FORCED MIGRATION review

Protracted displacement

Increasingly, displaced people remain displaced for years, even decades. We assess the impact of this on people's lives and our societies. And we explore the 'solutions' – political, humanitarian and personal.

Plus:
spotlight on Sri Lanka
mini-feature on Collective centres
and articles on: Darfur, Colombia, smuggling in South Africa, climate change agreement talks, peace mediation.

UNIVERSITY OF OXFORD

REFUGEE STUDIES CENTRE

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FORCED MIGRATION review

FMR 33: In this issue...

Front cover photo:

Elia Kidibu, a 1972 Burundian refugee, sorting through photos as he packs his belongings for repatriation to Burundi. November 2008. UNHCR/B Bannon

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REFUGEE STUDIES CENTRE

from the editors

Some two-thirds of displaced people in the world today are not in classic emergency situations but are trapped in protracted displacement – situations characterised by long periods of exile and separation from home. When people remain displaced for a long period, their needs may no longer be urgent but can be just as acute. As the years pass, the challenges to be faced change as people grow up or grow old, living in a state of extended yet temporary limbo away from home. For them, as for those assisting or hosting them, there is also an inevitable tension between planning sensibly for the long term and yet not creating a long-term situation that precludes their return home.

As we are reminded by several of the contributors to this issue, neither the definition of a 'protracted displacement situation' nor the range of usual 'solutions' should constrain our attempts to resolve the causes of displacement, sometimes decades earlier, or to find ways for the people involved to cease being displaced and instead to be able to lead fulfilling, sustainable lives.

Many people in protracted displacement situations live in urban areas; however, the next issue of FMR will focus on urban displacement and therefore this aspect is not covered extensively in this issue. Similarly, some long-term refugees such as the Burmese and Palestinians are only lightly touched on, as we have previously devoted full issues to their particular situations (see http://www.fmreview.org/mags1.htm).

We are grateful to Susanne Schmeidl, Gil Loescher and James Milner for their support and advice on this issue. We would also like to thank those agencies who have generously provided funding for this particular issue: the Canadian International Development Agency, the Australian Government Department of Immigration and Citizenship, and UNHCR's Regional Bureau for Africa.

FMR in print or online? We will be contacting as many of our readers as possible over the next few months to ask if you would prefer to receive a print copy or to read FMR online. Reading FMR online saves us money but of course we appreciate that for many of you FMR is more useful in print. If any readers would like to be notified by email when each new FMR goes online, please email us at fmr@qeh.ox.ac.uk, asking us to add you for email alerts.

We need to make sure our mailing list is up to date so as not to waste postage. So please do reply to any emails we may send you asking about your mailing preferences – or we may delete you from our mailing list!

We welcome comments on the content and layout of FMR – please email, write or use the feedback form on our homepage.

Finally, we would like to thank our colleague Musab Hayatli for his years as Assistant Editor of the Arabic edition (NHQ). He is leaving Oxford but will continue working with us on NHQ from afar, in a freelance capacity. We wish him well.

With best wishes.

Marion Couldrey and Maurice Herson
Editors

Forthcoming issues

- FMR 34 (due out February 2010) will focus on **urban displacement**. The call for articles is at http://www.fmreview.org/urban-displacement/.

- FMR 35 (June 2010) will focus on **disability and displacement**. Submission deadline is 31st January 2010. See http://www.fmreview.org/forthcoming.htm for details.

- FMR 36 (October 2010) will focus on **The Great Lakes/Democratic Republic of Congo**.

All issues of FMR are online at http://www.fmreview.org/mags1.htm

Sri Lanka: a question of rights

The Sri Lankan government's current policy of indefinitely interning IDPs is in violation of their human rights.

The Sri Lankan government is currently holding around 270,000 IDPs in what are in effect internment camps in the north of the country. The largest of the IDP camps, Menik Farm in Vavuniya District, holds just over 220,000 people, making it Sri Lanka's second biggest town and the largest IDP site in the world.

Having fled the front line of a brutal last-stand fight in May 2009 between the government and the Liberation Tigers of Tamil Eelam (LTTE), none of these individuals has been charged with any crime, has had access to a lawyer or been informed of how long this illegal internment will last. They essentially stand accused by the government, en masse, of being LTTE supporters or fighters.

the rehabilitation centres, is now being encouraged by the government to leave the country, with the government arguing that as there is no longer active conflict in the country, ICRC's mandate does not apply. Since early July, the ICRC has had no access to any of the IDPs. While it is clear that the government needs to address possible threats to its security, only a transparent screening process with clear criteria within a legal framework will enable them to deal with the security issues and at the same time sow the seeds of trust and respect needed for long-term peace in the country.

As of mid-July 2009, there were 30 IDP camps, run and guarded by the military, in the districts of Vavuniya,

allowed to leave the closed camps permanently and move in with host families or to old people's homes. Yet it is estimated that at least 50% of the detained IDPs have family or friends they could stay with.

Deteriorating humanitarian conditions

The government has pledged that the majority of the displaced will be able to return home by the end of 2009 but this seems unrealistic. The de-mining alone that is required in return areas before any IDPs can return home is likely to take at least two years. Reconstruction of the former war zone will also take time. In the meantime, the authorities are making the IDP sites more permanent by constructing banks, post offices and supermarkets, all the while making little progress on releasing people or easing the severe restrictions on their freedom of movement. These facilities provide a superficial impression that all is well but the reality is very different. Humanitarian conditions in the camps are deteriorating. Overcrowding, limited water and sanitation facilities, lack of health care, restrictions on humanitarian access and the lack of coordination between the government, the military and the humanitarian community are having grave consequences on the lives and dignity of the IDPs. Almost all of these issues could be resolved if freedom of movement and civilian planning and management of the camps were allowed.

Chickenpox, dysentery and scabies are rife, and hepatitis A has only recently been brought under control; at least 35% of children in the camps are malnourished; and the entire interned population is being served by just 50 doctors.[1] The government refuses to publish the official mortality or morbidity statistics for the camps but they are believed to be high; the majority of the population was in a severely weakened state when they arrived, having survived war-zone conditions for many months; many also have conflict-related injuries.

Shortages of food and water, as well as restrictions on movement between

Menik Farm in Vavuniya District, Sri Lanka.

An estimated 11,000 people, including children, have been identified as former combatants, and separated out from the camps to 'rehabilitation' centres. But this has been conducted through a process devoid of any legal framework and without transparency or international monitoring. The ICRC, which initially had access to

Mannar, Jaffna and Trincomalee. The IDPs are permitted to leave the camps only for emergency medical care or urgent specific reasons such as attendance at a funeral (and even then often with a military escort). Fewer than 6,000 IDPs – largely the elderly and people with learning disabilities – have officially been

various parts of the camps, have already caused some unrest, with several demonstrations and protests inside the camps. The government, sensing the possibility of larger-scale dissent, is now planning on breaking the bigger camps into smaller 5,000-person sites.

Family separation

One key consequence of the lack of freedom of movement is continued family separation – particularly for the last group of IDPs to leave the war zone in May 2009. IDPs from that period report many separations in the conflict zone and during the government's screening process, as well as separation from injured family members who were transferred to hospitals around the country. Many IDPs sent to Menik Farm have no information on the whereabouts of other family members and this lack of information is increasingly affecting their mental health and exacerbating their trauma.

IDPs have reported that the last battle in the war zone was extremely violent, with neither party to the conflict respecting the key principles of international humanitarian law of proportionality or distinction between civilians and combatants. Without access to the former conflict area, or direct access to IDPs for interviews, it is currently impossible to verify any figures of those killed or attempt to trace or identify the missing – but it will clearly be vital to do so. Greater transparency over what happened in the last weeks of the fighting will temper the ongoing propaganda from both sides and will facilitate a more meaningful process for truth and reconciliation in the country.

The ethics of response

Although the international community has poured tens of millions of dollars into IDP camps and sites in Sri Lanka, some humanitarian organisations continue to face access restrictions and delays in the north as well as in the east where there remain smaller groups of IDPs from a period of combat between the army and the LTTE in 2006-07. The humanitarian community has been plunged into an

ethical quagmire by the existence of the detention camps. On the one hand, aid organisations are compelled to provide life-saving assistance to IDPs who escaped the conflict zone severely traumatised and often with just the clothes on their back. On the other hand, it goes against basic humanitarian principles to assist and fund a government policy of illegal internment. But if the humanitarian community does not assist the IDPs, who will? The government has not got the funds, capacity or political will to deal with such a large displaced population on its own – and clearly is not exercised by the need to ensure that any assistance reaching the displaced meets international standards or principles nor by adherence to the Guiding Principles on Internal Displacement.

This ethical dilemma should engage the whole international donor community. The government is unlikely to pay serious consideration to demands from donors to improve conditions for IDPs if the same donors continue to provide large amounts of money for government projects elsewhere in the country. While some donors – as a matter of principle – are playing only a limited role in the camps in the north, they continue to fund large-scale development projects, alongside other donors who are saying nothing about the human rights issues. If donors are serious about promoting human rights improvements for the IDPs

facing violations, then their funding policy towards Sri Lanka should be coherent, conditional and measured.

The plight of the 270,000 interned IDPs – and the forcible returns of displaced people in the east – should be at the forefront of any discussion with the Sri Lankan government, including by organisations such as the International Monetary Fund which recently approved a $2.6 billion loan to Sri Lanka and the European Commission which is expected to renew favourable tax concessions to the country in October.

The wholesale restrictions on IDPs' freedom of movement in the north are not only in violation of Sri Lanka's constitution and international human rights law; they also violate a myriad of other rights by denying people the right to a livelihood, education, access to adequate healthcare, food, water and family life. The internment of the IDP population is not just a question of rights but of basic human dignity.

Due to sensitivities surrounding international assistance in Sri Lanka, the authors and their agencies have requested not to be named.

See also the International Crisis Group's recommendations at http://www.crisisgroup.org/ home/index.cfm?id=6070&l=1

1. *The Guardian*, 'Sri Lanka's Dangerous Silence', 20 July 2009 http://www.guardian.co.uk/commentisfree/2009/ jul/20/sri-lanka-tamil-rights

In the northern Sri Lankan town of Vavuniya, a young Tamil woman attempts to speak to family members inside one of 16 IDP camps set up by the government.

IRIN

Protecting housing rights for IDPs in Sri Lanka

Todd Wassel

The return and relocation of IDPs in the East of Sri Lanka offer lessons on the critical issues that must be addressed if the housing rights of IDPs in the North are to be respected.

It is estimated that there are over 600,000 IDPs in Sri Lanka, of whom 270,000 have been displaced in the recent military campaign between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) in the Northern Province. Approximately 250,000 others were returned or relocated following the government's military control of the Eastern Province between 2007 and the present. All IDPs, both recent and long-term, must find durable solutions to displacement before lasting peace can be consolidated.

The end of military conflict does not spell the end of displacement and, if handled incorrectly, land disputes can quickly lead to renewed conflict. The political and socio-economic complexities associated with displacement require a well-defined policy and programme to effectively address the problems associated with displacement and ensure that vulnerable groups' human rights are respected and protected. Unfortunately, such a policy did not exist during the return phase in the East and it is uncertain whether one will be ready for implementation in the North.

The Sri Lankan government's Ministry of Resettlement and Disaster Relief was leading an initiative to establish an IDP resettlement policy based on consultation with IDPs and civil society. However, this open process was recently quietly cancelled in favour of a secretive 180-day plan which, unlike the previous initiative, has been closed to contributions by civil society and the UN, and has lacked consultations with IDPs.

