

## **UNDP Human Development Report 2009: Overcoming Barriers: Human Mobility and Development**

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I would like to thank the UNDP for inviting me to speak at the launch of the 2009 Human Development Report.

This is a great report and in many respects, by choosing to focus on the migration-development nexus, the report captures both the academic and policy trends related to migration. In relation to that, I would like to make at least three comments about what this report does capture and what it does not.

The first point to make is that **human movement is a fact and a right**. In being both a fact and right, it is dangerous to control human movement. The emphasis should be on managing migration, and in the spirit of this meeting, managing migration for development.

If we take that as a given, then there are also responsibilities that accompany this position. We ought to recall, just as the report demonstrates, that until recently Uganda was home to one of the highest numbers of Internally Displaced Persons (IDPs) in the world. At the height of that phenomenon, there was anything up to two million IDPs living under dire situations in this country. As my colleague Dr. Chris Dolan said, the experience of these IDPs could be described as one of social torture, a situation in which people live in conditions amounting to torture in all but name, slowly dying, slowly wilting away. If we are going to debate the migration-development nexus, as this report provokes us to do, we will have to deal with that reality.

And while we debate the presence, challenges and fate of IDPs, we should not lose sight of the fact that Uganda is also home to at least 200,000 refugees. For many, the 'protection' provided in their countries of origin has proved meaningless. And here we are, at a global level, talking about the obligation to protect. The obligation to protect also means the obligation to ensure that people are free to decide whether to move or not, and to do so from a position of security. Here, I am alluding for example to those Rwandese who are fleeing anything from the Genocide to Gacaca, those Congolese for whom the idea of a unified Congo has never meant anything, those Somalis, those Kenyans, those Burundians and those Ethiopians who just want a simple and dignified life as all of us do. If we are going to truly talk about migration and development, these are the stark realities we ought to focus on. This is the underbelly of the problem.

My second point is the fact that migration is a process which should prompt us to do some self-reflection. Migration should alert us that there may be something wrong with the framework within which we are governed, that is the State. Forced Migration tells us

that there is something fundamentally wrong with the States which are generating those forced migrants, like in terms of conflict management, the climate, human rights abuses, and bad governance or even in terms of tourism. Once people start to move, they are also making a strong statement about the place they are coming from. And it does not matter whether that is Europe or America or indeed Nicaragua or Mexico. To start thinking about management of migration therefore requires thinking about this fundamental statement. More often than not, this movement and the management of migration focuses on failed, failing or collapsed states. And you can locate Uganda on any one of the above variables.

To start thinking about migration management requires us to take stock of our history, an exercise which some have described as transitional justice. For transitional justice helps us to go through such a reflective exercise. For Uganda, and this is an issue that is not mentioned in the report, this means a number of things. One of the factors is the relationship between migration and militarism. Here I am talking about the labor we are exporting to Iraq. How many of us have stopped to think about what happens to people who come back from Iraq? How many people have thought about the fact that we are proud of our *militarized* nation? How many people think about the fact that our failing state also has a high capacity to generate or at least contribute to conflict - all in the name of labor migrants? I will leave that as a point for us to think about and a point for us to consider when we start to debate the migration-development nexus.

Equally important is the opposite of migration which is forced sedentarisation. Every now and again, when we think about people movement, we fail to consider those people who are forced to stay in one location. Refer for instance to the situation of the Karimojong on Kampala streets, those Karimojong who in the name of "development" are being sedentarised. These issues are important for one reason: they are related to people's livelihood patterns and options but they are also related to questions of justice. And I will talk about justice pretty soon. Suffice to say that I would have loved to see the report make mention of these issues as a polar opposite of migration. It would have been lovely to start thinking more about how to develop development programming for mobile communities, instead of simply following the tramlines created by conceptions of development peculiar to sedentary communities.

The last point I would like to hint on relates to the current trend going on in the Great Lakes region, and that is the idea of homosexuality and its relationship to migration. As some of you will be aware, Burundi, Rwanda and in its most regrettably extreme expression, Uganda, have embarked on legislating – or reinforcing existing legislation – against homosexuality. Whether you like it or not, homosexuality is a reality. Live with it. To legislate against sex between consenting adults, as though we do not have already sufficient and much more serious moral issues to deal with, is really to misunderstand the meaning of prioritization, or perhaps more seriously, as Professor Ogenga Latigo recently pointed out, to indulge in diversionary tactics. I personally don't care what Mwanga does with David or John-Paul. As long as the individuals concerned respect *my* liberty, I will respect *their* liberty, freedom and choice of happiness. What the Bahati Bill promises is to take things to an unwarranted level. It drains our energy, it re-directs

attention but above all, it focuses our attention on the human rights situation in Uganda, which is perhaps the only positive thing to come out of the proposed anti-gay legislation.

You may think the above is a digression, but it is not. If the proposed anti-gay legislation is passed into law, it is going to lead to a fairly massive exodus of people from this country. Most of us probably underestimate the number of people who will be affected if this bill is passed into law. Gay people, just like heterosexuals, do not advertise their sexuality. Unfortunately, sexuality is such a rarely talked about human fact that we all think we know what it is about but our understanding is not often nuanced. We should perhaps remind ourselves that exclusion and discrimination on the basis of sexuality is a ground for refugee status under the 1951 Refugee Convention. As I said earlier on, if we go down this path, we can only expect people migration, of professionals, doctors, teachers and peasants - and perhaps even Bahati's children and grand-children, for after all we don't know yet what their sexual orientation will be. For a Human Development Report not to factor sexuality, which after all is central to what it means to us to be Human, into whatever it is focused on – including migration – seems to be a major omission. Nobody should be able to say "we did not know", when their little "innocent" Jane tells them "I love Jessica and we are planning on raising a family"!

Related to my last point, is a question of justiciability of forced displacement. How do we bring to account those who create conditions that make other people want to move? It does not matter whether they made bad environmental laws, screwed up the human rights situation or simply mismanaged our economy. What matters is that they made us lose respect for our country and more xenophobic of those of our neighbors with whom we live! A country that at one point was described as the pearl of Africa. The Pearl!

Ever since the Nuremberg trials which followed World War II, the world has been becoming less tolerant of those who create situations that force others to move. We should embrace that emerging tradition of refusing to tolerate intolerance. On 23 October, 2009, an African Convention on the protection of the Rights of Refugees, Returnees and IDPs was signed in Kampala .If that Convention comes into force; this continent will be able to prosecute those of our governments who create situations, either by omission or commission, which force people to move.

With those few remarks, I thank you very much for listening and look forward to the ensuing discussion.