, https://au.int/en/documents/20201015/africa-migration-report.

[3] UNHCR, "The Refugee Convention, 1951," *UNHCR*, 1951, https://www.unhcr.org/4ca34be29.pdf. Accessed January 20, 2020.

[4] Richmond Elijah Mkopa Msowoya, "The Impact of Refugees and Asylum Seekers in Contributing to the Local and National Economic Development Nexus. A Case Study of Dzaleka Camp in Malawi." (2019), 10, https://kaluinstitute.org/wp-content/uploads/2020/07/en-dissertation-richmond-msowoya-2019_05_07.pdf. Accessed on February 21, 2021.

The restrictions imposed on the refugees are exacerbated by "closed door" refugee policies nations have adopted to address perceived challenges associated with hosting refugees. Most countries in the world perceive refugees as a burden; James Milner asserts that refugees are perceived to pose security, economic, social, political, and environmental challenges to host nations and their communities.[5] Although socio-economic benefits are reported in the countries hosting refugees and asylum seekers, the associated negative impacts are often publicized and thus obscure the gains. In view of the perceived challenges associated with the presence of refugees, some nations have adopted restrictive refugee policies to reduce unauthorized entry. Furthermore, exclusive labor policies have been adopted to prevent further economic migration and restrict refugee communities already in the country from formal employment.

One such case is Malawi, which has been a destination of refugees due to the conflict in Mozambique in the 1980s and the ongoing conflicts in Africa. In 1991, Malawi adopted an encampment refugee policy, pointing to the socio-economic, political, environmental, and security challenges as its justification.[6]

B.   STATEMENT OF THE PROBLEM

Refugees and asylum seekers leave their home countries in desperation; hence, they require total support from the host nation and international community. Yet, these physical and psychological supports are rarely provided due to socio-economic and security concerns associated with refugees and asylum seekers.

Malawi is a host to refugees and asylum seekers from war-torn and conflict-plagued countries, as per international norms for refugees. Since the end of civil unrest in Mozambique in 2016 and repatriation of Mozambican refugees, by 2020, most of the refugees in Malawi have come from the Democratic Republic of Congo (DRC), and others

---

[5] James Milner, *Refugees, the State and the Politics of Asylum in Africa*, 2009, 1–2, https://www.fishpond.com.sg/Books/Refugees-State-and-Politics-of-Asylum-Africa-James-Milner/9780230215047.

[6] UNHCR, "Economic and Social Impact of Massive Refugee Population on Host Developing Countries, as Well as Other Countries: A Quantitative Assessment on the Basis of Special Case Studies," *UNHCR*, August 3, 1998, https://www.unhcr.org/excom/standcom/3ae68cf710/economic-social-impact-massive-refugee-populations-host-developing-countries.html.

come in significant numbers from Ethiopia, Burundi, Rwanda, and Somalia.[7] Although Malawi hosts a relatively small population of refugees and asylum seekers as compared to other countries, it has adopted restrictive refugee policies, suggesting that there may be resentment toward refugees. This approach stands in contrast to countries such as Uganda, where there has been an "open door" policy toward refugees since the 1940s.[8] This contrast raises the question of why some countries like Malawi adopt more restrictive refugee policies than other countries, such as Uganda.

1.   Research Objectives

The general objective of this research is to examine the factors that have led Malawi to adopt restrictive refugee policies unlike Uganda, which has implemented liberal policies. The research aims to achieve the following specific objectives:

1.   To examine whether socio-economic and security concerns caused by the refugees have precipitated refugee policy changes in Malawi.

2.   To identify the factors that have compelled Malawian authorities to politicize the refugee issue and eventually change refugee policies from self-settlement to restrictive refugee policies.

This study argues that three main factors explain why countries like Malawi adopt encampment or self-settlement policies: the socio-economic situation, security concerns, and political rhetoric surrounding refugees.

2.   Significance of the Study

Global resistance towards refugees and asylum seekers is a common phenomenon—a belief held by the native population that undermines local support towards refugees. Birhanu Watol and Desta Assefa assert that the influx of refugees impacts the

---

[7] UNHCR, "Country Malawi," *UNHCR*, April 30, 2021, https://data2.unhcr.org/en/country/mwi.

[8] Lwanga S Lunyiigo, "Uganda's Long Connection with the Problem of Refugees: From the Polish Refugees of World War II to the Present," *Makerere University*, December 1993, 1, https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/5693/lwanga-lunyiigo-MAK-res.pd.

social, economic, political stability, and security of the host nation,[9] which precipitates resentment among host communities. At strategic and operational levels of the government, the resentment propagates the formulation of restrictive policies that deprive refugees of autonomy and host communities of socio-economic benefits from refugees. It is imperative for policymakers to understand factors that have prompted other countries to adopt more "open door" or "closed door" refugee policies. Global perception amongst most refugee host nations is that refugees are a security threat and a strain on host nations' budgets and their communities by increasing competition for scarce resources and social services.[10] These negative perceptions arise despite the fact that the international community and other non-governmental organizations play a major role in humanitarian aid assistance toward refugees. It might be argued that regardless of the refugee policy adopted by a state, the burden to care for refugees cannot be handled by the state alone, as per the 1951 UN Convention, because forceful repatriation contradicts international norms.[11] Emergence of refugees in the developing world, where the resource base is constrained may cause a humanitarian crisis that could demand the international community's intervention.

Contrary to the popular belief that refugees pose substantial challenges to host nations, benefits also accrue from hosting them. In Malawi, in the 1980s and the 1990s, positive socio-economic impacts were reported when the country was hosting Mozambican refugees.[12] Apart from providing affordable labor to the Malawian agro-based economy, they stimulated commercial activities by providing a market for both domestic and foreign products. Conversely, Malawi changed its liberal refugee policies to restrictive ones. The change prompted this study to explore factors that compelled policy makers in Malawi to

---

[9] Birhanu Sileshi Watol and Desta Tegegna Assefa, "The Socio-Economic Impact of Refugees on the Neighboring Countries: The Case of Sherkole Refugee Camp, Western Ethiopia," *Global Journals* 18, no. 4 (2018).

[10] Daniel Garrote Sanchez, "From Liability to Asset: How Syrian Refugees Can Benefit the Lebanese Economy" (The Lebanese Centre for Policy Studies, 2021), https://lcps-lebanon.org/publication.php?id=421&category=700&title=700.

[11] UNHCR, "The Refugee Convention, 1951."

[12] Lewis B Dzimbiri, "Political and Economic Impacts of Refugees: Some Observations on Mozambican Refugees in Malawi" *Canada's Periodical on Refugees* 13 No 6 (October 1993): 4. https://refuge.journals.yorku.ca/index.php/refuge/article/view/21752

formulate restrictive policies, and possibly identify the policies that can suit Malawi's economic situation.

According to Huma Haider, the international refugee law was meant to provide guidance on how to address global refugee challenges and ensure that human rights of the affected people are observed.[13] Despite most African countries ratifying the international refugee law, their domestic policies have not been guided by the global legal framework. Understanding the rationale behind nations' adoption of restrictive refugee policies rather than open door policies, as stipulated in the 1951 UN Convention on Refugees and its protocols is critical. As per international refugee law, bonafide members are obligated to observe all human rights aspects of refugees such as ensuring their security and freedoms. Therefore, analysis of the responses of Malawi and Uganda to the influx of refugees, and those nations' management of the situation to minimize negative impacts on the host communities is vital to the international community and policymakers.

3. Refugee Situation in Malawi and Uganda

Malawi and Uganda are both signatories of international refugee law and hosts to refugees and asylum seekers. Both countries are similar in many ways; both were British colonies, have agro-based economies, do participate in United Nations peacekeeping missions, and have democratic governments led by a president. Despite these similarities, the two countries have adopted different policies in the management of refugees.

a. *The Refugee Situation in Malawi*

Malawi is located in the southeastern part of Africa. Its neighbor Tanzania is to the north and northeast; Mozambique to the east, south, and south east; and Zambia to the west. Malawi has an agro-based economy with a population above 19 million people as of the end of 2020.[14] Further, Malawi is one of Africa's least developed countries.

---

[13] Huma Haider, "International Legal Frameworks for Humanitarian Action," *University of Birmingham, UK*, March 2013, https://reliefweb.int/sites/reliefweb.int/files/resources/ International%20Legal%20Frameworks%20for%20Humanitarian%20Action.pdf.

[14] Worldometer, "Malawi Population," *Worldometer*, 2021, https://www.worldometers.info/world-population/malawi-population/.

Malawi has been both a contributor of and host to refugees for the past five decades. John Lwanda reports that in the 1960s and 1970s, followers of the Jehovah's Witness religion were forced by the Malawi Congress Party (MCP) government to migrate to Zambia.[15] Furthermore, during the autocratic rule of the MCP many people had to flee the country from political persecution. Nevertheless, Malawi is known as the "Warm Heart of Africa" because of the kindness of its people,[16] making it a promising haven for refugees and asylum seekers. This sentiment was manifested from the 1960s up to the late 1980s when locals supported refugees without government interventions until the number of refugees increased. In the first three decades after Malawi's independence, most refugees were from Mozambique. Lwanda reports that in 1966 during the census, it was observed that border districts with Mozambique were densely populated with refugees.[17] The cause of the refugees' growth along the frontier might have been the freedom-fighting conflict in Mozambique that forced people to flee. Mozambique achieved independence in 1975; however, in 1977, civil war broke out and forced a mass movement into Malawi. By 1993, Malawi was hosting more than one million refugees.[18] The peace deal established in 1992 between the Mozambican government and opposition forces permitted the repatriation of the Mozambican refugees back to their home country. Other Mozambican nationals settled in Malawi, taking advantage of an initially open refugees policy, where they were allowed to self-settle among the local communities without government involvement. In December 2015, the resurgence of conflict in Tete and Zambezia provinces in Mozambique forced some people to cross the border.[19]

---

[15] John Lloyd Lwanda, *Kamuzu Banda of Malawi: A Study in Promise, Power and Paralysis* (Great Britain: Dudu Nsomba Publications, 1993).

[16] Julie A Cook, "The Warm Heart of Africa: A Brief Look at the People, History, and Culture of Malawi," *Ruth & Ted Braun Awards for Writing Excellence*, April 2009, 10, https://www.svsu.edu/media/writingprogram/activedocs/Cook.pdf.

[17] Lwanda, *Kamuzu Banda of Malawi: A Study in Promise, Power and Paralysis*, 218.

[18] Dzimbiri, "Political and Economic Impacts of Refugees: Some Observations on Mozambican Refugees in Malawi," 4.

[19] Felix Mponda, "Mozambique Unrest Drives Refugees into Malawi," *AFP*, January 14, 2016, https://news.yahoo.com/mozambique-unrest-drives-refugees-malawi-151637008.html?fr=yhssrp_catchall.

As of 2021, most of the refugees in Malawi are forced migrants as compared to economic migrants. According to the UNHCR, by April 2021, the population of refugees and asylum seekers in Malawi was 49,908.[20] Furthermore, "above half of the refugee population were from Democratic Republic of Congo (DRC), with the remaining population originating from Burundi, Rwanda, and others from the East and Horn of African countries."[21] There are two refugee camps in Malawi: Luwani in the southern region, and Dzaleka in the central region. Currently, most refugees and asylum seekers supported by UNHCR live in the latter camp. Felix Mponda reports that a significant number of economic migrants from Ethiopia, Somalia and other African countries have been using Malawi as a transit route to South Africa.[22] Various stakeholders take part in supporting these refugees in Malawi. Eddie Kavalo asserts that, "the Ministry of Health, Malawi Red Cross Society, World Relief International, and Jesuit Refugee Services are all implementing partners with funding from UNHCR to deliver services to refugees."[23]

Even so, Dzaleka refugee camp is rocked with diverse challenges. Dylan Marrs laments the insufficient sanitation and water faced by Dzaleka residents.[24] The settlement's only formal wastewater infrastructure, which was meant to support 6,000 refugees and asylum seekers, by 2021, was serving more than 50,000. Furthermore, improper wastewater management at the camp has increased the spread of diseases. Camp life difficulties have been worsened by funding cuts that reduced support to migrants. According to the World Food Programme (WFP), following a funding cut for a limited time in 2015, the WFP had to cut its rations package by half.[25] Consequently, refugees

---

[20] UNHCR, "Country Malawi."

[21] UNHCR.

[22] Felix Mponda, "Dreams Turns Sour for Ethiopian Migrants Jailed in Malawi," *Yahoo!News*, October 13, 2015.

[23] Eddie Bright Kavalo, "Environmental and Socio-Economic Impact of Hosting Refugees: A Case Study of Villages around the Dzaleka Refugee Camp in Dowa District, Malawi" (South Africa, University of South Africa, 2016), 20, https://uir.unisa.ac.za/bitstream/handle/10500/22174/ dissertation_kavalo_eb.pdf?sequence=1&isAllowed=y.

[24] Dylan Marrs, "Refugees Face Big Challenges in Accessing Clean Water and Sanitation," April 2, 2020, https://news.grida.no/refugees-face-big-challenges-in-accessing -clean-water-and-sanitation.

[25] World Food Programme, "Challenges Abound for Refugees in Malawi," June 20, 2016, https://news.trust.org/item/20160623074005-vh179.

adopted undesirable survival mechanisms, including underage marriage, sexual exploitation of women and girls, and an increased high school drop-out rate. Apparently, although with little progress, UNHCR is liaising with the Malawian authorities to solve the problem through "local integration, voluntary repatriation or return, and resettlement."[26] UNHCR emphasizes the first option, having the refugees integrated into the national system. The integration of refugees in Malawi would decongest Dzaleka camp, and resolve many of its challenges.

Despite numerous promises in the 2018 by the Malawi government to introduce the Comprehensive Refugee Response Framework (CRRF), the actual adoption remains a dream. The CRRF is "one of two annexes to the 2016 New York Declaration for Refugees and Migrants (New York Declaration), which outlines a comprehensive response to large-scale movements of refugees, based on a collective approach engaging different actors and approaches."[27] The adoption of the CRRF initiative could improve the welfare of refugees and enable them to contribute towards the economic growth of the host country. It is, therefore, significant to establish why Malawi has not approved such policies, despite its being a signatory to the 1951 Convention and numerous promises by political elites about adopting open policies on refugees.

b. *Refugee Status in Uganda*

Contrary to Malawi, Uganda remains a global model in terms of self-settlement policies for refugees. Uganda, a landlocked country located in east Africa, has as of 2021 a population of about 48 million. Uganda is well-known for hosting refugees and asylum seekers. "Uganda's involvement in hosting refugees began in the early 1940s when it hosted 7,000 European prisoners."[28] It is estimated that since 1959, Uganda has been hosting over 160,000 refugees annually, a number that oscillates with the prevailing

---

[26] UNHCR, "Country Malawi."

[27] UNHCR, "Global Trends: Forced Displacement in 2017," *UNHCR*, June 18, 2021, www.unhcr.org/ globaltrends.

[28] Ahimbisibwe Frank, "Uganda and the Refugee Problem: Challenges and Opportunities," *African Journal of Political Science and International Relations* 13, no. 5 (2019): 5, https://doi.org/10.5897/ AJPSIR2018.1101.

security situations in neighboring nations.[29] In 2021, Uganda agreed to host 2,000 refugees from Afghanistan after Taliban militants took power.[30] Although it serves with other countries as host to almost one-third of the global total of refugees, Uganda is ranked among the least developed countries.[31] Much as Uganda has maintained a self-settlement refugee policy, the current influx of refugees into a country with inadequate resources raises serious concerns and may cause it to reach a point of non-sustainability. By the end of 2020, Uganda was hosting more than 1,446,369 refugees,[32] which made Uganda the largest refugee hosting country in Africa. Globally, Uganda ranks third among refugee hosting countries, following Turkey and Pakistan.[33] Ahimbisibwe Frank asserts that the refugee situation in Uganda is protracted due to the prolonged conflict in the neighboring countries of South Sudan, Burundi, Ethiopia, and the DRC.[34] Remarkably, Uganda remains open to refugees from all over the world when other countries with more resources reject them for security reasons.

The existence of protracted conflicts and other refugee-producing situations translates into refugees remaining longer in host countries. Milner asserts that a socio-economic strain by refugees coupled with decreasing support from the international community escalates assistance fatigue in host nations, thereby fueling formulation of restrictive refugee policies.[35] However, Uganda reports positive impacts from hosting refugees due to its liberal refugee policies. It is, therefore, important to study Malawi with

---

[29] Uganda, "Uganda National Action Plan to Implement the Global Compact on Refugees and Its Comprehensive Refugee Response Framework (CRRF): Uganda's Revised CRRF Road Map 2018–2020," March 2019, 5, unhcr.org/sites/default/files/UNHCR Uganda Fact Sheet - January 2020_0.pdf.

[30] Patience Atuhaire, "Taliban Takeover: Uganda to Take in 2,000 Afghan Refugees," *BBC News, Kampala*, August 17, 2021, https://www.bbc.com/news/world-africa-58236663.

[31] UNHCR, "Global Trends: Forced Displacement in 2017."

[32] UNHCR, "Uganda," *UNHCR*, September 2021, https://reporting.unhcr.org/uganda.

[33] Uganda, "Uganda National Action Plan to Implement the Global Compact on Refugees and Its Comprehensive Refugee Response Framework (CRRF): Uganda's Revised CRRF Road Map 2018–2020," 6.

[34] Frank, "Uganda and the Refugee Problem: Challenges and Opportunities."

[35] Milner, *Refugees, the State and the Politics of Asylum in Africa*, 2009, 3.

reference to Uganda to better understand the factors that compel countries to adopt more or less restrictive policies.

C.   LITERATURE REVIEW

This part of the study reviews the current global migration situation, various refugee hosting models, and the international refugee laws. It also explores the factors that facilitate the integration of refugees into societies by examining theories of refugee policies, and the last part of this section discusses models that explain politics involved in policy change or reform.

1.   Global Migration

The refugee phenomenon is inseparable from migration, because the relocation of people is known to be caused by human-made and natural factors. Sarah Collinson has observed that forced migration has a long pedigree in human history and has increased to unprecedented levels with globalization.[36] Various causal mechanisms are associated with migration. Among the main causes Linda Glaser has identified are war, violence, economic dislocation, and climate change.[37] And the number of people displaced by such factors continues to grow. Charlotte Edmond stated that, as of January 2020, United Nations High Commissioner for Refugees (UNHCR) estimated that there were about 272 million international forced migrants globally,[38] displaced from their homes due to conflict, violence, natural disasters, persecution, and other life-threatening situations. Edmond also reported that since 1970, the world has witnessed an increase of forced migration by a factor of three.[39] This escalation in migration has been due to protracted conflicts in the

---

[36] Sarah Collinson, "Globalization and the Dynamics of International Migration: Implications for the Refugee Regime," Working Paper (Hamlyn House, May 1999), 2, https://www.unhcr.org/research/working/3ae6a0c60/globalization-dynamics-international-migration-implications-refugee-regime.html?

[37] Glaser B. Linda, "Migration, Immigration and Refugees Today," *Cornell University*, May 9, 2016, https://as.cornell.edu/news/migration-immigration-and-refugees-today.

[38] Charlotte Edmond, "Global Migration, by the Numbers: Who Migrates, Where They Go and Why," *World Economic Forum*, January 10, 2020, https://www.weforum.org/agenda/2020/01/iom-global-migration-report-international-migrants-2020/.

[39] World Migration Report, "The Global Compact for Migration," World Migration Report 2020 (IOM UN Migration, 2020), https://www.iom.int/global-compact-migration.

world, continuous climate change coupled with natural disasters, and economic hardships common in the world. Cali Massimiliano and Samia Sekkarie have asserted that the movements of people from one area to another have specific implications on social, economic, and political landscapes in both nations of origin and the host nations.[40] Forced migration effects on host nations may cause resentment toward migrants by host state authorities and communities. The host nation's umbrage at refugees works against the integration of migrants into communities and may compel policymakers to adopt restrictive refugee policies.