Past resettlement initiatives have been ad hoc and lacking coherent policies to address protection gaps. To avoid repeating such mistakes the Government of Sri Lanka should immediately reopen the current initiative to all stakeholders. This would allow the government to utilise the wealth of experience and data available to ensure that a policy is adopted and implemented that protects and promotes the housing, land and property (HLP) rights of IDPs. It would also allow civil society and UN agencies the time and knowledge necessary to develop operational plans to assist in the return and restitution process.

Recent announcements by the government indicate that plans are underway to return as many IDPs as possible by the end of 2009. Speed, however, should not be the primary consideration in any return phase and an adequate HLP rights framework must be incorporated into any return and resettlement programme. Without the protection of HLP rights, IDPs can become more vulnerable to other forms of human rights abuses, including gender-based violence, discrimination, inadequate housing, restrictions on freedom of movement, and inadequate water and sanitation, among others. They can also become a burden to the communities they return to.

Based on extensive surveys by the Centre on Housing Rights and Evictions (COHRE) in the East with IDPs and returnees, and in line with Sri Lanka's international human rights obligations, the Government of Sri Lanka and international aid agencies should prioritise the following key areas in order to ensure and protect the HLP rights of IDPs in the North during and after return to their homes and lands:

Return and restitution

After the cessation of hostilities national authorities have the primary duty and responsibility to facilitate the rebuilding of the lives of those displaced. Authorities must allow for the voluntary return of IDPs by providing them with accurate information about their areas of residence and making sure that those areas are safe for return (e.g. clear of landmines). IDPs should never be forced to leave transitional camps if they feel the environment will be unsafe or if there are inadequate housing options. However, IDPs should not be forcibly confined to camps; all current IDPs should have their right to freedom of movement restored.

Providing the conditions for a safe and dignified return also requires restitution. Restitution includes (among other things) just and equitable compensation for the rebuilding of damaged homes, enabling the displaced to re-establish their previous livelihoods (e.g. rehabilitating business assets and agricultural land) and providing training for new forms of income generation. Return without restitution can never provide a complete durable solution to displacement.

In the East, many families agreed to return on condition that they would receive a permanent house but have been waiting in temporary shelters for over a year; many are unable to access their traditional forms of livelihoods. Government officials in the area acknowledged that there was not sufficient funding secured for rebuilding houses before returns were initiated and that they were still seeking such funds.

Lessons:

- Confusion and mistrust can spread quickly due to misinformation and the lack of transparency.

- Independent monitors should be present during all returns and relocations, and IDPs should be provided with official documentation confirming timelines and benefits.

- Compensation schemes should be fully funded before displaced persons return so that returnees are not subject to further housing and food insecurity.

- Compensation schemes should adhere to realistic implementation schedules.

Participation, consultation and non-discrimination

Special efforts must be made to ensure the full participation of displaced persons in the planning and management of their own return and restitution. Participatory, transparent and accountable structures should be developed to ensure that former residents, and especially the poorer residents, benefit from the rebuilding of homes and that their lands are not seized illegally by others. This would include complaint committees and regular stakeholder meetings. Residents should be provided with contact information for the responsible government agents and any relevant laws and policies involved. At the same time, the whole community should be consulted and infrastructure repairs and upgrades should benefit everyone to avoid creating inequities which can lead to or exacerbate inter-communal tensions.

In the East there were many reported instances of IDPs agreeing to return based on incorrect information regarding timelines for rebuilding their destroyed homes. In other isolated cases IDPs were forced to return even if they wanted to remain in the IDP camp, and in other cases were forcefully relocated to new transition camps. In certain other cases, IDPs have been prevented from returning to their former lands now designated as high security zones (HSZ) as well as because of planned development projects.

Lessons:

- IDPs should be kept informed of timelines.

- All HSZs should be formally announced in writing, approved by the President's Office, officially gazetted and posted publicly for affected families.

- Adequate compensation and alternative housing should be provided for all affected persons.

- HSZs should be of limited duration and permanent land acquisition should follow established processes in accordance with the National Involuntary Resettlement Policy, the Land Acquisition Act and other national laws.

- Affected persons should have clear access to judicial remedies and land and property must be returned to original owners as quickly as possible.

- No development projects should be planned in HSZs; all development projects should comply fully with all domestic laws.

Right to adequate housing and security of tenure

Conflict situations almost always destabilise housing and living conditions. Affected families should be provided access to adequate and affordable housing as expediently as possible. If a damaged house is uninhabitable, affected persons should be provided with adequate temporary shelter until repairs can be completed.

Security of tenure should be provided for all affected people, including vulnerable groups such as those from informal settlements who may not have title to the land they occupied. Attempts to resist the return of displaced persons to informal settlements or to declare the areas uninhabitable would constitute a constructive forced eviction, which is illegal under international human rights law.

In the East, and after the Indian Ocean tsunami, many families were left with no documented assurance that they would receive a house, or be able to remain on land for which they had no official documentation. Beneficiary lists were kept with the Grama Niladaris (lowest level government officials) and the District Secretaries, with no provision for security of tenure

ACT International/Jan-Åke Thorell, Church of Sweden

included in the agreement between aid agencies – who were building the houses – and local government officials, who would release the houses to the beneficiaries. Thus many families to whom permanent housing had been promised have still not received deeds and titles.

Lessons:

- All beneficiaries should receive a certified letter detailing their entitlements and where their names are indicated on the beneficiary list.

- All beneficiary lists should be made public.

- Those without title to land should be prioritised.

Women's and children's rights

Women and children require special attention and protection during displacement and after return due to their higher vulnerability to sexual and gender-based violence, and greater need for health care and reproductive health services. Women and children are also vulnerable to the loss of property rights either through exploitation or policies that favour males.

Consultation and participation should be accessible to and include women and children at all levels. Government agents should establish clearly who holds title to the land and property before financial compensation is given and should ensure that beneficiary lists match ownership records. After the tsunami many women lost the rights to their properties as state-allocated

IDP camp in Vellor village, north of Trincomalee in eastern Sri Lanka, housing people fleeing the war in the north and those left homeless by the 2004 tsunami.

land only allows for one signature. Special care should be taken not to use the term 'head of household' on any legally binding forms as the tendency is for the husband to sign even in instances where the wife is the original title holder.

Many children also lost their rightful inheritances after the tsunami, as policies and procedures focused on adult ownership and compensation without developing systems to identify orphaned children and prioritise their housing and land rights.

Lessons:

■ The term 'head of household' should not be used on compensation forms, beneficiary lists or any other forms that could inadvertently dispossess women of their legal property.

■ Where ownership titles do not exist, both husband and wife should be given the opportunity to share the compensation equally (or jointly own a new house).

■ Special procedures should be developed to identify, consult and advise orphaned children on their housing, land and property rights.

Documentation and property issues

Lack of documents can lead to the denial of property rights, health-care access, education and other essential public services. Authorities should ensure the prompt registration of any lost documentation. In cases where residents may not have formal evidence of land ownership, or documents have been destroyed, authorities must establish easy-to-access mechanisms – such as access to legal aid and prompt follow-up on replacement documentation – that ensure no-one is rendered homeless. IDPs should not be taken off the IDP registration list until it is confirmed they have returned to their original place of residence, not just returned to their home village. All IDPs should be given points of contact in the local government administration in case they face barriers to their full return to their lands.

In the East, and especially after the tsunami, many people are yet to receive official grants and permits for state-allocated lands. Some families have been waiting for over a year to receive replacement documents for their private property titles. The delay has ignited fears of land grabbing and distrust of government structures and intentions.

In other instances owners of 'tsunami houses' have sold their houses in contravention of conditions of 'ownership'. The new owners are often unaware of these restrictions and that legally they are not entitled to the house.

Lessons:

■ Mobile legal aid units should be created by the Legal Aid Commission to handle property claims, with access to legal remedies provided when necessary or forwarded to relevant offices as warranted. Follow-up consultations should be established after each meeting.

■ Special care should be made to educate beneficiaries on their legal position with regards to state land permits and grants and the nature of their entitlement to take possession of and occupy the relevant lands.

Secondary occupation

Secondary occupants are those who take up residence in a home or on land after the legitimate owners or users have fled. Secondary occupation is common to all post-conflict situations and care must be taken not only to protect the rights of the original inhabitants but also to protect secondary occupants against homelessness, unreasonable eviction or any other human rights violation.

In the East, many instances of secondary occupation are due to the occupation of houses and public buildings by the security forces. As effective measures are yet to be taken in the East to remedy secondary occupation (by either civilians or the security forces) the following lessons are drawn from international best practices.[1]

Lessons:

■ An independent and impartial land council should be established to hear cases of secondary occupation, with the power (and budget) to take decisions regarding principal ownership of lands as well as to compensate secondary occupants so that they do not become homeless. Secondary occupation of housing and land by the security forces should end as soon as the immediate security need for it has ceased to exist.

■ Instances of current secondary occupation by the military should be based on demonstrated necessity, recorded by the Government Agent and the military. The owner(s) of the house or land should be able to claim a fair rent for the use of the premises until they are allowed to return. Alternative adequate housing and livelihoods should be provided, without prejudice to the owner's right to return and restitution.

Conclusion

Housing, land and property rights are often overlooked due to their complexity and the tendency to focus on immediate humanitarian needs. However, HLP rights are fundamental to ensuring a successful and sustainable recovery process and the prevention of renewed conflict. Without a stable family unit with access to adequate housing, recovery will not be possible in the long run as insecurity will prevail and returnees will be vulnerable to a host of other human rights abuses.

The government has an obligation – with the assistance of NGOs and international agencies – to ensure that return and restitution programmes address key human rights concerns. The Government of Sri Lanka faces an enormous task in finding durable housing solutions for its current displaced population. A coherent policy and plan for return and restitution are urgently needed to address the complex socio-economic issues facing almost 3% of Sri Lanka's population and to help build and consolidate peace.

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1. See, for example, Principle 17 of the Pinheiro Principles http://tinyurl.com/COHREPinheiro

Understanding the challenge

Gil Loescher and James Milner

The likelihood that those in protracted exile may spend significant amounts of time either in camp-like situations or unprotected in urban settings often has negative implications for their human rights and livelihoods as well as for states' security.

International interest in refugees and asylum issues in recent years has largely focused on populations on the move – either on the arrival of individuals claiming asylum in Western states or on the challenge of delivering humanitarian assistance to displaced people in emergencies. However, one of the most complex and difficult humanitarian problems facing the international community today is that of so-called protracted displacement situations, the overwhelming majority of which are to be found in some of the world's poorest and most unstable regions. Sometimes lasting for decades, protracted displacement situations occur on most continents in a range of environments including camps, rural settlements and urban centres. In UNHCR's view, "the consequences of having so many human beings in a static state include wasted lives, squandered resources and increased threats to security."[1]

Nature and scope of the problem

Protracted displacement situations are those which have moved beyond the initial emergency phase but for which solutions do not exist in the foreseeable future. They are not always static populations; there are often periods of increase and decrease in the numbers of people displaced and changes within the population.

UNHCR identifies a major protracted refugee situation as one where more than 25,000 refugees have been in exile for more than five years. Using this definition, nearly two-thirds of refugees in the world today – over six million people – are in protracted refugee situations. According to UNHCR, in 2009 there are some 30 major protracted refugee situations around the world.

The average length of stay in these states of virtual limbo is now approaching 20 years, up from an average of nine years in the early 1990s. Thus not only is a greater percentage of the world's refugees in protracted exile than before but these situations are lasting longer.

