

REFUGEE ENCAMPMENT AND NATIONAL SECURITY IN MALAWI

MA (POLITICAL SCIENCE) THESIS

GEOFFREY MAKHOLA

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REFUGEES ENCAMPMENT AND NATIONAL SECURITY IN MALAWI

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By

GEOFFREY MAKHOLA

BSc. (Political Leadership)-Catholic University of Malawi

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DECLARATION

I, the undersigned hereby declare that this thesis is my own original work which has not been submitted to any other institution for similar purposes. Where other people's work has been used acknowledgements have been made.

GEOFFREY MAKHOLA

Full legal name

Signature

Date

CERTIFICATE OF APPROVAL

The undersigned certify that this thesis presents the student's own work and effort and has been submitted with our approval.

Signature: _____ Date: _____

Gift Sambo, MA, (Lecturer in Political Science)

Co-Supervisor

DEDICATION

I dedicate this work to my father, the late Mr. Roy Makhola, who could follow every detail of this study during his last days on earth. My mother, Mrs. Janet Makhola, your encouragement has germinated and resulted into this successful paper. I love you.

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ABSTRACT

The aim of the study is to provide an assessment of the refugee's encampment and national security in Malawi. The study argues that refugee's encampment practice was implemented during the one party era and currently it is being implemented in the democratic political dispensation with the reason that refugees are a threat to the national security. However, the refugee's encampment has no legal basis in the 1989 Refugee Act. Malawi once hosted Mozambique refugees who stayed in local communities with people. Then Zambia, Zimbabwe and Mozambique accused Malawi of harbouring RENAMO fighters, eventually Dr. Hastings Kamuzu Banda's Government flashed all refugees in fear of sanctions and he made a call to have UNHCR operational. In 1987 he ratified the 1951 refugee convention and during that time he made reservation to article 26 which allows refugees to choose place of residence and freedom of movement in the host state. The reservation put limitation to refugee's freedom of movement and that all refugees should stay in the camps. The limitations are still being upheld by the Government of Malawi to date. The study adopted qualitative approach. It involved interviews with key respondents from the Ministry of Homeland Security, local leaders, UNHCR and refugees both in Dzaleka Refugee Camp and those around area 23 and Mchesi in Lilongwe City, and desk research. The findings of the study shows that the refugee do not compromise national security in Malawi but has the potential to, as some perpetrators of violence follow those who fled war and connive with Malawian with the intention to kill them, which by the end of the day, they leave dangerous weapons with Malawians who uses to compromise the national security and public order.

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ABBREVIATIONS AND ACRONYMS

COVID-19	Corona Virus Diseases 2019
DC	District Commissioner
FRELIMO	Frente de Libertação de Moçambique (The Mozambique Liberation Front)
INGO	International Non-Governmental Organization
KCH	Kamuzu Central Hospital
MDF	Malawi Defence Force
NGO	Non-Governmental Organization
NIS	National Intelligence Service
OAU	Organization of African Union
PoC	Person of Concern to UNHCR
RENAMO	Resistência Nacional Moçambicana (The Mozambican National Resistance)
SGBV	Sexual and Gender Based Violence
SMEs	Small and Medium Enterprise
T/A	Traditional Authority
TV	Television
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees (United Nations Refugee Agency)
USA	United States of America
WFP	World Food Programme

CHAPTER ONE

INTRODUCTION

1.1 Introduction

This study examines the refugee encampment and national security in Malawi. Hosting refugees is a responsibility of all states but it has been initiated by the legal instruments. At the international level, there is the 1951 refugees' convention and its 1967 protocol relating to the specific aspects of refugees. This is where refugee's definition, rights, and freedom are explicitly explained. States are supposed to accede to it but other states that are not signatories are not spared, they have a duty to look after refugees because the convention falls under international customary law.

There was a concern of the increasing numbers of refugees in Africa and desirous of finding ways and means of alleviating their misery and suffering as well as providing them with a better life. The 1951 refugee's convention, as modified by 1967 Protocol, constitutes the basic and universal instrument relating to the status of refugees and reflects the deep concern of states for refugees and their desire to establish common standards for their treatment. Therefore, Africa states were convinced that all the problems of the continent must be solved in the spirit of the Charter of the OAU. Africa states were encouraged to sign the convention but those states which did not signed the

United Nations Convention of 1951 and to the Protocol of 1967 relating to the Status of Refugees, and meanwhile to apply their provisions to refugees in Africa, convinced that the efficiency of the measures recommended by the OAU convention to solve the problem of refugees in Africa necessitates close and continuous collaboration between the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees (OAU refugees convention, 1969).

In 1989, Malawi passed the Refugee Act which provides for the receiving, admission and treatment of refugees and the application of the international instruments. The 1994 Malawi constitution recognizes international law and contains a Bill of Rights applicable to all people of Malawi. Despite having such a regulatory framework in place, the country continues to experience a number of challenges in relation to protection of and assistance to asylum seekers and refugees (Malawi Refugees Act, 1989).

However, the study has been motivated on the ground that, refugees in Malawi are accused of threaten national security and compromise public order. The study examined if the refugees are a threat to national security in Malawi. According to the Refugees Act 1989 Articles 2 (1a) (1b), a refugee is defined as a person who

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/her nationality and is unable or unwilling to avail himself/herself of the protection of that country; or who, not having a nationality and being outside the country of his/her former habitual residence as a result of such events is unable or, owing to such fear, is unwilling to return to that country.

or owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his/her country of origin or nationality, is compelled to leave his/her place of habitual residence in order to seek refuge in another place outside his/her country of origin or nationality (p 2).

Refugee encampment in the study shall mean a temporary facility constructed for the purpose to safeguard people who have run away from their habitual residence owing to unrests, (Turner, 2016).

This chapter introduces the concept of refugees, the nature and limits of refugee freedom of movement in international law. It also covers the grounds for the encampment of refugees in a host state. The chapter further outlines the research problems, objectives, and justification for conducting the study.

1.2 Background of the Study

Malawi has been hosting refugees since the 1970s. Malawi's refugee-hosting policy can be seen within the prism of local, national, regional, as well as international politics. According to Callamard (1992) from the 1970s to 1986, hosting communities in Malawi assisted refugees. Local residents coexisted peacefully with refugees, shared local resources in the absence of national or international actors. During the aforementioned period, Malawi had not yet ratified regional and global legal instruments prescribing the standards of refugee management and treatment.

Callamard (1992) further argued that, was this influx and some regional political influence that partly contributed to Malawi's change of approach from local to national intervention. The first major influx of Mozambican refugees took place in 1986, shortly after the leaders of Mozambique, Zambia and Zimbabwe held a meeting with the President Dr. Hasting Kamuzu Banda, in which they threatened Malawi with

sanction for harbouring RENAMO fighters and their military camps. Malawi's alignment with the three regional states resulted in the dismantling of RENAMO bases in Malawi and compelled fighters of the group to overrun Mozambican province of Zambezi which led to an initial influx of refugees into Malawi. By the end of 1986, the number of refugees had increased drastically in Malawi. Within six months, nearly 70,000 Mozambican refugees sought asylum in mainly five districts of Malawi namely, Dedza, Ntcheu, Chikwawa, Nsanje and Mulanje. As a result, Malawi abandoned the local approach to a national coordination strategy with the support of the Malawi Red Cross. Subsequently, refugee camps were opened in all receiving districts.

The United Nations High Commissioner for Refugees (UNHCR) and other Non-Governmental Organizations (NGOs) became more involved in the refugee response in early 1987 when the government of Malawi requested their presence. The presence of international actors was necessitated by an ever-increasing number of refugees following the joint military intervention of Tanzanian, Zambian, and Zimbabwean troops in Mozambique. "On 4 November 1987, the country ratified the 1969 Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa, and later acceded to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol in 1989 (UNHCR, 2010, p 1)". The 1989 Refugees Act incorporates the refugee definitions of the 1951 Refugee Convention and the 1969 OAU Convention.

According to Article 26 of the 1951 Convention,

*Each contracting state shall accord to refugees lawfully in its territory
the right to choose their place of residence to move freely within its*

territory, subject to any regulations applicable to aliens generally in the same circumstances” (p 8).

Therefore, the right to freedom of movement has two aspects. On the one hand, is the right to choose place of residence and, on the other, the right to move freely within the territory of the host state.

In 1987, Malawi acceded to the 1951 Convention, the government made a reservation to article 26, which meant that the government was to designate the place or places of residence of the refugees and to restrict their movements whenever considerations of national security or public order so require” (reversal of 1951 Refugee Convention, article 26, p. 29). According to article 2(d) of Vienna Convention on the Laws of Treaties (1969), a reservation ‘... is a unilateral statement, however phrased or named, made by a state, when signing, ratifying, accepting, approving or acceding to a treaty, whereby it purports to exclude or to modify the legal effect of certain provisions of the treaty in their application to that state” (p.3). Malawi’s encampment practices derive largely from the aforesaid reservation.

However, Chinangwa (2007) in his study challenged the legality of Malawi’s reservation to article 26 of the 1951 Convention and the measures imposed by Malawi restricting freedom of movement of refugees and their choice of residence. “He further argued that, the measures do not fulfill the condition precedent for their imposition in accordance with the reservation to article 26 of UN Convention Relating to Status of Refugees. Therefore, the measures are inconsistent with article 26 as modified by the reservation. The inconsistency renders the measures unlawful in international law” (p. 48).

1.3 Problem Statement

The 1951 refugee convention is the international recognized document that set a standard for the protecting refugees. When Malawi signed the convention it reserved some of the article like article 26.

On the other hand, the 1969 OAU refugees' convention article 3(1) says that,

every refugee has duties to the country in which he finds himself, which require in particular that he conforms to its laws and regulations as well as measures taken for the maintenance of public order. He/she shall also abstain from any subversive activities against any member state of the OAU.

The OAU convention stipulates that refugees has to comply with what the government says. In this case, if the government demand that all refugees has to stay in the camp, it means that they have to comply with that.

The 1989 Malawi Refugee Act does not say anything about where the refugees should stay. Above all, the three refugee's instruments does not indicate that refugees pose threats to the national security and public order in the host countries.