One of the ultimate purposes of nations' policies is to ensure better livelihoods for their citizens. Regardless of the economic status of the host nation, a sudden increase in population or change in demographics may strain resource availability, although the impact might be felt less dramatically in the developed world. Migrants often flee their country of origin in a desperate manner because their lives are threatened, which leaves migrants with fewer options in choosing where to go. The 2017 UNHCR report noted that 85 percent of refugees live in developing countries, with about 33 percent of refugees hosted by the least developed countries.[41] The resulting demographic impact may escalate the need for basic social services and pose accessibility challenges to both refugees and host communities. The condition of the unavailability of essentials in developing countries may be worsened as a significant percentage of people already live below the poverty line. Refugee Briefing Paper 19 of 2016 reported insufficient support, a situation that affects refugees' perpetual establishment and settlement in the host nations.[42] Similarly, Matthias Luecke and Schneiderheinnze Claas observed that, occasionally, responsible international communities and donors become overwhelmed with the obligation to adequately support

---

[40] Cali Massimiliano and Samia Sekkarie, "Much Ado about Nothing_The Economic Impact of Refugee 'Invasion'.Pdf," *Brookings*, September 16, 2015, https://blogs.worldbank.org/arabvoices/much-ado-about-nothing-economic-impact-refugee-invasions.

[41] UNHCR staff, "Poorer Countries Host Most of the Forcibly Displaced, Report Shows," February 27, 2017, https://www.unhcr.org/news/latest/2017/2/58b001ab4.

[42] Merle Kreibaum, "Build Towns Instead of Camps: Uganda as an Example of Integrative Refugee Policy," *German Development Institute*. 2016, www.die-gdi.de › uploads › media.

programs for refugees from protracted crises.[43] They warned that inadequate funding may lead to shortages of critical basic needs such as food, healthcare, and education, heightening the suffering of refugees and local communities. The challenges encountered by host communities due to the presence of refugees may compel policymakers to change refugees policies to safeguard their own citizens.

2. Models for Hosting Refugees

The most common refugee hosting models that countries including Malawi have adopted are self-settlement and encampment. Restricting refugees in camps can be useful in the initial period of refugees' arrival for their easy management, and thereafter integrating them within communities. By contrast, other countries inherited encampment as a permanent model for hosting refugees. This subsection reviews the literature on the differences between the two models.

a. *Encampment Model*

The refugee camp model or encampment is typically referred to as the keeping of refugees in camps with restrictive measures.[44] It is identified by refugees' lack of autonomy, and according to Barbara Harrel-Bond, it is characterized by camp life restrictions:

> The most essential feature of a camp is the authoritarian character of their administration; they are like 'total institutions', places where, as in prisons or mental hospitals, everything is highly organized, where the inhabitants are depersonalized and where people become numbers without names. Another characteristic of camps, especially those where people have no access to land, is the persistent shortage of food.[45]

---

[43] Matthias Luecke and Schneiderheinnze Claas, "More Financial Burden-Sharing for Developing Countries That Host Refugees" *Journal of Economics* 11, no. 24 (September 14, 2017), https://doi.org/10.5018/economics-ejournal.ja.2017-24.

[44] Oliver Bakewell, "Encampment and Self-Settlement," in *The Oxford Handbook of Refugee and Forced Migration Studies* (Oxford University Press, 2014), 127, https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199652433.001.0001/oxfordhb-9780199652433-e-037.

[45] Barbara Harrell-Bond, "Are Refugee Camps Good for Children," New Issues in Refugee Research (American University in Cairo, August 2000), 1, https://www.unhcr.org/3ae6a0c64.pdf.

Freedom of movement and inclusiveness in economic activities are crucial for every individual's well-being. The most significant and distinctive feature of encampment is the absence of autonomy for refugees. Refugees' lack of autonomy in movement and commercial activities negatively affects their living as it engenders dependence on humanitarian aid. The 2016 report of the World Food Programme asserted that the international community is struggling financially to support forced migrants seeking refuge in many countries in the world.[46] This economic challenge escalates the refugees' suffering, as according to the 2017 UNHCR report, 85 percent of the refugees are hosted by developing nations whose economy cannot support the influx of refugees.[47] However, countries take advantage of refugees' presence to attract international community assistance. As Karen Jacobsen reported, one of the reasons why some countries restrict refugees to camps is to attract the attention of the UNHCR so that it can manage and provide assistance to the refugees.[48]

b. *Self-settlement or Integration*

According to Jeff Crisp, self-settlement or local integration can be defined as "a legal process, whereby refugees are granted a progressively wider range of rights and entitlements by the host state"[49] The 1951 Refugee Convention asserts that the refugees' rights include, "the right to seek employment, to engage in other income-generating activities, to own and dispose of property, to enjoy freedom of movement and to have access to public services such as education."[50] The autonomy granted to refugees through integration turns into a social and economic process, since refugees are able to sustain themselves economically "without fear of authorities' systematic discrimination,

---

[46] World Food Programme, "Challenges Abound for Refugees in Malawi," June 20, 2016.

[47] UNHCR, "Global Trends: Forced Displacement in 2017."

[48] Karen Jacobsen, "Can Refugees Benefit the State? Refugee Resource and African Statebuilding," *The Journal of Modern African Studies* 40, no. 4 (November 28, 2002).

[49] Jeff Crisp, "New Issues in Refugee Research," *UNHCR*, April 2014, 1, https://www.unhcr.org/407d3b762.pdf.

[50] Crisp, 1.

intimidation or exploitation."[51] This definition of integration, depicts the process as requiring mutual cooperation between refugees and the hosting communities. The self-reliance that refugees attain through integration may relieve the hosting nations and international community support, besides enabling refugees to avoid deplorable camp conditions.

3. International and Regional Legal Frameworks

Forced migration is a global problem which requires legal frameworks of international regulators to ensure that standard procedures are followed in the management of refugees. The most prominent and relevant universal international laws include the 1951 UN Convention on the Status of Refugees and its 1967 Protocols.[52] These were introduced after World War II, with an intention of ensuring refugees' autonomy and the protection of their human rights. In the African context, the 1969 African Union (AU) Convention specifically addresses issues concerning refugees in Africa.[53] These laws mainly apply to all nations that ratified and are signatories to the law. This section reviews the international and regional legal frameworks that Malawi and other countries such as Uganda ratified with respect to refugee protection and hosting of refugees.

a. The 1951 UN Convention on the Status of Refugees and Its 1967 Protocols

According to *Handbook on Procedures Criteria for Determining Refugee Status* under the 1951 Convention, "the 1951 Refugee Convention and its 1967 Protocol are the strategic legal documents that outline the basic definition of refugee, the legal status of refugees and their rights, and the legal obligations of states to protect them."[54] These form the main source of legal protections for refugees and asylum seekers. The 1951 Convention

---

[51] UNHCR, "The 1951 Convention Relating to the Status of Refugees and Its 1967 Protocol," *UNHCR*, September 2011, https://www.unhcr.org/en-us/about-us/background/4ec262df9/1951-convention-relating-status-refugees-its-1967-protocol.html.

[52] UNHCR.

[53] Milner, *Refugees, the State and the Politics of Asylum in Africa*, 2009, 7.

[54] UNHCR, "Handbook on Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection," *UNHCR USA*, February 2019, 14, https://www.unhcr.org/publications/legal/5ddfcdc47/handbook-procedures-criteria-determining-refugee-status-under-1951.

provides guidance through its key provisions regarding refugees, including the circumstances for determining an immigrant is a refugee or confirming refugee status. Article 1(A) 2 of the 1951 UN Convention on the Status of Refugees describes conditions for defining a refugee:

> As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.[55]

Guy S. Goodwin-Gill observes that the definition was tailored to respond to the European situation post-World War II, and "from the outset, it was recognized that, given its various limitations, the Convention would not cover every refugee."[56] The confines on the refugee definition might have restricted others eligible for refugee status, hence the introduction of the protocol to the convention. Milner asserts that "it was not until the adoption of the 1967 Protocol relating to the Status of Refugees (1967 Protocol) that the temporal and geographic limitations of the definition were removed, making the definition more universally applicable."[57]

b. The 1969 Organization of African Unity (OAU) Convention

The 1969 Organization of African Unity (OAU) Convention was enacted after some gaps were further observed in the refugee definition of the 1951 UN Convention and its 1967 Protocol. Milner observes that the definition in the 1951 UN Convention exclusively recognized individual victims of persecution as refugees.[58] In the African

---

[55] UNHCR, "Convention and Protocol Relating to the Status of Refugees" (UNHCR, December 2010), 14, https://www.unhcr.org/3b66c2aa10.

[56] Guy S Goodwin-Gill, "The International Law of Refugee Protection," *The International Law of Refugee Protection*, August 2014, https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/ 9780199652433.001.0001/oxfordhb-9780199652433-e-021?print=pdf.

[57] Milner, *Refugees, the State and the Politics of Asylum in Africa*, 2009, 6.

[58] Milner, 7.

context, this posed two challenges for those African countries that had just achieved independence in the 1960s. According to Milner the concerns included:

> First, the majority of refugees in Africa at the time were not fleeing individualized persecution, but generalized violence, either as a result of the ongoing wars of national liberation or as a result of conflicts in newly independent states. Second, application of the 1951 Convention requires individual refugee status determination procedures. Even given the number of refugees in Africa in the 1960s, such procedures were found to be too resource- and time-intensive for many African states.[59]

These flaws in the definition necessitated African states to develop an additional convention that was to include refugees of all categories. This requirement influenced the OAU to formulate and adopt the 1969 Convention on the Specific Aspects of Refugee Problems in Africa with a supplementary refugee definition. Milner reports that the OAU's 1969 Convention illustrates two aspects of refugee definition. "The first, in Article I (1), is identical to the definition in Article 1(A) 2 of the 1951 Convention. Article I (2) of the 1969 OAU Convention." [60]

Lamis Elmy Abdelaaty laments the lack of enforcement provisions by a global refugee regime that oversee nations upon the implementation of the law. According to UNHCR, by 2011, 148 nations were party either to one or both of the legislations.[61] Those countries that ratified the International Refugee law are bound by the terms of the convention and its protocol. To make the international laws recognizable and enforceable in the domestic courts, individual countries formulate domestic laws for refugees. Goodwin-Gill asserts that whereas sovereign states have the right to enact their national laws, they must follow international laws they have ratified.[62] This narrative implies that domestic laws are supposed to be in compliance with international laws, although practically it seems that sovereignty vindicates states that do the opposite. Most countries

---

[59] Milner, 7.

[60] Milner, 8.

[61] Lamis Elmy Abdelaaty, *Discrimination and Delegation: Explaining States Responses to Refugees* (New York: Oxford University Press, 2021), 3.

[62] Goodwin-Gill, "The International Law of Refugee Protection."

have enacted laws that conflict with the international law on refugees, as manifested by restrictive refugee laws.

For example, even though Malawi and Uganda made similar ratifications to the 1951 UN Convention on the Status of Refugees, its Protocols, and the 1969 OAU Convention on Refugees, obligating them to receive and protect refugees, they have adopted different policies and ways of managing refugees. Various theories attempt to explain why countries adopt different models of hosting refugees, and why countries treat refugees differently despite the existence of common international and regional legal frameworks. The next subsection reviews literature of some of those theories.

c.   *Theories of Refugee Policies*

Several theories are used to explain the factors that influence states' adoption of different refugee hosting models and management procedures and practices. Certain factors might have an impact on the perception and reception of refugees and asylum seekers by the host states and communities. This section focuses on the five main theories explaining the adoption of refugee models. Those theories include population policy, social receptiveness, assimilation, the pluralistic model, and residential segregation theory. As I discuss in this section, these theories fail to explain the adoption of restrictive refugee policies in both Malawi and Uganda.

Population policy theory suggests that a country's population policies determine the number of refugees a country can accommodate or resettle.[63] Highly industrialized countries with relatively low population density, as compared to labor required may opt for refugees. According to Steven Kramer, this is mainly observed in underpopulated countries or countries with aging populations like Germany; refugees may supplement the country's numerical strength and provide support to the country's existing population.[64] Such countries would consider refugees a valuable resource for the countries' economic growth

---

[63] Paul T Schultz, "Population Policy," in *Handbook of Development Economics*, vol. 5 (ScienceDirect, 2010), https://doi.org/10.1016/B978-0-444-52944-2.00010-0.

[64] Steven Kramer, "An Aging Germany in a Young World: Adapting to Demographic Changes," *American Institute for Contemporary German Studies*, April 30, 2015, https://www.aicgs.org/publication/an-aging-germany-in-a-young-world/.

through the provision of cheap labor. In this case, the reception and resettlement of refugees is facilitated, as the state and communities would want to exploit the inexpensive labor from refugees. By contrast, Egon Kunz reports that densely populated countries with a robust labor force are less likely to settle refugees.[65] Refugees may turn out to be competitors for employment with the host communities or may lack necessary skills to earn employment. The rivalry may complicate resettlement of refugees and their subsequent integration and instead may compel political authorities to reject them or to host them in camps. This narrative explains how demographic-based fears drive restrictive policies in other countries and open policies for others. However, this theory does not apply to Malawi, as it is highly populated with higher unemployment rate.

Although it may apply to Malawi, the population theory is inadequate to explain why Uganda adopted an open policy that accepted so many refugees. According to the World Bank report of 2018, the population density of Uganda is 213 people per square km,[66] which is far above the Malawian population density rate; yet, Malawi adopted restrictive policies. Heidrun Bohnet and Clara Schmitz-Pranghe argue that communities in Uganda accept new refugees because of the humanitarian assistance and programs from the international community that prove to be beneficial to communities hosting refugees.[67] This theory is insufficient because it does not consider that host countries often receive a large amount of aid to support refugee population that may ameliorate public resentment on refugees.

The pluralistic model emphasizes accommodating people from various cultural backgrounds. Joseph Healey and Eileen O'Brien assert that the pluralistic model is based on the multicultural background of communities that involves the acceptance of multiple

---

[65] Egon F Kunz, "Exile and Resettlemen: Refugee Theory," *International Migration Review* 15, no. No.1/2 (Spring-Summer 1981): 48, https://www.jstor.org/stable/2545323.

[66] The World Bank, "Population Density (People per Sq. Km of Land Area) - Uganda," *The World Bank*, 2018, https://data.worldbank.org/indicator/EN.POP.DNST?locations=UG.

[67] Heidrun Bohnet and Clara Schmitz-pranghe, "Uganda: A Role Model for Refugee Integration?" (BICC, BICC\working paper, 2019), 29, https://www.bicc.de/uploads/tx_bicctools/WP2_19_Uganda_web.pdf.

cultures, which in turn facilitates integration.[68] Malawi is ethnically diverse, mainly in the southern and northern parts of the country, as these regions have more than six ethnic groups. Hence, based on the pluralistic model, we would expect Malawi to adopt more open policies toward refugees rather than the more restrictive ones that have been in place since the early 1990s.

The social receptiveness theory is another theory that explains whether a society accepts or rejects refugees. It explains that the host community's reception depends on the degree of conformity of refugees to the host's culture.[69] It further explains that "monistic societies are less likely to be hospitable to people who cling to their differing cultures."[70] Malawi has a multi-ethnic society found in almost all parts of the country.[71] According to the 2019 Global Peace Index, Malawi was ranked the third most peaceful country in Africa.[72] This ethnic diversity and culture of friendliness that Malawians are famous for might be catalysts for easy integration of refugees and asylum seekers amongst the communities. However, Malawi has adopted more restrictive refugee policies that do not align with the expectations of this theory.

Assimilation theory, as described by Healey and O'Brien, relates to the process through which a new group starts sharing cultures and norms with the dominant group, which in the end facilitates integration.[73] This theory proposes that as the new group becomes embraced by the mainstream society, differences between the two societies tend to disappear, leading to assimilation. Wilbur Zelinsky and Barret Lee consider assimilation

---

[68] Joseph F Healey and Eileen O'Brien, "Race, Ethnicity, Gender, & Class: The Sociology of Group Conflict and Change, 7th Edition," Washington, DC: SAGE Publication. 2, no. 6 (February 9, 2015), Race, Ethnicity, Gender, and Class: The Sociology of Group Conflict and Change 7th Edition.

[69] Kunz, "Exile and Resettlemen: Refugee Theory," 49.

[70] Kunz, 49.

[71] Bruce H Dolph, "Culture of Malawi," 2010, https://www.everyculture.com/Ja-Ma/Malawi.html.

[72] IEP, "Global Peace Index 2019: Measuring Peace in a Complex World" (Sydney: Institute for Economics & Peace, June 2019), 8, http://visionofhumanity.org/reports.

[73] Healey and O'Brien, "Race, Ethnicity, Gender, & Class: The Sociology of Group Conflict and Change, 7th Edition."

as the melting point.[74] They further consider it, as a key requisite, the two societies are expected to contribute to the new culture and uniformly formulate another ethos and possibly a new civilization. This theory does not explain why countries adopt more or less restrictive policies. As authorities do not know in advance if the assimilation process will be successful; thus, it is not likely to be an important driver of policy adoption.

Residential segregation theory takes into consideration benefits from refugees as a prediction tool for the resettlement method and benefits that may accrue from hosting refugees. George Borjas asserts that under residential segregation, host states separate refugees from their host communities out of fear of the perceived negative impacts related to their hosting of refugees.[75] In this case, the refugees are completely isolated from the local communities. Borjas asserts that the seclusion impinges on the host communities' abilities to benefit from their refugees.[76] He also observes that closing refugees off from the rest of the communities affects assimilation, which further complicates integration. Following this theory's narrative, Malawi could have been a nation with liberal refugee policies. By contrast, the current "closed door" refugee policy affirms the shortfall of this policy.

Existing theories based on population and social models, and integration or segregation, are insufficient to understand why countries like Malawi and Uganda have adopted their respective policies toward refugees. To better understand how issues such as population, cultural similarity, pluralism and assimilation translate into policy choice, it is necessary to examine the political, economic, and security dynamics surrounding refugees in a particular country.

---

[74] Wilbur Zelinsky and Barret A Lee, "Heterolocalism: An Alternative Model of the Sociospatial Behavior of Immigrant Ethnic Communities," *International Journal of Population Geography* 4, no. 4 (December 1998), https://doi.org/10.1002/(SICI)1099-1220(199812)4:4<281::AID-IJPG108>3.0.CO;2-0.

[75] George J Borjas, "Ethnic Enclaves and Assimilation," *Swedish Economic Policy Review* 7, no. 2 (2000): 117, https://www.government.se/contentassets/9c0449dd5ee74aa68f24e1fc96721095/george-j.-borgas-ethnic-enclaves-and-assimilation.

[76] Borjas, "Ethnic Enclaves and Assimilation."