As alarming as these statistics are, the problem of protracted displacement is even greater than this and underscores the limits of a definition based on numbers. UNHCR's statistics are often problematic[2] and do not include many prolonged and chronic refugee problems. For example, the UNHCR estimate of refugees in prolonged exile does not include many of those long-term displaced in urban settings around the world or smaller residual displaced populations who remain in exile after others have returned home. Nor does it include the millions of Palestinian refugees throughout the Middle East under the mandate of UNRWA, the UN Relief and Works Administration. And there are over two million Iraqi refugees in the region adjoining Iraq who will find themselves in a protracted situation if long-term solutions are not found for them soon.

Most significantly, however, these statistics do not include any of the more than 25 million internally displaced persons worldwide, the majority of whom are also in a state of extended and chronic displacement.

Causes

The majority of refugees and IDPs in protracted situations come from countries where conflict and persecution have persisted for years and whose instability lies at the heart of chronic regional insecurity. More generally, UNHCR argues that "protracted refugee situations stem from political impasses. They are not inevitable, but are rather the result of political action and inaction, both in the country of origin (the persecution and violence that led to flight) and in the country of asylum. They endure because of ongoing problems in the country of origin, and stagnate and become protracted as a result of responses to refugee inflows, typically involving restrictions on refugee movement and employment possibilities, and confinement to camps."[3]

In fact, protracted refugee situations are the combined result of the prevailing situations in the country of origin, the policy responses of the country of asylum, and the lack of sufficient

A Sudanese refugee prepares to board the third and last repatriation convoy from Yarenja, Ethiopia, back to South Sudan. 2007.

UNHCR/K G Egziabher

engagement in these situations by a range of other actors. Failure to address the situation in the country of origin means that refugees and IDPs cannot return home. Failure to engage with the host country reinforces the perception of refugees as a burden and a security concern, which leads to either encampment or refuge in already overcrowded urban areas and a lack of local solutions. As a result of these failures, humanitarian agencies are left to compensate for the inaction or failures of those actors responsible for maintaining international peace and security.

Humanitarian consequences

Many governments in the global South now require refugees to live in designated camps, with serious implications for the human rights and livelihoods of refugees and IDPs. Levels of sexual and physical violence in displaced people's camps remain a cause of great concern. Women, children, the elderly and

disabled are particularly at risk. The prolonged encampment of refugee populations has led to the violation of a number of rights contained in the 1951 Convention including freedom of movement and the right to seek wage-earning employment. Faced with these restrictions, refugees become dependent on subsistence-level assistance, or less, and lead lives characterised by poverty, frustration and unrealised potential.

Much more needs to be and can be done, both to respond to the immediate needs of refugees and to open up opportunities for them. Refugees frequently have skills that are critical to future peacebuilding and development efforts either where they are or in their countries of origin following their return home. Containing refugees in camps prevents them from contributing to regional development and state-building. In cases where refugees have been allowed to engage in the local economy, it has been found that refugees can "have a positive impact on the [local] economy by contributing to agricultural production, providing cheap labour and increasing local vendors' income from the sale of essential foodstuffs."[4] If prohibited from working outside the camps, refugees cannot make such contributions.

Similarly, refugees and IDPs in urban environments, whose numbers are believed to have increased dramatically in recent years, often find themselves in precarious situations, subject to harassment and exploitation and in constant fear of arrest. They are often 'invisible' to the international community and receive little or no assistance from international agencies and donors who prefer to focus on more visible targets. Without documentation, those in urban areas are left unprotected by either their home or host government and suffer from discrimination, inadequate housing and lack of employment and access to social services.

Security consequences

Aside from the humanitarian problems, protracted displacement situations often lead to a number of political and security concerns. The long-term presence of large displaced populations has been a source of internal or international – mainly regional – conflict by causing instability in neighbouring countries. Militarisation, arms trafficking, drug smuggling,

trafficking in women and children, and the recruitment of child soldiers and mercenaries can and do occur in some of the camps and urban areas hosting protracted displaced populations.

The prolongation of refugee crises may also have indirect security implications. As donor government engagement for camp-based refugee populations decreases over time, competition with the host population over scarce resources can become an increasing source of insecurity. In the same way, reductions in assistance in the camps may lead some displaced people to pursue coping strategies such as banditry, prostitution and petty theft.

Notwithstanding the growing significance of the problem, protracted displacement situations have only recently gained prominence on the international refugee agenda. Humanitarian agencies like UNHCR have been left to cope, caring for these populations and attempting to mitigate the negative consequences of prolonged exile.

Towards solutions

The scale and dimensions of the problem today require an urgent global response. Traditional approaches to assistance based on humanitarian relief alone, while essential, do not constitute a solution for protracted situations. The contemporary response to protracted refugee situations stands in stark contrast with the international response to long-standing refugee populations during the Cold War, when the geo-political interests of the West led to large-scale engagement with prolonged refugee crises. This engagement resulted in the formulation and implementation of comprehensive solutions drawing on the three durable solutions of repatriation, local integration and third-country resettlement. These initiatives were supported not only by humanitarian agencies such as UNHCR but also by a wide range of peace and security and development actors, especially within the UN system. By drawing on the full range of solutions for refugees and by ensuring the

sustained engagement of a wide range of actors, the international community was able to resolve refugee situations as complex as those of displaced people remaining in Europe long after the Second World War, of millions of Indo-Chinese refugees and of the Central American refugee situation of the 1980s.

By understanding the particular character of each refugee situation, and by considering the needs, concerns and capacities of the countries of first asylum, the country of origin, resettlement and donor countries, along with the needs of refugees themselves, the international community has successfully resolved the plight of numerous refugee populations in the past fifty years.[5] Such an integrated and comprehensive approach is needed to resolve the protracted displacement situations of today.

Despite the need for such a multi-faceted approach, the overall response of policymakers remains compartmentalised with security, development and humanitarian issues mostly being discussed in different forums. There exists little or no integration of approaches at the strategic level and little effective coordination in the field. Neither the UN nor donor governments have adequately integrated the resolution of recurring displacement with the promotion of economic and political development, conflict resolution and sustainable peace and security.

Comprehensive solutions for protracted displacement situations must overcome these divisions and adopt a new approach that incorporates recent policy initiatives by a wide range of actors. For solutions to be truly comprehensive, and therefore effective, they must involve coordinated engagement by a range of peace and security, development and humanitarian actors.

Internationally, policymakers and advocates have recently taken part in a number of key meetings that relate to protracted refugee situations, including the High Commissioner's Dialogue on Protection Challenges in Geneva in December 2008, whose outcomes demonstrated important international agreement on the importance of developing a more effective response to the problem of protracted displacement. This agreement prompted UNHCR to propose an ExCom Conclusion

on Protracted Refugee Situations for 2009. As of August 2009, however, it was unclear whether agreement could be reached on the text. Differences remained on questions relating to definition, international cooperation and responsibility, approaches to durable solutions, and the place of refugees within the broader UN system. It would be important for an ExCom Conclusion to resolve these issues and help bridge the divide between host countries in the global South and donor and resettlement countries in the global North.

Discussions on protracted displacement should also take into account new international opportunities that could facilitate more holistic and sustained discussions linking refugees, peacebuilding, migration and development. Recent developments within the UN system, namely the establishment of the UN Peacebuilding Commission and the UN Peacebuilding Fund, may provide additional opportunities for such integrated and sustained responses. There is also growing international support for the 'One UN' pilots which require the different UN development actors to function in a more integrated manner at the country level, with a common programme and budgetary framework. At the same time, the UN has become increasingly committed to the establishment of integrated missions in war-affected and post-conflict situations. These missions bring together the UN's humanitarian, human rights, development, peacekeeping and political functions.

Important innovations are also taking place in individual donor countries, largely motivated by increased awareness of the changing dynamics of the global refugee population, especially as they affect planning for resettlement programmes, and recent thinking on the importance of 'joined-up' and 'whole-of-government' responses to peacebuilding in fragile states. For example, Canada has established an Inter-departmental Working Group on Protracted Refugee Situations to develop a 'whole-of-government' response to the issue.[6] Similar initiatives in other states would make important contributions to the formulation and implementation of a more effective response to protracted refugee situations. The success of such an approach will, however, depend entirely on the sustained engagement of a wide range of actors.

While such responses are challenging and will not be achieved easily or quickly, they are essential. Comprehensive solutions to protracted displacement situations are the best way to address the concerns of Western states, meet the protection needs of refugees and respond to the concerns of countries of first asylum. As such, concerted effort to resolve these situations is in the interest not only of refugees and the displaced but of all actors in the international system.

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Loescher and Milner are co-editors of Protracted Refugee Situations: Political, Human Rights and Security Implications *(United Nations University Press, 2008).*

1. Executive Committee of the High Commissioner's Programme, Protracted Refugee Situations, Standing Committee, 30th Meeting http://tiny.cc/UNHCR_ExCom

2. Jeff Crisp, 'Who has counted the refugees? UNHCR and the politics of numbers', New Issues in Refugee Research, Working Paper No 12, Geneva: UNHCR, June 1999 http://tiny. cc/Crisp_WP12.

3. See endnote 1.

4. UNHCR, Executive Committee of the High Commissioner's Programme, 'Economic and Social Impact of Massive Refugee Populations on Host Developing Countries, as well as Other Countries', 2004. http://tiny.cc/refugee_impact

5. See: Gil Loescher, Alexander Betts and James Milner, *The United Nations High Commissioner for Refugees (UNHCR): The politics and practice of refugee protection into the twenty-first century*, New York: Routledge, 2008.

6. See article on pp28-29.

Doubly forgotten

Thais Bessa

The plight of over four million people displaced by the conflict in Colombia fits into the definition of a protracted situation regarding numbers, duration, chronic character and lack of adequate response by local governments and the international community. However, the Colombian situation has not been included in official documents, papers, meetings, presentations or publications about protracted refugee situations either by international organisations or by scholars.

Colombia is portrayed as a stable middle-income country rather than a failed state, which is the focus of present work developed on protracted displacement. Misrepresenting the causes of displacement in and from Colombia – as that of a democratic state threatened by terrorist groups and drug traffickers – hampers the recognition of forced migrants' rights. Responses to displacement caused by the Colombian conflict are also affected by regional political and security considerations which are often at odds with humanitarian interests.

The consequence of playing down the conflict and humanitarian crisis is that Colombian displaced people receive little attention from the international community in terms of diplomatic efforts, financial resources and specific policies. As this situation continues over time and no specific initiative on protracted situations is implemented in the region, IDPs and refugees live in an ever-deteriorating situation of limbo, with decreasing possibilities of finding protection, assistance and durable solutions to their plight.

The study of neglected protracted situations such as in Colombia draws attention to the complex political processes at different levels that are behind the perception of a protracted situation and its inclusion – or not – in studies and policy-making efforts. Most scholarly work and international organisations' initiatives on protracted displacement have been geographically limited, focusing on Africa and Asia and, very recently, on the Balkans. The study of neglected protracted situations such as Colombia can shed new light on the problem, especially regarding internal displacement, urban displacement and regional/local responses. The Colombian case can help to broaden concepts and efforts not only regarding protracted displacement but also forced migration in general.

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Riding on the back of a tortoise

Abebe Feyissa Demo

An Ethiopian community responds to protracted displacement.

My name is Abebe Feyissa Demo and I was born in Addis Ababa in 1960. Before I had to leave my homeland, I was studying in the University of Addis Ababa's Department of Psychology. In 1991 I fled to escape the brutal torture of student leaders such as myself. In 1993 I was relocated from Walda refugee camp to Kakuma refugee camp. I have lived here ever since. I am actively involved in my community, and also have worked for many years for the Jesuit Refugee Service (JRS) in Kakuma. My current role for JRS is Community Counselling Focal Person, which involves both counselling those in my community and training others in counselling skills and massage.