There have been similar studies on refugees. For instance, Chirambo, (2018) conducted a study on "Perceptions of host communities on Burundi urban refugees from a socio-economic perspective: a Case of Lilongwe City. In his findings Chirambo, (2018, p. 46) found that 36 percent of respondents reported that Burundi urban refugees create job opportunities from the small scale businesses. He further revealed that many urban refugees in Malawi creates job opportunity to local people but on the other hand the Government is demanding them to be in Dzaleka Refugee Camp. On the other hand, Chinagwa, (2007) studied the Legality of Malawi's

Reservation to Article 26 of CSR 51 and Measures Restricting Freedom of Movement and Choice of Residence of Refugees. Chinangwa, (2007 p, 48) found out that the preventive measures on freedom of internal movement and choice of place of residence of refugees in Malawi cannot be sustained on the respect or requirements of national security or public order. Therefore, the measures do not fulfill the condition precedent for their imposition in agreement with the reservation to Article 26 of Convention on the Status of Refugees of 1951. Consequently, the measures are inconsistent with article 26 as modified by the reservation. The inconsistency renders the measures illegal in international law. On the other hand, Kenya is one of the country that host largest refugee populations in Africa. It upholds encampment practice for administrative purpose and not for security reasons. In Ethiopia, refugee's camps are not a norm. The Government sets up new camps to alleviate the population pressure of existing ones and they also have open policy in which they allow refugees to stay in urban areas independently (Njogu, 2017).

The Malawi government is implementing refugee encampment on the basis that refugees are a threat to national security and public order, as a way of dealing with this the government decided that all refugees should be residing in the camp for easy monitoring. Unlike other studies, this study focuses on refugee's encampment and national security in Malawi. The study investigates how refugees have affected Malawi's security system. Is hosting refugees a blessing or a curse to Malawi? The problem at hand is unresolved as refugees are currently mandated to stay in the camp, and the study intends to find out whether indeed refugees affect national security or not.

1.4 Main Objective

The main objective of the study is to examine the refugee encampment as a possible way to achieve national security.

1.4.1 Specific Objectives

- To examine measures taken to enforce the refugee encampment;
- To examine the role of enforcement agency in refugee encampment;
- To analyze the government decision on encampment practice in democratic Malawi.

1.5 Justification of the Study

Several refugees stay in ‘grey space’ forever situated amid legality and illegality and sidelined in urban programs (Yiftachel, 2009). It is also noted that the modern relief activities meant to assist refugees in dealing with life threatening situations in asylum countries are inadequate (Earle, 2017). As such this compromises the refugees’ family to recapitulate sincerity in asylum country, restrict their capability to secure good jobs with suitable condition, and undermine the competence of refugees to add value to the receiving community.

Njogu (2017), who conducted a study on encampment policies, protracted refugee’s situation and national security concerns with reference to Kenya and Ethiopia and found that the Kenyan Government used national security concerns as a means to enforce strict encampment policies that have resulted in denying refugees basic human rights. In Ethiopia, camps are not a norm. The Government sets up new camps to alleviate the population pressure of existing ones and they also have open door-policy in which they allow refugees to stay in urban areas independently. As already argued above, Chinangwa (2007) conducted a study on the legality of Malawi’s

reservation to article 26 of the 1951 refugee's convention and measures restricting freedom of movement and choice of residence of refugees from the legal perspective; he observed that "the restrictive measures on freedom of internal movement and choice of residence of refugees in Malawi cannot be supported on the consideration or requirements of national security or public order. As such, the measures do not fulfill the condition precedent for their imposition in accordance with the reservation to Article 26 of Convention of Status of Refugee 1951. Therefore, the measures are inconsistent with Article 26 of the 1951 Refugees Convention, as modified by the reservation. The inconsistency reduces the procedures illegal in international law p. 48".

Considering the already existing literature, it is essential to conduct a study of this nature from Political Science perspective as it will not only fill the gap in the body of knowledge but also study the issue of refugees from security point of view using the lens of International Political theories, other than legal point of view as it has been perceived in most of the studies. The worthiness of the study goes further as it will shed more light on the costs and benefits of the refugee's encampment practices to Malawi. On the other hand, the study will reveal the best way to handle refugees between the camp and in a local community. The study will benefit not only the government, but also the scholars and other duty bearers when dealing with refugees.

Furthermore, the study will reveal the problem posed by refugees in host country and the problem faced by refugees in Malawi.

1.6 Chapter Summary

The chapter has outlined the research overview leading to the problem statement. The objectives of the study have also been considered which have highlighted the issue

that the study addressed in the analysis. There is also justification which has explained the need in conduct a study of this nature. However, it is important for the study of this nature to be underpinned on the already existing literature. As such, the following chapter will discuss other scholar's work on similar issue being studied and eventually create a gap with which this study is to fill.

CHAPTER TWO

LITERATURE REVIEW

2.1 Chapter Overview

This chapter reviews literature from both primary and secondary sources on issues relevant to the topic under study. It explores previous studies and identifies gap in literature that filled by this research. The first section of the chapter explores the motivation for the refugee's encampment practices. The second section outlines the merits of urban refugees and demerits of refugee's encampment to the host states and the model of refugee's camps. The chapter further considers positive and negative impacts of Mozambique refugees to Malawi. Lastly, the chapter has discusses the concept of "realism and liberalism" as the underpinning theories of the study.

2.2 Motive for the Refugee Encampment Practice

While there are different ways in which refugees are treated depending on the country of asylum, other countries like Ethiopia practice open door policy where refugees are allowed to stay with local people. As already argued above, refugee encampment is a follows reservation on article 26 of the 1951 Refugee Convention. States demarcate place for refugees to stay and it puts limits on their movement each time in respect to national security and public order as it deems necessary. This implies that the measures and limits would only be implemented when required

According to Rutinwa (1999), from the 1960s to 1970s, first communities regarded refugees as victims of colonized governance and so they used to welcome and interact with them very well. Due to larger number of refugees which posed problem to the host community, this tendency changed (Van-Garderen & Ebenstein, 2011). Second, due to political instabilities and civil wars in many countries, many have witnessed an influx of refugees from their original states to the host states. Eventually, host populations started to develop negative attitudes towards them. Subsequently, host communities no longer regarded refugees as people who fought liberation wars against the white rule in their home country but rebels and perpetrators of violence in their communities, this even goes further to the extent that states implemented camp for refugee.

2.3 Merits of Urban Refugees and Demerits of Refugees Encampment to the Host State

It is an undisputed fact that refugees bring both positive as well as negative impact to the asylum country. Both urban and camp refugees contribute almost similar impact as argued below.

2.3.1 Merits of Urban Refugees to the Host State

In a study conducted in Tanzania on the impact of Rwandan refugees on local agricultural prices in the period between 1993 and 1998, Whitaker (2002) found out that there was considerable rise in the costs of some agricultural products, such as cooking bananas, beans and milk but decreased in the price of aid delivered goods like maize. The Tanzanian farmers benefited as well from the demand of their agricultural goods in market places Alix-Garcia, (2007). The rise of market places had boosted small businesses by both host community and the refugees. This had

improved livelihood of host community as many of them managed to purchase things like TV, refrigerators and live in good houses (Whitaker, 2002).

Brees (2010) observes that the Thai economy experienced a considerable change due to ever-increasing of the Burmese refugee workers which reinforced quite a huge economic development. The occurrence of refugees resulted into low labour costs through increase in local suppliers' eventually enticing international aid (Brees, 2010).

However, researchers have found that the percentage of educated Syrian refugees in Europe was neck to neck with the percentages of educated local population, which was standing at 21 % vs. 23 % (Aiyar, et al., 2016). Basing on the literacy level of refugees, if they are engaged into economic activities, they have the potential to develop the host economic productivity (Bodewig, 2015). Similarly, as with the level of literacy level, refugees may be incorporated into official work of developed countries. Nevertheless, the constraint is the transferability of qualifications that often fundamentally originate from one's profession licenses, certifications, and other credentials recognized by the refugees' country of origin may not be accepted by the asylum country. In many developed countries such as USA, and Austria this is not allowed and thinking over it is a waste of resources (Rabben, 2013).

Whitaker (2000) argues that the merits and demerits of hosting refugees are not evenly distributed amongst the host community. Some communities enjoy the merits of hosting refugees while other communities have the demerits of hosting refugees. Whitaker further observes that the influence of refugees differs with the host

communities based on factors such as gender, age and class and that host practices can also be different from one community to another, depending on settlement patterns, existing socio-economic conditions, and nature of the host-refugee relations. In the end, host community who already had resources such as education, or power are better placed to profit from the refugee in their area, while those who were already underprivileged in the local setting become more sidelined (Whitaker, 2000). This implies that the refugees might bring fortunes to the host community but it takes the community level of development to benefit from them or not. If the community has no basic resources, it cannot benefit from the refugees as all of them will be struggling for the resources.

Oroub (2009) differs with the postulation that refugees are a burden to the host state. She argued that refugees can be of benefit to the host government if they are allowed to work unhindered and become productive members of the society. This may be viewed as a negative but it may be a positive contribution on market disruptions. The belief that refugees take prospects jobs meant for host population is not supported by research findings. The truth is that, refugees secure jobs that the host population has nothing to do with like in agriculture sector or in construction industries which are characterized by low wage earned (Karaspan, 2015). For example, researchers in Southern Turkey found that 40-100% of Turkish who lost their work accused the result on the inflow of Syrian refugees into their state (Orhan & Gundogar, 2015). Similarly, the researchers observed that a lot of Turkish business leaders were of the view that “Syrian refugees are not taking jobs from the host population, rather, they are substantial occupying in the most desirable positions for unqualified work that the locals could not prefer. Moreover, refugees do not particularly concentrate on one kind of work, but they get involved in many kinds of work. As such, they reduce

levels of fighting for similar work and their chance of employment is very high (Betts, et al., 2014). However, since refugees reduce the levels of job fighting, this gives the host population advantage to increase their expertise and retains their jobs (Foged & Peri, 2014; Delcarpio & Wagner, 2015). Since refugee stir commerce competition at the lower levels, this should be taken into serious consideration if the host state wants to boost competition between locals and refugees.

Refugees can boost growth by serving as productive consumers and producers in their host country. From a consumer perspective, refugees hold huge buying power as they are in larger group. It is at this level that host population perceived refugees as a significant new consumers market for their products. Similarly, many of the local farmers in Tanzania export their food surpluses to the substantial number of refugees from Rwanda and Burundi that the country hosts (Verwimp & Maystadt, 2015). Specifically, the influx of refugees from Rwanda and Burundi in the late 1990s caused food demand and prices to increase, thus benefitting local farmers (Alix-Garcia & Saah, 2010). A study that was conducted in Uganda revealed that refugees directly contribute to the Ugandan host economy by exercising their purchasing power (Betts, et al., 2014). They noted that refugees are regular customers for Ugandan businesses. In Kyangwali and Nakivale, approximately 90% of the refugees buy daily items such as food, charcoal, candles, stationary and mobile phone credit. Refugees in host state have their own preference and spending like purchasing of daily basic resources. As such, hosting refugees would directly mean that the host community has increased demand to the market items, eventually, producers will stand to benefit.