(1)   The Politics of Policy Change and Reform

In Africa, most states have changed refugee policies from permissive to restrictive policies, even though they ratified and attained full membership in the international refugee regime. Further, despite the international refugee laws and international community advocating for open refugee policies, stiff resistance to change is observed among many nations. At the helm of each state, there are political elites, which justifies their direct involvement in deciding policies a nation is to adopt. It can be argued that the politicization of the refugee issue is one factor that leads to policy changes. Masimba Tafirenyika has defined politicization, as "the developing power of the state and thereby of the political actors who, in the process of competing for power over the state system, tend to politicize matters and issues that are of public-wide concern.[77] Lucie Cerna asserts that where substantial changes are involved, politics impacts on the origins, formulation and implementation of public policy.[78] She further asserts that appropriate political will is important for policy reform or change to be implemented. The competition involved in policy formulation would dictate policymakers to adopt policies that will enable their victory. This affirms that policy change does not occur in a political vacuum and it can be argued that politics take precedence in policy making. According to Michael Reich, the following justifies political involvement in reform:

> First, it represents a selection of values that express a particular view of society. Second, Reform has distinct distributional consequences in the allocation of benefits and costs. Third, Reform promotes competition among groups that seek to influence consequences. Fourth, Enactment or non-enactment of reform is often associated with regular political events or political crises. Lastly, Reform can have significant consequences for a regime's political stability.[79]

---

[77] Masimba Tafirenyika, "Mozambican Refugees in Malawi: Will They Ever Return Home?," June 15, 1992, 4, https://www.sardc.net/en/southern-african-news-features/mozambican-refugees-in-malawi-will-they-ever-retijrn-home/.

[78] Lucie Cerna, "The Nature of Policy Change and Implementation: A Review of Different Theoretical Approaches," *Organisation for Economic Co-Operation and Development*, 2013, 14, https://www.oecd.org/education/ceri/The%20Nature%20of%20Policy%20Change%20and%20Implementation.pdf.

[79] Michael R Reich, "The Politics of Health Sector Reform in Developing Countries: Three Cases of Pharmaceutical Policy," *Health Policy* 32, no. 1–3 (June 1995).

The extent to which political involvement underpins policy change or reform recommendation by political elites will determine their survival in power. To understand the conditions that can either facilitate or impede policy reform, according to Cerna, there are three different models, not exclusive of each other, under which policy reform can occur.

According to the political will model, to achieve effective policy reform, political authentication by political elites is vital, indispensable, and appropriate.[80] Further "this model is more likely under political circumstances such as 'a strong mandate, strong state, narrow coalition and strong leadership."[81] This model projects the notion of the pivotal role that politics plays in policy formulation and enforcement.

The political factions model takes into consideration that politicians would like to achieve the desire of the majority of the public, as well as interest groups or political parties.[82] Under democratic rule, reciprocity may be used by political elites as they will be considering policies that will compel the public to vote for them. The states might be trying to follow the sentiments of the public majority. Cerna asserts that policy reform "may occur only when it corresponds to a preferred distribution of benefits to specific constituent groups of government leaders."[83]

The political survival model explains that the authorities seek to defend their personal interests (as power holders) so as to uphold or develop their power over resources. Cerna asserts that the model "assumes that politicians operate in a logic of opportunistic politics, in which decision-makers manipulate policies to achieve desired means."[84] Cerna further asserts that reform that enhances individual political existence or the individual

---

[80] Cerna, "The Nature of Policy Change and Implementation: A Review of Different Theoretical Approaches," 15.

[81] Cerna, 15.

[82] Cerna, 15.

[83] Cerna, "The Nature of Policy Change and Implementation: A Review of Different Theoretical Approaches."

[84] Cerna, 15.

benefits of politicians may obtain overwhelming support from the authorities.[85] This is observed in most of African countries where political elites introduce policies that serve their individual interests. For example, several presidents have been advocating for constitutional change in order to legitimize their candidacy during elections. The political survival model might explain reasons why nations with similar ratifications to international law opt for different policies.

D.   HYPOTHESES

I hypothesize that three main factors determine whether countries adopt more restrictive or more open refugee policies: socio-economic impact, security concerns, and the political rhetoric surrounding refugees. First, refugees migrate in a desperate situation and rely on the support of the host government and the international community. International community support is seldom sufficient, thereby exacerbating the challenges developing countries face to support their citizens and refugees, which becomes a burden to the host nation. In order to mitigate the strain on social services and economic hardships, the government may opt to restrict refugee policies to minimize the refugees' perceived negative impact on the local communities.

Additionally, an influx of refugees into a country cannot be supported by the host nation alone, especially for developing nations; this support requires the intervention of the international community. However, the escalation of the refugee phenomenon seems disproportionate to the support provided by the international community. The challenge is exacerbated by the massive increase of refugee populations and their protracted stay in host countries. Insufficient humanitarian aid may shift the burden to strained social services in the in the host nation and eventually affect the socio-economic development of a host country, thereby instigating resentment toward refugees.

Second, the two different policies—the restrictive policy of Malawi and the more liberal policy of Uganda—are self-reinforcing. Malawi's "closed door" policies allow fewer refugees and create conflicts between refugees and their host communities. In

---

[85] Cerna, 15.

contrast, Uganda's permissive policies permit many more refugees and allow local integration and programs that benefit both refugees and their hosts. Therefore, a country with more permissive refugee policies is likely to encounter fewer challenges with refugees and may host many more refugees than one with restrictive policies.

Third, political leaders advance more "open door" or "closed door" refugee policies in order to pursue their own political interests to support their political survival. Policies that do not support the individual interests of politicians would not receive their blessing. Political elites often seek to achieve and maintain political power; therefore, they would ensure that policies that are being created and enforced should shape their victory. In Malawi, "closed door" policies might have been adopted to ameliorate emerging resentment within the public suffering the effects of drought, since only refugees accessed humanitarian aid from the international community. With the ongoing pressure by different sectors to change Malawi's type of government during the time (late 1980s to early 1990s) encampment of refugees proved to be the best option for the government that wanted to stay in power.

E.   RESEARCH DESIGN

To achieve the objective of the study, I collected qualitative information from scholarly research from open sources on refugees, global legal frameworks and refugee management models. In trying to understand refugee policy change in Malawi, a comparative approach was adopted where factors in the country were compared to Uganda's conditions as the latter adopted open door policies on refugees. The similarities of the two countries in terms of economy, history, type of government, and their involvement in UN peacekeeping missions justified the comparison. Specifically, three factors were explored: the socio-economic impact of refugees in both countries, the security concerns that emanate from the presence of refugees, and the politicization of the refugee issue for political gain.

F.   LIMITATIONS OF THE STUDY

This study was restricted by time and resources. To study the socio-economic and security impacts thoroughly would require extensive time and resources to visit the

countries studied and conduct interviews with authorities, refugees, and local communities. Due to time and resource factors, literature was the only source of information, and the main emphasis was to determine the actual factors that compel policymakers to adopt restrictive refugee policies in Malawi while Uganda adopted open policies. The other challenge was that similar studies have been conducted only sporadically in the two countries, which made potentially important local—based information unobtainable.

G.   ORGANIZATION OF THE THESIS

This study is organized in four chapters. Chapter I is the introduction and provides the background to the study, statement of the problem, literature review, objective of the study, research questions, significance of the study, limitations of the study, hypotheses, research design, and the organization of the study. Chapter II provides a review of Malawian refugee policy and compares it to Uganda's refugee policy. Chapter III furnishes the factors that led Malawi to adopt "closed door" refugee policies and Uganda to adopt its "open door" policies. Chapter IV presents the summary of findings, conclusion of the research, and recommendations from the study.

THIS PAGE INTENTIONALLY LEFT BLANK

II.   REFUGEE LAWS AND POLICIES AND THEIR IMPACTS IN MALAWI AND UGANDA

Chapter I included a short summary of refugee hosting models. That chapter concluded that the global trend is that most countries which initially acceded to and ratified international law pertaining to refugees have introduced new laws that contravene the provisions in international refugee law. Malawi is one of these countries. Since 1991, Malawi has adopted policies that block free entry into the country and restrict refugee and asylum seekers to spatially segregated camps.[86]

A comparative study of Malawi and other countries such as Uganda, which adopted an open policy is required for proper understanding of the respective nations' rationale on policy choices. Legal frameworks form the foundation for governments' actions on specific issues that include the management of refugees. This chapter discusses the key aspects of Malawi's refugee policies and management in comparison to those of Uganda.

To support these arguments, this chapter proceeds as follows: Section A covers the evolution of refugee laws and policies in Malawi. Section B outlines the Malawian refugee laws. Section C compares the Malawian policies on refugees to the corresponding policies of Uganda. Analysis shows inconsistency between Malawi's laws and international law on refugees' freedom and rights. Additionally, there is lack of enforcement of international law for sovereign state compliance. The analysis also illustrates that apart from exposing the refugees in Malawi to deplorable living conditions, the new policies have deprived the country of the benefits it might have gained from hosting refugees, and did little to address Malawi's security issues.

A.   MALAWI'S CHANGING REFUGEE POLICIES AND LAWS

Regulations and policies form an important part of an institution as the laws provide the roadmap for its operations in addition to making those policies enforceable. Agnes Callamard observed that refugee policies for Malawi have evolved from being more

---

[86] Levi Duma Mvula, "Refugee Status Determination and Right in Malawi," 2010, 6, www.rsc.ox.ac.uk/files/files-1/dp-rsd-malawi-2010.pdf.

permissive in the 1960s through the 1990s to the "closed door" policies presently imposed.[87]

Until the late 1980s, Malawi had no prominent policies that could be used in the control and management of refugees. Levi Mvula asserts that although Malawi assented to, "the 1951 UN Convention relating to the Status of Refugees, the 1967 Protocol, the 1969 OAU Convention governing the specific aspects of refugee problems in Africa, and the 1954 Convention relating to the Status of Stateless persons,"[88] Malawi did not have a domestic legal framework governing refugees and asylum seekers until 1989, when the Refugee Act was enacted. On the other hand, Malawi has not acceded to the 1961 Convention on the Reduction of Statelessness. This convention aimed to ensure the right of nationality to every person and "prevent statelessness at birth and later in life."[89] Malawi declined to adopt this provision, perhaps to prevent refugees attaining nationality in the country and also because it contravenes other domestic laws. UNHCR Malawi reports that the 1961 Convention conflicts with the Malawian Citizenship Act and asserts that,

> In Malawi, the Citizenship Act is the principal law that enables one to become a citizen and without following the Act's provisions, one can be a stateless person. Although the Act contains some safeguards against statelessness, gaps remain with regard to ensuring that children who are otherwise stateless can acquire a nationality. For instance, children born in Malawi to parents who are not of African race are explicitly excluded in the Malawi Citizenship Act from the right to acquire Malawian citizenship by birth.[90]

Additionally, Malawi expressed concern on some of the articles of the 1951 convention on refugees' rights, "for example, the rights to naturalization, health, education,

---

[87] Agnes Callamard, "Malawian Refugee Policy, International Politics and the One-Party Regime," *The Trustees of Columbia University in the City of New York* 47, no. 2 (January 1, 1994): 526.

[88] Mvula, "Refugee Status Determination and Right in Malawi," 4.

[89] UNHCR, "Convention on the Reduction of Stateslessness" (UNHCR, 1961), https://www.unhcr.org/ibelong/wp-content/uploads/1961-Convention-on-the-reduction-of-Statelessness_ENG.pdf.

[90] UNCHR, "Malawi," Submission by the UNHCR for the Office of the High Commissioner for Human Rights' Compilation Report Universal Periodic Review: 3rd Cycle, 36th Session, 3rd Cycle, 36th Session (Malawi, October 2019), https://www.refworld.org/pdfid/5e17493a2.pdf.

freedom of movement and the right to engage in economic activity."[91] Furthermore, Mvula notes that Malawi's weak and fragmented laws dating back to 1964, originated from those international and regional treaties that sought to defend and uphold the rights, freedoms, dignity, and welfare of refugees.[92] Drawing from the international legal frameworks and fragmented legislations in Malawi, the next section traces the origins of Malawi's refugee policies prior to 1989, when it enacted the 1989 Refugee Act, which remains in force.

1.   The Origin of Malawi's Refugee Policies

The absence of an actual legal framework in Malawi before 1989 led to seemingly decentralized management of refugees. Using the open-door policy that went along with "traditional African hospitality," refugees were supported by local communities who provided food, accommodation, and land for cultivation. Callamard has noted that contrary to Malawi's lack of capability to control and monitor borders, "the open-door policy constituted a *de jure* recognition of a historically *fait accompli,* i.e., the persistence of cultural and economic relationships between Malawians and Mozambique that defied nation-state building and allegiance."[93] The liberal refugee policy saw Malawi hosting a significant number of *prima facie* refugees. However, when the population of refugees increased, the community support was insufficient; this necessitated government intervention and regulation of procedures for the management of the refugees. Mvula has also asserted that the need for proper administration and management of refugees led Malawi to finally, in 1987, sign and ratify the 1951 Convention.[94] Consequently, as Callamard noted in 1989, the Malawi Refugee Act was formulated.[95] The international community was not involved in handling refugee matters in the country until 1986 when the escalation of conflict in Mozambique in the 1980s expanded the refugee population and

---

[91] UNCHR.

[92] Mvula, "Refugee Status Determination and Right in Malawi."

[93] Callamard, "Malawian Refugee Policy, International Politics and the One-Party Regime."

[94] Mvula, "Refugee Status Determination and Right in Malawi," 7.

[95] Callamard, "Malawian Refugee Policy, International Politics and the One-Party Regime."

prompted Malawi to request the intervention of UNHCR and other non-governmental organizations (NGO).

Until this upsurge of refugees in 1986, Malawi's environmental and economic conditions compelled the government to adopt lenient policies regarding the location of the camps and the presence of self-settled. Since Malawi's economy is agro-based, much arable land is used for cultivation while upland areas are used for conserving natural resources. Callamard has observed that the scarcity of suitable land for settlement impelled the refugees to self-settle in low-lying areas.[96] These areas made the refugees susceptible to malaria and water-borne diseases. Settlement in disease-prone areas might have negatively affected the health budget of the country as those who became sick sought medical attention from the country's hospitals. Converse to encampment, self-settlement allowed refugees to support their living apart from medical services. Nevertheless, according to Callamard, in 1991, Malawi shifted from the open-door refugee policy to a closed refugee policy, which saw the opening of the Lisongwe refugee camp located in the Mwanza district.[97] Subsequently, other camps such as Dzaleka in the central region and Luwani in the southern region were established. The next section discusses the Malawi legislation on refugees and asylum seekers.

B.   MALAWI'S REFUGEE LAWS

Shortly after Malawi adopted the 1951 Convention and the 1967 Protocol, the Malawi Refugee Act was enacted and came into force in 1989. The Act reinforced the closed door policy. Prior to 1989, the Malawi Immigration Act of 1964 was the one used to control and manage the entry of people into Malawi. This section explores the Immigration Act of 1964, the 1989 Malawi Refugee Act, and key issues that address socio-economic and security concerns surrounding refugees.

---

[96] Callamard, 541.

[97] Callamard, 541.

1. The Malawi Immigration Act of 1964

The Malawi Immigration Act was enacted in 1964, the year the country became independent. The Act was sanctioned, "to regulate the entry of persons into Malawi, to prohibit the entry into the country of undesirable persons, to make provision for the deportation of unwelcome persons."[98] The act was formulated mainly to control the entry of foreign nationals in general without considering the rights of refugees. Reasons for inattention to refugees' rights could be attributed to two factors: First, these laws were adopted from colonial masters who might have used the same laws to control entry of people whose aim was to fight against the regime. Second, these laws were enforced before the country's ratification and signing of the 1951 Convention, the 1967 Protocol, and the 1969 OAU Convention, meaning that Malawi was not obligated to protect the rights of refugees. Conspicuously missing in the Immigration Act is the mention of refugees in the definition of the non-prohibited immigrants' category. As explained in the next section, there are sections of the Immigration Act that contradict the Malawi Refugee Act, whereby law enforcers, such as the police and the judiciary, have used the Immigration Act to prosecute immigrants.

2. Malawi's Refugee Act of 1989

As previously referenced, Malawi acceded to the 1951 Convention, the 1967 Protocol, and the OAU Convention in 1987.[99] The signing and ratification of international refugee law created a responsibility to adopt proper legislation to enable the enforceability of the set instruments within the national legal framework. Furthermore, according to Mvula, in the 1980s a legitimate framework was necessary to control and monitor the processes and management of Mozambican refugees.[100] Subsequently, on April 3, 1989, Malawi adopted and promulgated the Refugee Act of 1989.[101]   The core purpose of the

---

[98] UNHCR, "Malawi: Immigration Act of 1964," *Refworld*, 1964, Accessed in February 10, 2021 https://www.refworld.org/docid/3ae6b4f58.html.

[99] Callamard, "Malawian Refugee Policy, International Politics and the One-Party Regime."

[100] Mvula, "Refugee Status Determination and Right in Malawi," 2.

[101] Malawi, "Malawi Refugee Act, 1989," *Malawi Lii*, April 3, 1989, https://malawilii.org/mw/legislation/act/1989/3.

legislation was to set appropriate procedures to regulate the management of refugees. Noticeably, the 1951 Convention and the OAU Convention refugee definitions are integrated into the 1989 Malawi Refugee Act. The Refugee Act describes a refugee as a person who:

- (a) owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events is unable or, owing to such fear, is unwilling to return to that country; or
- (b) owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.[102]

The meaning of refugees indicated in the act is comprehensive and does not differ from the definitions provided in the international law for refugees. Presumably, the definition was meant to be more accommodating for refugees.

Nevertheless, the Act is silent on the essential refugee rights as was the case with the 1951 Convention. Absence of these rights can be accredited to the following explanations. First, in 1989, Malawi's constitution was not incorporated with a bill of rights, as the country was under an authoritarian rule at that time. Therefore, it was impossible for the state to grant refugees enforceable rights while denying its citizens the same rights. Second, Malawi was hosting a larger population of Mozambican refugees than from any other country. Tafirenyika reported that between 1989 and 1990, two-thirds of more than 1.5 million Mozambican refugees were in Malawi, resulting in a situation

---

[102] Malawi, 2.

wherein about 17 percent of the population in Malawi was Mozambican.[103] The demographic shift strained land and other resources. The restrictions placed on the freedoms of refugees by the government, including on movement and economic activities, was meant to somehow minimize the pressure on its citizen. Third, Malawi had reservations on some of the articles of the 1951 Convention that might have influenced the way the Refugee Act was drafted. It would have been a contradiction to include provisions in the Act about which the country expressed its reservations during the ratification of the 1951 Convention.

From the Refugee Act of 1989, a violent situation that threatens the lives of people was the main determinant for one to be granted a refugee status regardless of the health or way of living of an individual. By contrast, in Sections 4 (b), (c), (d), (e), (g), and (h) of the Immigration Act of 1964, people listed as prohibited immigrants included illiterate persons, poor people, the insane and the physically ill, prostitutes, homosexuals, and those considered by the home nation as prohibited persons.[104] This is in contradiction to the Refugee Act, which considered mainly external factors that can lead to loss of life regardless of the condition of the person. Important to note is that persecution, war, or any other life-threatening situation affects all people regardless of their education, health, wealth, and behavior.

Nevertheless, as far as refugee rights are concerned, there are also other critical provisions in the Act in terms of the refugees' management. Mvula asserts that a majority of the rights incorporated in the Act are judicial guarantees.[105] One such example is Article 10 of the Act, which forbids exclusion of refugees to the nation where he/she is under persecution and ensures that the principle of non-refoulement is followed.[106] Similarly, the Act provides that while the application is being processed for refugee status, the applicant should be allowed to live in Malawi. Additionally, the law permits refugees

---

[103] Tafirenyika, "Mozambican Refugees in Malawi: Will They Ever Return Home?"

[104] UNHCR, "Malawi: Immigration Act of 1964."

[105] Mvula, "Refugee Status Determination and Right in Malawi."

[106] Malawi, "Malawi Refugee Act, 1989."

freedom of passage en route to a country of asylum. Significantly, the law also demands that individuals who illegally arrive in Malawi with the aim of seeking asylum as a refugee inform a capable officer about their presence within a day of crossing the borders or within a period acceptable by "the competent officer," depending on the situation. Article 10(2) of the Malawi Refugee Act likewise "assures such individuals security from being interned, confined, declared prohibited immigrant or otherwise penalized by reason only of his illegal entry or presence in Malawi unless and until the committee has considered and made a decision on his application for refugee status."[107] This is in line with Section 31 of the 1951 Convention, which prohibits punishments for illegitimate entry into the country.