Kakuma refugee camp, located in north-west Kenya, was originally established for 12,000 Sudanese minors who arrived in 1992. Since that time they have been joined by refugees of other nationalities. Kakuma now holds 70,000 refugees. As well as thousands more Sudanese there are refugees from Somalia, Ethiopia, Democratic Republic of Congo, Burundi, Rwanda and Uganda. Many have been living in Kakuma for more than ten years. Those who came as children have been educated and have grown to adulthood in Kakuma; many children have been born in the camp and have never seen their 'home' countries. Since 2006, large numbers of Sudanese refugees have returned home but many, especially the women and children, are not yet ready to leave Kakuma.

Most of the Ethiopian refugees now living in the camp were students in higher education institutions or skilled professionals from cities and towns in Ethiopia. Most were single, and between the ages of 18 and 35. There were more men than women. Those who fled in 1991 – as I did – stayed initially in Walda refugee camp but at the beginning of 1993 this entire group of Ethiopian refugees was relocated to Kakuma refugee camp, where many of them still live today.

The opportunities for refugees in Kakuma to improve their lives are limited. Kenyan government policy dictates that refugees must stay in one of two camps (Kakuma or Dadaab). Refugees are not allowed to keep animals, since this is considered likely to increase conflict between the refugees and the local Turkana people, and the semi-arid environment is not conducive to growing crops. It is possible for refugees to start small businesses, if the capital is available (either through a loan from an NGO or money sent by family abroad). However, the market is finite because Kakuma is in a very isolated area – its name means 'nowhere' in Swahili – and the majority of customers are other refugees, a small number of NGO staff and local Kenyans. All NGOs in the camp 'employ' refugees but due to Kenyan laws prohibiting employment of refugees, they are engaged on a voluntary basis and then paid an 'incentive', which is far lower than a wage would be for a Kenyan in an equivalent job.

"Each day of the week falls on Sunday"was a saying of Zemede Bezabih, a fellow refugee, when he explains the day-to-day life of refugees in Kakuma refugee camp. With no work, all the days of the week are the same, except in name. The only concern of refugees is now and then hiding themselves from the scorching sun and the dust-storms. Once or twice a day they cook inside their shelters made of plastic sheeting, every day, every week and every month, every year, maybe forever. When Sunday happens more than just once a week, it becomes a cursed day.

All the refugees want to escape this unhealthy situation. They do not know what to do about it and, more frustratingly, they do not know whether it will ever come to an end. UNHCR's three durable solutions are voluntary repatriation, integration of refugees into the social structure of the host country, or resettlement in a third country. However, none of these options seem to be available to the Ethiopians in Kakuma.

Impact on behaviour

For so many years refugees were spending seven Sundays in a week without any meaningful activity. At the same time they were excited with longing and dreams of a better life tomorrow. Every refugee used to dream his or her tomorrow but had no power to make it come true.

Refugees were like a vehicle whose brake and accelerator were engaged at the same time: much roaring and agitation but no forward movement. Eventual engine break-down is the result. And as time slowly went by, refugees began behaving differently. They fell prey to illnesses. Personal hygiene became too much effort. No-one bothered much to take meals.

During the dust-storms that blow at the beginning of those never-ending days, it was common to see refugees running up and down, here and there, to hide themselves from the dust – despite the fact that there is nowhere better to go. It is as if the running itself is helpful.

Refugees run here and there, trying everything they can think of to find a solution to their problems and a way out of their refugee life. Despite this endless activity, their progress forward is painfully slow. We call it 'riding on the back of a tortoise'. People are ready and willing to make every effort to ride away from their problems but the only animal available to them is a tortoise, so the rider makes very little progress despite their efforts. After years of this, there are some who resign completely, come down from the back of the tortoise and hang themselves on an acacia tree.

How do some refugees cope better than others?

Refugees working as counsellors and social workers for NGOs active in the camp recognised the

difficulty, and frequently discussed possible alternative interventions. They were not professional helpers as such. The concern they had for their fellow refugees was more out of sense of communal responsibility than professional duty.

They noted that there were some refugees who seemed to cope better than others. It was common to find many refugees gambling behind closed doors, often for many hours at a time. Strangely enough, they were

banged into a tree or who fell into a pit and bruised his leg. Everyone talks without properly listening to each other, just talks with a feeling of liveliness and a satisfaction. The one wounded while running after the thieves talks about his freshly bleeding wound without ever feeling the pain. Sometimes these exchanges of experiences last long into the night. And the next morning many say that they slept well and their faces show they were more rested than usual.

role models but their behaviour seems to bring them some benefits. They have something to look forward to – wining the next game. In contrast, most other refugees have nothing to look forward to.

We thought about those refugees who go out at night shouting "leba, leba" and running after thieves. They returned without catching the thieves, without retrieving the stolen goods, sometimes wounded, bruised and swollen, but they would chat for hours with unaccustomed vitality. Why was that? What was the reason for the sound sleep and rested face they showed the next morning?

We concluded that pleasure and satisfaction in life is to be found in having something to look forward to and in free release of physical energy towards a meaningful goal.

Development of community activities

Based on this belief we decided to find ways to help our fellow refugees.

A youth group performs a traditional Sudanese dance as part of a Youth Festival, Kakuma refugee camp.

less anxious than others about the refugee life that seems to have no end. The hours passed quickly for them. Some other young refugees used to spend time playing and listening to *kirar* (a traditional Ethiopian stringed instrument). It was common to see on their faces a rested look.

At that time, it was a frequent experience to hear at night-time the cry of *"Leba, leba!" (Thief, thief!)* Sudanese refugee minors (the 'Lost Boys' now resettled in the US) used to raid the Ethiopian community at night. Everybody chased the thieves in the pitch darkness but those Sudanese minors were rarely caught. What amazed us were the reactions of those who had been chasing the thieves. When they returned, they would gather in small groups to exchange experiences: the one who caught the neck of his neighbour, mistaking him for a thief; the one who couldn't find the door of his own house to go out to join the chase; the one who

Kakuma refugee camp

Those of us who are counsellors and social workers used to regularly discuss those experiences and incidents. What interested us was not the experience itself but the effect it had on refugees. We wanted to understand what it was about the experience that brought pleasure and a feeling of well-being.

Let's take the example of the gamblers. Yes, gamblers are not good

We focused first on the youngsters. It was they who were much affected by this unending refugee life. Ex-students of higher education and young skilled professionals with ambitions were watching idly as the prime of their lives passed them by. Our aim became to engage these refugees in activities that were meaningful to them. For example, we planned plays and music festivals that provided food for

Member of a women's group crocheting, Kakuma camp

Refugees who were followers of the Ethiopian Orthodox church decided to mobilise refugees to build a church large enough to accommodate everyone. Within two years, with financial support from abroad, refugees built two sparkling churches. Youngsters and many older people were more than willing and ready to help build the church. Church activities and the number of church-goers grew each day. More importantly, refugees who dedicated their time and energy to this work found that they had bigger appetites for whatever food was available and greater reserves of physical energy. They felt pleasantly tired after their work and slept deeply at night. They were completely changed persons.

thought and that enabled refugees to reflect on their refugee life and even gave them the opportunity to laugh at their misfortunes.

One member of our community was working for one of the NGOs in the camp but back home he had been a well-known football player. He quickly managed to form two teams of young refugees and, after a few more weeks of training, a match between the two teams was scheduled and all were invited to watch. On the day of the match, the number of refugees who gathered to watch the game was spectacular. They walked three kilometres to the football pitch and watched the game with a spirit of liveliness as they were waiting eagerly to see the team they supported win.

Returning to the camp, most refugees were walking erect and head up, talking more loudly and smiling more frequently to one another. Since then, refugees have come not only to watch matches but also to participate in regular training sessions. Eventually many young refugees formed a number of football teams, each with their own team name. The sports activities that started in the Ethiopian refugee community spread to other refugee communities – Sudanese, Somali and Congolese. Inter-community sports matches were held.

An ex-student of Addis Ababa University theatrical arts department volunteered to write, direct and produce plays suitable for refugees of all ages. One morning, colourful hand-written posters with an invitation to a play appeared in many places in the camp. It was a talking point for all, and triggered a sense of eagerness and excitement. Many must have sensed a feeling of going to one of the theatres they used to frequent back home. Life was continuing.

Refugees had the chance of watching plays at least once every two months. Just after the show the talk of the week would be about it, not about the pain of refugee life. Refugees had something to look forward to.

Building a church and watching drama were not ends in themselves; rather they formed a springboard to something more important and meaningful. The opportunity to release energy was at last found. Refugees were feeling better.

Within a few years, refugees in Kakuma camp set up bars and restaurants, shops and other service-providing businesses. Internet cafes, video shows, table tennis, pool and many other indoor games, barbers and hair salons mushroomed.

Once they regained a sense of pride and purpose, refugees developed the desire to decorate their homes. Competition soon started between refugees in decorating homes, planting trees and flowers around their compound. Refugees who had never seen the possibility of true living in the camp got married and had children. Now their children are in school and there are reasons and meaning to continuing life in the camp – to not wanting to die.

Conclusion

All refugees need a sense of security to function well. Life in the shadow of fear is debilitating and corrosive to the soul. That is what they fled from. They also need to have purposeful activities that are as meaningful as those back home. It does not mean that refugees should have all the material possessions they had back home. However, they need to function with the feeling of being at home.

Most often, it is neighbouring countries that can provide refuge for people fleeing. Host countries and NGOs serving refugees should not conclude that providing refugees with food rations – though this provision is crucial – and making sure that they are safe from danger are enough.

In addition to their basic needs, refugees must have meaningful activity, choices, some control over their lives. Very often these do not need to be provided by agencies. As Ethiopians have demonstrated in Kakuma, refugee communities are quite capable of organising themselves and supporting their members, if they are given the opportunity. It is a challenge to find meaning in life when more than 15 years have been spent in camps. While refugee communities in protracted displacement situations are able to develop resources and find ways to cope, in the end a more permanent solution to their problems must be found.

Listening to the experiences of the long-term displaced

Dayna Brown and Kathryn Mansfield

This article offers insights from people who have lived in protracted displacement situations, based on evidence gathered by the Listening Project.

The Listening Project stems from the belief that those who work across borders in humanitarian aid, development assistance, peacebuilding, environmental conservation and human rights can learn a great deal by listening to the analyses and judgments of local people as they reflect on the immediate effects and long-term impacts of such outside aid efforts. The patterns that emerged from Listening Exercises regarding prolonged displacement were specifically about challenges to returning home, who benefits from international assistance, and security.

Challenges to returning

Outside agendas: A number of refugees who had returned after protracted displacement said that their decisions to return were often driven by outside agendas and priorities instead of their feelings of readiness to return or reintegrate. In Sri Lanka at the time of the Listening Exercise in late 2007, displaced people consistently perceived themselves as being at the mercy of either the government's or the international community's agendas. Some IDPs felt access to further international assistance depended on them staying in camps. Others suggested that the Sri Lankan government was asking NGOs to leave and urging people to return home despite their own perception that it was not safe to do so.

In Bosnia and Kosovo, nearly every person mentioned the international community's support for the return of refugees and IDPs, with many saying that they could not have returned without international assistance and that they were grateful for that help. Some, however, commented that since many European donors wanted refugees from the former Yugoslavia to leave their countries (where they had sought refuge) once the conflicts ended, they prioritised and funded refugee returns faster than people were able to handle. Feeling forced into artificial reconciliation, some people said that requirements that they return to certain areas – often at a faster pace than they were prepared for – in order to receive assistance violated their rights.

