

## Refugee Repatriation

Voluntary repatriation is now the predominant solution to refugee crises, yet the responsibilities states of origin bear towards their repatriating citizens are under-examined. Through a combination of legal and moral analysis and case studies of the troubled repatriation movements to Guatemala, Bosnia and Mozambique, Megan Bradley develops and refines an original account of the minimum conditions of a 'just return' process. The goal of a just return process must be to recast a new relationship of rights and duties between the state and its returning citizens, and the conditions of just return match the core duties states should provide for all their citizens: equal, effective protection for their security and basic human rights, including accountability for violations of these rights. This volume evaluates the ways in which different forms of redress such as restitution, compensation and truth-telling processes may help enable just returns and traces the emergence and evolution of international norms on redress for refugees. The book concludes by exploring hard cases involving the protracted displacement of stateless refugees, such as the Palestinian refugee situation. While return and redress are invariably imperfect processes, this analysis demonstrates that reparations may play a critical role in promoting a measure of justice for returnees, and accountability for forced migration.

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# Refugee Repatriation

*Justice, Responsibility and Redress*

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Megan Bradley



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Contents

<i>Acknowledgements</i>	<i>page</i> vii
<i>List of Acronyms</i>	ix
<b>Introduction</b>	<b>1</b>
The rise of return: political origins and practical implications of the focus on repatriation	2
Theoretical implications of the focus on repatriation	8
Reparations: a new threshold for morality in international politics?	13
Structure and scope of analysis	16
Contested terms and concepts	20
 <b>Part I Foundations of state responsibility and just return</b>	
1 Forced migration and the responsibilities of states: moral and legal perspectives	27
Responsibility in political theory	28
The responsibilities of states: legal views	36
Breaking the bond and the imperative of repair: theorising responsibility for forced migration	40
2 The conditions of just return: a minimum account	44
Why worry about just return?	46
The foundations of just return: legal provisions on repatriation and their moral and political implications	51
At the heart of the matter: return and redress, return as redress	61
3 The tools of repair: redress for returning refugees	65
Competing conceptions of redress	66
From the long shadow of Versailles: the modern reparations movement	71
Refugees in the reparations movement: recent history of an emerging norm	73
A norm in progress	92
	 v

vi	Contents	
<b>Part II Historical experiences of return and redress</b>		
	Introduction to Part II	95
4	Return and redress in Guatemala	99
	Negotiating return, negotiating peace	102
	Realising return and redress	108
	A model return?	117
5	Return and redress in Bosnia and Herzegovina	122
	Enabling and undermining return: the Dayton peace process	124
	Redressing ethnic cleansing: diverse attempts, limited success	131
	Disconnects among return, redress and responsibility	143
6	Return and redress in Mozambique	149
	Ending war in Mozambique	153
	An unlikely success? Return and the consolidation of peace	156
	Unfinished business? Reparations, reconciliation and return	158
	Just return and the responsibilities of a crippled state	169
7	Analysis of case studies	173
	Crafting redress for returnees: insights from Guatemala, Bosnia and Mozambique	174
	Implications for theorising state responsibility and just return	183
<b>Part III Beyond repair? Grappling with hard cases</b>		
	Introduction to Part III	191
	Characteristics of hard cases	193
	Snapshots of hard cases	197
	Just return in hard cases	202
8	Just return and the Palestinian refugees	207
	Contested lands and terms	211
	The 1948 exodus: origins and attribution of responsibility	213
	Resolving and redressing Palestinian displacement: frameworks and past efforts	221
	The best we can do? Imagining just return in the Palestinian case	226
	Conclusion	239
	<i>Bibliography</i>	248
	<i>Index</i>	285

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List of Acronyms

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AJR	Association for Justice and Reconciliation
BiH	Bosnia and Herzegovina
CALDH	Centre for Human Rights and Legal Action
CCPP	Permanent Commissions of Guatemalan Refugees
CEAR	Special Commission to Aid Repatriates
CEH	Commission for Historical Clarification
CERD	Committee on the Elimination of Racial Discrimination
CIO	Rhodesian Central Intelligence Organisation
CIREFCA	International Conference on Central American Refugees
COHRE	Centre on Housing Rights and Evictions
CONDEG	National Council of Displaced Guatemalans
CONTIERRA	Presidential Office for Legal Assistance and Resolution of Land Conflicts
CRPC	Commission for Real Property Claims of Displaced Persons and Refugees
ECHR	European Court of Human Rights
FAO	Food and Agriculture Organisation
FONATIERRA	National Land Fund
FONTIERRAS	Land Fund
FORELAP	Work and Production Reintegration Fund
FRELIMO	Front for the Liberation of Mozambique
GPA	General Peace Agreement for Mozambique
GRICAR	International Advisory and Support Group for the Return of the Guatemalan Refugees
HDZ BiH	Croatian Democratic Union of BiH
IACHR	Inter-American Court of Human Rights
ICC	International Criminal Court
ICG	International Crisis Group



x List of Acronyms

ICISS	International Commission on Intervention and State Sovereignty
ICJ	International Court of Justice
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
IDMC	Internal Displacement Monitoring Centre
IDPs	Internally Displaced Persons
ILA	International Law Association
ILC	International Law Commission
INTA	National Institute for Agrarian Transformation
IOM	International Organisation for Migration
IRO	International Refugee Organisation
JNA	Yugoslav People's Army
MINUGUA	United Nations Verification Mission in Guatemala
NGO	Non-Governmental Organisation
OAU	Organisation of African Unity
OCHA	Office for the Coordination of Humanitarian Affairs
OHR	Office of the High Representative
ONUMOZ	United Nations Operation in Mozambique
PA	Palestinian National Authority
PACs	Civil Defence Patrols
PCIJ	Permanent Court of International Justice
PCPSR	Palestinian Centre for Policy and Survey Research
PIC	Peace Implementation Council
PLIP	Property Law Implementation Plan
PLO	Palestine Liberation Organisation
PNC	Palestinian National Council
REMHI	Recovery of Historical Memory Project
RENAMO	Mozambican National Resistance Movement
RRTF	Reconstruction and Return Task Force
RS	Republika Srpska
RSG	Representative of the United Nations Secretary-General on Internally Displaced Persons
SDA	Party of Democratic Action
SDS	Serbian Democratic Party
UNCC	United Nations Compensation Commission

List of Acronyms xi

UNCCP	United Nations Conciliation Commission for Palestine
UNGA	United Nations General Assembly
UNHCR	Office of the United Nations High Commissioner for Refugees
UNHCR EXCOM	Office of the United Nations High Commissioner for Refugees Executive Committee
UNRRA	United Nations Relief and Rehabilitation Agency
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
URNG	Guatemalan National Revolutionary Unity
WOLA	Washington Office on Latin America