It is evident from past studies that refugees are more likely to occupy small businesses unlike host population and other immigrants. Eventually, this has ripple effects on

local employment and not only to refugees, but to the host population as well (Chmura, 2013). For example, the study that was conducted in Uganda, found out that refugees doing businesses in urban areas create jobs for the host population for approximately 40% of their staff (Betts, et al., 2014). Another example of this phenomenon can be found in Eastleigh district of Nairobi, Kenya. The UNHCR estimates that some 60,000 Somali refugees are living in the Eastleigh district (Lindley, 2007). Consequently, this inflow of the refugees, changed Eastleigh from a raw material producer to manufacturer center where owners of means of production dwell. As such this became the economic hub of Nairobi (Lindley, 2007). Larger scale businesses took their roots as there was demand due to the growing population, but it should be mentioned that much of the improvement was motivated by refugees. For instance, most of the refugees operate small businesses like restaurants, lodging, small shopping stalls, cafes, kiosks, exchange services, transport services that had been devastated and abandoned as a result of war (Lindley, 2007).

The gap that refugees fill in this aspect is very important for developing countries as many local people patronize big investment leaving behind these small investments, which are critical in developing economy. On the other hand, refugees are filling the most needed gap in the host state by creating employment for host people in their businesses.

Furthermore, proof of the business activities of refugees and its influence to local commerce is provided by Mankhwala (2014). The study looked at the “impact of refugee participation in local businesses in Malawi”. Findings from the study revealed that even though refugees are supposed to stay in the camp, they are participating in numerous business activities in local communities. Their involvement in these

businesses, though welcome by local consumers who preferred their lower prices, was however a source of loathing from the local business owners who did not like their involvement in trade which could bring competition between locals and the refugees (Mankhwala, 2014). The source of loathing can be the failure by the government to engage local population in protecting refugees who regard them as threats. But as already argued refugees sell their items at a lower price, a thing which does not go well with the hosting population, who are doing same business.

Refugees may as well increase bilateral trade between host states and their country of origin. Actually, this may be perpetrated by the protracted refugees' situations which UNHCR defines as at least 5 continuous years of living in the host state (Ghosh, 2015, n.d). Refugees bring skills and knowledge to the host state from their country of origin. A number of authors have observed that the personal interaction on a large scale, can escalate trade, and therefore be advantageous to the host country (Gould, 1994; Hower, 2008; White, 2007).

2.3.2 Demerits of Refugee Encampment to the Host State

A study conducted by Shepherd (1995) revealed that refugee settlements often occur in environmentally sensitive areas. In Africa, refugees have, therefore, usually been settled in semi-arid, agriculturally marginal areas, or (in the case of the Rwandese refugees in Zaire) near national parks or forest reserves. Refugee camps tend to be large for both logistical and political reasons. These large camps have a more negative impact on the environment than would be the case if several considerably smaller camps, catering for the same total numbers, were set up. Furthermore, refugees often have to stay in their countries of asylum for extended periods, and the impact on the environment around camps may be prolonged. In the case of unique sites, such as the

Virunga National Park, Zaire, the environmental impact of refugees may be irreversible (Shepherd, 1995).

According to IRRI (2015), refugee camps contain too many people, a situation which increases the risk of spreading diseases. Refugees in camps also increase aid dependency coming to them from the developed world. There are also increased cases of insecurity within the camps (Op - cit).

Camps can also distort local economies and development planning, while also causing negative environmental impacts in the surrounding area. In some contexts, camps may increase critical protection risks, including SGBV, child protection concerns and human trafficking (IRRI, 2015).

According to Crisp (2003) there is tendency that refugee camps are established by the state mandate, but often funded by INGO's. Considerable research has shown that camps instill refugee dependence on assistance provision, obstruct effective integration, undercut livelihoods, sustain stigma, undermine security, and, despite rhetoric to the contrary, block long-term resolution of displacement related problems for both refugees and their hosts. The UNHCR report challenged the "logic" of refugee encampment from way back. The logic behind is often based in rhetoric around the "temporary" nature of displacement, effective service provision and security; but rarely around ensuring refugee rights.

Harrell-Bond (1932-2008) argued that although challenging to carry out, not least because refugees that live outside the camps often do so in hiding, research contrasting "self-settlement" to encampment repeatedly reaches the same conclusion that refugees who are free to move employ their own survival strategies and capitalize

on their own capacities and preferences. As a result, they are more successful in reaching long-term integration, developing sustainable self-reliance systems, reducing psychological and economic risks, and contributing to local communities both economically and culturally.

Although Fielden (2008) supports refugee's encampment, he has also argued against the open door policy of refugees as they become burden on host countries and a threat to security. Real and perceived security threats can cause resentment and clashes between locals and refugees, diminishing chances for successful local integration. Refugees hosting can also take a toll on the environment of the host community. The increased use of natural resources in activities like charcoal making, fishing, firewood and thatch grass selling, and the cultivation of hillsides can have a substantial impact. Refugee influxes also increase competition for land and jobs, as well as pressure on infrastructure such as schools, roads and health centers.

Researchers are not the only ones to decry the refugee encampment. Refugees themselves have also long protested. In 1987, for example, El Salvadoran refugees staged a massive walk-out in Honduras due to camp-related risks including militarization. In 2002, asylum-seekers attempted suicide in protest of detention at Australia's infamous Woomera facility. In 2019 30,000 refugees marched in Israel to protest requirements that they reside in the Holot Centre. The Kakuma News Reflector, a refugee publication produced in Kakuma Camp, Kenya, regularly features news about the violation of refugee rights in the camp. Each of these actions and hundreds more should be considered in the context of the precariousness of refugee lives.

2.3.3 The Model of Refugee Camps

The responsibility of refugee camp planners and/or designers is to pay attention to the psychological and physical aspect of refugees. For instance, bringing architectural elements or features that are familiar to refugees in order to assist them find a small part of home away from their habitual residences, and consequently, raises their spirits and ensures a certain level of comfort during their stay in refugee camps. Therefore, in situations where a protracted refugee situation is expected, it is essential for planners to take a long-term perspective in planning the refugee camp so as to guarantee the refugees welfare and to accord them with decent life choices and opportunities (Kennedy, 2004).

In recent years, many states provide sustainable residents to refugees in the refugees' camps. This creates more problems as the camps are overcrowded and refugees construct temporary houses on their own. This is the case with a lot of countries that uphold refugee camps. The current UNHCR guidelines for designing refugee camps seem to be insufficient in solving the different aspects of the problem and accordingly, the camps are becoming overcrowded and fail within a few years (Kennedy, 2005). In other cases, refugees construct their houses on their own a thing which makes planning and other sanitation standard problematic.

2.3.4 The Impact of Mozambique Refugees to Malawi

The influx of Mozambican refugees to Malawi was a result of civil war which started in 1977 to 1992. Malawi hosted over one million refugees (Callamard, 1992). However, the impact of Mozambican refugees to Malawi has been discussed using Dzimbiri (1992).

2.3.4.1 Positive impact of Mozambique Refugees to Malawi

Creation of Employment

Many Malawian nationals were employed to serve as humanitarian assistance. Local Malawians were hired as medical assistants, camp administrators, relief administrators, watchmen, project supervisors, extension staffs, drivers, etc. In a study conducted by Dzimbiri (1992) on organization and management of the refugee regime in Malawi, it was estimated that over 600 individuals were employed full time by the relief program in Nsanje district alone. Involvement of nationals in government ministries and non-government organizations, not only provides direct economic benefits, it is also conducive to developing human resources and strengthening the national and local capacity. Despite the fact that refugees create job for local people in their small business, the mere presence of them in a host state have positive impact on the local people. This is manifested when people are employed by the Government or UNHCR and other NGOs who provide refugees protection by offering different services to the refugees. Eventually, a lot of local people are employed across different sector as indicated in the case of Mozambique refugees to Malawi.

Stimulation of Local Commerce

The influx of huge numbers of people concentrated within small areas of land has the effect of stimulating local demand for consumable and non-consumable items. Within and around settlement areas and camps, small businesses were thriving. These included restaurants, groceries, shops and tea rooms. There were also increase businesses in sales of fish, second hand clothing, handicrafts, and traditional herbs and medicines. Services and small enterprises, such as tailoring, and bicycle and shoe repairing also increased tremendously (Long, et al., 1990).

The coming of refugees has the potential to boost economy and skills, living new life and vitality into a regional economy (World Bank, 2011). Callamard (1994) further provides a descriptive account of flourishing trade and income-generating activity in Malawi based on the interaction between Mozambican refugees with the local population. Framed within the structural and political constraints of the environment, this robust economic activity is understood to have been driven by the lack of variety in the refugee food basket, the ability of refugees to ‘misuse’ the assistance programs (that is, access additional rations), and the local demand for items distributed to refugees that were not available in the limited local economy.

2.3.5 Negative Impact of Mozambique refugees to Malawi

2.3.5.1 Environment Degradation

The impact of Mozambican refugees on the environment in Malawi was huge (Barnett 2003). Mozambican refugees used natural resources for their livelihoods, including farmland and supplementary food, but especially woody biomass (for poles and firewood). This contributed to the decline in firewood availability and led to deforestation. In addition, some Malawians had to surrender their agricultural land to the government for purpose of constructing refugee camps.

It is impossible for refugees to be environmentally friendly while they are fighting for their lives and walking long distances to find a better life for them and their family members. Refugees’ attitude and overall awareness on the importance of environmental issues have to be looked from a different perspective other than what people are used to. For instance, in Dzaleka Refugees Camp, there is sanitation challenge. The camp has been characterized by poor waste management as there is low refuse collection, low labour force, lack of recycling system, and poor

treatment technology which leads to environmental problems. Generally, the environmental problem is not only eminent when refugees are in a host community but also when they are en route to the asylum country as many of them do not use normal roads but they move in forests. Eventually, they do not care for the environment at the expenses of their life (World Bank, 2011).

2.3.5.2 Decreased National Security and Rising Security Costs

Over the past five to ten years, Malawi has experienced decrease in security as criminal and military elements have brought AK-47s into the country. Research indicate that these lethal weapons and trans-border criminals were introduced in Malawi by elements linked to refugees. As the UNHCR Deputy Representative in Malawi lamented: *“Unfortunately, there have been several incidents over the past four or five months resulting in both Mozambican and Malawian casualties. These attacks, as far as we can tell, are part of the escalation of the war across the border”* (Callamard, 1992). Amongst other instances of insecurities, gunmen shot dead businessmen in Ntcheu, killed four in Ntcheu/Dedza, and robbed the National Bank in Blantyre and other organizations. The consequences of these activities resulted in psychological trauma and fear amongst Malawians living in these border areas and other districts, and heavy costs in terms of police investigations and patrols.