Conversely, more recently, the media in Malawi has been inundated with cases of arrests and imprisonment of migrants. For example, in July 2017, 48 Ethiopian nationals were arrested for "illegal entry contrary to section 21 (1) of the Malawi Immigration Act."[108] Significantly, the courts have been convicting foreign nationals from war-torn countries, such as the DRC and Burundi, for illegal entry according to the Immigration Act.[109] On March 2, 2021, the police detained illegal migrants and the vehicle they were using in the Kasungu district.[110] Also, in September 2015, more than 300 illegal migrants were imprisoned in different jails throughout the country.[111] The verdict could have been different if those convicted were charged according to the Refugee Act. These examples show that there are conflicts amongst the laws that hinder the implementation of the Refugee Act. These imperfections in law implementation deprive refugees of the protection the law affords them.

---

[107] Malawi.

[108] Bright Mfune, "48 Illegal Immigrants Arrested," *Malawi 24*, July 25, 2017, https://malawi24.com/2017/07/25/48-illegal-immigrants-arrested/.

[109] Flora Mitumba, "Court Jails 8 Foreign National For Illegal Entry in Karonga," *Faceof Malawi*, May 16, 2021, https://www.faceofmalawi.com/2021/01/13/court-jails-8-foreign-nationals-for-illegal-entry-in-karonga/.

[110] Nyasatimes, "Police Detain Vehicle, Illegal Immigrants from Somalia, Ethiopia," *Nyasatimes*, April 4, 2021, https://www.nyasatimes.com/police-detain-vehicle-illegal-immigrants-from-somalia-ethiopia/.

[111] Lameck Masina, "Illegal Migrants Stuck in Malawi Prisons after Serving Sentences," *VOA*, September 2, 2015, http://www.afriem.org/2015/09/illegal-migrants-stuck-in-malawi-prisons-after-serving-sentences/.

The next section explores Ugandan refugee laws and policies. Uganda freely welcomes and hosts refugees despite its various challenges. Lessons from Uganda may assist in comprehending that nation's resilience and commitment to refugees. This analysis offers insights worldwide to nations on how to adopt "open door" refugee policies, as the refugee phenomenon is the global challenge.

C.   UGANDAN REFUGEE LAWS AND POLICIES

Contrary to Malawi's understanding of refugees, Uganda regards refugees as victims of conflict and has managed to formulate laws and policies to further guarantee their protection. All three prime legal frameworks of the country emphasize the protection of refugees. These include the 1995 Constitution of Uganda, the 2006 Refugees Act, and the Refugees Regulation of 2010.

Similar to Malawi, until 2006, Uganda had no permanent laws to safeguard the protection of refugees. The international legal instruments and domestic legislation established the framework for the protection of refugees in Uganda,[112] although the laws were at times in contradiction of each other. Furthermore, Uganda is a member of almost all international refugee laws, including the "1951 Convention relating to the Status of Refugees and its 1967 Protocol and the 1969 OAU Convention Governing the Specific Aspects of the Refugee problem in Africa."[113] The two intercontinental laws specify who is to be referred to as a refugee, who is not to be granted international protection, conditions under which refugee status ceases, refugee rights and responsibilities. To ensure that international laws were locally recognized, Uganda created its own domestic laws under the Control of Alien Refugees Act 1960 (CARA).[114] CARA legislation was enacted for the control of foreign forcibly displaced people in Uganda, but it did not ensure the provision of the required protection. The 2006 Refugee Law Project asserted that the law to a larger extent omitted the provision of security to refugees and did not enforce refugee

---

[112] Refugee Law Project, "Critique of the Refugees Act (2006)," *Refugee Law Project*, 2006, http://www.citizenshiprightsafrica.org/wp-content/uploads/2016/02/Uganda_RefugeesActRLPCritique.pdf.

[113] Refugee Law Project.

[114] Refugee Law Project.

human rights.[115] Additionally, it contravened Uganda's supreme law, the 1995 Constitution. Furthermore, some of the CARA provisions were not in agreement with the intercontinental regime on refugees to which Uganda is party.[116] This necessitated the process of enacting of the Refugee Act in 2006. According to the Refugee Law Critique, "the act is progressive, human rights and protection oriented, but also suffered some deficits, loopholes, inadequacies, room for excesses, and glaring omissions, all of which potentially erode the progressive and protection orientation of the Act and threaten to lower its compliance with international protection standards considerably."[117] Some of the contradictions in the Refugee Act include freedom of movement under Section 30, granting of refugee status under Section 20, and extradition of refugees under Section 41, among many others.

In view of these shortfalls, in 2010, the decision makers of Uganda adopted additional legislation to address some of the flaws within the 2006 Refugees Act. It is cited as the 2010 Refugee Regulations. The 2006 Refugee Act and the 2010 Refugee Regulations incorporated both international and regional conventions in order to be enforceable in domestic courts. In contrast to Malawian policies, Ugandan policies embody most of the key provisions for the protection of refugees, including rights of property, employment, and freedom of movement. According to Winnie Watera et al., the impressive aspects of Uganda's legal framework that welcome and support refugees include:

> (1) opening Uganda's door to all asylum seekers irrespective of their nationality or ethnic affiliation; (2) granting refugees relative freedom of movement, administrative permits to leave and return to their designated settlements, and the right to seek employment; (3) providing prima facie asylum for refugees of certain nationalities; and (4) giving a piece of land to each refugee family for their own exclusive (agricultural) use.[118]

---

[115] Refugee Law Project.

[116] Refugee Law Project.

[117] Refugee Law Project.

[118] Winnie Watera et al., "Uganda's Refugee Management Approach Within the EAC Policy Framework," *Konrad Adenauer Stiftung*, 2017, 9, https://youth4policy.org/wp-content/uploads/2018/03/Uganda-Refugee-Management-Policy.pdf.

The autonomy which refugees are granted in Uganda provides many benefits to both refugees and local communities. Socially, the World Bank reports that apart from refugees providing for themselves, there is a substantial peaceful coexistence amongst refugees and citizens in settlement areas.[119] The World Bank further reports that refugees' integration encourages intermarriage between refugees and host communities, which further increases coexistence and naturalization. The self-settlement and coexistence of refugees in Uganda may defeat the notion that refugees create social instability in their communities.

Economically, refugees in Uganda are able to access official or unofficial employment and to productive capital. The World Bank reports that a significant percentage of refugees are involved in farming.[120] The refugees are known to produce surplus yield, thereby activating commercial activities with local traders. Trade activities may strengthen the coexistence between refugees and local communities. The World Bank also reports that refugees' non-agricultural employment activities are enhanced by the liberty of movement and economic autonomy granted by Ugandan refugee laws and policies.[121] Additionally, refugees are involved in small-scale business that supports their daily living. Their access to economic activities may contribute to the nations' socio-economic growth, and reduces the burden on the government and international community on provision of aid.

D. CONCLUSION

This chapter examined Malawi's refugee regulations and how they evolved from "open door" to "closed door" policies. Initially, the country had an open-door refugee policy until 1986, when the refugee population increased such that the country was compelled to request the assistance of the international community in the management of refugees. Consequently, Malawi ratified international refugee laws in 1987 and enacted its

---

[119] World Bank, "Uganda's Progressive Approach to Refugee Management," *The World Bank*, August 31, 2016, https://www.worldbank.org/en/topic/fragilityconflictviolence/brief/ugandas-progressive-approach-refugee-management.

[120] World Bank.

[121] World Bank.

refugee policy in 1989. The new policies were supposed to provide a policy guide in the management of refugees according to international law. However, in 1991, Malawi adopted policies that restricted refugees to camps. Notable in the evolution of refugee policies in Malawi is the inconsistency of the laws as the newly enacted policies were not in step with international refugee law. Also prevalent in the discussion is that there are some contradictions amongst the domestic laws that regulate refugee administration, which complicate their implementation. The inconsistency in and conflicts between the laws show that there is lack of enforcement by the international community on the sanctioned regulations of sovereign nations. Additionally, considering that the international law was created to provide protection and freedom of refugees. By formulating policies that contravene international law, policymakers in sovereign states often seek to achieve their own goals.

For comparison, the chapter also discussed how Uganda has managed to enact refugee legislations that gives autonomy and protection to refugees according to international laws. Uganda has conducted several reviews of refugee laws to be in line with international refugee law. Uganda has made tremendous progress in providing the sufficient support to refugees regardless of their race or origin. The liberal policies in Uganda have enhanced coexistence between refugees and host communities and socio-economic growth of the country. The next chapter investigates why Malawi adopted closed-door policies and how these policies were able to amass public support.

III. WHY MALAWI AND UGANDA ADOPTED THEIR RESPECTIVE REFUGEE POLICIES

In Chapter II, the discussion centered on the legal framework that guides the management of refugees both at the international and domestic levels. The discourse observed the inconsistency in Malawian laws as refugee domestic policies contravene the global laws to which the country consented. The chapter also discussed the socio-economic benefits of refugees and local communities' coexistence as demonstrated by open refugee policies in Uganda. Important to note is the vulnerability and desperate situation of refugees and asylum seekers who involuntary flee their home nation to seek haven within the borders of another country.

This chapter focuses on the reasons why Malawi adopted restrictive laws while Uganda enacted liberal laws. It also discusses tools used to gain support from the public for new policies. The narrative by authorities is that restrictive policies are adopted to minimize the undesirable effects of forcibly displaced people on the host communities.[122] The chapter finds that socio-economic impact, security concerns and politicization of refugees issues as politicians seek their own survival contributed to Malawi's adoption of restrictive refugee policies. Refugees are regarded as a burden due to their alleged socio-economic effect on the host nation and their association with instability in the host country. Additionally, political elites may blame refugees for various challenges the country is facing just to achieve their goals in politics. These factors not only shape the policies the state may adopt but also the benefits refugees may bring to the host country, which further reduces refugees' autonomy and integration within the host communities.

The chapter is organized as follows: Section A explores the factors that have influenced Malawi's refugee policies. Section B analyzes the benefits of self-settlement Malawi is foregoing by adopting restrictive policies. Section C explores the possible factors

---

[122] Kavalo, "Environmental and Socio-Economic Impact of Hosting Refugees: A Case Study of Villages around the Dzaleka Refugee Camp in Dowa District, Malawi," 17.

that have compelled Uganda to adopt liberal refugee policies. Section D discusses the means used by nations to attract public support for policy changes.

A. FACTORS THAT INFLUENCED MALAWI'S REFUGEE POLICIES

Socio-economic concerns, security impacts and politicization seem to have compelled Malawi to adopt encampment refugee policies. As Massimiliano and Sekkarie have asserted the movements of people from one area to another have specific implications on social, economic, security, and political landscapes in both the refugees' nations of origin and host nations.[123] The perceived negative impact of refugees vindicates the formulation of restrictive policies by governments of host nations. Milner reports that in fact refugee policies in most African countries are affected by economic, political, historical, environmental, and security issues not directly influenced by the refugees' presence.[124] Nevertheless, authorities may use the alleged impact to shift their deserved blame from local communities towards refugees. This section puts into general perspective, the real impact of refugees on the economy and security of the host nation, and further explores the issues of politicization of refugees.

1. Economic Dynamics in Relation to Refugees

The conventional belief regarding the presence of refugees is that they significantly strain the economy of the country. Karen Jacobsen reports that most host nations regard refugees as a competitor to host communities in the use of scarce resources.[125] Further, "their presence increases the demands for education, health services, infrastructure such as water supply, sanitation and transportation, and also in some cases, for natural resources such as grazing and firewood."[126] Jacobsen asserts that evidence of the socio-economic

---

[123] Cali Massimiliano and Samia Sekkarie, "Much Ado about Nothing_The Economic Impact of Refugee 'Invasion'.Pdf."

[124] James Milner, "Refugees, the State and the Politics of Asylum in Africa," *Journal of Refugee Studies* 24, no. 1 (February 18, 2011): 161, https://academic.oup.com/jrs/article-abstract/24/1/208/1602014.

[125] Jacobsen, "Can Refugees Benefit the State? Refugee Resource and African Statebuilding," 580.

[126] Bhajan Chandra Barman, "Impact of Refugees on Host Developing Countries," *Refugee Crises and Third-World Economies*, June 18, 2020, https://www.emerald.com/insight/content/doi/10.1108/978-1-83982-190-520201011.

impact of refugees is somewhat inconclusive.[127] Although such views might be a misperception, the associated concerns vindicate the state's rationale for restrictive refugee policies. Nevertheless, studies show that the presence of refugees can improve the economic status of host communities and the nation at large through international community support, which trickles down to host communities, and refugees' involvement in commercial activities, which may improve the living standards of the hosts.

a.   International Humanitarian Aid and Host Nations

The international community targets several areas in the quest to maintain social services accessibility for both refugees and host communities. Jacobsen reports that after the completion of repatriation of Mozambican refugees in 1995, UNHCR handed over refugee facilities, such as schools, clinics, and vehicles worth $35 million to the Malawi government.[128] Furthermore, the government was given $78 million for the reforestation program in the areas which were affected by the presence of refugees. Apart from playing a pivotal role in mitigating one of the causes of climate change by reforestation, the infrastructure and vehicles ameliorated the inaccessibility of social services to local communities in areas where refugees and asylum seekers settled. Such assistance might attract support for refugees from the public that could induce policy change.

Beginning in 1987, involvement of the international community in support of refugees in Malawi opened up more opportunities for communities. The presence of refugees that attracted the international community's support created job opportunities for Malawians to assist in the management of refugees. For instance, in the Nsanje district, apart from those employed on a temporary basis, 600 Malawians were employed on a full-time basis by the relief program.[129] The employment opportunities, apart from sustaining the livelihood of those employed, "provided the human resource development and strengthened the national and local capacity in management of relief programs and

---

[127] Jacobsen, "Can Refugees Benefit the State? Refugee Resource and African Statebuilding," 580.

[128] Jacobsen, 583.

[129] Dzimbiri, "Political and Economic Impacts of Refugees: Some Observations on Mozambican Refugees in Malawi," 5.

response to national crises."[130] The experience obtained by those individuals who worked under the international community may have had a significant bearing in their future employment. It can be argued that allowing more refugees in the country could create more employment opportunities especially for Malawi, which has an unusually high unemployment rate.

The presence of refugees in camps limit the provision of social-service infrastructure to only those areas and affect refugees' involvement in economic activities. It can be argued that an open refugee policy increases the accessibility of social services due to free movement of both refugees and locals, unlike restrictive policies, which limit freedom of movement. The international community apart from providing aid in kind, also develops infrastructure to facilitate the work of host governments. In Malawi, programs administered by UNHCR and its implementing partners served as catalysts to enable access to areas where refugees were located for development efforts that would otherwise never reach those areas.[131] The relief projects by the international community had a spillover effect on social services to nearby communities, thereby ameliorating the local communities' challenges. However, because local communities were prohibited from accessing the camps due to restrictive policies, citizens may have been deprived of the privilege of accessing those services.

b.   *Economic Activities by Refugees*

Refugees provide cheap labor and stimulate commercial activities that can contribute to economic growth. In Malawi, in the 1980s, Mozambican refugees increased agricultural production by providing cheap and readily available labor on tea and tobacco estates.[132] Reports of a rise in commercial activities in the Nsanje district and other areas where refugees settled were associated with a subsequent growth in generation of revenue by the government.[133] In 2021, when refugees who ventured into various businesses in

---

[130] Dzimbiri, 4.

[131] Dzimbiri, 4.

[132] Dzimbiri, 4.

[133] Dzimbiri, 2.

different parts of the country were ordered to relocate to the Dzaleka camp, business was negatively affected in Lilongwe, Mangochi, Dowa and Blantyre.[134] Kavalo has reported that the Dzaleka camp turned into a business center because of the substantial commercial activities going on between local communities and refugees, which improved earnings of the two groups.[135] These trade activities by refugees provided job opportunities to the local communities and increased the supply of items, thereby lowering the prices of the items. Kavalo also reported that local communities were offered informal and formal employment by refugees that can create better livelihood opportunities for the host communities.[136] Labor is vital in agriculture production especially in Malawi, where farming depends significantly on manual labor. The increased production may have a significant positive effect on the agro-based economy of Malawi. Refugees' investment may contribute to the economic growth of the country through revenue collection by the government and enhancing availability of items, thereby lowering prices. The commercial relationship between refugees and host communities may enhance overall cooperation between the two groups and positively impact the Malawian economy. However, trade requires freedom of movement, and economic growth might be inhibited by the restrictions imposed by the encampment policies.

According to the Centre for Democracy and Economic Development Initiatives (CDEDI), "refugees and asylum seekers in Malawi have special skills and expertise in rendering essential services in areas of health, education and social work."[137] Yet, restrictive policies constrain this population from offering their services to local communities. Kavalo reports that at Dzaleka, most of the teachers and health workers employed by Jesuit Refugees Service (JSR) and Department of Health Organization (DHO)

---

[134] Martha Chikoti, "Local Businesses Challenged to Fill Gap Left by Relocated Refugee," *Malawi24*, May 27, 2021, https://malawi24.com/2021/05/27/local-businesses-challenged-to-fill-gap-left-by-relocated-refugees/.

[135] Kavalo, "Environmental and Socio-Economic Impact of Hosting Refugees: A Case Study of Villages around the Dzaleka Refugee Camp in Dowa District, Malawi," 59.

[136] Kavalo, 60.

[137] Chikoti, "Local Businesses Challenged to Fill Gap Left by Relocated Refugee."

are refugees who are experts in their field of employment.[138] Meanwhile, Malawi is challenged in terms of staff to work in schools and health facilities. According to the the United States Agency for International Development (USAID) in Malawi there is an "austere shortage of adequately trained health personnel across all professional cadres, and it is difficult to train, retain, supervise, and manage existing workers within the health system."[139] Further, the 2015 Education for Life (EFL) Global Monitoring Report lamented the teacher—pupil ratio in Malawi, which was estimated at 1 to 76, with 2 percent of the global teacher posts standing empty.[140] The recommended teacher pupil ratio for Malawi is 1 to 60.[141] The problem could be reduced if employment provision for refugees in the Refugee Act is changed to allow qualified refugees to be employed in in the areas just mentioned.

Figure 1 summarizes some of the benefits accrued by communities in proximity to Dzaleka refugee camp in Malawi, according to the study conducted by Kavalo in 2016.

---

[138] Kavalo, "Environmental and Socio-Economic Impact of Hosting Refugees: A Case Study of Villages around the Dzaleka Refugee Camp in Dowa District, Malawi," 61.

[139] USAID, "Malawi Health Systems Strengthening Fact Sheet," *USAID*, September 15, 2016, https://www.usaid.gov/malawi/fact-sheets/malawi-health-systems-strengthening-fact-sheet.

[140] EFA Global Monitoring Report, "Teaching and Learning : Achieving Quality for All Malawi: Fact Sheet," *EFA Global Monitoring Report*, April 2013, 2, http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/GMR/pdf/Malawi_Factsheet.pdf.