In Bosnia, many people also expressed their frustration at the sight of empty houses that they believed were rebuilt for political reasons. In other cases, people were given plots of land, or were resettled by their local governments, and were promised further assistance but then did not receive anything and are barely surviving or have had to leave again.

In Kosovo, people were especially concerned about donors' primary focus on supporting returns and promoting multi-ethnic communities. Asked by a Listening Team member why he was eager for displaced Kosovo Serbs to return to his village, a Kosovar Albanian community council member replied: "because then we could get more things."

Preparation: In several places, displacements that have lasted more than a generation have led to people being unprepared for the life to which they return. For example, a young Angolan woman at a returnee camp spoke perfect English but no Portuguese, having spent almost her entire life in a refugee camp in Zambia where she completed secondary education and had a good job with an international NGO. When her time came to return to Angola, she did so, even though it meant leaving a relatively stable existence in the camp for a life of great uncertainty. She said that she had been unable to learn Portuguese or to secure work as an English teacher upon her return, so she subsisted by gathering wood and carrying bricks and water for other households in her village.

Among Angolans, many IDPs and refugees felt they had been better off in the camps, and expressed reservations about returning to their places of origin. Some of these people had established new lives in the places they had fled to, such as a woman who said, "I already have children and grandchildren here in Luanda and I have nobody back home anymore." Others were concerned about whether it would be safe to return. Some had built up significant assets during their displacement and were unhappy that they were not able to bring these with them when they returned, making their resettlement even more difficult.

A Cambodian returnee who had been displaced for more than ten years during the war noted how unprepared he was for life back in his village: "In the camps, we don't know how to plant rice, what a cow or buffalo looks like. We eat available meat and have charcoal. We know the fruit but not the tree. When I came back home and saw a cow, I thought it was a big dog. I said, 'Why are dogs so big in Cambodia?'... Life after the camp was difficult. Before, they taught us how to be a king, not how to be ordinary or live without conveniences. They should teach people skills, training skills. NGOs should train how to farm."

A Karen staff member of a local NGO in a refugee camp on the Thai-Burma border agreed: "Being in the camp long-term is not good. It has already been a generation. The people survive on aid. If we have to go back to Burma tomorrow, the parents are old and won't work. The children don't know how to plant their rice; how can they survive? I understand they don't have land but they need agriculture training because they have to do this straight away when they go

back…. Everyone cannot be a teacher or a student. Some people need to know how to farm, to build houses."

Economic security: Comments from people in several other locations echo these concerns about the appropriateness and the insufficiency of programmes intended to improve their livelihoods when they returned – often causing them to leave again to find work. In Bosnia, people pointed out that agricultural production has not been a traditional source of income for most people, given its pre-war level of industrialisation and the small size of farms. While they did not see agricultural assistance provided by aid agencies as inappropriate, they suggested different types of training and investment were needed to create more jobs and to enable them to compete with other European producers. In many villages now, only older people remain as the younger people have left for cities and other countries in search of work.

Many people in Kosovo echoed that creating jobs, especially for youth, was among the paramount priorities. They noted current unemployment (over 50%) and poverty (approximately a third of the population), as well as the hurdles of corruption and a lack of investor confidence prior to the settling of the status of Kosovo. One person said: "Some [of the diaspora] want to invest in businesses and to create jobs but there are no rules yet to guarantee their investments." They also pointed to the scarcity of jobs outside the capital, Pristina, which has led to a new exodus, if not from Kosovo altogether, then at least out of the villages to the cities – making returning to their homes economically unsustainable.

Similarly in the south-east Asian countries affected by the 2004 tsunami, many people said they would have preferred more livelihood support than help in rebuilding their houses, noting that if they had incomes then they could rebuild their houses themselves.

Who benefits?

Host communities or IDPs and refugees? In multiple locations people raised questions about the provision of international assistance for displaced people passing through their communities which did not benefit the host communities as well. For instance, in one area of Sri Lanka only IDPs received international assistance, although they are located in the three poorest Divisions in the country. A Muslim cleric raised concerns about jealousies, saying, "Initially the local community helped IDPs. Later when only IDPs started to get assistance, only their lives started to change for the better. Local communities were neglected, left out, and are now hurt and angry." A local cobbler concurred, saying of IDPs in his community, "They come with nothing. Then within a year or two they have money, land, and even build houses. And they still receive rations. We don't get anything even though we are still poor." Several IDPs talked about these tensions and recognised the need to address poverty amongst the host communities: "We know that locals are not given this assistance and we think they should be assisted. I think locals are not helped because they haven't lost everything, and because it is felt that we are more deserving."

Other comments highlighted the positive economic benefits that came from the presence of a displaced persons' camp – both a new market for goods and potential for employment (to the extent that aid organisations hire locally). The downside of these effects, however – mentioned in the case of Lokichoggio in Kenya – was that as the refugees return and agencies depart, both assistance and economic opportunities dry up.

The host communities in northwestern Kenya were also concerned about the over-use of their natural resources, especially trees which are now scarce after being cut for firewood, fences, houses and charcoal for the increased population caused by the influx of refugees. While the large Kakuma refugee camp had provided a market for wood, natural resources were depleted, many of the roads and bridges were damaged by the trucks carrying supplies, and there have been few investments that will contribute to the long-term development of the region.

Targeting of assistance: Beneficiary selection and 'categorisation' are big concerns in settings of extended displacement and resettlement, and the lines drawn by outside agencies can make little sense to the recipients (and non-recipients), while having huge impacts on their lives. For instance, without the label of 'IDP', 'single head of household' or 'tsunami-affected', many extremely poor and vulnerable people received no assistance in Sri Lanka. As the leader of a humanitarian agency in Colombo said, "[There were] difficulties after the tsunami as so much support was given to the tsunami IDPs as opposed to the conflict IDPs who had been in camps or in displaced locations for years." In

Listening Exercise Ethiopia 2006

CDA/Isabella Jean

Aceh, too, people who were displaced by the conflict, who had also lost assets and were unemployed, received nothing – despite widespread post-tsunami assistance – because they were not designated as tsunami victims, which was the priority of the international community.

In Angola, people received assistance if they qualified as 'refugees' from the conflict in the DRC, 'repatriated Angolan refugees' or 'IDPs'. If they were classified only as *residentes* – Angolans who abandoned their homes during the war in search of food and security in nearby cities or the bush but who had not gone far enough to qualify as IDPs or refugees – they did not qualify for assistance. A frustrated farmer said, "When the war came, many people went to Zambia and other places but we stayed here the whole time. Today, those who fled receive aid but we who spent the war years here are without any assistance at all."

Similarly in Bosnia and Herzegovina, many people objected to the fact that returnees were favoured for assistance over people who had not left. In Kosovo, someone echoed this concern: "We asked them [an international agency] to help poor families that were not displaced but we were told that this was not possible. We said, 'Well, what do we have to do to get assistance – leave Kosovo and come back again?'"

Security and protection: Finally, refugees, displaced persons and returnees in various locations raised concerns about their personal security, lack of protection, and pressures to return. In several IDP camps in Sri Lanka, people said they were threatened if they asked for services or were too demanding. While many abuses are reported, people do not think these get recorded by the camp officers or international protection staff, and many people in the camps expressed disappointment with "[an international agency] failing to fulfill its duties."

A number of people in Cambodia emotionally discussed the abuses they witnessed or endured as refugees in camps in Thailand during their civil war, including physical abuse, trafficking, rape and sexual

Listening Team Member/Diego Devesa Laux

Listening Exercise Thailand 2007

harassment. Fifteen years later, this was still an issue that clearly upset them. Most did not realise that there was an international mandate to protect people in refugee camps.

People in the refugee camps on the Thai-Burma border called for more on-the-ground presence of donors and international agencies, especially those mandated to protect refugees and prevent forcible returns. One new refugee described, "The Thai authorities come into the camp and try to catch new arrivals who have no identification. In Burma, we are afraid of the government and we are afraid in the camps."

In Kakuma refugee camp in Kenya, long-term refugees said they are told to go back to Sudan but that they are concerned about security and they want more assistance to return. International aid workers said they have heard these concerns and know that there is still a lot of insecurity in Sudan but that they just do not have the funding to provide services to refugees now since the priority of donors is for them to return to Sudan.

Conclusion

The Listening Project listens to aid recipients in order to produce lessons, tools and approaches that are broadly applicable and transferable across contexts to improve the effectiveness of international assistance. Many of the issues highlighted in this article are not unique to the situation of people in protracted displacement – far from it. However, heeding the patterns that emerge – the need to help people return home sustainably, to ensure that all in need are supported appropriately, and to ensure that the displaced are secure – should enable those who work with people in protracted displacement to avoid perpetuating mistakes that have long-term impacts on their lives.

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The RSC's Forced Migration Online project has produced a Resource Summary on protracted displacement situations. This Summary provides access to web-based resources, highlights relevant documents from FMO's digital library and provides links to key organisations. Online at:

http://www.forcedmigration.org/browse/thematic/protracted-displacement-situations/

Crisis and displacement in Somalia

Anna Lindley

Can displacement shocks offer opportunities to change the parameters of response to protracted refugee situations?

Somalia epitomises for many a situation of constant crisis, a 'black hole' of death and disaster undergoing a process of 'development in reverse'. Such images in a sense rob the Somali regions of the history of the last 20 years. It hides the realities of emerging sub-national political entities that have ensured a degree of civilian security in particular places at particular times. It misses the ways that people have adapted their behaviour and livelihoods to cope with insecurity and even to profit from the opportunities that conflict throws up.[1] Life has gone on, albeit in ways that outsiders often find hard to imagine.

However, the dominant narrative of constant crisis inside Somalia has, according to critical reflections by aid workers, fostered a kind of functional ignorance among humanitarian agencies of Somalia's shifting political landscapes and the political impact of often poorly monitored aid distributions to internally displaced people. The overwhelming conception of the Somali situation in terms of an emergency has been misused as a justification for not learning lessons and for not thinking about the long-term consequences of compromises of humanitarian principles.[2]

Meanwhile, the protracted refugee situation in Kenya – the country that hosts the largest number of Somali refugees – is often characterised, like many protracted refugee situations, as chronic and static, with the refugees portrayed as passive people in limbo, warehoused in camps. While it is indeed true that the Somali refugee population remained fairly stable (in the region of 150,000) between 1999 and 2005, the reality is that the refugee situation has in fact been evolving, in terms of membership (with people moving back and forth from Somalia and onwards to new countries), demography (as people are born and die and children grow up in exile), geopolitics (with dwindling donor funds, the hardening of security concerns in Kenya and Somalia becoming a theatre for the unfolding of the war on terror) and as refugees seek their own solutions (searching for a means of living beyond the structures of the official refugee regime and humanitarian assistance, often via clandestine relocation to urban areas or to other countries).

However, the international response to the problems faced by Somali refugees did stagnate, dominated by strategies for containment which stifle the life chances of large numbers of people in limbo for nearly two decades. The lack of political will from Kenya and other members of the international community has been a key reason for the failure of initiatives such as the Comprehensive Plan of Action for Somali Refugees[3] in the mid 2000s.

Thus, the common narratives of the situation in the country of origin as one of permanent crisis and upheaval, and the refugee situation as one of protracted stasis, which can be challenged on closer analysis, seem to have shaped international responses in important ways. Recent events in the Somali regions throw some light on this. The violence following the ousting of the Islamic Courts and the arrival of the (then) Ethiopian-backed Transitional Federal Government (TGF) in 2007 prompted a massive displacement

Displaced woman and children at Sheikh Omar camp in Jowhar, Somalia.

