



The Right not to be Displaced in International Law

Michèle Morel

INTERNATIONAL LAW



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PREFACE

Years before I was born, Prof. Stephen Marks wrote that ‘careers in human rights are less numerous and less lucrative than those in corporate law. [...] In other words, a career in human rights implies a certain degree of risk. Yet, in my experience, that risk is worth taking’ (S. Marks, ‘Emerging human rights: A new generation for the 1980s?’ (1980–81) 33 *Rutgers Law Review* 435, 435). I agree, although I must admit that during the writing process of this book, I have encountered moments of frustration and profound doubt towards the very idea of human rights. I started my doctoral studies blindly in love with human rights, wanted to run away from them a year later, and finally learnt to appreciate their merits while also recognizing their shortcomings. It has been an interesting yet necessary challenge over the past years to separate feelings of activism from objective academic research.

My interest in and fascination with the issue of displacement and forced migration were triggered by a conversation in 2006 in Kigoma, Tanzania, with a Congolese refugee who was about to be repatriated to his homeland in D.R. Congo by the UN Refugee Agency. Violent conflict in his region of origin had forced this man and his family to flee across the border more than twenty years ago. While queuing for rice and beans, a cold shower and a medical check, ‘home sweet home’ were the only words he repeatedly directed to me while wearing a fragile, seemingly endless smile. It was not until then that I understood the true meaning of home.

Writing this work has been an enriching experience, both academically and personally. If it succeeds in inspiring or empowering even one other person, it will have been a satisfying undertaking.

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Across the English Channel, I wish to express my gratitude to the Refugee Studies Centre of Oxford University, which has been a stimulating academic environment to me. In particular, I thank Dr Alex Betts, for his invaluable listening ear and the inspiring conversations both research related and far beyond, as well as Mr Jean-François Durieux, whose enthusiasm towards the work of young researchers has been truly encouraging. I am also grateful to Prof. Dr Walter Kälin, Prof. Dr Paulo Sérgio Pinheiro, Ms Maria Stavropoulou and Ms Mayra Gomez for the insights I gained from their useful comments in relation to certain parts of this work. Ms Stavropoulou's writings and ideas have been a great source of inspiration to me since the start of my research.

It is hard to imagine how the past four years would have been without the motivating and supportive words and deeds of my family, friends and colleagues. I thank all of them, in particular Nicole, Pieter and Rudy, who fully understood what doctoral students are going through; Sophie, Jasmien and Nikè, for the many years of true friendship; Jan, whose humour brightened up the dark days and silent nights; Cedric, for the warm support during the first years; Petrus, Marie, Durkadin and Dirk, for the valuable philosophical chats over a glass of wine; Nadine, who has meant much more to me than she will ever imagine; all of my fellow *tangueros* and *tangueras*, in particular Koen, Tim, Peter and Rogier, for giving me what has been the oxygen of my life; Tim, for shouting at me when I was losing faith in what I was doing, and simply for being there. Thank you. Finally, to my dear parents, my sister Catherine and my brother Frédéric, who have been tireless in their encouragement from the first until the very last day, in good times and in vulnerable times, with their unconditional love, I express my deepest gratitude.

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