[141] Dumbani Mzale, "Controversy over Teacher-Pupil Ratio," *Nation Publication*, March 23, 2019, https://www.mwnation.com/controversy-over-teacher-pupil-ratio/.
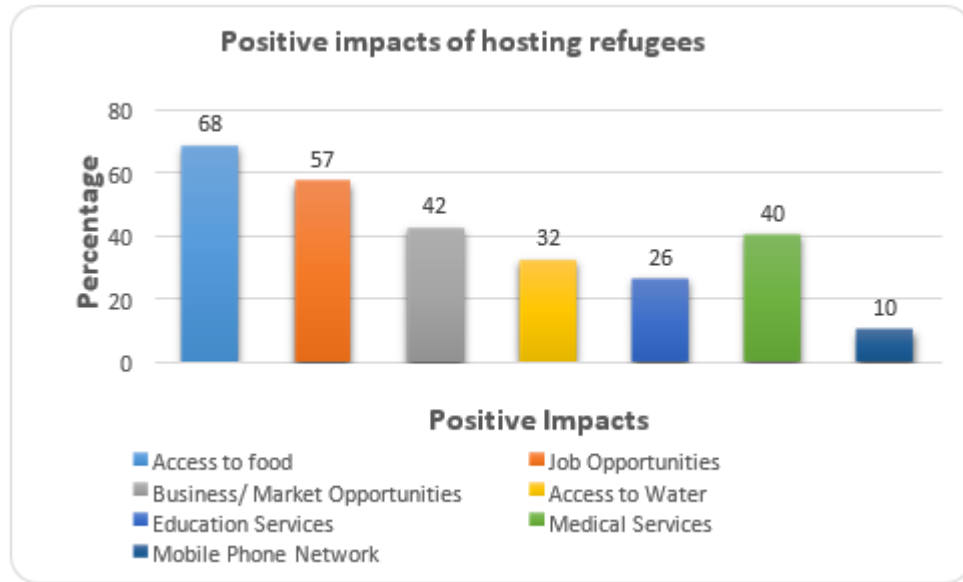
Figure 1.   Positive impacts on the community of hosting refugees in Dzaleka camp, Malawi.[142]

According to Kavalo, in Malawi, the most prominent benefits to local communities are: "improved accessibility of food and water, business and job opportunities, education and health services and availability of mobile network services."[143]

Evidence shows that in Malawi refugees have proven to be socio-economically important. These findings contradict conventional beliefs, that refugees are of less economic value and pose an economic burden to the host nation at the taxpayer's expense. As shown in Figure 1, refugees significantly improve the access to social services and provisions in Malawi. Lewis Dzimbiri has asserted that in the 1980s to early 1990s, when Malawi was hosting refugees from Mozambique, gains were accrued in relief projects, water supply, and expanded education and health services in the country.[144] This finding is supported by Kavalo who observed that local communities in proximity to the Dzaleka

---

[142] Source: Kavalo, "Environmental and Socio-Economic Impact of Hosting Refugees: A Case Study of Villages around the Dzaleka Refugee Camp in Dowa District, Malawi," 59.

[143] Kavalo, "Environmental and Socio-Economic Impact of Hosting Refugees: A Case Study of Villages around the Dzaleka Refugee Camp in Dowa District, Malawi."

[144] Dzimbiri, "Political and Economic Impacts of Refugees: Some Observations on Mozambican Refugees in Malawi," 4.

camp attested to the economic growth and funding of various developmental projects by international aid organizations.[145] The support and initiatives by the international community and the Malawian government to accommodate refugees might also improve the local population's access to social services such as education, health, and trade.

2.   Security Dynamics in Relation to Refugees

Security threats precipitated by the presence of refugees form one of the justifications for restrictive policies. Milner asserted that government justification for restrictive refugee policies on grounds associated with refugee-related insecurity is one of several issues surrounding refugee policies in African countries.[146] For example, in April 2021, the government of Malawi ordered all refugees integrated within the community to relocate to the refugee camp for security reasons.[147] This section seeks to determine the relationship between refugees and a decrease in security, if any. An appreciation of the relationship between refugees and instability would assist in explaining the rationale behind Malawi's adoption of "closed door" policies.

Sub-Saharan Africa border control and screening of non-citizens in the country remains critical in the management of security issues in a country. Security forms the basis for citizens' well-being and development of a country. However, civil wars and terror attacks are prevalent in the Sub-Saharan region, which makes other countries take precautionary measures to block external threats. Jacobsen noted that host nations in Africa experience instability challenges associated with refugees and other cross-border challenges from conflict-plagued nations.[148] Thus the influx of refugees into the country may increase the chances of security instability.

Malawi in the 1980s and 1990s hosted more than one million refugees from Mozambique. Security incidents were reported in some parts of Malawi that could have

---

[145] Kavalo, "Environmental and Socio-Economic Impact of Hosting Refugees: A Case Study of Villages around the Dzaleka Refugee Camp in Dowa District, Malawi," 54.

[146] Milner, *Refugees, the State and the Politics of Asylum in Africa*, 2009.

[147] Russell Kondowe, "Malawi Orders Refugees to Return to Camp," *Malawi24*, April 12, 2021, sec. Business, https://malawi24.com/2021/04/12/malawi-orders-refugees-to-return-to-camp/.

[148] Jacobsen, "Can Refugees Benefit the State? Refugee Resource and African Statebuilding," 586.

been associated with refugees. Several shootings were reported in the camps, for example, which were located near the border during the conflict period in Mozambique.[149] These occurrences could have been due to easy accessibility as the camps were located along the border. Oliver Bakewell has opined that refugee camps near the border might attract hostile attention from the home country, especially if they support warring factions and the camps' proximity enables refugees' involvement in the conflict, as they can easily cross back into their country of origin.[150] Along these lines, Callamard reported that the Mozambican National Resistance (RENAMO) rebels were trained in Malawi and launched their operations from Malawi,[151] affirming the possible cause of security incidences in Malawi. During the period when Malawi was hosting Mozambican refugees, the country experienced the proliferation of small arms such as AK-47s.[152] Arms proliferation threatened the safety of citizens, as several incidences of banditry and criminal activity were reported. Reported murders of businessmen in Ntcheu and Dedza districts and a reported robbery and of the National Bank in the city of Blantyre affirmed the fears of insecurity.[153] These incidents exacerbated insecurity, caused psychological distress to the local communities in the frontier and cities, and resulted in substantial expenses in terms of police investigations and increased patrols. It is possible RENAMO militants who were operating from within Malawi carried out these crimes in order to sustain their operations. Additionally, those militants who had fled to Malawi from the conflict in Mozambique could also have been the suspects and not the local refugees. Nevertheless, it is possible that refugees had been involved in carrying out these atrocities; therefore, proper scrutiny of the refugees may reduce reoccurrences of these incidents. These security issues likely played a role in compelling policymakers to adopt restrictive refugee policies.

---

[149] Callamard, "Malawian Refugee Policy, International Politics and the One-Party Regime."

[150] Bakewell, "Encampment and Self-Settlement," 128.

[151] Callamard, "Malawian Refugee Policy, International Politics and the One-Party Regime."

[152] Dzimbiri, "Political and Economic Impacts of Refugees: Some Observations on Mozambican Refugees in Malawi," 6.

[153] Dzimbiri, 6.

In April 2021, the Malawian government through the Minister of Homeland Security ordered all refugees who integrated into communities to relocate to Dzaleka refugee camp, citing terrorist attacks in neighboring Mozambique's Cabo Delgado city as the reason for the order.[154] The president of the republic defended the order, arguing that the move was intended to secure the country's borders and prevent human trafficking.[155] These sentiments might have raised suspicions amongst locals about refugees' involvement in terror attacks in Mozambique, thereby precipitating discrimination against refugees.

The security-related issues arising in other countries could also have a bearing on decision makers in neighboring countries. Terrorism acts are rampant in the Sub-Saharan region of Africa and normally nations would take precautionary measures to prevent the attacks. The reports that refugees are the alleged source of terror attacks could instigate negative perceptions of them. Therefore, restrictive policies have become an attractive option or the best option for Malawian authorities. For example, Russel Kondowe has reported that the ongoing Islamist attacks in the Cabo Delgado region in Mozambique were one of the reasons the Malawian government ordered the relocation of integrated refugees back to the Dzaleka refugee camp.[156] Kavalo asserted that "more insecurity and conflict scenes… reported within and around Dzaleka were believed to be perpetuated by refugees."[157] Such scenes included armed robbery and individual conflicts between refugees and hosts that can be easily linked to incidents in other countries. A common narrative from the host communities on the root cause of the refugees' violence is that because refugees originate from violence plagued areas, they are accustomed to violence and feel free to engage in it.[158] It hardly seems likely that refugees are "fond" of violence

[154] Golden Matonga, "For Decades, Malawi Welcomed Refugee. Then Something Changed.," *Mail & Guardian*, July 16, 2021, https://mg.co.za/africa/2021-07-16-for-decades-malawi-welcomed-refugees-then-something-changed/.

[155] Gladys Nthenda, "Chakwera Speaks on Malawi's Refugee Situation," *Kulinji.Com*, May 7, 2021, https://www.kulinji.com/article/news/2021/chakwera-speaks-malawis-refugee-situation.

[156] Kondowe, "Malawi Orders Refugees to Return to Camp."

[157] Kavalo, "Environmental and Socio-Economic Impact of Hosting Refugees: A Case Study of Villages around the Dzaleka Refugee Camp in Dowa District, Malawi," 66.

[158] Kavalo, "Environmental and Socio-Economic Impact of Hosting Refugees: A Case Study of Villages around the Dzaleka Refugee Camp in Dowa District, Malawi."

because they fled from it might explain encampment policies. Yet, proper assessment and necessary prosecution of the perpetrators may address such incidents and assist policymakers to come up with informed decisions.

Despite the economic and security impacts discussed in this section, however, it is very difficult to link refugees' impacts, especially in Malawi, to restrictive policy choices made by the government. The next subsection looks at the politicization of the refugee issue in Malawi.

3.   The Politics of Policy Change and Reform

The politicization of the refugee issue forms one of the factors that cause nations like Malawi to adopt either more restrictive or open refugee policies. As previously discussed, politics impacts on the origins, formulation and implementation of public policy. The level of political involvement reflected in policy change or recommend reform by political elites depends on their need to stay in power. The three models discussed in Chapter I, which include the political model that emphasizes political authority for effective policy; the political factions model, which explains that politicians would support policies that appeal to the majority; and the political survival model, which explains that political elites seek to fulfill their individual interest.

Political survival applies to Malawi as in the 1980s and early the 1990s the authorities faced stiff opposition that sought to change Malawi's government from a one party type of government to a democracy. In the 1980s and early 1990s, Malawi was in one party system and the only sectors that remained influential to government actions were the international community and religious groups. The decision to have liberal refugee policies was maintained to appease the international community. Lwanda has asserted that:

> There was also a desperate unspoken need by the government, at a time when aid donors were linking aid to good governance, to keep the refugee problem current. Refugees, and Malawi's treatment of them gave the government positive marks. When the multiparty wind started blowing

through Africa, Malawi was then in good books of the world for its humane and generous treatment of the refugees.[159]

From independence (in 1964) to 1990, the government was accused of committing human rights abuses against those who stood against its ideologies. As Wiseman Chirwa et al. have reported, by 1990, in Malawi there was a significant increase of civil society groups.[160] This remarkable surge of civil society groups emerged during the time when the winds of change were strongly blowing in the country. Lwanda reported that in 1990 to 1991, there was internal wrangling within the ruling Malawi Congress Party (MCP) that put pressure on the leadership.[161] He further reported that "by 1991, the Malawi government despite their good treatment of the refugees was coming under increasing pressure from the donor countries under the Hurd dictum of matching aid to human rights observance."[162] Additionally, during the same period, there was an increase in anti-government leafleting and pressure on civil servants and leadership of religious and other sectors to act on the political situation in the country. The pressure that originated from all sectors of the country including the religious sector, and the international community put the leadership under intense pressure that could have forced change of several policies, including changing the refugee policy from an open to a restrictive one. Furthermore, as Lwanda has reported the public resentment toward the government was rapidly emerging for its inaction to support citizens affected by drought while refugees were getting rations from the international community.[163] The 1991 refugee policy change in Malawi might have been put into effect to ameliorate the emerging resentment that could have further affected the survival of the MCP government.

---

[159] Lwanda, *Kamuzu Banda of Malawi: A Study in Promise, Power and Paralysis*, 220.

[160] Wiseman Chirwa, Nandini Patel, and Fidelis Kanyongolo, "Democracy Report for Malawi," *International Institute for Democracy and Electral Assistance*, 2000, 3, https://www.idea.int/sites/default/files/pictures/Malawi.pdf.

[161] Lwanda, *Kamuzu Banda of Malawi: A Study in Promise, Power and Paralysis*, 289.

[162] Lwanda, 289.

[163] Lwanda, 250.

B. LOST OPPORTUNITIES COST FROM ENCAMPMENT POLICY

Despite all the reasons many believe make refugees a burden socio-economically and a security threat to a host nation like Malawi, sufficient evidence exists about many socio-economic benefits that can be attributed to refugees and asylum seekers in several African countries including Malawi. This section discusses the reasons for the adoption of encampment versus self-settlement, and the advantages of self-settlement policies.

The presence of refugees has been conceived as a burden to host communities and the nation at large. Refugees and asylum seekers arrive at their host countries in desperate condition, causing their total dependence on the support of the host country and the international community. Their destitute condition strains social service provision in host communities, thereby negatively affecting the socio-economic conditions of the country. As previously discussed, inadequate of support may instigate conflict between the refugees and the host communities, which may jeopardize the security of the host nation.

The conventional belief is that refugees cause instability. Contrary to the presumption that encampment improves security for the host country, camps give rebel recruiters easy recruiting sites. Most refugees in Malawi come from war-torn countries, with higher chances of having been involved in military activities before migrating. And it may seem reasonable for authorities to keep those refugees restrained from further involvement. On the other hand, proper refugee registration coupled with migrants' economic empowerment might ameliorate the chances of migrants' becoming involved in security risk-related activities while in a self-settlement arrangement.

Poor camp conditions represent one of the reasons authorities in Malawi might be compelled to adopt the self-settlement approach. Malawi refugee camps' conditions are not an exception to other global camps where deplorable conditions are prevalent. Refugees' camp life seems to be intertwined with poor living conditions. Sarah Tobin has noted that "to live in camps is indeed to endure or have endured some form of

51

suffering."[164] Similarly, Eric Rawles has summarized that, "refugee camps are constantly subjected to a range of problems such as insufficient funding and support from the international community, overcrowding, scarcity of food, shortage of clean water and poor sanitation."[165] Sufficient food would help protect refugees from disease or illness. Rawles further reported that many refugee camps fail to meet the UNHCR recommended daily minimum of 20 liters of water per person per day. Clean water is also vital for the maintenance of sanitation systems to avoid diseases such as diarrhea and cholera.

Marrs laments a shortage of sanitation facilities and water available to Dzaleka residents,[166] which is also a global challenge. At the end of 2018, UNHCR projected that, "about 15.9 million refugees—78 percent of all refugees—were living in protracted refugee situations; this highlights the need for long-term solutions to water and waste issues, above and beyond immediate aid."[167]   Furthermore, reports of congestion at Dzaleka camp are rife, as the infrastructure which was meant to cater to 6,000 people, is serving more than 41,000 refugees. The overcrowding may exacerbate improper wastewater management, which precipitates various hygiene-related sicknesses.[168] The sanitation problem may be cyclical in nature as failure by government and concerned organizations to solve the problem might directly require an increasing health budget as more people may be affected.

Camp life miseries are worsened by funding cuts that reduce support to migrants. According to the World Food Programme (WFP), there was a funding cut for a certain duration in 2015 at Dzaleka refugee camp, and subsequently WFP had to cut its rations package by half.[169] Consequently, refugees adopted undesirable survival tactics, including

---

[164] Sarah A. Tobin, "NGO Governance and Syrian Refugee 'Subjects' in Jordan," *Middle East Research and Information Project*, July 12, 2016, https://merip.org/2016/04/ngo-governance-and-syrian-refugee-subjects-in-jordan/.

[165] Eric Rawles, "Refugee Camps: Temporary Solutions to Long-Term Problems," *The Borgen Project*, August 10, 2016, https://borgenproject.org/refugee-camps-temporary-solutions/.

[166] Marrs, "Refugees Face Big Challenges in Accessing Clean Water and Sanitation."

[167] Marrs.

[168] Marrs.

[169] World Food Programme, "Challenges Abound for Refugees in Malawi," *Thomson Reuters Foundation News*, June 20, 2016, https://news.trust.org/item/20160623074005-vh179.

underage marriages, sexual exploitation of women and girls, and an increased high school drop-out rate. This situation exacerbated the psychological trauma to refugees and asylum seekers that might increase cases of gender-based violence. Furthermore, reduction of support increases criminal cases. For example, at Dzaleka camp and in nearby communities, during the funding cut period, cases of criminal activities increased by about 50 percent.[170]

While self-settlement is valuable to migrants, it is also beneficial to locals, the state, and international organizations. According to Merle Kreibaum, communities in the vicinity of settlement areas in Uganda enjoy improved access to public infrastructure such as better roads, education, and medical facilities and enhanced economic dynamics where humanitarian aid is extended to surrounding communities.[171] For the state, budgetary allocation to some important ministries such as education, health, and transport, and road infrastructure, might be reduced in the areas where migrants have settled as international organizations engage in such developmental works and service provision. For international organizations, the resources meant for supporting refugees in camps may ultimately be diverted to other developmental works apart from lessening organizations' budgetary deficits as migrants become seemingly less dependent. Self-settlement would reduce the Malawi government's role of looking after migrants and could be a development platform.

Malawi's adoption of a refugee self-settlement approach coupled with ensuring economic autonomy for refugees might accrue a wide range of benefits. First, many refugees will become economically independent, and that will resolve challenges that the country and its international regime partners, such as UNHCR and WFP, are facing in their support of the refugees. The reserved financial resources can then be used in developmental activities in the country. Self-settlement offers privileges that can be enjoyed by communities surrounding refugees' settlement areas, apart from relieving migrants from the challenges of camp life. For example, in Chad, the World Bank donated $75 million

---

[170] Vincent Gunde, "Police Worried over Food Ration Cuts at Dzaleka," *Malawi 24*, July 11, 2019, https://malawi24.com/2019/07/11/police-worried-over-food-ration-cuts-at-dzaleka-camp-by-vincent-gunde/.

[171] Merle Kreibaum, "Build Towns Instead of Camps: Uganda as an Example of Integrative Refugee Policy" (German Development Institute, 2016).

towards cash transfers, productive inclusion activities, and support measures, a program that targeted refugees, as well as poor and vulnerable Chadian households.[172]   Refugees can also contribute to growth in agricultural production and local economy. Heng Zhu et al. reports that in Uganda, refugees cultivate their land intensively; harvested per unit pieces of land have significantly increased more for refugees than for host-country farmers.[173] The secret behind the success is that refugees dedicate extensively more effort to their farms than host-country farmers do, thereby increasing the yield per unit of land. Apart from contributing to food availability, the initiative could persuade local farmers to emulate the hard-working spirit of refugees, thereby improving the overall food production of the country. Similarly, the surplus agricultural products could be exported, thereby generating additional foreign exchange for the nation.

Refugees can also work as skilled and semi-skilled laborers, a fact that may be important to the economic growth of the host nation. Denying them freedom of employment is analogous to depriving the country of a rare resource that can boost production. The 2004 UNHCR report claimed that the majority of refugees the organization studied had a basic education and technical skills.[174] These refugees, if employed in their domain of expertise, can be an economic development tool of the nation. The report further illustrated that in South Africa only three percent of those refugees interviewed were jobless prior to their migration. That figure increased to 76 percent after their migration. To make matters worse, most of those employed were not working in their field of expertise.[175] Refugees' misemployment and minimal job opportunities can impact the host nation threefold: first, the nation is missing the opportunity to use the rare expertise from the refugees that can contribute to economic growth. Second, the practice exacerbates

---

[172] Edmond Dingamhoudou, "Chad: A $75 Million Grant from World Bank to Scale Up Support for Refugees and Host Communities," *The World Bank*, September 8, 2020.