IRIN/Manoocher Deghati

shock. Against a background where it had been possible for people in Mogadishu to cope – to a certain extent – with urban insecurity, they then experienced a major upheaval, many turning to migration as a survival strategy. Whole neighbourhoods emptied as people sought refuge elsewhere in the Somali territories and abroad. *Prima facie* refugee arrivals in Kenya rocketed to a level not witnessed since the early 1990s, despite border closures and attempts by the Kenyan authorities to impede the arrival of refugees.

It is important to recognise this recent episode of mass displacement as an unmitigated human disaster, distinguishable in scale and nature from that which occurred in the years running up to it, rather than subsuming it in the narrative of constant crisis and protracted refugee situation. However, could such displacement shocks offer opportunities to change the parameters of humanitarian response?

Opportunity

Domestically, since 2006, the numbers of people in need of humanitarian assistance in south-central Somalia have soared, prompting aid workers to talk about 'an emergency within an emergency'.[4] With humanitarian agencies struggling more than ever to deliver assistance, circumstances may be forcing strategic change. There are signs of a more reflective internal dialogue in the aid community, a willingness to engage in debate about humanitarian principles, compromises and innovations. After the hugely damaging US and Ethiopian involvement in south-central Somalia, it appears that the combination of increased media coverage, inauguration of a new president in Somalia and changing administration in the US may have opened up some space for a more constructive political engagement.

On the refugee front, while the increased caseload since 2006 has largely been dealt with within the existing refugee regime, the sheer numbers of people arriving may provoke innovation. For example, the need to allocate more land for refugee camps has forced UNHCR, government ministries and other UN agencies to engage with each other, in a way which has long been recommended as necessary for finding ways to overcome the problems of long-term refugees. If Kenya's 2006 Refugees Act, which provides a clear institutional framework for refugees, were implemented properly, it could provide refugees with important rights, including the right to move within Kenya, allowing them openly to use their creativity and energy to provide for themselves and benefit the host country.

Protracted displacement situations are basically the result of the lack of political will to resolve problems in the country of origin and to find solutions to refugees' problems. Recent political upheavals and displacement shocks in Somalia should not be seen as more of the same old story to be responded to in the same way. Rather they must be recognised as a significant change, and it is important to explore what possibilities current circumstances may offer to change the parameters of international political and humanitarian response and create new opportunities for the displaced within and outside Somalia.

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1. See Anna Lindley (2009) http://www.microconflict.eu/publications/RWP15_AL.pdf

2. See Frans Bernard and Catherine-Lune Grayson (2009) and Erik Abild (2009) 'Creating Humanitarian Space in Somalia', MSc Dissertation, Refugee Studies Centre, University of Oxford.

3. See http://tinyurl.com/SomaliaCPA2005

4. Hassan Noor (2007) 'Emergency within an emergency: Somali IDPs' FMR 28 http://www.fmreview.org/FMRpdfs/FMR28/16.pdf

Addressing core problems
Hassan Noor

Somalia is a country where problems seem to outnumber solutions. At least half the country is experiencing a food and livelihoods crisis, blurring the distinction between needy settlements of IDPs and the flourishing city where they are located. There are multiple causes of displacements, not only war. State and economic collapse and environmental degradation are some of the main drivers of displacement, as well as floods and droughts, and these causes of displacements must all be addressed.

A lesson learned over the years is that it is unhelpful to provide continuous humanitarian aid to hundreds of thousands of IDPs without assisting them to be productive and have livelihoods. One step would be to relocate IDPs to a third location in the same country where they can be economically productive and their children can be secure, for example by relocating some of the displaced farmers in Mogadishu to a relatively peaceful location elsewhere in the country. Some of these IDPs were Somalia's best farmers before the civil war and their absence from the agricultural sector has been felt ever since their displacement in the 1990s. Any host community would benefit from the presence of these food-producing communities.

Interventions neglecting the roots of the crises are nothing more than temporary band-aids. This calls for a revisit to the rationale of intervention and justifies the need to develop much more integrated support to the affected people through a systemic understanding of the crisis. For example, aid agencies providing support to Somali people should have a dual strategy – to help with immediate needs but also to tackle recovery needs, addressing core problems effectively over time. Any single intervention will not help in Somalia and indeed is a waste of resources in one way or the other. This response should not rest only in the hands of international aid workers but should also involve diaspora and community aid, which can help identify needs and mediate issues around accountability of the response and local perceptions about it.

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Repatriation to Afghanistan: durable solution or responsibility shifting?

Susanne Schmeidl

Despite the return of almost five million Afghan refugees to Afghanistan since 2002, about three million still remain abroad. What are their prospects of return? More to the point, what is the prospect of those who have returned remaining in Afghanistan?

UNHCR considers repatriation to Afghanistan as a sustainable part-solution to a protracted refugee situation.[1] I doubt many Afghans would agree. Evidence suggests the opposite, with incidences of 'recycling', subsequent internal displacement and large numbers of refugees who remain outside Afghanistan. Rather than a success story, the Afghan case painfully demonstrates the problems with resolving protracted displacement where considerations other than refugee protection are at the heart of the activities of international actors and where the human security of refugees is in competition with national, regional and international security agendas. Even UNHCR now concedes that "the Afghanistan experience has highlighted the complexity of the repatriation and reintegration process, which has proven to be a much more sustained and complex challenge than initially anticipated."[2]

The rapid repatriation of Afghans that began in 2002 was the largest UNHCR-assisted programme in almost 30 years, involving about five million refugees. But these refugees returned to a politically unstable environment and the motives behind the push for repatriation were not necessarily in the best interests of the refugees or Afghanistan. In the post 9/11 world, Afghan repatriation was needed to legitimise the US-led intervention, subsequent peace process and the fledgling government.[3] These three factors seemed to outweigh more careful considerations of the feasibility of return and the impact that such large numbers of returnees would have on a poor and war-stricken country which was already struggling to accommodate those who had remained. The interests of host countries (wanting to rid themselves of a long-term burden, or regain land for urban expansion as in the case of Pakistan) also overruled the best interests of the refugees and Afghanistan, and possibly even of long-term regional stability. In the search for quick success, the durability of the repatriation solution was not adequately considered.

The return of such large numbers of refugees since 2002 has almost certainly exacerbated existing problems (if not contributed to new ones) by placing huge pressure on Afghanistan's absorption capacity. In Afghanistan today:

- corruption is widespread and there is a lack of rule of law; services such as health care and education are inadequate, especially outside urban areas.

- security has deteriorated over the past two years and humanitarian space is continuously shrinking

- shelter is scarce, with, for example, 80% of the population of Kabul (including many returning refugees and IDPs) living in squatter settlements

- disputes over land ownership and tenure are major sources of conflict and many returnees have found their land occupied; lacking documentation to prove their ownership, these returnees in turn occupy the land of others.

- secondary displacement (returnees becoming IDPs) is common, due to insecurity, lack of rural livelihoods and land/property disputes

- the majority of returnees – as indeed, many of those who remained – struggle for survival, are un- or under-employed, and live at or below the poverty level.

In response, 'voluntary' repatriation has come to a halt and those who remain abroad are likely to return only if forced. The great majority of those families remaining in Pakistan and in Iran have been in exile for more than 20 years; 50% of the registered Afghan population in these two countries were born in exile. Remaining refugees may try to 'disappear' within the urban areas of their host countries – many Afghans in Pakistan already hold Pakistani identification cards – or join the masses of (illegal) labour migrants. This increases resource and job competition in host countries and is likely to further exacerbate already negative public sentiments towards refugees in Iran and Pakistan.

Afghan refugees have once again become convenient scapegoats in their host countries for social ills and insecurity. Pakistan in particular, under increasing international pressure for its failure to rein in growing fundamentalism, has accused Afghan refugee camps of harbouring extremists (even though the camps suspected to be training sites are never proposed for closure). In a twist to the association between repatriation and peacebuilding, disappointed and frustrated returnees provide an easy recruitment pool for the growing insurgency in Afghanistan.

In light of the above, a single focus on trying to resolve the protracted Afghan refugee situation through repatriation only has led to unintended consequences such as threats to national and regional stability. On that account alone, UNHCR should exercise more caution in using Afghanistan as a key example in promoting repatriation as the preferred durable solution for resolving protracted refugee situations.

Thinking outside the durable solution 'box'

Finding solutions for protracted refugee situations is never easy, especially when dealing with a population that is large and has spent a very considerable amount of time abroad, with an entire generation born in exile with little knowledge of their 'home' country. Solutions need to acknowledge the complexity of the situation at hand. A first step might be accepting the obvious, that "full repatriation is neither feasible nor desirable"[4] and that repatriation so far has not been the success story that it has been made out to be.

While the sheer size of the Afghan refugee population may have made resettlement or local integration unfeasible, greater efforts could be made to look beyond repatriation as the only (or even primary) durable solution, especially as it seems to have increased the vulnerability of returnees and increased problems in Afghanistan and the region. Solving the Afghan puzzle of protracted displacement may not lie within the somewhat rigid traditional durable solutions framework. UNHCR itself has recently put forward suggestions for a broader migration framework offering greater flexibility of options.[5]

It is necessary to understand, differentiate and disaggregate the needs of Afghan refugees depending on the reasons for and circumstances of displacement, the length of time they have been displaced and the reasons why most refugees in both Pakistan and Iran (and further afield) do not show a strong desire to return home. Refugees are rational actors, deciding to return only after a careful calculation of costs and benefits, including not simply the situation at home but also their experience abroad (the latter often overlooked). For example, the notion of 'home' is often transformed during long-term displacement. It is important for both refugees and humanitarian actors to distinguish between a nostalgic longing for what once was home and a more rational attachment to more than one country.

More attention needs to be paid to the environment to which people are returning and the absorptive capacity of a country that so far has not succeeded in rebuilding the state and the rule of law. The link between return and internal displacement in Afghanistan also needs further assessment.

Lastly, we could learn from, and expand upon, the migratory strategies that Afghans have adopted to survive the past volatile decades – which have included labour migration, local integration, temporary migration, resettlement and repatriation. The economic interdependence and interconnectedness between Afghanistan and its neighbours could accommodate a combination of such strategies. Local integration, for example, need not mean awarding citizenship but could include temporary labour agreements allowing a transitional and transnational lifestyle. Consideration should also be given to assistance to host states (both economically and in terms of diplomatic incentives) in seeking to resolve long-standing refugee situations. If not, options for both refugees and migrants will begin to close down, as we are currently witnessing in both Pakistan and Iran. It is questionable if the US$140 million assistance to Pakistani villages in exchange for agreeing to host refugees for another four years[6] will be well spent if it keeps Afghan refugees in a familiar holding pattern, rather than if it were used to seek out and facilitate more lasting solutions.

It has been argued that "without a regionally based approach, no single state's problems are likely to be resolved. Interconnectedness is the name of the new Great Game."[7] Recognising this reality, however, may take some time and the protracted nature of the Afghan refugee situation is likely to continue to be unresolved. Personal solutions for some Afghans (e.g. through smuggling) will be isolated and can hardly be claimed as more than individual success stories.

