This article looks into the disturbing incidents of military and armed attacks on refugee camps and settlements (herein after referred to as camps) and appraises international law rules related to the subject. It also discusses the various measures that have been taken to establish mutually agreed principles for the protection of refugees in these localities. Special focus will be given to the attempts by the United Nations High Commissioner for Refugees (UNHCR) to develop consensus, and a legal framework for the protection of such persons. As it stands today international law does not address itself squarely to the question of physical protection and security of refugees. What one finds is a criss-cross of rules which have some bearing on the subject. Legal rules like those related to the protection of aliens, state responsibility, jurisdiction, self defense, territoriality etc have somehow been indirectly associated with refugee issues, even though they evolved with totally different considerations.

At the outset it is essential that we clarify what is meant by the term military and armed attacks. The term has been coined to include not only armed attacks by irregular and unorganized bands or groups, but also those by regular and organized military units belonging to the authorities of a state. In other words it has been crafted to refer to attacks both privately or governmentally sponsored. As brought to light by the International Court of Justice (ICJ) in the Nicaragua V. USA (Merits Case), an “armed attack” refers to “an action by regular forces across international borders and also the sending by or on behalf of a state, of armed bands, groups, irregulars of mercenaries which carry out acts of armed force”.

The issue of armed attacks on refugee camps has raised concern not only within the UNHCR statutory bodies, but also at the UN General Assembly (UNGA) and Security Council. Noteworthy is UNGA Resolution 41/124, of 4 December 1984 which condemns “all violations of the rights and safety of refugees and asylum seekers, in particular those perpetrated by military or armed attacks against refugee camps and settlements and other forms of brutality.”

The harassment of refugees is a continuing issue. Over the years one has witnessed a squalid spectacle in these refugee agglomerations. Armed attacks have
resulted in unaccountable victims and are no longer seasonal. It is not our intention to catalogue the full range of abuses, but only to highlight some dazzling examples in order to appreciate the "sang froid" nature of such atrocities. These attacks, as it will be demonstrated, have at times been government sponsored. Armed attacks on refugee camps may take a variety of forms, and can range from outright bombardment, brutal covert action, counter-insurgency campaigns, abduction, to kidnapping.

In Central America indiscriminate bombings and attacks on refugees and displaced persons have occurred in El Salvador; refugees aged between 3 years and 55 years have been abducted from Guatemala into Honduras, and on 30 April 1984 the Guatemalan refugee camp at El Chupadero situated six kilometers from the Guatemala frontier on the southern Mexican border in the state of Chiapas was the object of a ruthless attack. In Southern Africa, attacks on Namibian refugees in Kassinga, southern Angola on 4 May 1978 resulted in the death of 600 refugees, and injury to another 400. Similar attacks occurred on 19 May 1986 at Makeni refugee transit cum reception centre in Zambia. Mention can also be made of those that occurred in Mozambique's Manica Province hosting Zimbabwean refugees. In the Middle East, the armed attack on the Palestinian refugee camps of Sabra and Chatila in Lebanon in September 1982 rekindled the very precarious nature of the protection offered by international law to those clustered in these localities.

The phenomena we have just described pose a number of legal and political problems. First, frontiers are still a thorny issue among states. There is in fact a close relationship between boundaries and territorial sovereignty and integrity, since they form the visible limits of the basis of power of nations. Secondly, armed attacks result in unwarranted injuries to already traumatised individuals. Thirdly such attacks are a threat to the institution of asylum in that they undermine the generosity and willingness of states to grant asylum, and accord protection.

**International Efforts**

Among the first condemnation of armed attacks on refugee camps was UNHCR Executive Committee (EXCOM) Conclusion No 14(XXX) 1979 which "severely condemned" the inhuman attacks on refugee camps in Southern Africa as a result of which numerous refugees, including women and children, had lost their lives and others had become permanently incapacitated. Two years later at its thirty-second session in October 1981, UNHCR EXCOM reiterated its grave concern, to the "inhuman military attacks on refugee camp in Southern Africa and elsewhere, involving extreme and indescribable hardships to refugees and called upon the High Commissioner to examine the serious humanitarian problems resulting from military attacks on refugee camps and settlements which are of UNHCR concern, and the need for special measures to protect and ensure the safety of such refugees, and to report thereon at the earliest possible date to the EXCOM". Following consultations with a number of governments, the UN Secretariat and the International Committee of the Red Cross (ICRC), the High Commissioner appointed Ambassador Felix Schnyder (Switzerland) a former UN High Commissioner for Refugees (1961-65) to