[173] Heng Zhu et al., "Economic Impact of Refugee Settlements in Uganda," October 28, 2016, 3, https://reliefweb.int/sites/reliefweb.int/files/resources/wfp288256.pdf.

[174] Standing Committee, "Economic and Social Impact of Massive Refugee Populations on Host Developing Countries, as Well as Other Countries," Executive Summary, February 18, 2004, https://www.unhcr.org/excom/standcom/403dcdc64/economic-social-impact-massive-refugee-populations-host-developing-countries.html.

[175] Standing Committee.

refugees' dependency on humanitarian aid, thereby forcing the government and international community to use significant resources in supporting the refugees. Finally, the government loses tax revenue, since a market base that could be increased if refugees were employed remains limited. Rosemary Kuraru in her study on Kenya found that urban refugees significantly contributed to the economic development of the host country.[176] Similarly, Alexander Betts et al. agreed that the refugee self-settlement policy in Uganda has enabled refugees to become independent of aid, thereby positively contributing to the economic growth of their host communities.[177] Self-settlement in host nations may allow refugees autonomy in economic activities, thereby increasing the market base and providing the skills various companies look for in the labor market.

The emergence of refugees may reduce poverty levels of local communities through humanitarian aid extended to them by the international communities. Jacobsen noted that apart from the food and non-food items that flow to local communities, relief assistance trickles to host communities and improves their receptiveness to refugees.[178] The World Bank report of 2019 announced positive reports from Congolese camps in Rwanda, where humanitarian aid significantly contributed in boosting native economies with the improved buying capacity of refugees.[179] The benefits extended to locals in turn may promote a positive perception of refugees by locals attracting support for liberal refugee policies.

In Malawi, seclusion of refugee camps is likely depriving the nation the benefits it could accrue from refugees. Bob Muchabaiwa et al. have asserted that amongst refugees at Dzaleka camp, there are people with knowledge and skills in medicine, digital technology, arts, languages, agriculture and many other areas that the Malawian government and people

[176] Rosemary Sipatan Kuraru, "The Role of Refugees in Economic Development: A Case Study of Urban Refugees in Nairobi Kenya" (Institute of Diplomacy and International Studies, University of Nairobi, 2019), erepository.uonbi.ac.ke › bitstream › handle.

[177] Alexander Betts et al., "Refugees Economies: Rethinking Popular Assumptions," *Humanitarian Innovation Project*, June 2014, 37, www.refugee-economies.org/publications/refugee-economies-rethinking-popular-assumptions.

[178] Karen Jacobsen, "Can Refugees Benefit the State? Refugee Resources and African Statebuilding," *The Journal of Modern African Studies* 40, no. 4 (2002): 581, https://doi.org/10.1017/S0022278X02004081.

[179] World bank, "Rwanda: Economic Activity and Opportunity for Refugee Inclusion," May 23, 2019, data2.unhcr.org/en/documents/details/70595.

stand to benefit from if refugees are integrated within the community.[180] Furthermore, Malawi is missing the opportunity to make infrastructure gains with the integration of refugees within the community. Muchabaiwa et al. further reported that in 2016, UNICEF, UNHCR and the Ministry of Education worked together to build classroom blocks, and teachers' houses and renovated some old school structures at Luwani refugee camp to expand the capacity of public schools to take on Mozambican children.[181] The authors further reported that total camp education expenditure at Dzaleka camp in FY2017/18 was MK514 million, which was funded by the international community. This money could positively impact the education sector if refugees are integrated, and the money is used to increase the capacity of public schools. Integrating refugees within the communities will increase the accessibility of social infrastructures meant for refugees to the public and allow the nation to harness skills and expertise from refugees and asylum seekers.

C.   FACTORS THAT INFLUENCED UGANDAN REFUGEE POLICIES

Uganda is the one country that remains open to all types of refugees regardless of race, sex, and country of origin. This is contrary to most African countries, including, those where the increase of refugee population, deepening socio-economic and security concerns, growing xenophobia, and worsening environmental factors effect refugee policies.[182] Studies show that refugees can socio-economically benefit the host country. Politically, the leadership of Uganda used refugees to achieve its political goals. Integration of refugees within host communities enhances peaceful coexistence between refugees and host communities. It can be argued that socio-economic benefits, political survival and peaceful coexistence between refugees and host communities might precipitate the adoption of open-door refugee policies. This section examines why Uganda adopted and maintained "open door" refugee policies.

---

180 Bob Libert Muchabaiwa et al., "Towards Integration of Dzaleka Camp Refugees' Education in National Systems in Malawi," 4, https://www.unicef.org/esa/media/6461/file/UNICEF_Malawi-Budget_Brief_on_Refugee_Education_2019.pdf.

181 Muchabaiwa et al., 5.

182 Bonaventure Rutinwa, "New Issues in Refugee Research: The End of Asylum? The Changing Nature of Refugee Policies in Africa" (Oxford OXI 2LA, May 1999), 1–2, https://www.unhcr.org/3ae6a0c34.pdf.

1.   The Political Survival Model and the Resulting Self-Reliant Policy

The leadership's need to remain influential in possible opposition strongholds compelled Ugandan politicians to adopt liberal refugee policies. Betts has reported that Ugandan leaders have been using refugee policy to reinforce patronage and gain political support in areas where refugees have settled.[183] In a democratic rule, reciprocity may be used by political elites as they will be considering policies that will compel the public to vote for them. Betts has also reported that

> Core periphery relations have been a particular feature of Ugandan politics, with successive postcolonial regimes seeking to build authority, control, and governance in remote hinterland regions, whether to counterbalance Bugandan influence or to reinforce Bugandan primacy. Given that most refugees in Uganda have been historically concentrated within strategic hinterlands such as West Nile and the South West due to their proximity to conflict afflicted neighboring states, the adoption of progressive refugee policies within those regions has provided an opportunity to attract and redistribute international resources to sustain sub-national political authority.[184]

This quote shows that the adoption of liberal policies was driven primarily by the leadership need for political survival and not empathy for the refugees' situation. This model may also explain why most governments that ratified the International Refugee Laws still implement restrictive policies. The states might be trying to follow the sentiments of the public majority.

The executive arm of government in Uganda has a significant influence on the other branches impacting policy formulation. All the post-independence heads of states in Uganda regarded refugees as an opportunity for their regime. Betts reported that Idi Amin used refugees to reinforce his regime by recruiting a large numbers of soldiers and senior civil servants from the Sudanese, Rwandan, and Congolese communities.[185] Furthermore, "in 1979, Amin became the first Ugandan president to pledge to work on a new Refugee

---

[183] Alexander Betts, "Refugees and Patronage: A Political History of Uganda's Progressive Refugee Policies," *African Affairs*, April 2021, 4, https://doi.org/10.1093/afraf/adab012.

[184] Betts, 246.

[185] Alexander Betts, "The Political History of Uganda's Refugee Policies," *African Affairs* 120 (July 2015), http://refugeehistory.org/blog/2021/7/15/the-political-history-of-ugandas-refugee-policies.

Act that would explicitly provide the right to work and freedom of movement."[186] These appointments and commitment to refugee regulations likely had a significant bearing on the maintenance of self-reliance policies. Although Milton Obote, a predecessor of Amin, reinforced encampment as a way of curtailing population growth, he still used refugees' presence to bargain for financial assistance. Similarly, when Yoweri Museveni assumed office as the head of state in 1986, during his presidential tenure, he used refugee presence to lure international support for the development of the country"[187]

2. Socio-Economic Benefits and Security Initiatives

Contrary to the conventional belief that refugees are a burden to host countries, Uganda has been benefiting economically from openly accepting and protecting refugees. Uganda has been receiving considerable support from the international community. Betts reports that "For the international donor community, it has offered a means to achieve a range of foreign policy goals, including preserving an exemplar 'success story' of progressive refugee policy."[188] This support, which is usually used as a patronage to attract political support, promotes a positive perception of refugees among host communities.

In 1999, the first initiative was established under the Self Reliance Strategy (SRS).[189] The goal of this initiative was to ensure that refugees were self-dependent by allocating land to them to grow food crops, among other initiatives. The initiative sought to make refugees less dependent on handouts and boost their self-esteem by empowering them with skills to reconstruct their communities upon return to the country of origin.

The second initiative, which commenced in 2017, was the application of the Comprehensive Refugee Response Framework (CRRF). The framework:

---

[186] Uganda, "Uganda National Action Plan to Implement the Global Compact on Refugees and Its Comprehensive Refugee Response Framework (CRRF): Uganda's Revised CRRF Road Map 2018–2020."

[187] Betts, "The Political History of Uganda's Refugee Policies."

[188] Betts, "Refugees and Patronage: A Political History of Uganda's Progressive Refugee Policies," 246.

[189] Kitty McKinsey, "Feature: Refugees in Uganda Move towards Sel-Reliance," *UNHCR*, October 13, 2003, https://www.unhcr.org/news/latest/2003/10/3f8aa81e4/feature-refugees-uganda-move-towards-self-reliance.html.

Provided impetus for a whole-of-government ownership and leadership of the refugee response in Uganda. Under the Government's leadership, the CRRF provided an unprecedented and novel national arrangement, allowing actors—both humanitarian and development – to come together to improve coordination for the support of refugees and host communities.[190]

The collaborative effort enabled refugees and host communities to come together to solve their problems, thereby strengthening coexistence and increasing the integration of refugees among the host communities.

Inequality between refugees and host communities may instigate conflict between the two groups. In order to ameliorate those gaps, the Refugees and Host Population Empowerment (ReHoPE) strategy was introduced as a third initiative.[191] This initiative is meant to find ways that can be beneficial to both refugees and the host communities by linking humanitarian and development interventions. Furthermore, "ReHoPE represents a key building block of a comprehensive response to displacement in Uganda and a critical component in the application of the Comprehensive Refugee Response Framework, as stipulated in the New York Declaration on Refugees and Migrants."[192]

Uganda has managed to be an exemplar by granting refugees protection and freedom. Nonetheless, this assistance does not constitute a "free lunch" as self-reliant refugee policies are also a means of survival for politicians. The policy has been well supported by the international community to make it attractive for other nations who keep refugees in camps. That support spills over to communities, incentivizing their acceptance.

---

[190] Duniya Aslam Khan, "Uganda: An Overview of How the Global Compact on Refugees Is Being Turned into Action in Uganda," *UNHCR*, March 15, 2021, https://globalcompactrefugees.org/article/uganda.

[191] The World Bank, "ReHoPE- Refugee and Host Population Empowerment Strategic Framework - Uganda (June 2018)," *The World Bank*, June 2017, 5, https://reliefweb.int/sites/reliefweb.int/files/resources/64166_0.pdf.

[192] Uganda, "Ugandan National Action Plan to Implement the Global Compact on Refugees and Its Comprehensive Refugee Response Framework (CRRF)" (Ugandan National Action Plan 2018–2020, March 2019).

D. APPROACHES USED TO ATTRACT PUBLIC SUPPORT

The success of a policy depends on the support it gets from the public who are the implementers and enforcers. Cerna asserts that "policy change may not have the anticipated outcome if the implementation process is not considered."[193] This section discusses the approaches that authorities including Malawi authorities, use to attract support for refugees policies and programs from the public. Authorities use media, language, metaphors, and images to influence the public.

1. Media Coverage as a Tool for Refugees' Humanization or Dehumanization

Refugees and asylum seekers receive varying types of media coverage that determine the reaction of host nations and communities. Shivani Ekkanath notes that there is a robust connection between media portrayal of refugees and their reception by member of host communities and the effect that "media bias" can have on various audiences.[194] The image of refugees portrayed by the media, coupled with photographic evidence, can escalate undesirable perceptions among the public of the circumstances and news stories at hand. The conventional print media, as well as broadcast and internet reporting according to Ben Barr, have the capacity to influence public views either positively or negatively.[195] According to Levi Manda, in Malawi, media plays a major role in disseminating information of social significance.[196] Therefore, the media can shape community views and reactions towards refugees. Barr reports that the media may either induce sympathy for refugees or, by means of propaganda and misrepresentation of facts about refugees,

---

[193] Cerna, "The Nature of Policy Change and Implementation: A Review of Different Theoretical Approaches," 3.

[194] Shivani Ekkanath, "How the Media Misrepresents the Refugee Crisis and Its Impacts," June 13, 2018.

[195] Ben Barr, "How Media Representation of Refugees Impacts Refugees Politics," August 5, 2020, https://medium.com/discourse/how-media-representation-of-refugees-impacts-refugee-politics-d282b97e4619.

[196] Levi Zeleza Manda, "Media in the Political Process," in *Government and Politics in Malawi* (Zomba: Kachere Series, University of Malawi Centre for Social Research, n.d.), 6, https://www.academia.edu/2641748/Media_in_the_Political_Process_updated_book_chapter_.

cause resentment among hosting communities.[197] By using exploitative semantics and pictures, the media can depict a narrative meant to achieve their goals, rather than bestowing information intended at conveying the refugee predicament.[198] This can significantly perpetuate the stigmatization of refugees, and might have a disproportionate effect on their integration and assimilation into a host community.

2.   Language

Language forms an exceptionally important device for media outlets to create particular images of the refugee population. Barr notes that the terminology that distinguishes refugees from migrants plays a significant role in falsely portraying refugees.[199] According to UNHCR, a migrant voluntarily moves out of country of origin for personal reasons while a refugee is an individual forced to cross borders due to violence or persecution.[200] Misperception and uncalled-for hostility towards refugees can arise due to misuse of terms such as "refugees." For instance, by using a blanket term such as *migrant* instead of *refugee*, the media can influence host communities' negative perception of refugees. Barr reports that in 2015, when Al Jazeera stopped referring to migration as the "Mediterranean migrants' crisis" and started designating it as a "Mediterranean refugee crisis," the narrative was reciprocated, and states acknowledged the refugee situation.[201] Al Jazeera's amendment assisted to intensify the global awareness and elevated the significance of the refugee crisis, with possible impacts on the responses of the countries involved.

In Malawi, the media and law enforcers at times define displaced foreigners arrested for illegal entry as illegal immigrants and not refugees.[202] Nyasa Times carried

---

[197] Barr, "How Media Representation of Refugees Impacts Refugees Politics."

[198] Barr.

[199] Barr.

[200] UNHCR, "Convention and Protocol Relating to the Status of Refugees."

[201] Chi Luu, "Migrants, Refugees, and Expats: How Humanity Comes in Waves," *J Daily*, Sptember 2015, https://daily.jstor.org/language-of-migrants-refugees-expats/.

[202] Patience Mandala, "Levels of Illegal Immigrantion in Malawi Shock Authorities," *Malawi 24*, September 28, 2016, https://malawi24.com/2016/09/28/levels-illegal-immigration-malawi-shock-authorities/.

an article titled "Refugees or Economic Migrants" after the refugees contested the government order to relocate to the Dzaleka camp. This type of language may instigate xenophobic responses among the citizens as they might feel they are being robbed of their jobs by refugees. This perception in turn may validate the government action of criminalizing the refugees while seemingly conforming to the 1951 Convention.

Globally, language is also utilized to associate refugees with terrorism. Fatemeh Tavassoli et al. report that in 2013, the *Telegraph* stated that, "any assistance rendered to help millions of refugees from the civil war in Syria is inadvertently supporting terrorism."[203] This kind of language sought "to create an overarching stereotype that all Syrian people were terrorists," a conclusion that could be perilous to Syrian refugees.

Furthermore, language may label a certain group of people differently from others even if they are of the same background. Barr asserts that Twitter threads categorized Syrian men as Muslim terrorists and children as real refugees.[204] This description by the media precipitated the generalization that all "Syrian military-aged men, who fled the conflict without their families, were Muslim terrorists."[205] The inaccurate labeling can have serious repercussions for refugees as it may jeopardize their integration by instigating racial discrimination. Barr asserts that, "this has the potential to create an 'us and them' mentality, derived from Edward Said's Orient vs. Occident relationship, based on power and domination of the other."[206] The divisions that emanate from the "us and them" syndrome may affect the public's general perception of refugees in host communities that negate refugees' warm reception and peaceful coexistence. Paul Burstein asserts that public opinion affects policy formulation in more than 75 percent of instances when its impact is measured.[207] Public opinion is particularly important in democratic contexts where

---

[203] Fatemeh Tavassoli, Alireza Jalilifar, and Peter RR White, "British Newspapers' Stance towards the Syrian Refugee Crisi: An Appraisal Model Study," *University of New South Wales, Australia* 30, no. 1 (October 11, 2018), https://doi.org/10.1177/0957926518801079.

[204] Barr, "How Media Representation of Refugees Impacts Refugees Politics."

[205] Barr.

[206] Barr.

[207] Paul Burstein, "The Impact of Public Opinion on Public Policy: A Review and an Agenda Author(s)," *Sage Publications* 56, no. 1 (March 2003): 37, https://www.jstor.org/stable/3219881.

political elites look for votes to maintain their power, as the negative perception that develops forms an environment conducive to the formulation of restrictive policies in order to win the hearts and minds of locals. Yet, Blessings Chinsinga asserts that "the democratization of the political system in Malawi has, in principle, provided more opportunities for the participation of a wide range of stakeholders in policy-making processes."[208]

Use of persuasive language and imagery may either engender misinformation or promote acceptance. For example, Simon Tomlinson asserts that a Polish magazine's front page displayed an image of "three pairs of dark-skinned male hands assailing a white woman under the headline 'The Islamic rape of Europe'."[209] Merging inflammatory terms with expressive images, the media can produce propaganda that might have appalling consequences on refugee affairs, possibly affecting state and host communities' receptiveness to refugees and asylum seekers. Conversely, if the language is used to have a positive effect, particularly by authorities, it can also yield an affirmative reaction from the locals. In Malawi, during the 1980s when the country hosted Mozambican refugees, the speech by the Nsanje District Commissioner, who identified the refugees as "neighbors and friends who belong to the same group and the same tribes as our people,"[210] encouraged local communities to accept and support the refugees.

3. Metaphors

The use of metaphors forms an important aspect of language, particularly in influencing the way refugees are characterized. Studies of the United Kingdom and Australian print media find rampant usage of metaphors relating refugees to water,

---

[208] Blessings Chinsinga, "The Social Protection Policy in Malawi: Processes, Politics and Challenges," *Future Agricultures*, February 2008, https://assets.publishing.service.gov.uk/media/57a08b9eed915d3cfd000e24.

[209] Simon Tomlinson, "Shocking Image Depicting the 'white Woman of Europe' Being Grabbed and Assaulted by Dark-Skinned Men on Cover of Polish Magazine Sparks Fury," *Mailonline*, February 17, 2016, https://www.dailymail.co.uk/news/article-3450963/Shocking-image-depicting-white-woman-Europe-grabbed-assaulted-dark-skinned-men-cover-Polish-magazine-sparks-fury.html.

[210] Callamard, "Malawian Refugee Policy, International Politics and the One-Party Regime," 89.

criminality and deceitfulness.[211] "Metaphors for water—words such as 'flood' or 'overflowed'—imply the unwelcome influx of refugees into the country."[212] Such descriptions can cause undesirable inferences—the peril that overflow poses and the destruction that floods can precipitate. When media outlets use these metaphors, they engender negative interpretations of host communities towards refugees, thereby affecting their perception and opinion. Portraying refugees in terms of disaster, media outlets detach any human aspect from refugees and inculcate a sense of fear in the local communities, fostering the perception of refugees as a menace to the citizen, the state, and its national interest. In Malawi, sometimes media outlets carry stories with titles such as "refugees flood Malawi"[213] or "Malawi: A haven for illegal immigrants"[214] that may scare locals and force authorities to enforce discriminative policies.