UNHCR would do well to examine more critically the assertion that repatriation is a 'successful' solution for resolving protracted refugee situations and to focus more on implementing alternative strategies which UNHCR itself appears to

After 23 years of exile in Pakistan, in October 2008 Qayum and his family returned home to northern Afghanistan after negotiating to buy land in Sholgara district. When a local tribe refused to let Qayum and his neighbours unload their trucks, the provincial authorities moved them to their current site at Mohajir Qeshlaq. The government has promised them land but until individual plots can be demarcated and distributed, nobody can build. This means that all the returnees – some 150 families – had to spend the Afghan winter living under canvas.

promote as possible interim or even permanent solutions outside its traditional framework.

This rhetoric urgently needs to become reality before the Afghan situation once again spins out of control. As Pakistan and Iran are increasingly losing their appeal as viable exit options (at least for refugees), internal displacement is likely to increase drastically in Afghanistan – in a situation where there is very limited access to provide protection to such populations.[8]

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Qayum's daughter Aziza shows the Voluntary Repatriation Form that her family was given when they returned from Pakistan in October 2008.

Transitions', in H Adelman (ed) Protracted Displacement in Asia: No Place to Call Home. London: Ashgate, 2008, 131-79

1. UNHCR, Protracted Refugee Situations: A discussion paper prepared for the High Commissioner's Dialogue on Protection Challenges, 20 November 2008. http:// www.unhcr.org/refworld/docid/492fb92d2.html

2. ibid, p.9

3. D Turton and P Marsden 'Taking Refugees for a Ride? The Politics of Refugee Return in Afghanistan', Kabul: Afghanistan Research and Evaluation Unit. 2002 http:// tinyurl.com/AREU2002

4. A Monsutti 'Afghan Migratory Strategies and the Three Solutions to the Refugee Problem', *Refugee Survey Quarterly* 27: (2008) 1, 19

5. UNHCR, Protracted Refugee Situations, 20 November 2008. http://www.unhcr.org/refworld/docid/492fb92d2. html p20

6. 'Pakistan to get $140 mln for sheltering refugees', Reuters India, 13 March 2009, http://tinyurl.com/ reutersPak140mn

7. W Maley 'Afghanistan and its region' in J A Thier (ed), *The Future of Afghanistan*, Washington, DC: US Institute of Peace, 2009, 90

8. Alexander Mundt and Susanne Schmeidl, 'The Failure to Protect: Battle-Affected IDPs in Southern Afghanistan', The Brookings-Bern Project on Internal Displacement/ The Liaison Office. http://tinyurl.com/BBMundtSchmeidl

Unfinished business: IDPs in Bosnia and Herzegovina

Erin Mooney and Naveed Hussain

Fourteen years after the war's end, renewed national and international efforts are needed to complete the work of securing durable solutions for IDPs.

In Bosnia and Herzegovina (BiH), UNHCR broke new ground in the early 1990s by broadening its role with IDPs beyond assistance to also work for their protection. With the signing of the Dayton Peace Agreement (DPA) in December 1995, UNHCR was entrusted with assisting the government to implement the Agreement on Refugees and Displaced Persons (Annex VII of the DPA) which stressed that "early return of refugees and displaced persons is an important objective of the settlement of the conflict."[1]

The highest number of returns occurred in the next two years. Overwhelmingly, these were 'majority returns', that is, refugees and IDPs returning to an area where

their ethnic group was in the local majority and occupied key positions of political and civil authority. For the first four years following the war, few 'minority returns' took place. From 2000 to 2002, however, the rate of minority returns markedly increased. Key to unblocking the deadlock was vigorous advocacy for the right to return, coupled with concerted international, national and local efforts in four interlocking areas:

■ facilitating freedom of movement

■ improvements in the security situation

■ property restitution

■ housing reconstruction.

Official figures record that to date more than a million refugees and IDPs have exercised their right to return, including more than 467,000 minority returnees.

Unfinished business

For significant numbers of officially recorded 'returnees', return has in fact been relatively short-lived: many have sold, exchanged or rented their repossessed property and opted to live elsewhere, generally in areas where their ethnic group is in the majority. Persistent obstacles to sustainable return, in particular for minority returnees, include:

■ ethnic discrimination

■ limited livelihoods opportunities

■ war-damaged infrastructure (roads, electricity and water systems)

- legal and administrative barriers to accessing health and social services

- security concerns in certain areas

- impunity for a number of suspected war criminals still at large

- lack of reconciliation between communities.

In addition, there remain today some 117,000 registered IDPs without a clear solution even in sight. Of particular concern, some 7,000 IDPs – most of whom are extremely vulnerable persons including the chronically ill, the physically and mentally impaired, older persons without family support, and highly traumatised individuals – still live in 'temporary' collective centres established during or just after the war.[2] For the vast majority of this group, their vulnerability has only increased after upwards of 17 years of displacement and return has become even more remote a possibility.

And yet, as with implementation of the DPA, national efforts and resources for IDPs have been focused almost entirely on return. Indeed, eligibility for IDP status and the limited benefits it affords, including accommodation in a collective centre, are contingent upon an expressed intent to return. Even then, national assistance for returnees has centred on the reconstruction of their pre-war residences. While shelter is undeniably essential, it provides only a partial solution. In the words of one IDP still living in a collective centre: "I would be glad to have my house reconstructed. But my family cannot eat walls."

...but not business as usual

The challenge facing the international community in the aftermath of ethnic cleansing has been how to strike the right balance in safeguarding and actively supporting the three durable solutions to which IDPs are entitled: return, local integration or settlement elsewhere. In BiH, strong emphasis on the right to return was instrumental to the large number of returns already achieved. And while advocacy of the right to return remains essential, a more comprehensive protection response is now

critically overdue, with a strategic reorientation in two main directions.

First, support for solutions other than return – i.e. local integration – must be available to IDPs, without penalty such as loss of IDP status or of access to reintegration assistance. What is most urgent is to assist the extremely vulnerable IDPs who require critical support in their place of displacement.

Second, for those IDPs and refugees who have returned, or still hope to do so, much greater effort is required to enable their reintegration, including ensuring access without discrimination to employment opportunities, public services and education, and addressing any security concerns.

An historic opportunity to resolve BiH's protracted displacement situation emerged recently. In a process launched by the government in late 2007, with UNHCR's support, the authorities at all levels (national, entity, local) along with IDP associations and the international community came together to map out a revised strategy for implementing the DPA's Annex VII and thus resolving the remaining displacement in BiH. Working groups analysed current obstacles to solutions and produced recommendations to address the priority issues: shelter (reconstruction of homes, closing of collective centres, and social housing); property repossession; electrification; infrastructure; health; social protection; education; labour and employment; security and de-mining; and compensation.

The revised Strategy that emerged from this process was adopted by the BiH Council of Ministers in February 2009 and by Parliament in May. While the right to return continues to be emphasised, the revised Strategy complemented this with the first national policy commitment to begin to support local integration, with priority given to assisting extremely vulnerable IDPs to access dignified living conditions and social protection assistance. In addition to the revised Strategy, there were other encouraging signs of a shift in national approach; national budgetary allocations to support IDPs increased significantly in 2008

and 2009, amounting to more than in all prior years combined. Moreover, in 2008, for the first time national funds were earmarked not only for housing reconstruction but also for other support (e.g. infrastructure) in areas of return and for pilot projects enabling local integration for extremely vulnerable IDPs.

However, in June 2009, the revised Strategy suffered a serious setback when it failed to clear the third and final hurdle of approval by the House of Peoples. Larger political disputes about the future of the country were at play, leaving the Strategy's lack of final adoption as collateral damage.

Yet it is difficult to envisage a stable BiH in the absence of resolving displacement and the deeper ethno-political divisions it epitomised and exacerbated. The Office of the High Representative, which oversees implementation of the DPA, has repeatedly emphasised, including to the UN Security Council, the importance for the long-term stability of BiH of resolving IDPs' protracted plight through the revised Strategy.[3] What will come of this recent bold initiative by the government and international community to secure solutions for BiH's remaining IDPs remains unclear. Hanging in the balance is the precarious plight of BiH's IDPs and vulnerable returnees.

Staying the course in Bosnia... and beyond

Protection for refugees and IDPs hinges on securing a durable solution. This not only requires sustained attention and commitment by national authorities as well as the international community but also, and especially when situations become protracted, reassessing and adjusting approaches to current realities and changing needs of the displaced. After the war, active advocacy and support of the right to return by UNHCR and the broader international community were critical to enabling over a million refugees and IDPs to exercise this right and make the journey home. Today, fourteen years later, vigorous protection advocacy by UNHCR, combined with direct technical assistance to the government, is no less important to ensure durable solutions for BiH's remaining IDPs and vulnerable returnees.

This requires overcoming not only political resistance in BiH to solutions other than return but also what are persistent gaps in the international institutional architecture for IDP protection. In particular, protracted displacement situations hardly feature in the cluster system, unless these are ongoing or renewed emergency situations. It must be recognised that there also exist 'legacy IDP operations' which pre-date the cluster system, remain unresolved and warrant international attention.

Yet, UNHCR's own engagement in protracted IDP situations is not necessarily assured, even when UNHCR has specific responsibilities under a peace agreement. By 2007, budget cuts and competing priorities elsewhere in the world hit UNHCR's IDP protection work in BiH particularly hard, compelling the closure of the remaining UNHCR field offices which had played a vital role in protection monitoring for IDPs and in areas of minority return.

This does not mean that in securing durable solutions to displacement UNHCR should – or can – do it alone. Indeed, UNHCR's role in protracted IDP situations can often be more that of a catalyst: advocating, mobilising and supporting the comprehensive national and international responses needed. What it does mean is that UNHCR must stand up for IDPs even when they are not a political priority and stand by them until they can secure a solution. National authorities bear the primary responsibility to establish conditions enabling IDPs to secure durable solutions. UNHCR's sustained advocacy with these authorities, coupled with supporting them with technical assistance for instance in developing comprehensive strategies to resolve displacement, can be instrumental to this end.

Supporting national efforts to resolve protracted displacement nevertheless will require a more comprehensive international effort. In BiH, UNHCR has been working intensively to

IDPs from Srebrenica, August 1995.

UNHCR/R LeMoyne.

raise awareness among international agencies, donors and the diplomatic community that displacement still persists and that finding solutions requires international support.

A strong development component is evidently integral to solutions. This requires an active and early role by UNDP alongside other UN agencies and international partners to each support within their area of competence solutions for the displaced in tandem with efforts to support the economic development of the country as a whole. Truly durable solutions ultimately require efforts beyond displacement-specific strategies. For instance, addressing the needs of extremely vulnerable IDPs requires putting in place national social protection policies, including social housing, psychosocial support and geriatric care. Creating solutions for IDPs therefore also entails finding solutions for other groups of vulnerable persons in the country who have overlapping concerns.

In the longer term UNHCR should be able therefore to pass the IDP protection 'baton' on to other actors. However, the UN Human Rights

office closed its operations in BiH in 2007. Faced with this gap, UNHCR not only stepped up its own IDP protection efforts but also worked to mobilise regional human rights bodies, especially the Organization for Security and Cooperation in Europe (OSCE), which has intensified its field-level protection monitoring on IDP issues and integrated IDP concerns into its broader work with the government on social housing, social protection and non-discriminatory education.

Conclusion

Over the years, tremendous progress has been made towards resolving the mass displacement crisis in BiH; what remains to be done is very much the tail-end of this immense task. A two-pronged approach is needed. First, the right to return must continue to be supported, in particular now through efforts to overcome the remaining obstacles standing in the way of sustainable returns. Second, those IDPs who cannot or do not wish to return must no longer be literally left behind without the support that they too require. The 117,000 registered IDPs in BiH today represent but 10% of the one million IDPs once uprooted by the conflict; the 7,000 extremely vulnerable persons among them constitute a mere fraction. Though relatively small in number, these latter are the least visible IDPs and those most in need of help to access their right to a solution. Moreover, they are among the people, as the BiH experience underscores, at risk of falling through what remain significant cracks in national as well as international responses to protecting and finding solutions for IDPs.