According to the principle of non-reflouement as enshrined in the 1951 Refugees Convention in relation to the status of refugees, no refugee should be returned to frontier where his/her life is threatened rather they should be allowed to enter any country even if it is not a party to the 1951 Convention for the principle falls under customary international law, Refugees Convention (1951). Since asylum seekers are not supposed to be returned back to their country of origin, this might give the rebels

opportunity to enter the asylum country or people carrying dangerous weapons might as well enter the asylum country and start disturbing peace which in turn might breach public order. To avoid such malpractice, this has been a basis for many receiving countries to reserve Article 26 of the 1951 Refugees Convention and limit refugee's freedom of movement and choice of residence eventually implementing refugee's encampment.

Despite implementing refugee encampment, normally host countries respond to this by increasing security personnel in order to deal with those who might intend to breach peace. However, the implication is that the host country spends a lot of money on security itself due to refugees alone.

Numerous studies regarding the issues of refugees have been conducted worldwide. However, in Malawi, few academic studies have been conducted on refugees and national security. Furthermore, most of the research has been centered on refugee's socio economic aspect and the legality of the encampment. Therefore, this paper has tackled the issue of refugees from a different perspective as it examined the refugee encampment practices as a means to ensure security amongst the prevailing of refugees with specific focus to Malawi.

It is worth noting that Malawi's stand on refugee encampment has not changed for over the past three decades. This study, therefore, utilizes realism and liberalism to understand this policy trajectory. This approach explains the persistence of Malawi's stand in implementing refugee's encampment over time despite the international practice as reflected in the refugee's conventions. As such, the theories were used as a tool to analyse the refugee encampment practices in Malawi.

2.4 Theoretical Framework

2.4.1 Realism

This study used Realism and Liberalism theories to analyze its data and to understand the study findings. The central argument of realism is that “state is the principle actor in international relations, other bodies exist, such as individuals and organizations, but their power is limited. Secondly, the state is a unitary actor. National interests, especially in times of war, lead the state to speak and act with one voice. Thirdly, decision-makers are rational actors in the sense that rational decision-making leads to the pursuit of the national interest. Taking actions that would make your state weak or vulnerable would not be rational. Realism suggests that all leaders, no matter what their political persuasion, recognize this as they attempt to manage their state’s affairs in order to survive in a competitive environment. Finally, states live in a context of anarchy that is, in the absence of anyone being in charge internationally. Realists consider the principal actors in the international arena to be states, which are concerned with their own security, act in pursuit of their own national interests, and struggle for power.” (Wight & Martin, 1991).

2.4.2 Liberalism

Liberalism, on the other hand protects and enhances the freedom of the individual to be the central problem of politics. Liberals typically believe that government is necessary to protect individuals from being harmed by others, but they also recognize that government itself can pose a threat to liberty. Liberals emphasize the wellbeing of the individual as the fundamental building block of a just political system. A political system characterized by unchecked power, such as a monarchy or a dictatorship, cannot protect the life and liberty of its citizens. Therefore, the main concern of

liberalism is to construct institutions that protect individual freedom by limiting and checking political power (Kirchner, & Emil, 1988).

Despite the reservation Malawi made to Article 26 of the 1951 Refugee Convention by virtual of reservation refugee's freedom of movement is limited and they are not allowed to choose place of residence. In this case, the refugee encampment in Malawi calls to be analyzed through the lens of realism and liberalism with the aim to understand the conception of such decision at an international level.

It is worth mentioning that in realism theory the idea of "State interest is paramount" and is the central explanatory principle, which helps to understand if refugee's compromise national security or it is just the interest of Malawi government to implement refugee encampment contrary to the international standard. While refugee encampment may be considered realist approach, liberalism, in the study is the international standard approach advocated by the refugee's conventions. As such, the refugee encampment practice in Malawi was perceived through realism and liberalism. This is imperative because the theories has showed two different approaches.

2.5 Chapter Summary

The Chapter has discussed the already existing literature on similar issue being studied on which this study has been based and it has demonstrated a gap in literature that has been filled by this research. It has discussed the motive for refugee encampment, the merits of urban refugee's to the host state, demerits of refugee's encampment to the host state, the model of the refugee's camp, the positive and

negative impact of Mozambique refugees to Malawi and the realism and liberalism as the theories of the study upon which the research has been underpinned.

The following chapter will discuss the research methodology employed in the study. It will further argue on the strengths and limitations of the study and ethical framework that has been adhered to throughout.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Chapter Overview

The chapter outlines the methodology used in approaching this research. It includes the research design, study setting, sampling technique and sampling size, data collection, data analysis, ethical consideration, and limitation of the study. The research method was qualitative in nature because it aimed at descriptive understanding of experience and perception of refugees on national security.

3.2 Research Design

3.2.1 Qualitative

Parahoo (1997:42) “defines a research design as a plan that describes how, when and where data will be collected and analyzed. It is a plan, structure and strategy of investigation conceived to obtain answers to research problems”. Research design mainly emphasizes on the end product (Babbie & Monton, 2008). However, the study focused on the examine measures taken to enforce the refugee encampment, role of enforcement agency in refugee encampment, and the government decision on encampment practice in democratic Malawi. In view of these key elements, the study used qualitative methods. Qualitative method does not employ statistical expression. This was so because there was need to capture attitudes and feeling of the refugees and duty bearers of which cannot be quantified. According to Berg (2001: 105), “certain experiences cannot be meaningfully expressed by numbers.”

“Qualitative research methods, emphasize the depth of understanding associated with idiographic concerns. The issues of refugees are understood and appreciated by refugees themselves and those affected as such this information can be accessed by such people. Qualitative approach attempted to tap the deeper understanding of refugees and particular human experiences and were intended to generate theoretically richer observations that are not easily reduced to numbers, but simply being expressed through words (Rubin, 2000, p. 672)”. Nevertheless, the statistics in literature review and the graph that has been used in the presentation and discussion of the finding does not directly mean that the study is a quantitative one, it has been used as another way of presenting the reality on the ground.

3.3 Study Setting

There are a lot of countries that uphold refugee encampment, and Malawi was selected not only for practical reasons, but also as a country that has in recent history been subjected to political developments at local, national, and regional levels that have contested or reinforced encampment of refugees. The study was conducted in two areas found in Lilongwe City, namely Area 23 and Mchesi, with a focus on traditional leaders, whose areas are harbouring refugees. These were selected because they are one of the urban areas in Lilongwe where many urban refugees stay and do their businesses. Dzaleka Refugee’s Camp was also targeted as it is the only refugee camp in the Malawi. Key respondents from the Ministry of Homeland Security were also selected because the issue of refugees fall within their mandate; and they have knowledge on the issue being studied and another key respondent was from UNHCR as a UN agency responsible for giving reliable information on refugee issues in the world.

3.4 Sampling Technique and Sample Size

The study involved 54 adult's refugees living in the Dzaleka Refugee Camp and 10 refugees living in local communities in Lilongwe City. In the study, an adult meant any refugee above the age of 18. Three Malawi Government officials from the Ministry of Homeland Security, 1 Head of Intelligence section at MDF, 1 Director General of NIS, 3 officials from UNHCR and 5 local leaders in Area 23 and Mchesi in Lilongwe city were also interviewed. In total the study had 77 respondents. Sample size was reached upon on the basis of what was viable within the time frame of the study.

The Dzaleka Refugee Camp has 9 zones and each zone has a leader and an approximate of 50 to 60 households. Therefore, 6 houses were selected randomly for each zone and one adult from each house. In total 54 refugees in Dzaleka Refugee Camp were selected using availability sampling method. This was so because the respondents were in their busy schedule and others were not emotionally ready to participate hence those who were accessed and emotionally ready to participate were put on board. The 10 refugees in Lilongwe city were selected using snowball sampling as it was difficult to find them, so the first respondent led to the another one within the area. It was not actually known as how many refugees are in the local community eventually those that were accessed were 100 but 10 were willing to participate. The respondents from the Government of Malawi under the Ministry of Homeland Security, MDF, NIS and UNHCR were selected using the purposive sampling as they were chosen based on the possession of special knowledge. Five traditional leaders were selected using the purposive sampling as their villages are the notable ones to have a lot of urban refugees. The table below illustrates the overview of the respondents.

Table 1: Overview of the Respondents

Refugees in the Dzaleka Camp	Refugees in Local communities	Traditional Leaders in Lilongwe city	GOVERNMENT			Key respondents (UNHCR)	Total number of respondents
			Key respondent (NIS)	Key respondent (MDF)	Key respondents (Ministry of Homeland Security)		
54	10	5	1	1	3	3	77

3.5 Data Collection

The study used both primary and secondary data collection. Primary data was collected from refugees in Dzaleka Refugee Camp, government officials, UNHCR officials and traditional leaders using interviews on the measures taken to enforce the refugee encampment, the roles of government in addressing refugee encampment practices, the government decision on encampment practice in democratic Malawi. On the other hand, secondary data was collected using desk research (UNHCR fact sheets), and other publications on the similar issue under study. The following data collection methods were used as follows to appreciate the wider view of the topic;

3.5.1 Interviews of key informants

These are interviews conducted among people who do not comprise the study population but they have close connection with the refugees. The intention is to collect data from a wide range of people who have first-hand information about the refugee's encampment practices. Marshall (1996, p.54) states that; "Key informants

selection is a result of their personal skills, or position within a society or organization, are able to provide more information and a deeper insight into what is going on around them”. However, it required sufficient time to build a good relationship between the researcher and the informant. In the study, the key informants involved the UNHCR officials and officials from the Ministry of Homeland Security.

3.5.2 Desk research

Desk research refers to secondary data or that which can be collected without fieldwork. To most people it suggests published reports and statistics and these are certainly important sources (McCaston, 1998). In the context of the study it refers to studies done by other people on refugees, UNHCR factsheets which contains updated issues of refugees and other stakeholder’s publication in the issue of refugees. Desk research was critical to the study as it revealed the current situation on the ground regarding the issue of refugees in Malawi.

3.6 Data Analysis

Being qualitative in nature, the study used content analysis in analyzing data. According to Krippendorff (1969), as quoted by Marrying (2002, p.1), “content analysis is the use of replicable and valid method for making specific inferences from text to other states or properties of its sources”. Bryman (2001) adds that content analysis is a research technique for the things, systematic and qualitative description of the manifest content communication. In this case, in order to understand the refugee’s encampment and national security, content analysis has been useful in

triangulating the information from refugees, traditional leaders, UNHCR experts as well as government officials regarding refugee encampment and national security.

There were two main elements involved in content analysis. These elements were; coding schedule and coding manual. Coding schedule is a form onto which all the data relating to an item being coded was entered (Bryman, 2001). “Whereas, coding manual is a statement of instructions to coders that also included all the possible categories for each dimension being coded. It provided a list of all the dimensions, the different categories subsumed under each category, the numbers (codes). They correspond to each category and guidance on what each dimension was concerned with and any factors that were taken into account in deciding how to collect any particular code to each dimension (Bryman, 2001, p.299). However, there were three categories in analyzing the data. First category comprised of all refugees. The second category comprised traditional leaders and the third category included the government and UNHCR officials.