4.   Imagery

Images also are used by broadcast media to either humanize or dehumanize refugees. As Roland Bleiker et al. assert, "images exercise a great power in shaping cultures of hospitality."[215] The authors further report that the images of refugees depicted as a group of men erodes empathy from the audience, unlike images of children or a single man. Barr concurs that by isolating the viewer from the particulars of individual refugees and depicting them in masses, media outlets try to vary the way refugees are perceived.[216] The media aims to divert the focus from the humanitarian crisis to state security matters and the liability on the host communities. This perception may generate a sense of terror and intimidation within the society, and has the potential to influence policies. In Malawi, immigrants' stories are put into context with images of trucks carrying foreigners beyond

---

[211] Barr, "How Media Representation of Refugees Impacts Refugees Politics."

[212] Barr.

[213] Charity Chimungu Phiri, "Malawi's Refugee Crisi," *Global Issues*, February 25, 2016, https://www.globalissues.org/news/2016/02/25/21869.

[214] Frank Namangale, "Malawi: A Haven for Illegal Immigrants," *The Nation Malawi*, May 13, 2018, https://www.mwnation.com/malawi-a-haven-for-illegal-immigrants/.

[215] Roland Bleiker et al., "The Visual Dehumanisation of Refugees," *Australian Journal of Political Science* 48, no. 4 (2013): 413, http://dx.doi.org/10.1080/10361146.2013.840769.

[216] Barr, "How Media Representation of Refugees Impacts Refugees Politics."

the truck's capacity. These pictures promote several audience stereotypes to reinforce their perception of immigrants as a direct menace to the state's economic steadiness—they may displace Malawians from their jobs and cause border insecurity—rather than aiming at the idea that "migrants often bring enormous benefits to their adopted countries."[217] The media's emphasis focuses on the refugees' influx and possible threats to the nation and is meant to prove their illegality, irrespective of the cause of their relocation.

Even though these images are discriminatory and political, they can generate backing for strategies that "protect borders" and "defend sovereignty." Barr asserts that in portraying refugees in Australia as depersonalized and criminalized, the public was made to trust that the danger was substantial and imminent, and compelled political parties to make assurances "to strengthen Australia's borders and halt the flow of boats."[218] The media can easily motivate the audiences by combining image and language, influencing the public's perception toward refugee.

On the other hand, although images and language can be used to dehumanize refugees, they can also be used to humanize the situation. Barr asserts that by emphasizing individual attributes and images—often symbolized as a defenseless, distraught, and anguished female refugee – media outlets can influence curiosity that can beseech public sympathy towards refugees.[219] This capability is referred to as the "identifiable victim effect" Positive media reporting can influence positive public opinion towards refugees and could precipitate the formulation of open refugee policies.

E.   CONCLUSION

The chapter has examined factors that explain why Malawi adopted restrictive policies and the approaches nations use to influence the public to support change. The chapter has found that socio-economic and security concerns and political survival have compelled Malawian policymakers to adopt closed door policies.

---

[217] OECD/ILO, "How Immigrants Contribute to Developing Countries' Economies," *OECD Publishing, Paris*, 2018, 103, https://www.ilo.org/wcmsp5/groups/public/---ed_.

[218] Barr, "How Media Representation of Refugees Impacts Refugees Politics."

[219] Barr.

Politicians engage the media in either dehumanizing or humanizing refugees in order to effect the formation of refugee policies. The use of language, images, and metaphors to disseminate the intended messages to the public are "means to make ends" for political achievements. All these factors depend on the political elites, as observed in Uganda, where the leadership regards refugees as an opportunity to gain developmental support from the international community. In Uganda, political survival has also been a factor in creating refugee policies; however, it has compelled the advancement of policies promoting the self-reliance of refugees.

The chapter has also explored other factors that politicize refugee issues, impeding their integration into host communities. Some of the policies are adopted as a "face cover" for politicians, due to economic and/or political instability the country might be exposed to. Restrictive policies on refugees could be among the policies used to divert the focus and reduce the anger of citizens. For example, Malawi adopted restrictive refugee policies after citizens' exerted intense pressure on authorities to change Malawi's type of government and solve the economic hardships the citizens were going through. Restraining refugees in camps exposes them to deplorable conditions amid insufficient support and deprives the host community of benefiting from the rare skills refugees might have. Constraining refugees within camps also raises several security challenges as opposed to self-settlement approaches, which foster peaceful and productive coexistence between the two groups. In summary, the choice of refugee policy depends on the leadership and the factors that form the framework for their political survival.

IV.   CONCLUSION AND RECOMMENDATIONS

This thesis has attempted to answer the question of why Malawi introduced restrictive refugee policies in 1991. The study argued that the adoption of more "closed door" or "open door" refugee policies by a country such as Malawi is likely to be based on three main factors. Those factors include; socio-economic impact, security concerns, and political survival of the political elites. As Milner noted nations that host refugees for extended durations can face protracted socio-economic, political, environmental, and security impacts.[220] Nevertheless, as observed in Uganda, which is among the world's leading host nations and has welcomed refugees for decades, the political survival of policymakers has been the main determinant of refugee policies adopted there.

A.   GENERAL FINDINGS OF THE STUDY

As Chapter I introduced the refugee phenomenon is a protracted global problem that lacks an enduring universal solution. Many nations have adopted restrictive refugee policies that limit the autonomy of refugees even though these nations are ratifiers of the international refugee law. The international legislation advocates for the protection and freedom of forcibly displaced people. The chapter reviewed theories used to predict the acceptance of refugees by host communities based on theoretical assumptions. Nevertheless, the theories failed to explain why Uganda has had more open refugee policies and Malawi "closed door" policies. The chapter further explored political models used to predict policy change, and it affirmed that political survival of the leadership has played a significant role in policy choices.

Chapter II offered an analysis of Malawi's refugee legislation and the impact of such policies on both host communities and refugees. The chapter provided evidence that there is inconsistency amongst laws that countries ratify at the international level and those domestically enacted. At the global level, the 1951 Convention and its 1967 Protocols, and the OAU 1969 Convention, advocates for refugee rights, while at the national level, most

---

[220] Milner, *Refugees, the State and the Politics of Asylum in Africa*, 2009, 2.

countries including Malawi have adopted policies that deprive refugees of their rights. The chapter argued that the inconsistency depicts the lack of enforcement of international laws and the politics involved in deciding the policies to be adopted by a country.

Chapter III illustrated that Malawi has adopted restrictive refugee policies because of concerns about potentially adverse socio-economic effects, national security, and political survival offered by the policy to political elites. It is a conventional belief that refugees strain the economy of the host country as well as compete with the domestic public over resource use. Further, refugees are often used as a scapegoat for political failures in a country. For instance, Malawi's economic slump and famine in the late 1980s and early 1990s undermined the country's ability to provide the required social services to its people and extend the obligatory support to the increasing number of refugees. Yet, from 1987, refugees in Malawi were supported by the UNHCR and the Red Cross, and because of the international support, the impact on the country's resources was somewhat mitigated. This support, however, was not extended to the local communities. Lack of support precipitated resentment among the locals toward the government and the refugees who were getting rations from the international community. To show the government's interest in ameliorating the hardships the citizens were going through, the government adopted restrictive refugee policies. The public resulting resentment coupled with the political instability and economic hardships may have forced the authorities to separate the refugees from the locals just to avert the emerging conflict between those two groups and ensure their own political survival.

There were also security concerns in the country suspected to be related to refugees that could have contributed to the adoption of restrictive refugee policy. Therefore, the authorities might have constrained the refugees to camps by adopting restrictive policies to disassociate refugees from the violent incidents and possibly stabilize the security situation. Additionally, other factors could have equally contributed to the situation, such as the presence of RENAMO rebels in the country.

In general, the study has illustrated that policies adopted by hosting countries may make or break the living standards of the refugees. More permissive policies adopted by Uganda have managed to significantly contribute to socio-economic growth and peaceful

coexistence between refugees and host communities. The support the country has received from the international community for being an exemplar has funded many developmental initiatives that have changed host communities' perception of refugees for the better.

By contrast, Malawi has adopted restrictive policies that apart from exposing refugees to appalling living conditions, have deprived the host communities from the potential socio-economic contribution of the refugees. The thesis has argued that encampments facilitate the transformation of refugees into being a burden to the host country. Encampment escalates absolute reliance on humanitarian aid as lack of autonomy and freedom deprive refugees of economic opportunities to support themselves. Since the resources in host countries are often insufficient and international community support is erratic, refugees live in deplorable conditions that could be ameliorated by their integration within the local communities. Uganda has exemplified the success of permissive policies as refugees in the country have been able to support themselves rendering the initiative less expensive and the solution more enduring to the government. Because Uganda avoided having to support refugees by promoting their self-reliance, it encouraged the international community to support the government initiatives that maintained social services accessibility. Similarly, Malawi could attract the support of the international community by integrating the refugees within its communities without having to divert the resources from other developmental initiatives to support refugees.

Having looked at the factors that influence refugee policies in Malawi, this chapter now proceeds to review areas for further research in Section A. Section B focuses on policy recommendations.

B.   AREAS FOR FUTURE RESEARCH

According to international refugee laws and international organizations concerned with refugee issues, such as UNHCR, self-settlement is the only viable solution for the prolonged refugee situation in the Sub-Sahara Region. Nevertheless, its success may be limited due to land scarcity and dwindling of international community support. The region experiences a surge of population growth coupled with a mass immigration of refugees. To assist nations in the region to avoid contravening international law by conducting

refoulement or establishing encampments, further studies are recommended to determine how protracted refugee situations can be resolved through self-settlement rather than encampment or refoulement.

The refugee issue can best be solved by dealing with the causes that engender movement of people across borders. Tackling contributory issues in the country of origin is analogous to dealing with the cause of a disease rather than merely addressing its symptoms. Sub-Saharan Africa is plagued by civil wars in countries such as the DRC, Burundi, the Central African Republic, and Ethiopia and terror attacks in Mozambique. Instead of dealing with refugees in host countries, international and regional communities such as the UN should find the means of enforcing peace in these countries. In mid-2021, troops from some member states of the Southern African Development Committee (SADC) and Rwanda deployed in Mozambique to combat Islamist militants that have been causing havoc in the northern region of the country. This deployment is a positive development; however, proper strategic goals should be set to avoid the DRC scenario, where peacekeeping troops have been deployed for over two decades without relative positive results. Therefore, one area for research would be exploring means by which the UN could enforce peace in countries where refugee movement is driven by civil war.

Even though most countries ratified the 1951 Convention and its associated legislations they have adopted different policies for managing refugees. It is difficult to determine the extent to which their policies vary from international guidance, however, because not much has been written about this topic. Scholars often argue that challenges associated with refugees engender the adoption of restrictive policies. In the context of Malawi, further research is required on the extent to which refugees can cause socio-economic instability, or how they can become socio-economic assets to the country. Research that provides a deeper explanation of the situation may enable political elites who head the policymaking process to endorse policies that will be valuable to the nation. Additionally, the findings will enable the citizens to push the blame for government failures on those responsible rather than on refugees. This approach would prevent a "one size fits

all" phenomenon, as sometimes countries emulate the policies other countries have adopted regardless of circumstances in their own country.[221]

The study has shown authorities' concern for their own political survival to be the main factor for lawmakers adopting either open or closed door refugee policies. In Malawi, authorities have been promising to review the Malawian refugee policies and adopt more permissive policies, but it seems they are afraid of losing public support. A study should be conducted to explore the best way to educate and persuade the public on the benefits of having the refugees live amongst them.

C.   POLICY RECOMMENDATIONS

The conflict in Sub-Saharan Africa that escalates the movement of people across borders to seek haven is ongoing. The refugee problem is becoming beyond many nations' capacity to handle, because the region's weaker economy, coupled with the protracted stay of refugees, causes support to be insufficient or adds to the reliance on the international community. At the same time, support from the international community is also significantly dwindling. For example, in the 2017, out of the UNHCR's USD $674 million estimated budget earmarked to support South Sudan refugees in Uganda, only 34 percent of the budget was funded.[222] Other solutions like repatriation and resettlement seem to be non-attainable. The possibility of returning refugees to their home countries is obstructed by the continuous violence in their countries of origin. Furthermore, forceful repatriation contravenes refugee rights as specified in international law. Resettlement in a third country is also becoming increasingly difficult because of the negative effects associated with refugees. Meanwhile, countries that opened up for refugees are struggling economically to support both the refugees and host communities.

In view of the challenges caused by the protracted refugee situation in countries like Malawi, this research recommends the following:

---

[221] Abdelaaty, *Discrimination and Delegation: Explaining States Responses to Refugees*, 8.

[222] Frank, "Uganda and the Refugee Problem: Challenges and Opportunities," 65.

1. Financial support and humanitarian aid to countries that are hosting refugees should continue to directly support refugees' livelihoods and maintain availability of social services in order to alleviate the socio-economic strain among the host communities. The UNHCR should continue to facilitate and support voluntary repatriations of refugees to areas where there is relative peace.

2. The international and regional communities should foster dialogue amongst warring parties and reinforce peace in countries experiencing internal anarchy to ensure peaceful settlement of citizens in their home countries, which will prevent mass movement of people across borders.

3. Host nations should uphold international refugee protection standards that respect the rights and freedoms of refugees by enacting laws that are in step with international or regional regimes. Host nations should perceive refugees not as threats to their national security but as victims of violence.

4. The host nations, working together with the refugee agency (UNHCR), should design policies that address protracted refugee situations, beyond the usual humanitarian assistance, in order to harness the benefits of refugees as a resource. Such programs should empower refugees, facilitate self-reliance, and also contribute to the economic development of the host nations.

D. CONCLUSION

In Malawi, the refugee policy was changed to restrictive refugee policy for political gains. The politicians used restrictive refugee policy to ameliorate the growing resentment of citizens toward government for inaction and refugees for the support they got from international community. The resentment was further escalated by the public calls for a change in government that forced the administration to make those policy changes. It has been a norm by politicians of late to promise a return to a more open refugee policy, when attending forums that promote permissive refugee policies, without bringing it into action. Public sentiment could be holding the authorities to reform the policies.

Alleviating the challenges associated with refugees is a hard and complex problem due to the politics embroiled in it. It is important to remember that refugees should be considered as victims of violence. Therefore, it is the responsibility of authorities to ameliorate the sufferings that come with forced displacement by introducing interventions that are humane and friendly. One way to ensure better living standards for refugees is to allow them to integrate within the communities in the host country. Malawi is currently hosting fewer refugees and asylum seekers, making it easier for them to be absorbed into the community through self-settlement. Integration will lessen the government's and international organizations' responsibility to provide basic needs and services to the refugees, thereby enabling the allocation of scarce resources to other equally important development activities. Similarly, the adoption of self-settlement policies will eliminate the congestion in camps such as Dzaleka, along with sanitation and waste management woes. Furthermore, self-settlement will also allow migrants to partake in economic development activities, and the resultant benefits would spill over to local communities and the nation as a whole. Additionally, permissive policies could attract developmental programs and projects by the international community to the country as part of refugees' self-settlement support.

To effect these changes, Malawi should replace the current restrictive refugee policies with more liberal refugee policies. In Malawi, other legislation apart from the Refugee Act, such as the Immigration Act, should be reformed to ensure that the country does not contravene the international regime. In sum, Malawi is known as "The Warm Heart of Africa." Refugees' integration would affirm this notion well as it provide socio-economic benefits for the country. Suffice to say at the same time, all measures to enforce national security have to be in place to prevent those who might blend in with refugee populations and perpetrate acts that may jeopardize national security.

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF REFERENCES

Abdelaaty, Lamis Elmy. *Discrimination and Delegation: Explaining States Responses to Refugees*. New York: Oxford University Press, 2021.

African Union. "*Africa Migration Report: Challenging the Narrative*." Sectoral Reports. Addis Ababa, Ethiopia: African Union, October 15, 2020. https://au.int/en/documents/20201015/africa-migration-report.

Atuhaire, Patience. "Taliban Takeover: Uganda to Take in 2,000 Afghan Refugees." *BBC News, Kampala*, August 17, 2021. https://www.bbc.com/news/world-africa-58236663.

Bakewell, Oliver. "Encampment and Self-Settlement." In *The Oxford Handbook of Refugee and Forced Migration Studies*. Oxford University Press, 2014. https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199652433.001.0001/oxfordhb-9780199652433-e-037.

Barman, Bhajan Chandra. "Impact of Refugees on Host Developing Countries." *Refugee Crises and Third-World Economies*, June 18, 2020. https://www.emerald.com/insight/content/doi/10.1108/978-1-83982-190-520201011.

Barr, Ben. "How Media Representation of Refugees Impacts Refugees Politics," Medium, August 5, 2020. https://medium.com/discourse/how-media-representation-of-refugees-impacts-refugee-politics-d282b97e4619.

Betts, Alexander. "Refugees and Patronage: A Political History of Uganda's Progressive Refugee Policies." *African Affairs*, 120, no. 479 (April 2021): 243–276. https://doi.org/10.1093/afraf/adab012.

———. "The Political History of Uganda's Refugee Policies." *Refugee History* (blog). (July 15, 2021). http://refugeehistory.org/blog/2021/7/15/the-political-history-of-ugandas-refugee-policies.

Bleiker, Roland, David Campbell, Emma Hutchison, and Xzarina Nicholson. "The Visual Dehumanisation of Refugees." *Australian Journal of Political Science* 48, no. 4 (2013): 398–416. http://dx.doi.org/10.1080/10361146.2013.840769.

Bohnet, Heidrun, and Clara Schmitz-Pranghe. "Uganda: A Role Model for Refugee Integration?" Working paper, BICC\, 2019. https://www.bicc.de/uploads/tx_bicctools/WP2_19_Uganda_web.pdf.

Borjas, George J. "Ethnic Enclaves and Assimilation." *Swedish Economic Policy Review*
7, no. 2 (2000) 89–122. https://www.government.se/contentassets/
9c0449dd5ee74aa68f24e1fc96721095/george-j.-borgas-ethnic-enclaves-and-
assimilation.

Burstein, Paul. "The Impact of Public Opinion on Public Policy: A Review and an
Agenda Author(s)." *Sage Publications* 56, no. 1 (March 2003) 29–40.
https://www.jstor.org/stable/3219881.

Callamard, Agnes. "Malawian Refugee Policy, International Politics and the One-Party
Regime." *Journal of International Affairs,* 47, no. 2 (Winter 1994): 525–556.
https://zachimalawi.blogspot.com/2010/04/
malawian.refugee.policy.international.html

Cerna, Lucie. "The Nature of Policy Change and Implementation: A Review of Different
Theoretical Approaches." *Organization for Economic Co-Operation and
Development*, 2013. https://www.oecd.org/education/ceri/
The%20Nature%20of%20Policy%20Change%20and%20Implementation.pdf.

Chikoti, Martha. "Local Businesses Challenged to Fill Gap Left by Relocated Refugee."
Malawi24, May 27, 2021. https://malawi24.com/2021/05/27/local-businesses-
challenged-to-fill-gap-left-by-relocated-refugees/.

Chinsinga, Blessings. "The Social Protection Policy in Malawi: Processes, Politics and
Challenges." *Future Agricultures*, February 2008.
https://assets.publishing.service.gov.uk/media/57a08b9eed915d3cfd000e24.

Chirwa, Wiseman, Nandini Patel, and Fidelis Kanyongolo. "Democracy Report for
Malawi." *International Institute for Democracy and Electoral Assistance*, 2000.
https://www.idea.int/sites/default/files/pictures/Malawi.pdf.