Content analysis is very imperative to analyses refugees encampment and national security in Malawi because it is a very transparent research method in such a way that its coding scheme and the sampling procedures has been clearly set out so that replications and follow-up studies on the same are feasible. Secondly, it has allowed certain amount of longitudinal analysis with relative ease. Thirdly, it is a highly flexible method in the sense that it was easy for the researcher to interview three categories of respondents. It has also been applied to a wide variety of different kinds of unstructured information. Lastly, it has also allowed information to be generalized about social groups that are difficult to get access to.

However, Scott (1990) and Bryman (2001) argue that content analysis can only be as good as the documents on which a researcher works and it is exactly difficult to formulate coding manuals that do not necessitate some understanding on the part of coders and also particular problems are likely to arise when the aim is to impute latent rather than manifest content. Similarly, in the study, the researcher focused much on the voices, views or ideas of the respondents. Being a qualitative research, this involved analyzing information obtained through interviews.

3.7 Ethical Consideration

The study was guided by the Chancellor College and UNHCR ethical requirements and it conformed to research ethics that include informed consent, confidentiality, and voluntary participation of the respondents. The researcher ascertained that the consent of participants in the research was voluntary and informed without any implied penalty for refusal to participate and with due respect for participant's privacy and dignity. This was achieved through voluntary completion of consent forms by participants to sign if there were interested to participate in the study.

The researcher avoided unjustified physical or mental discomfort, distress, harm, deprivation or any sort of danger to the participants. For instance, calling refugees as such might cause them to feel as segregated hence, the researcher used the term "Person of Concern" (PoC) as recommended by the UNHCR.

3.8 Limitations of the Study

The scope of this study is limited to refugee encampment practice taking into consideration the measures taken to enforce the refugee encampment; the roles of government in addressing refugee encampment practices and also the government decision on encampment practice in democratic Malawi. Although government and

international institutions work with refugees, in matters of health, education and food supply, these are not part of this research to avoid drifting into polemics which would overshadow the main focus.

The researcher confined himself on this topic because not much research has been done in this area to enlighten other researches on refugee encampment and national security. This signifies the uniqueness and originality of this research. However, despite its significance, the quality of the research can however be compromised because of such weaknesses and limitations as time and resources. A research of this nature would have yield best results if it would have been conducted for a longer period of time than a year which is the case with this study. In addition, it was not all people who were willing to respond to questions, as it was difficult to found all respondents free and whole heartedly to participate as many of the targeted population were refugees who regarded the information as sensitive to provide. Out of 100 refugees 10 refugees were willing to participate in local communities. It was also difficult for the researcher to approach all respondents due to COVID-19 pandemic.

Despite all these, the researcher worked during odd hours to maximize time; he also utilized the social networking available to get hold of other refugees and government officials so that they respond to the questions.

3.9 Chapter Summary

The chapter has discussed research methodology. This includes, the research design and study setting. It has justified the procedure used in sampling technique and sampling size, data collection and how to analyze it. Ethical framework and the limitation of the study was also reviewed. The next chapter is a presentation of

findings of the study. Guided by the main objective, the findings are presented based on the three specific objectives that the study adopted.

CHAPTER FOUR

PRESENTATION AND DISCUSSIONS OF FINDINGS

4.1 Chapter overview

This Chapter presents and discusses the findings of the study based on the specified objectives. The main objective of the study was to examine the refugee encampment as a possible way to achieve national security. The specific objectives included: examine measures taken to enforce the refugee encampment, examine the role of enforcement agency in refugee encampment, and the government decision on encampment practice in democratic Malawi.

4.2 Examine measures taken to enforce the refugee encampment

4.2.1 The use of Police and Immigration officials

The research that was conducted to the refugees in the local community, it was revealed that they are issued with identity cards which they use as authorization for them to be in local community. Other refugees have work permits to show to immigration officials when approaches them. It is alleged that whenever there is refugees sweeping exercise for them to go to the camp, the Police officials forces them to pay bribes so that they should be left in the local community. Many of them pay and they are still staying in the local community. One refugee in Mchesi said that;

“Malawi cannot develop with the thinking that refugees should go to the camp. We are here making our businesses what is the problem? Other

countries have developed because of refugees why is it that Malawi does not want to benefit from our business skills”.

However, an informant from the Ministry of Homeland Security said that, the government uses the Police officials and more especially immigration officials as one way to ensure that all refugees are staying in the camp. However, the refugees are not supposed to be issued with residence permit or work permit. All refugees are supposed to be in the camp. The informant further said that the 1989 Refugee Act does not mandate the refugees to stay outside the refugee camp. We only issue them with exit letter when they want to visit the town for different purposes.

On the same subject, an informant from UNHCR said that the Commission does not advocate for the practice of refugee encampment in the world. In fact, it advocates for its removal. Encampment is another level of detention. However, UNHCR officials have been drilling Police and Immigration officials who are used by the government on the basic understanding of refugee law and how refugees' protection should be handled. Even if this is happening, UNHCR is not satisfied with the limited level of knowledge on refugee protection that the Police and Immigration officials possess. For instance, when refugees are found in the local community, they are taken into Police custody and tried in court where they are charged to pay and are then taken back to the camp. On the other hand, others are tortured and forced to give the Immigration officials money and other material things so that they should not be taken into police custody.

The findings of the study have shown that the officials from Immigration Department and Police Service, who are involved in handling refugees, have insufficient knowledge regarding protection of refugees and many times they handle refugees

according to what they think is the best and not what the law demands. This fact is in contrary with what UNHCR Protection-Sensitive Entry System which advocates that international protection obligations should be stipulated in the national legal frameworks governing asylum and migration and be followed as such. It is observed that entry officials like border-guards may not be always familiar with this body of law. However, their job is very important because they are the first to have contacts refugees and migrants. They are known as “first contact entry officials (UNHCR)”. Incorporating protection obligations into specific regulations governing entry systems can be a first step towards ensuring that first contact entry officials, who are not refugee or human rights experts, are aware of such obligations and how they apply to their work. For example, entry system regulations could include a list of basic refugee’s protection principles and could specify that there are exemptions to entry requirements (travel documents, visas, etc.) for asylum-seekers, and clarify that asylum-seekers are not to be punished for illegal entry. Further, in the 1989 Refugee Act, there is no mention of such trainings to officials handling refugees. However, some officials might have undergone 2 to 3 weeks workshop about refugee law which is not enough for one to comprehend all necessary concepts. As a result, these Immigration and Police officials in some of their sweeping exercise apply unnecessary pressure and ill-treat them.

4.2.2 UNHCR mandate to formulate by-laws

When asked if the UNHCR, as one stakeholder, is mandated to formulate by-laws as one way to ensure that they are incorporated in protecting refugees, an informant from the Ministry of Homeland Security said that, the duty of looking after the refugees is in the hands of the government and that UNHCR is only a partner. As such they are

not mandated to formulate any by-laws with regard to refugee's protection. However, the UNHCR is there to advice on the best practices the government should do in addressing refugee's problems. When asked on the same, an informant from UNHCR said that they are not mandated to formulate by-laws on refugees' protection. The primary responsibility of protecting refugees rests with the government. UNHCR is there to support the government. When the government is drafting refugee laws, UNHCR is involved only to ensure that the government is in compliance with international standard.

The response from key informants from UNHCR is in line with UNHCR (2017) Global report which indicates that the host state is obliged to spearhead the duty of looking after the refugees than any other organization. States that have signed the 1951 Convention are primarily responsible to protect refugees on their territory and treat them according to internationally recognized standards. UNHCR's main role in pursuing international protection is to ensure that States are aware of, and act on, their obligations to protect refugees and persons seeking asylum. However, UNHCR is not a supranational organization and cannot be considered as a substitute to the government responsibility. UNHCR's role, thus complements that of states in protecting refugees. The findings shows that the UNHCR cannot do decision on its own but advising on what government wanted to implement.

4.2.3 Distribution of Resources for Refugees in the Camp.

Research that was conducted on refugees in the camp revealed that they receive cooking oil, beans, soap and K2000.00 to buy maize every month. Many of the respondents said that the items that they receive are not enough and do not carter for

the whole month. While the refugees in the local communities said that, this is the reason some of them left the camp to seek for refuge in the local communities. They starve in the camp because the resources they receive are insufficient. Hence, the best way is to work for themselves in order to buy their needs.

But the informant from the Ministry of Homeland Security said that normally, WFP is responsible for distribution of food items for refugees in the camp and not the government. On the same note, the informant from UNHCR said that the number of refugees keeps on growing and it is difficult to feed them all. This is the one reason why they advocate for out of camp policy so that they should work on their own and feed themselves. This is the reason why a lot of refugees escape from the camp and stay in the local community.

The findings have revealed that some government partners like WFP give food ration to refugees every month even though it is not enough. Since the food stuffs are not enough according to the needs of the refugees, they opt to escape from the camp and engage themselves in income generating activities that will bring them money. The strategy of giving them food stuff is coming from the background that, they are in a camp and are not doing any means to generate resources. The weak side of this measure is that refugees who stay in the local community around Dzaleka Refugee Camp travel back to the camp just to receive the item and they end up selling the received items in local communities.

Even though the findings manifest that refugees suffer in terms of food items in the camp, the government is unwilling to allow refugees to stay in local communities with the aim of them doing businesses legally. However, according to realism theory, the

state is the principle actor in international relations, other bodies exist, such as individuals and organizations, but their power is limited. Further argues that, the state is a unitary actor (Wight & Martin, 1991). Realism theory in the refugee encampment shows that the government is acting on the self-interest as a principle actor at an international relations whereby it diverts from the international standards set up by the international body that governs refugees and opted to keep refugees in the camp even though feeding them is a challenge. Contrary to realism is liberalism which argues that the protection and enhancement of the freedom of individual is the central problem of politics. It typically believe that government is necessary to protect individuals from being harmed by others (Kirchner, Emil 1988). This duty of the government goes further to the refugees, but in this case government is posing a threat to them by regarding all refugees that they are compromise national security and public order. Furthermore, the government still holds on to the historical tendency that they managed to feed Mozambique refugees in the camp but due to current growing number of refugees, it is difficult to do so and meet the needs of all refugees.

The measures taken to ensure that refugees are in the camp are insufficient and they speak to the fact that open door policy can be viable and even benefiting to Malawians. This is in line with what Dzimbiri (1992) argument that, Mozambique refugees created employment to locals and stimulated local trade which positively affected the country's economy.

4.3 The role of enforcement agency in refugee encampment

4.3.1. The joint use of Police, NIS and Immigration officials

According to an informant from the government (Ministry of Homeland Security), one way to ensure that refugees are in the camp is by using Police and Immigration officials. Whenever they find them in the local areas, they are taken to court and in the end, are taken back to Dzaleka Refugee Camp. Other asylum seekers who are not registered are also taken to court, charged and eventually are taken to Dzaleka Refugee Camp. It should be noted that the Malawi Police, the Department of Immigration and Citizenship Services and the Refugee Department under the Ministry of Homeland Security have different mandates although they work hand in hand and conduct trainings on the 1951 Refugee Convention so as to have common understanding on how to treat the refugees.

According to the UNHCR informant, the Police and Immigration officials from time to time conduct the sweeping exercise and they either take them direct to the camp or any other prison closer to them. What UNHCR has been doing is to advocate for immediate release of refugees because they have not committed any crime.

But interviews with the junior staffs from Police and Immigration revealed that they have been taught by UNHCR on how to handle refugees but they only get orders from their seniors that they should imprison the refugees.

However, the refugees who are doing business in Mchesi said that; the chiefs interact with us very well but the Police officials give them unnecessary pressure and demand money. One refugee had to say that,

“I have been giving them money so that they should leave us in the community. I remember to have once given them MK250, 000.00¹ imagine. But there are other refugees who are well educated and well connected to police, whereby they give them money every month like they are paying rentals so that police should not chase them back to Dzaleka Refugee Camp.”

The conduct of the government by bringing joint exercise of Police and Immigration is in line with the historical institutionalism, as the government is not getting the experience of how refugees are handled by Police and Immigration officials but still more it is not ready to change its decision of refugee encampment.

During the interviews of this study, it has shown that, on one hand, the government can be rated below average regarding its interventions in the Dzaleka Refugees Camp comparing with the UN agencies, other organizations like Plan International and local authorities. On the other hand, the officials from Police, Immigration, Camp Manager and the entire staff members at Dzaleka Refugee Camp, technocrats at the Ministry of Homeland and Security that deals directly with refugees have an average knowledge of refugee law, if not below the average. This was revealed during the interviews as the government respondents kept on referring the researcher to visit UNHCR who have specialists who know matters of refugees better than them.

The UN and other organizations have good number of specialists in the field of refugees and are always conscious of their roles. Throughout the research, it has been noted that there are other local leaders who have basic knowledge in refugee law from

¹ As of 16th October, 2021 this was \$306.73

their previous studies or occupations and they relate very well with refugees unlike other technocrats who are currently working in the Department of Refugees at the Ministry of Homeland Security. This is the reason why some of the government roles in protecting refugees are unconstitutional like detaining refugees solely because they are out of the camp, and more so the path dependency that is the refugees encampment, a decision which was implemented during the one party rule.

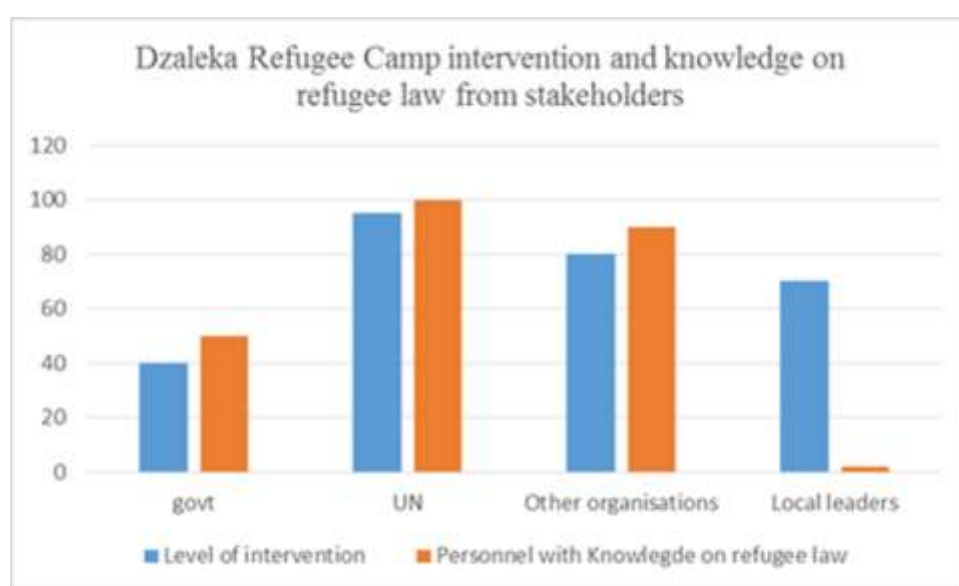


Figure 1: Dzaleka Refugee Camp interventions and knowledge on refugee law from different stakeholders.

The findings reflect that the government is mainly interested in maintain the encampment and not providing the much needed protection to the refugees.

The study conducted to the NIS officials revealed that the do not directly deal with refugees but they have been always vigilant in case they can compromise national security and public order. However, they referred to Mozambique refugees who could cause insecurity in Malawi and not current refugees who are preoccupied with income

generating activities. The findings concur with the assertion that during Mozambique refugees, Malawi has experienced decrease in security as criminal and military elements have brought AK-47s into the country. Research indicate that these lethal weapons and trans-border criminals were introduced in Malawi by elements linked to refugees. As the UNHCR Deputy Representative in Malawi lamented: “Unfortunately, there have been several incidents over the past four or five months resulting in both Mozambican and Malawian casualties. These attacks, as far as we can tell, are part of the escalation of the war across the border” (Callamard, 1992). Amongst other instances of insecurities, gunmen shot dead businessmen in Ntcheu, killed four in Ntcheu/Dedza, and robbed the National Bank in Blantyre and other organizations. The consequences of these activities resulted in psychological trauma and fear amongst Malawians living in these border areas and other districts, and heavy costs in terms of police investigations and patrols.

4.3.2 The use of MDF officials

The research that was conducted to Head of Intelligence at MDF revealed that there are possible threats to Malawi’s national security that comes with refugees. He further said that, the Hutus and Tutsi are still on conflict. They sent other people from Rwanda to kill those who sought refuge in Malawi. When they come to Malawi, they bring with them dangerous weapons and they recruit other Malawians so that they successfully kill whether the Hutu or the Tutsi who are refugees at Dzaleka Refugee Camp. When they are done they leave those weapons to Malawian and this is very dangerous to our national security.

The Head of Intelligence section said that,

In the month of August, 2021 Army Commander and other senior officer from Rwanda came to Malawi for other duties and this was one of the issues that we discussed. In other word, there is retaliation not only among Rwandese but even other nations living in Malawi as refugees which by the end of the day Malawi shall have civilians with dangerous weapons.

The findings are in line with what Callamard, (1992) argued that during Mozambique refugees, Malawi has experienced decrease in security as criminal and military elements have brought AK-47s into the country. Research indicate that these lethal weapons and trans-border criminals were introduced in Malawi by elements linked to refugees. As the UNHCR Deputy Representative in Malawi lamented: “Unfortunately, there have been several incidents over the past four or five months resulting in both Mozambican and Malawian casualties. These attacks, as far as we can tell, are part of the escalation of the war across the border” (Callamard, 1992).

The study further revealed that MDF is not directly deal with refugees but when the issue of national security arises, it has an eye over it. However, the MDF official prove the refugee encampment as the best way to check on refugees in matters of national security but he bemoaned the politics behind the encampment and that Malawi is failing to manage as refugees are everywhere in Malawi despite the attempts to implement it.

The findings from MDF is security based, however, there is need for holistic approach in as far as refugees are concerned. For instance Refugees can boost growth by serving as productive consumers and producers in their host country. From a

consumer in other countries refugees hold huge buying power as they are in larger group. It is at this level that host population perceived refugees as a significant new consumers market for their products. Similarly, many of the local farmers in Tanzania export their food surpluses to the substantial number of refugees from Rwanda and Burundi that the country hosts (Verwimp & Maystadt, 2015). Specifically, the influx of refugees from Rwanda and Burundi in the late 1990s caused food demand and prices to increase, thus benefitting local farmers (Alix-Garcia & Saah, 2010). A study that was conducted in Uganda revealed that refugees directly contribute to the Ugandan host economy by exercising their purchasing power (Betts, et al., 2014).

If Malawi shall focus on national security alone then it shall not realize the positive aspects of refugees who are coming in their large numbers.

4.4 The government decision on encampment practice in democratic Malawi

4.4.1 Protection of refugee's rights

The research that was conducted to government officials under the Ministry of Homeland Security revealed that, refugee's rights are protected by ensuring their safety and food ratio they receive monthly. No one is not allowed to take refugees property. Normally, Police Officers are deployed on daily basis to monitor Dzaleka Refugee Camp. Asked on the same, UNHCR officials said that, refugee's rights are compromised in Malawi. The fact of refugee encampment is on its own a not respecting their rights. Refugees are detained from time to time. The response from UNHCR is in agreement with article 26 of the 1951 Convention which argues that, "Each contracting state shall accord to refugees lawfully in its territory the right to choose their place of residence to move freely within its territory, subject to any regulations applicable to aliens generally in the same circumstances" (p 8). It is not

wrong for one to conclude that every state that act contrary to the international standard is motivated by realism thinking. Realism suggests that all leaders, no matter what their political persuasion, recognize this as they attempt to manage their state's affairs in order to survive in a competitive environment. It further argue that states live in a context of anarchy that is, in the absence of anyone being in charge internationally. It considers the principal actors in the international arena to be states, which are concerned with their own security, act in pursuit of their own national interests, and struggle for power.” (Wight & Martin, 1991). In this case diverted from the international and chose their own ways of protecting the refugees rights which falls short of the dictates of the international norm.

The UNHCR key informant further said that,

“Police officer instead of protecting refugees, they charge them money when they find them in the local communities. The food ratio that they receive is not enough to carter for the whole month. How can one who is forced to stay in the camp claims that their rights are being protected”.

However, the refugees who stay in the local communities said that, how can we say that our rights are being protected while we leave with empty stomach. This is one factor that has pushed us outside the camp. One refugee stated that

“we are leaving in small and dilapidated house in Dzaleka Refugee Camp, which signify lack of human rights on us. The houses that we are allowed to construct are temporal and yet we have been in the camp for over 10 years living in such houses. It has become degrading and inhumane.”

Contrary to the Dzaleka Refugee Camp, Kennedy (2004), argued that Refugee Camp is supposed to be designed in a manner that it should pay attention to the psychological aspect of the refugee in addition to the physical aspect. For instance,

bringing architectural elements or features that are familiar to refugee's in order to assist them find a small part of home away from their habitual residences, and consequently such a design raises their spirits and ensures a certain level of comfort during their stay in refugee camps. The research that was conducted at Dzaleka Refugee Camp has revealed lack of the above qualities.