Cook, Julie A. "The Warm Heart of Africa: A Brief Look at the People, History, and
Culture of Malawi." *Ruth & Ted Braun Awards for Writing Excellence*, April
2009. https://www.svsu.edu/media/writingprogram/activedocs/Cook.pdf.

Crisp, Jeff. "New Issues in Refugee Research." *UNHCR*, April 2014.
https://www.unhcr.org/407d3b762.pdf.

Dingamhoudou, Edmond. "Chad: A $75 Million Grant from World Bank to Scale Up
Support for Refugees and Host Communities." *The World Bank*, September 8,
2020.

Dolph, Bruce H. "Culture of Malawi," 2010. https://www.everyculture.com/Ja-Ma/
Malawi.html.

Lewis B Dzimbiri, "Political and Economic Impacts of Refugees: Some Observations on Mozambican Refugees in Malawi" *Canada's Periodical on Refugees* 13 No 6 (October 1993): 4. https://refuge.journals.yorku.ca/index.php/refuge/article/view/21752

Edmond, Charlotte. "Global Migration, by the Numbers: Who Migrates, Where They go and Why." World Economic forum, January 10, 2020. https://www.weforum.org/agenda/2020/01/iom-global-migration-report-international-migrants-2020/

Frank, Ahimbisibwe. "Uganda and the Refugee Problem: Challenges and Opportunities." *African Journal of Political Science and International Relations* 13, no. 5 (2019): 62–72. https://doi.org/10.5897/AJPSIR2018.1101.

Glaser Linda B. "Migration, Immigration and Refugees Today." *Cornell University*, May 9, 2016. https://as.cornell.edu/news/migration-immigration-and-refugees-today.

Goodwin-Gill, Guy S. "The International Law of Refugee Protection." *Oxford Handbooks*, August 2014. https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199652433.001.0001/oxfordhb-9780199652433-e-021?print=pdf.

Gunde, Vincent. "Police Worried over Food Ration Cuts at Dzaleka." *Malawi 24*, July 11, 2019. https://malawi24.com/2019/07/11/police-worried-over-food-ration-cuts-at-dzaleka-camp-by-vincent-gunde/.

Haider, Huma. "International Legal Frameworks for Humanitarian Action." Relief web, *UK*, March 2013. https://reliefweb.int/sites/reliefweb.int/files/resources/International%20Legal%20Frameworks%20for%20Humanitarian%20Action.pdf.

Harrell-Bond, Barbara. "Are Refugee Camps Good for Children?" New Issues in Refugee Research. American University in Cairo, UNHCR, August 2000. https://www.unhcr.org/3ae6a0c64.pdf.

Healey, Joseph F, and Eileen O'Brien. "Race, Ethnicity, Gender, & Class: The Sociology of Group Conflict and Change, 7th Edition." Washington, DC: SAGE Publication. (2015).

IEP. "Global Peace Index 2019: Measuring Peace in a Complex World." Sydney: Institute for Economics & Peace, June 2019. http://visionofhumanity.org/reports.

Jacobsen, Karen. "Can Refugees Benefit the State? Refugee Resource and African Statebuilding." *The Journal of Modern African Studies* 40, no. 4 (November 28, 2002). https://doi.org/10.1017/S0022278X02004081.

Kavalo, Eddie Bright. "Environmental and Socio-Economic Impact of Hosting Refugees: A Case Study of Villages around the Dzaleka Refugee Camp in Dowa District, Malawi." University of South Africa, 2016. https://uir.unisa.ac.za/bitstream/handle/10500/22174/dissertation_kavalo_eb.pdf?sequence=1&isAllowed=y.

Khan, Duniya Aslam. "Uganda: An Overview of How the Global Compact on Refugees Is Being Turned into Action in Uganda." *UNHCR*, March 15, 2021. https://globalcompactrefugees.org/article/uganda.

Kondowe, Russell. "Malawi Orders Refugees to Return to Camp." *Malawi24*. April 12, 2021, sec. Business. https://malawi24.com/2021/04/12/malawi-orders-refugees-to-return-to-camp/.

Kramer, Steven. "An Aging Germany in a Young World: Adapting to Demographic Changes." *American Institute for Contemporary German Studies*, April 30, 2015. https://www.aicgs.org/publication/an-aging-germany-in-a-young-world/.

Kreibaum, Merle. "Build Towns Instead of Camps: Uganda as an Example of Integrative Refugee Policy," *German Development Institute*, 2016. www.die-gdi.de › uploads › media.

Kunz, Egon F. "Exile and Resettlemen: Refugee Theory." *International Migration Review* 15, no. 1/2 (Spring-Summer 1981). https://www.jstor.org/stable/2545323.

Kuraru, Rosemary Sipatan. "The Role of Refugees in Economic Development: A Case Study of Urban Refugees in Nairobi Kenya." University of Nairobi, 2019. erepository.uonbi.ac.ke › bitstream › handle.

Luecke, Matthias, and Schneiderheinnze Claas. "More Financial Burden-Sharing for Developing Countries That Host Refugees" *Journal of Economics* 11, no. 24 (September 14, 2017). https://doi.org/10.5018/economics-ejournal.ja.2017-24.

Lunyiigo, Lwanga S. "Uganda's Long Connection with the Problem of Refugees: From the Polish Refugees of World War II to the Present." *Makerere University*, December 1993. https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/5693/lwanga-lunyiigo-MAK-res.pd.

Luu, Chi. "Migrants, Refugees, and Expats: How Humanity Comes in Waves." *JStor Daily*, September 2015. https://daily.jstor.org/language-of-migrants-refugees-expats/.

Lwanda, John Lloyd. *Kamuzu Banda of Malawi: A Study in Promise, Power and Paralysis*. Great Britain: Dudu Nsomba Publications, 1993.

Malawi. "Malawi Refugee Act, 1989." *Malawi Lii*, April 3, 1989. https://malawilii.org/
      mw/legislation/act/1989/3.

———. Submission by the UNHCR for the Office of the High Commissioner for Human
      Rights' Compilation Report Universal Periodic Review: 3rd Cycle, 36th Session.
      Malawi, October 2019. https://www.refworld.org/pdfid/5e17493a2.pdf

———. "Malawi: Immigration Act of 1964." *Refworld*, 1964. https://www.refworld.org/
      docid/3ae6b4f58.html.

———. "The Refugee Convention, 1951." *UNHCR*, 1951. https://www.unhcr.org/
      4ca34be29.pdf.

———. "Uganda." *UNHCR*, September 2021. https://reporting.unhcr.org/uganda.

———. "UNHCR's Refugee Population Statics Database." *Refugee Data Finder*, June
      18, 2021. https://unhcr.github.io/unhcrdatapackage/docs/

Manda, Levi Zeleza. "Media in the Political Process." In *Government and Politics in
      Malawi*. Zomba: Kachere Series, University of Malawi Centre for Social
      Research, n.d. Accessed on February 21, 2021. https://www.academia.edu/
      2641748/Media_in_the_Political_Process_updated_book_chapter_.

Mandala, Patience. "Levels of Illegal Immigrantion in Malawi Shock Authorities."
      Malawi 24, September 28, 2016. https://malawi24.com/2016/09/28/levels-illegal-
      immigration-malawi-shock-authorities/.

Marrs, Dylan. "Refugees Face Big Challenges in Accessing Clean Water and Sanitation,"
      April 2, 2020. https://news.grida.no/refugees-face-big-challenges-in-accessing -
      clean-water-and-saniatation.

Masina, Lameck. "Illegal Migrants Stuck in Malawi Prisons after Serving Sentences."
      VOA. September 2, 2015. http://www.afriem.org/2015/09/illegal-migrants-stuck-
      in-malawi-prisons-after-serving-sentences/.

Matonga, Golden. "For Decades, Malawi Welcomed Refugee. Then Something
      Changed." *Mail & Guardian*, July 16, 2021. https://mg.co.za/africa/2021-07-16-
      for-decades-malawi-welcomed-refugees-then-something-changed/.

McKinsey, Kitty. "Feature: Refugees in Uganda Move towards Sel-Reliance." *UNHCR*,
      October 13, 2003. https://www.unhcr.org/news/latest/2003/10/3f8aa81e4/feature-
      refugees-uganda-move-towards-self-reliance.html.

Mfune, Bright. "48 Illegal Immigrants Arrested." *Malawi 24*. July 25, 2017.
      https://malawi24.com/2017/07/25/48-illegal-immigrants-arrested/.

Milner, James. "Refugees, the State and the Politics of Asylum in Africa." *Journal of Refugee Studies* 24, no. 1 (February 18, 2011). https://academic.oup.com/jrs/article-abstract/24/1/208/1602014.

Mitumba, Flora. "Court Jails 8 Foreign National For Illegal Entry in Karonga." *Faceof Malawi*. May 16, 2021. https://www.faceofmalawi.com/2021/01/13/court-jails-8-foreign-nationals-for-illegal-entry-in-karonga/.

Mponda, Felix. "Dreams Turns Sour for Ethiopian Migrants Jailed in Malawi." *Yahoo!News*, October 13, 2015. https://news.yahoo.com/dream-turns-sour-ethiopia-migrants-jailed-malawi-051849537.html.

———. "Mozambique Unrest Drives Refugees into Malawi." *AFP*, January 14, 2016. https://news.yahoo.com/mozambique-unrest-drives-refugees-malawi-151637008.html?fr=yhssrp_catchall.

Msowoya, Richmond Elijah Mkopa. "The Impact of Refugees and Asylum Seekers in Contributing to the Local and National Economic Development Nexus. A Case Study of Dzaleka Camp in Malawi," Master's Thesis, Kalu Institute, 2019. https://kaluinstitute.org/wp-content/uploads/2020/07/EN-DISSERTATION-RICHMOND-MSOWOYA-2019_05_07.pdf.

Muchabaiwa, Bob Libert, Tapiwa Kelvin Mutambirwa, Sarah Tsokalida, Rahel Abuhai, and Beatrice Targa. "Towards Integration of Dzaleka Camp Refugees' Education in National Systems in Malawi." April 2019. https://www.unicef.org/esa/media/6461/file/UNICEF_Malawi-Budget_Brief_on_Refugee_Education_2019.pdf.

Mvula, Levi Duma. "Refugee Status Determination and Right in Malawi," Presented at the Refugee Studies Centre Workshop discussion on RSD and and Rights in southernand East Africa. 2010. www.rsc.ox.ac.uk/files/files-1/dp-rsd-malawi-2010.pdf.

Mzale, Dumbani. "Controversy over Teacher-Pupil Ratio." *Nation Publication*, March 23, 2019. https://www.mwnation.com/controversy-over-teacher-pupil-ratio/.

Namangale, Frank. "Malawi: A Haven for Illegal Immigrants." *The Nation Malawi*, May 13, 2018. https://www.mwnation.com/malawi-a-haven-for-illegal-immigrants/.

Nthenda, Gladys. "Chakwera Speaks on Malawi's Refugee Situation." *Kulinji.Com*, May 7, 2021. https://www.kulinji.com/article/news/2021/chakwera-speaks-malawis-refugee-situation.

Nyasatimes. "Police Detain Vehicle, Illegal Immigrants from Somalia, Ethiopia." *Nyasatimes*, April 4, 2021. https://www.nyasatimes.com/police-detain-vehicle-illegal-immigrants-from-somalia-ethiopia/.

OECD/ILO. "How Immigrants Contribute to Developing Countries' Economies." *OECD*, 2018. https://www.ilo.org/wcmsp5/groups/public/---ed_.

Phiri, Charity Chimungu. "Malawi's Refugee Crisi." *Global Issues*, February 25, 2016. https://www.globalissues.org/news/2016/02/25/21869.

Rawles, Eric. "Refugee Camps: Temporary Solutions to Long-Term Problems." *The Borgen Project*, August 10, 2016. https://borgenproject.org/refugee-camps-temporary-solutions/.

Refugee Law Project. "Critique of the Refugees Act (2006)." *Refugee Law Project*, 2006. http://www.citizenshiprightsafrica.org/wp-content/uploads/2016/02/Uganda_RefugeesActRLPCritique.pdf.

Reich, Michael R. "The Politics of Health Sector Reform in Developing Countries: Three Cases of Pharmaceutical Policy." *Health Policy* 32, no. 1–3 (June 1995). https://search.yahoo.com/yhs/search?pdf

"ReHoPe-Refugee and Host Population Empowerment Strategic Framework-Uganda (June 2018)." The World Bank, June 2017. https://releifweb.int/sites/releifweb.int/files/resources/64166 0 pdf

Rutinwa, Bonaventure. "New Issues in Refugee Research: The End of Asylum? The Changing Nature of Refugee Policies in Africa." UNHCR, May 1999. https://www.unhcr.org/3ae6a0c34.pdf.

Sanchez, Daniel Garrote. "From Liability to Asset: How Syrian Refugees Can Benefit the Lebanese Economy." The Lebanese Centre for Policy Studies, 2021. https://lcps-lebanon.org/publication.php?id=421&category=700&title=700.

Sarah Collinson. "Globalization and the Dynamics of International Migration: Implications for the Refugee Regime." Working Paper. Hamlyn House, May 1999. https://www.unhcr.org/research/working/3ae6a0c60/globalization-dynamics-international-migration-implications-refugee-regime.html?

Schultz, Paul T. "Population Policy." In *Handbook of Development Economics*, Vol. 5. ScienceDirect, 2010. https://doi.org/10.1016/B978-0-444-52944-2.00010-0.

Standing Committee. "Economic and Social Impact of Massive Refugee Populations on Host Developing Countries, as Well as Other Countries." Executive Summary, UNHCR February 18, 2004. https://www.unhcr.org/excom/standcom/403dcdc64/economic-social-impact-massive-refugee-populations-host-developing-countries.html.

Tafirenyika, Masimba. "Mozambican Refugees in Malawi: Will They Ever Return Home?" SARDC, June 15, 1992. https://www.sardc.net/en/southern-african-news-features/mozambican-refugees-in-malawi-will-they-ever-retijrn-home/.

Tavassoli, Fatemeh, Alireza Jalilifar, and Peter RR White. "British Newspapers' Stance towards the Syrian Refugee Crisi: An Appraisal Model Study." *Discourse & Society* 30, no. 1 (October 11, 2018). https://doi.org/10.1177/0957926518801079.

Tobin, Sarah A. "NGO Governance and Syrian Refugee 'Subjects' in Jordan." *Middle East Research and Information Project*, July 12, 2016. https://merip.org/2016/04/ngo-governance-and-syrian-refugee-subjects-in-jordan/.

Tomlinson, Simon. "Shocking Image Depicting the 'white Woman of Europe' Being Grabbed and Assaulted by Dark-Skinned Men on Cover of Polish Magazine Sparks Fury." *Mail Online*, February 17, 2016. https://www.dailymail.co.uk/news/article-3450963/Shocking-image-depicting-white-woman-Europe-grabbed-assaulted-dark-skinned-men-cover-Polish-magazine-sparks-fury.html.

Uganda. "Uganda National Action Plan to Implement the Global Compact on Refugees and Its Comprehensive Refugee Response Framework (CRRF): Uganda's Revised CRRF Road Map 2018–2020," March 2019. unhcr.org/sites/default/files/UNHCR Uganda Fact Sheet - January 2020_0.pdf.

———. "Ugandan National Action Plan to Implement the Global Compact on Refugees and Its Comprehensive Refugee Response Framework (CRRF)." Ugandan National Action Plan 2018–2020, March 2019. https://reliefweb.int/sites/reliefweb.int/files/resources/Uganda

UNESCO. "Teaching and Learning: Achieving Quality for All Malawi: Fact Sheet." *EFA Global Monitoring Report*, April 2013.https://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/GMR/pdf/Malawi-Factsheet.pdf

UNHCR. "The 1951 Convention Relating to the Status of Refugees and Its 1967 Protocol." UNHCR, September 2011. https://www.unhcr.org/en-us/about-us/background/4ec262df9/1951-convention-relating -status-refugees-its-1967-protocoal.html.

———. "Convention on the Reduction of Stateslessness." UNHCR, 1961. https://www.unhcr.org/ibelong/wp-content/uploads/1961-Convention-on-the-reduction-of-Statelessness_ENG.pdf.

———. "Country Malawi." *UNHCR*, April 30, 2021. https://data2.unhcr.org/en/country/mwi.

———. "Economic and Social Impact of Massive Refugee Population on Host Developing Countries, as Well as Other Countries: A Quantitative Assessment on the Basis of Special Case Studies." *UNHCR*, August 3, 1998. https://www.unhcr.org/excom/standcom/3ae68cf710/economic-social-impact-massive-refugee-populations-host-developing-countries.html.

———. "Global Trends: Forced Displacement in 2017." *UNHCR*, June 18, 2021. www.unhcr.org/globaltrends.

———. "Handbook on Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection." *UNHCR USA*, February 2019. https://www.unhcr.org/publications/legal/5ddfcdc47/handbook-procedures-criteria-determining-refugee-status-under-1951.

UNHCR Staff. "Poorer Countries Host Most of the Forcibly Displaced, Report Shows," UNHCR February 27, 2017. https://www.unhcr.org/news/latest/2017/2/58b001ab4.

USAID. "Malawi Health Systems Strengthening Fact Sheet." *USAID*, September 15, 2016. https://www.usaid.gov/malawi/fact-sheets/malawi-health-systems-strengthening-fact-sheet.

Watera, Winnie, Claire Seremba, Ivan Otim, Donnas Ojok, Bernard Mukhone, and Anna Hoffmann. "Uganda's Refugee Management Approach Within the EAC Policy Framework." *Konrad Adenauer Stiftung*, 2017. https://youth4policy.org/wp-content/uploads/2018/03/Uganda-Refugee-Management-Policy.pdf.

Watol, Birhanu Sileshi, and Desta Tegegna Assefa. "The Socio-Economic Impact of Refugees on the Neighboring Countries: The Case of Sherkole Refugee Camp, Western Ethiopia." *Global Journals* 18, no. 4 (2018).

World Bank. "Population Density (People per sq.km of Land Area) - Uganda." The World Bank, 201. https://data.worldbank.org/indicator/EN.POP.DNST?locations=UG.

World Bank. "Rwanda: Economic Activity and Opportunity for Refugee Inclusion," May 23, 2019. data2.unhcr.org/en/documents/details/70595.

World Bank. "Uganda's Progressive Approach to Refugee Management." *The World Bank*, August 31, 2016. https://www.worldbank.org/en/topic/fragilityconflictviolence/brief/ugandas-progressive-approach-refugee-management.

World Food Programme. "Challenges Abound for Refugees in Malawi," June 20, 2016. https://news.trust.org/item/20160623074005-vh179.

World Migration Report. "The Global Compact for Migration." World Migration Report 2020. IOM UN Migration, 2020. https://www.iom.int/global-compact-migration.

Worldometer. "Malawi Population." *Worldometer*, 2021. https://www.worldometers.info/world-population/malawi-population/.

Zelinsky, Wilbur, and Barret A Lee. "Heterolocalism: An Alternative Model of the Sociospatial Behavior of Immigrant Ethnic Communities." *International Journal of Population Geography* 4, no. 4 (December 1998). https://doi.org/10.1002/(SICI)1099-1220(199812)4:4<281::AID-IJPG108>3.0.CO;2-0.

Zhu, Heng, Mateusz Filipski, Jaakko Valli, Ernesto Gonzalez, Annubhab Gupta, and Edward J. Taylor. "Economic Impact of Refugee Settlements in Uganda," Relief Web October 28, 2016. https://reliefweb.int/sites/reliefweb.int/files/resources/wfp288256.pdf.

INITIAL DISTRIBUTION LIST

1.   Defense Technical Information Center
        Ft. Belvoir, Virginia

2.   Dudley Knox Library
        Naval Postgraduate School
        Monterey, California