Even though it is not recommended by UNHCR for host state to advocate for refugee camps, the refugee encampment is a very expensive practice that for developing country like Malawi is difficult to achieve and at the same time maintain the standard which can promote refugees rights. However, according to UNHCR (2013b) "one of the models of refugee camp was Zaatari Camp which has divided into districts with clear boundaries, each demarcated by a wide asphalted street. Districts were made up of standardized blocks composed of a matrix of shelters (caravans), arranged in a grid, and surrounded by communal latrines, kitchens, and multi-use spaces. The orderly vision of how districts, services, blocks, accesses, and infrastructures linked together in a master plan and stand in stark contrast to the initial camp.

4.4.2 The participation of refugees in the affairs of the camp and local communities

The research that was conducted to government officials have revealed that refugees participates in matters that concerns them the most only when they are in the camp. They have zones which are headed by refugees and are responsible for the affairs of the camp. Asked on the same, UNHCR officials who mentioned the following as the critical affairs of the camp; sanitation, housing, food, security, psychosocial support, education and health. The refugees do not participate in matters that have to do with

the listed things. This gives me encourage to say that refugees do not participate in matters that affect them. All these things mentioned are not directly provided by the government rather the UN and other partners are at the forefront in delivering such services.

The study findings is concurs with Crisp (2003) which argues that there is tendency that refugee camps are established by the state mandate, but often funded by INGO's. Since refugees are not engaged to participate in matters that concerns them this instills refugees dependence on assistance provision, obstruct effective integration, undercut livelihoods, sustain stigma, undermine security, and, despite rhetoric to the contrary, block long-term resolution of displacement related problems for both refugees and their hosts.

Contrary to what the government officials said the findings from the research conducted to refugees revealed that they do not participate in any matters that affect them. One PoC said that, *"I have never heard that we take part in things that affect us. Even the order that we should be in the camp comes to us forcefully. I believe because we are refugees that is why we are being treated in this manner."* However, refugees in the local community share the same response as they said that they are engaged in local communities not as refugees but as any other society members. We take part in issues that has to do with community security, community development, as well as health issues this is to mention but a few.

The findings show that government does not engage refugees to participate in matters affect them unlike what the locals do with the refugees leaving amongst them. The

findings concurs with the UNHCR Result Framework, as it argues that one of the good practices of refugee's management is refugees' peaceful coexistence with the local community, a situation which is feasible through engagement of local authorities in refugee protection.

Lack of meaningful engaging refugees in matters that affect the by the government is in line with realism theory as it says that taking actions that would make your state weak or vulnerable would not be rational. Realism suggests that all leaders, no matter what their political persuasion, recognize this as they attempt to manage their state's affairs in order to survive in a competitive environment.” (Wight & Martin, 1991). By allowing refugees to participate in affairs that affect them most s deemed as a way that would weakening the country.

4.4.3 The revision of the refugee's encampment practice

Research that was conducted to MDF revealed that it does not really matter as to allow refugees stay in the local communities, this is so because the security threats that are there does not depend on the place where they stays but the weapons that are left behind with Malawians are the ones that is mainly matter and compromise security. The Head of Intelligence at MDF further said that;

“Refugee encampment is for administrative measures but if we are talking of strictly combating the security threats then the way to go is not encampment but deal with the syndicating that is there between refugee's countries of origin and the host state. Government is at liberty to amend the encampment practice, but the practice in question should not be based on the assertion that refugees undermine national security when they are in the local communities”.

Similarly, the findings from NIS has revealed that they have not reported any serious threats of national security from the refugees. It is possible to have refugees in local communities as considering other aspects would mean benefiting from them. However, the research findings from the two security agency revealed that the fear of security concern is not coming from the security agency but rather political leader's point of view. As such leaving with refugees in local community is possible.

The findings corresponds with what Rutinwa (1999), argued, from the 1960s to 1970s, first communities regarded refugees as victims of colonized governance and so they used to welcome and interact with them very well. Due to larger number of refugees which posed problem to the host community, this tendency changed (Van Garderen & Ebenstein, 2011). Second, due to political instabilities and civil wars in many countries, many have witnessed an influx of refugees from their original states to the host states. Eventually, host populations started to develop negative attitudes towards them. Subsequently, host communities no longer regarded refugees as people who fought liberation wars against the white rule in their home country but rebels and perpetrators of violence in their communities, this even goes further to the extent that states implemented camp for refugee. This depicts how Malawi hosted the Mozambique refugees and the current motive of refugee's encampment.

Research that was conducted to the government officials at the Ministry of Homeland Security revealed that the government is not ready revise the refugee encampment practice arguing that the government undertook reservation to article 26 of the 1951 refugees convention and secondly refugees are a threat to national security and they have to listen to what the government is telling them to do.

The findings from the government under the Ministry of Homeland Security coincides with realism which suggests that all leaders, no matter what their political persuasion, recognize this as they attempt to manage their state's affairs in order to survive in a competitive environment. Finally, states live in a context of anarchy that is, in the absence of anyone being in charge internationally. It consider the principal actors in the international arena to be states, which are concerned with their own security, act in pursuit of their own national interests, and struggle for power.” (Wight & Martin, 1991). In this case, the principle actor which is the government is not willing to revise the refugee encampment.

An informant from UNHCR said that the 1998 Refugee Act in Malawi does not have a clause that support refugee encampment, as such it is not barked by law. As such, there is need to review the encampment practice so as to allow refugees to stay in the local communities. The way Dzaleka Refugee Camp is managed exposes refugees to many life threatening events which would have been avoided when refugees would have been in the local communities. Dzaleka Refugee Camp does not substantiate the refugee protection rather diminish it. Countries that practice open door policy benefit a lot from the refugees as the practice business and help in improving the country's economy.

The findings from an informant from UNHCR agrees with what has been happening in Tanzania on the impact of Rwandan refugees on local agricultural prices in the period between 1993 and 1998, Whitaker (2002) found out that there was considerable rise in the costs of some agricultural products, such as cooking bananas, beans and milk but decreased in the price of aid delivered goods like maize. The

Tanzanian farmers benefited as well from the demand of their agricultural goods in marketplaces Alix-Garcia, (2007). The rise of marketplaces had boosted small businesses by both host community and the refugees. This had improved livelihood of host community as many of them managed to purchase things like TV, refrigerators and live in good houses (Whitaker, 2002).

Furthermore, Brees (2010) observes that the Thai economy experienced a considerable change due to ever-increasing of the Burmese refugee workers which reinforced quite a huge economic development. The occurrence of refugees resulted into low labour costs through increase in local suppliers' eventually enticing international aid (Brees, 2010).

In additional, the response from the UNHCR key informant concurs with what states and other actors agreed during Refugee Global Forum 2020 to support 'out of camp' policies, strengthen asylum systems, refugees' access to work and financial services, and include refugees in national and local development plans and national systems for education and health. In this context Malawi should have include refugees in the agenda 2063 for it to ably protect them and benefit from them in different aspects.

4.5 Chapter Summary

The chapter has discussed the key findings of the objectives of the study. The first objective was to examine measures taken to enforce the refugee encampment. The study has found out that the government largely uses the Police and Immigration officials to enforce the encampment practice and they eventually give them food while in the camp. However, the measure are forceful and lack sensitization.

The second objective was to examine the role of enforcement agency in refugee encampment. The study revealed that the Police and Immigration official's uses force in enforcing refugees to be in the camp, which is contrary to the international standards of protecting refugees. The enforcement agencies are not clearly informed on how to handle refugees hence many of the time they resort to use force towards refugees. The enforcement agency have basic understanding of refugee laws a thing which make them to handle them the way they want. The study further established that the government do not fully triangulate with them on the challenges they are facing in dealing with refugees.

The last objective was to analyze the government decision on encampment practice in democratic. The study has further reveal that the rights of refugees in Malawi are not properly respected. However, the study has revealed that there is a big gap between the UNHCR standards of protecting refugees and what the Ministry of Homeland Security is doing in the Dzaleka Refugees Camp. The study has established that the government is not willing to review the refugee encampment as it is convinced that refugees are a threat to the national security. The discussions have drawn some literature and the theory for better appreciating the findings.

The following chapter will present the conclusion of the study and recommendation on refugee encampment and national security in Malawi based on the study findings

CHAPTER FIVE

CONCLUSION AND RECOMMENDATION OF THE STUDY

5.1 Chapter overview

The chapter provides conclusions and recommendations of the study. Largely, the conclusion of the study will speak to the main objective which sought to examine the refugee encampment as a possible way to achieve national security.

5.2 Conclusion of the Study

The refugee do not directly compromise national security and as such refugee encampment is not a possible way to achieve national security in Malawi. However, potentially, refugees can indirect bring weapons that can be used to compromise national security through some perpetrators of violence who follows those who fled war and connive with Malawians with the intention to kill them, which by the end of the day, they leave dangerous weapons with Malawians who uses to compromise the national security and public order. As already argued, the refugees are not directly in undermining national security but the perpetrators that follow them with the intention to kill them. However, refugee encampment cannot help in addressing this rather exposes refugees to the more danger.

Hosting refugees is a blessing, if it can be rightly implemented like allowing refugees to stay in local communities.

It might be a blessing to Malawi as they are creating job opportunities to other Malawians, levied tax through their income generating activities. Some are facilitating international trade between Malawi and other neighbouring countries. Above all, the social services that are implemented to assist refugees like hospitals, schools would have benefited Malawians.

The refugee encampment practice is a waste of government resources and human right violation to refugees and a thing which exposes them to more life threatening events.

The Malawi government has adopted a rigid approach toward refugees. This is mirrored in the fact that the current democratic administration is not willing to review the refugee's encampment that was implemented during dictatorial regime so that refugees should stay in local communities. This would have benefited Malawians through the refugee's skills in different aspects.

Malawi government is not learning from its own experiences which are exposed by UNHCR regarding refugee's encampment. On the other hand, it is not borrowing a leaf from the best practice of protecting refugees in the camp and open door policy from other countries.

Refugee's encampment has negatively impacted the image of refugees as a lot of Malawians viewed those refugees in the camp as rebels and tend to sympathize with those refugees staying in local communities though illegally.

There is a strong need to review the Malawi's stand using the lens of democracy as the decision to place a reservation on freedom of movement of refugees contravenes basic human rights of refugee's movement and choice of place of residence in the

asylum country. Had it been that the refugees would compromise the national security, they would have done that already since they are almost every district of Malawi. As such, continuing with the enforcement of refugee encampment is a misplacement of national resources.

Dzaleka refugee Camp is overcrowded by refugees with humiliating houses; as such, it nurtures a lot of life threatening practices such as SGBV, Cholera as well as COVID-19 pandemic has been waste due to overcrowding. Because of this, other refugees opt to stay among local communities. One of the roles of Malawi as host country in refugee encampment is to protect refugee rights as any other ordinary citizen from the refugee point of entry to the point of repatriation or resettlement. However, the study has revealed that the government is not managing the camp as expected. For instance, new arrivals in a camp are kept in one building while others are kept by their fellow nationals; eventually they end up constructing houses on their own which are substandard. After some time, they are living among the local communities. In actual sense, refugees are not allowed to construct houses by themselves. In so doing the refugee's rights are undermined.

The enforcement agencies are not clearly informed on how to handle refugees hence many of the time they resort to use force towards refugees. There are many refugees who reside in local communities; travel back to Dzaleka Refugee Camp just to receive the food items and eventually sell them. This indicates lack of informed enforcement agencies and how they are failing to coordinate and successfully implement the refugee law.

5.3 Study Recommendations

From the above conclusions, there are recommendations that have been suggested to be adopted in order to address some of the issues that have been brought to light by the study. For the sake of the refugee's encampment and national security in Malawi to the analysis and findings of the study, the researcher would like to make the following recommendations:-

- ❖ Refugee should not be misunderstood with immigrants and other rebels when it comes to compromise national security and public order. It should be noted that they are victims of lack of national security and public order in their home countries.
- ❖ The reservation that the Malawi Government made when it acceded to the 1951 Refugees Convention relating to the status of refugees, specifically under Article 26, should be withdrawn and re-considered in light of the new democratic dispensation.
- ❖ The refugee encampment practices need to be reviewed and consideration of having open door policy for refugees to stay in local communities to be adopted.
- ❖ The refugees should not only be allowed to stay in local communities but also be encouraged to do business with locals, as this might improve the economy of the country and increase tax base. Those whose behaviour compromises national security should face the law.
- ❖ The government has to build capacity of the people who deal with and manage refugees. In addition, the government needs to recruit specialists in the field of

refugees who will come to understand the refugee law. As such, they will advise the government properly, formulate informed policies and have common understanding with UN agencies and other organizations on the same.

- ❖ For the sake of further study, the study recommends that there is need to “investigate the possibility of urban refugees to tamper with political system in Malawi. This is the case because there have been concerns and reports that some refugees were found registering their names to vote during elections and this has called for the need to have them in refugee camp. It is necessary to investigate that if refugees are left to move freely and choose place of residence, can they indeed tamper with electoral system in Malawi?
- ❖ Another area of further research to be recommended by the study is; investigating the impact of refugee to the country’s political economy.
- ❖ Another area of further research to be recommended by the study is “investigating the possibility of conflicts in the Dzaleka Refugee Camp between the Hutus and the Tutsi.
- ❖ Another area of the study is investigating the possibilities of a total voluntary repatriation of refugees who came from countries where civil war have ended.

5.4 Chapter summary

The chapter has presented the conclusions and recommendations of the study, whose major focal point is on refugee’s encampment and national security in Malawi. It has

not only given a summary of the issues emphasized in the discussion chapter but also presented suggestions as to how the gaps outlined can be addressed. However, if the refugee encampment cannot be reviewed and the motive of refugee encampment not justifies other than the security issues, it might damage the image of Government of Malawi at the international level and its democratic principles may be questionable.

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APPENDICES

Appendix 1: Letter of Introduction



Principal
Prof. Richard Tambulasi, BA (Pub Admin), BPA (Hons), MPA, Ph.D

Our Ref: PA/4/11
Your Ref:

CHANCELLOR COLLEGE
P.O. Box 280, Zomba, Malawi

Telephone: (265) 01524 222
Fax: (265) 01524 046
Email: principal@cc.ac.mw

Department of Political and Administrative Studies

22nd July 2020

TO WHOM IT MAY CONCERN

LETTER OF INTRODUCTION: MR GEOFFREY MAKHOLA– MA/PS/04/18

The above captioned matter refers. I write to certify that the bearer of this letter, **MR GEOFFREY MAKHOLA**, is a second year Master of Arts (Political Science) student in the Department of Political and Administrative Studies at Chancellor College- University of Malawi.

Our students are required in the second year of their study to write a thesis (based on empirical data) in order to complete their Masters programme. Therefore, Mr. Makhola intends to carry out a data gathering exercise for this purpose in your office.

Any assistance rendered to him in the course of this exercise will be highly appreciated. Let me also point out that the information gathered will be treated as confidential and purely for academic purposes.

Yours faithfully,

Michael Chasukwa, PhD

HEAD OF DEPARTMENT

Appendix 2: An interview guide to key informant to the government officials (Ministry of Homeland Security) and head of Intelligence at MDF.

Data collection tool:



CHANCELLOR COLLEGE

Department of Political and Administrative Studies

1. My name is Geoffrey Makhola, a Master's Degree student in Political Science at Chancellor College and I am conducting a field research on the refugee's encampment and national security in Malawi.
2. May I know you?
1. Are you a PoC to UNHCR.....?
2. How old are you.....?
3. Do you stay in Dzaleka Refugee Camp.....?
4. What can you say about your stay in Malawi.....?

Part one: The measures taken to enforce the refugee encampment

1. The use of Police and Immigration officials
2. Is UNHCR mandated to formulate by-laws that ensures that refugees are in the camp?
3. Distribution of resources in the camp

Part two: The role of enforcement agency in refugee encampment,

1. The use of Police and Immigration officials
2. The National Intelligence Service
3. The Malawi Defence Force

Part three: The government decision on encampment practice in democratic Malawi.

1. Are the refugee's rights being promoted in the camp?
2. Are the refugees participate in matter that affect them in Malawi?
3. Is the government ready to review the refugee's encampment practice?

Thank you

Appendix 3: An interview guide to key informant at UNHCR.

Data collection tool:



CHANCELLOR COLLEGE

Faculty of Political and Administrative Studies

1. My name is Geoffrey Makhola, a Master's Degree student in Political Science at Chancellor College and I am conducting a field research on the refugee's encampment and national security in Malawi. May I know you.....?
2. What is your field of specialization.....?
3. For how long have you been working in the field of refugees.....?
4. In your position at UNHCR, what can you say about the refugees in Malawi.....?

Part one: The measures taken to enforce the refugee encampment

1. Are you satisfied with how the Police and Immigration officials treat refugees in enforcing encampment practices?
2. Is UNHCR mandated to formulate by-laws that ensures that refugees are in the camp?
3. Is the distribution of food items sufficient and up to standard in the camp?

Part two: The role of enforcement agency in refugee encampment,

1. The use of Police and Immigration officials
2. The National Intelligence Service
3. Does the Malawi Defence Force have stake in refugees?

Part three: The government decision on encampment practice in democratic Malawi.

1. Does the camp help in upholds refugees rights?
2. Do the refugees allowed to participate in matter that affect them in Malawi?
3. Is the government ready to review the refugee's encampment practice?

Thank you.

Appendix 4: An interview tool guide to Refugees in Dzaleka Refugee Camp

Data collection tool:



CHANCELLOR COLLEGE

Faculty of Political and Administrative Studies

1. My name is Geoffrey Makhola a Master's Degree student in Political Science at Chancellor College and I am conducting a field research on the refugee's encampment and national security in Malawi.
2. May I know you.....?
3. How old are you.....?
4. For how long have you been in Dzaleka Refugee Camp.....?

Part one: The measures taken to enforce the refugee encampment

1. If you are aware, are you satisfied with the Police and Immigration officials on how they treat PoC outside the camp?
2. Are there laws that you have in the camp made by UNHCR?
3. Do the food items you receive enough for the whole month?

Part two: The role of enforcement agency in refugee encampment,

1. Since you have been in Malawi, how do the following treat you whenever you meet them
 - a. The use of Police and Immigration officials
 - b. The National Intelligence Service
 - c. The Malawi Defence Force

Part three: The government decision on encampment practice in democratic Malawi.

1. Are your rights being promoted in the camp?
2. Do you participate in matter that affect you in the camp?
3. Are you ready to move out of the camp if the government can allow you do so?

Thank you

Appendix 5: An interview tool guide to Refugees in the local community

Data collection tool:



CHANCELLOR COLLEGE

Faculty of Political and Administrative Studies

1. My name is Geoffrey Makhola a Master student in Political Science at Chancellor College and I am conducting a field research on the refugee's encampment practices and the role of host state with specific reference to Malawi.
2. May I know you.....?
3. How old are you.....?
4. Are you PoC to UNHCR.....?
5. Are you free to tell me why you are staying.....?

Part one: The measures taken to enforce the refugee encampment

1. Are you satisfied with the Police and Immigration officials on how they treat PoC outside the camp?
2. Are there laws that governs you in the community made by UNHCR?
3. Do you receive food items from Dzaleka Refugee Camp every month?

Part two: The role of enforcement agency in refugee encampment,

1. Since you have been in the local community, how do the following treat you whenever you meet them
 - a. The use of Police and Immigration officials
 - b. The National Intelligence Service
 - c. The Malawi Defence Force

Part three: The government decision on encampment practice in democratic Malawi.

1. As PoC, where do you think best protected between the camp and local community?
2. Do you participate in matters that affect you the most in the community?
3. Are you ready to move back to Dzaleka when government forces you to do so?

Thank you.

Appendix 6: An interview tool guide to local leaders in Mchesi and Area 23, Lilongwe

Data collection tool:



CHANCELLOR COLLEGE

Faculty of Political and Administrative Studies

1. My name is Geoffrey Makhola, a Master student in Political Science at Chancellor College and I am conducting a field research on the refugee encampment and national security in Malawi. May I know you.....?
2. Are you a chief in this community.....?
3. Chief, what can you say about refugees in in your community?
.....?

Part one: The measures taken to enforce the refugee's encampment practice

1. Have you ever report to Police or Immigration officials about the prevailing of refugees in this community.....?
(a). If **yes** how did the Police or Immigration officials reacted.....?
(b). If **no** why.....?
2. 3. Are you aware of how refugees are being treated by Police and Immigration officials when found in this community.....?
4. 4. As a leader in this community, can you support the decision that all refugees should stay in Dzaleka Refugee Camp
.....?
.....?
.....?

Part two: The role of enforcement agency in refugee encampment

1. If you are aware how do the following treat refugees in your community
 - a. The use of Police and Immigration officials
 - b. The National Intelligence Service
 - c. The Malawi Defence Force

Part three: The government decision on encampment practice in democratic Malawi.

1. Where does the refugees rights best protected between the camp and local community?
2. Do you involve refugees in matters of community concerns?
3. Should refugees continue staying in the local community or they should go back to Dzaleka Refugee Camp?

Thank you