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1. Article I(1) of Annex VII of the General Framework Agreement for Peace, 14 Dec. 1995.

2. See mini-feature on collective centres, pp62-66.

3. UN Security Council, 19 May 2008, http://www.un.org/ Depts/dhl/resguide/scact2008.htm

Europe's IDPs still marginalised

Nadine Walicki

To bring an end to displacement for some 2.5 million IDPs in Europe, governments' focus on return must be broadened to include support and assistance for local integration and settlement elsewhere in the country.

As those IDPs able to do so have returned to their places of origin or integrated elsewhere, those who remain in situations of protracted internal displacement in Europe tend to be among the most vulnerable – generally poor, unemployed, without assets and living in inadequate temporary shelter, with little or no support.

The majority of IDPs in the region now live in towns and cities. Some initially took refuge in urban areas, while others gradually moved there in search of jobs and better living conditions and services. Many live with relatives or friends in crowded conditions. In response to growing urbanisation, some governments in the region have enforced limitations on migration to cities. In Azerbaijan and Russia, IDPs who migrate to certain cities are unable to register their residence and are therefore cut off from formal employment, government assistance, medical services, education and pensions. While not targetting IDPs specifically, this policy has a particular impact on them.

Some governments in the region have highlighted the plight of IDPs; others – for political reasons – have denied their existence. In order to support the claim to territory not currently under their control, some governments (Azerbaijan, Georgia and Serbia) have been pushing for the return of IDPs at the expense of local integration. While compromising other durable solutions, this focus on return can support other political aims including the reversal of the effects of war such as ethnic cleansing. This is the reason why in Bosnia and Herzegovina it has been very difficult to support solutions other than return.[1] Other governments (Armenia, Russia and Turkey) have denied the scale of displacement in an effort to portray the situation as solved and to direct international attention elsewhere.

Also characteristic of protracted internal displacement in Europe is the disproportionate number of court decisions made against IDPs of certain ethnicities, while donor and media fatigue in respect of internal displacement in Europe, as elsewhere, contribute to the neglect of the remaining IDPs.

Rights and vulnerabilities

IDPs in the region continue to struggle to acquire the documents needed to access their rights. IDP cards were issued in several countries to substitute for lost documents and give access to certain government benefits but some IDPs cannot access rights not covered by the IDP card. Many displaced pensioners receive a lower pension than they are entitled to because the necessary documents and their records were destroyed during the conflicts or they could not prove the number of years they had worked.

More than 15 years after being displaced, a large number of IDPs still live in inadequate and precarious conditions in various types of housing, including makeshift shelters, illegally occupied dwellings, collective centres and apartments shared with relatives. In many cases, conditions are run down and crowded with little protection from the heat and cold. Some IDPs live in shelters that they neither own nor rent and are at risk of eviction. Many IDPs displaced in remote rural areas must also contend with infertile land and distance from job opportunities and essential services. Living conditions of IDPs in private accommodation are largely unknown. Improvement of living conditions has often been avoided because authorities perceived it as encouraging IDPs to integrate locally which does not always serve their political agenda.

Many IDPs continue to encounter problems in repossessing or being compensated for their property, in some countries due to the absence of political solutions to the conflicts there. Both property restitution and property compensation schemes have had reasons for not benefiting all of the dispossessed. People who never possessed title to their property have especially had difficulty with property restitution; this is particularly the case for Roma living in informal settlements and for women whose houses were registered under the names of their husbands. Roma IDPs are disproportionately affected by the lack of documentation since many never had identification documents or a legal residence and so cannot apply for an IDP card, register new births, apply for citizenship, access social benefits and obtain employment or education.

In the Balkans, Roma suffer from widespread discrimination in various sectors of public life. Their treatment and living conditions deteriorated with displacement but there has been some progress recently in better representing and defending the interests of the Roma and improving their living conditions. Other IDPs who are ethnic minorities in their area of displacement face discrimination. It is difficult for ethnic Chechens in Russia and Kurds in Turkey, for example, to lead a normal life in displacement. People who fled areas where they were an ethnic minority and who went to areas where they were part of the ethnic majority face more subtle discrimination as they are often viewed as non-locals even years after their arrival. This treatment of IDPs highlights the outstanding need for further efforts to combat discrimination and promote reconciliation in the region.

The disruption of education for internally displaced children remains an issue mostly in the Caucasus and Turkey. Displaced children are legally entitled to attend school but

some children are being educated in schools damaged by conflict that have yet to be repaired while others do not go at all since many IDPs, being poorer than their neighbours, cannot afford associated costs such as transport, textbooks and school supplies for their children. Displaced children in some countries are being educated separately from their non-displaced peers. While in some cases this is for practical reasons, in other cases – in Azerbaijan and Georgia, for example – segregation has been a deliberate policy.

While some IDPs have been vulnerable since the beginning of their displacement, the vulnerability of others has increased over time as a result of family separation, lack of support to address their specific needs, and social stigmatisation; they include people who are traumatised, disabled or chronically ill, female heads of household, children and the elderly. The lack of comprehensive psychosocial and other support programmes for traumatised and disabled IDPs sustains their marginalisation. The truly disadvantaged are those who have also lost the financial, physical and moral support of extended family, friends and other networks. They risk desperate poverty as well as exploitation and abuse. Feelings of insecurity and isolation due to war and uncertainty about the future stand in the way of self-reliance. Their situation is aggravated by high rates of unemployment in most areas of displacement in the region as the local economies continue to recover from conflict. Many displaced families therefore survive on government benefits and food assistance.

The resulting challenges to the sustainability of return promote further internal migration of returnees.

Support for local integration and resettlement

While many governments have demonstrated political will and have allocated resources for return, the same has not always been true for local integration. Where states are trying to push IDPs to return, they appear to restrict opportunities for self-reliance, which in turn hampers local integration and reinforces the situation of IDPs as marginalised,

dependent on aid and feeling out of place. The exception is Cyprus, where the government of the Republic has facilitated local integration of IDPs since the beginning, while simultaneously advocating that they be able to return to their homes.[2] Other governments have changed their approach over time. Georgia, for example, has acknowledged the right of IDPs to local integration in its National IDP Strategy and Turkey did the same in a national strategy framework document in 2005. This marked a significant promise of departure from the previous government approach.

Given the political obstacles to return, the profile of those still displaced and the emergence of a second generation that has often never visited their parents' place of origin, it is high time for governments to expand their exclusive support for return to include other durable solutions. Support of local integration and settlement elsewhere in the country will strengthen the ability of IDPs to return on a sustainable basis once political obstacles are removed if they so wish. IDPs will be more able to make a truly voluntary choice about whether to return if they are able to live a normal life now.

As protracted situations of displacement are usually characterised by a relatively stable IDP population in terms of numbers and locations, efforts should be made to regularly assess their conditions, needs and plans with regard to durable solutions other than return. The lack of basic information about IDPs seeking durable solutions other than return is a serious impediment to resolving protracted internal displacement situations in Europe. Involving IDPs would help move the search for solutions in the right direction.

Recommendations to governments:
- More actively pursue local integration and settlement elsewhere in the countries concerned.

- Establish institutional mechanisms and facilitated procedures for issuing or re-issuing essential documentation to IDPs, including by using alternative forms of

evidence available to IDPs, and initiate civil registration campaigns for IDPs particularly affected by the lack of documentation.

- Ensure that social welfare systems can benefit IDPs in need of assistance with a special emphasis on housing and livelihood opportunities.

- Undertake a profiling exercise to determine the level of achievement of durable solutions and the obstacles facing the remaining IDPs living in government-provided and private accommodation in urban and rural areas.

- More consistently consult and involve IDPs in the design of policies and programmes addressing their needs and preferences for durable solutions, as well as peace processes.

Recommendations to humanitarian organisations:
- Improve the housing conditions of IDPs in collective centres and makeshift housing in rural and urban areas.

- Provide assistance to ensure that displaced children face no financial barriers to attending school.

- Monitor the achievement of durable solutions for IDPs who have returned, integrated locally or settled elsewhere in the country.

- Advocate for the establishment of reconciliation mechanisms.

- Support the capacity of national human rights institutions to encourage governments to address the limited access of IDPs to their rights.

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See Protracted Internal Displacement in Europe: Current Trends and Ways Forward, at http://www. internal-displacement.org/europe.

1. See Mooney article pp22-24.
2. See Loizos article pp40-41.

Darfur: a way of life lost

Natalie Ondiak and Omer Ismail

The impact of displacement on Darfuris is especially severe because of the genocidal nature of the violence. It not only affects those millions who are currently displaced but will continue to shape the lives of Darfuris for generations to come.

Compared to other protracted displacement situations, the duration of Darfur's forced migration has been short. However, the fact that Darfuris have ended up in camps means that they are not able to practise the livelihoods that they have been pursuing for generations.[1]

Darfuri lifestyles had adjusted to a climate of limited arable land and little rainfall. Nearly 85% of Darfuris were pastoralists and farmers and the majority of families owned livestock. Of life in the camps, an IDP notes: "How can I teach my child to look after animals that we no longer have? Or if we do have animals, how can we tend to them if we don't have the freedom to roam looking for pasture? How can I still be a farmer if I have no land to farm?"

With the death of hundreds of thousands of Darfuris, social structures have been irreparably damaged. Males from ages nine to ninety have been targeted indiscriminately, and women have had to take on new roles as heads of households and become the main breadwinners. Protracted displacement has frozen these new structures in place.

Displacement and conflict have had varying impacts on the different generations. In many ways the elderly suffer the impact of displacement most acutely. They remember a way of life and a Darfur before it became a hotbed of violent conflict and they were forced to live within a camp. They are the 'flag bearers' who both embody the culture that has been lost and serve as Darfur's historians, entrusted to pass on stories and a way of life to younger generations in a culture built on oral tradition. As the years pass, the older people will no longer be alive to pass on the way of life they have known.

Within the next generation, a substantial proportion of men have been killed, leaving a large number of women with sole responsibility for being both parents and caring for and feeding their families. Thus traditional gender roles that defined livelihoods before the conflict have been altered; a return to previous, traditional social structures will be impossible. Of this generation, many community leaders, teachers, doctors, merchants and lawyers have been persecuted and killed with the result that leadership capacity within Darfuri civil society has been severely diminished.

For children, displacement is a way of life. Most will be unable to remember a time before they lived in camps. Stories told by their parents and grandparents give them a sense of the past, of a life with livelihoods and social structures which no longer exist. These Darfuri children consider the camps their homes but they may lack the opportunity to get an education, to realise their dreams or to live a normal life. Young people, motivated by the stories of a lost way of life, may join the rebels or become child soldiers.[2] Social categories such as childhood, family, youth and adulthood are altered in displacement and may mean different things to different generations. This has a profound impact. Indeed, young men in camps throughout the Darfur region have started challenging the official authority structures in Darfuri society and are complicating peace efforts by their hard-line political militancy.[3] Further, the character of Darfur has changed from largely rural to urban. In a post-conflict

setting, it will be critical to rebuild destroyed rural livelihoods and help develop new urban ones for those who choose not to return home.

Networks and structures have changed to the point that confidence about the future is not assured and 'warehousing' – "the practice of keeping refugees in protracted

Young Darfuri refugees gather in Djabal camp, Chad, to register for the next school year.

situations of restricted mobility, enforced idleness, and dependency, their lives on indefinite hold"[4] – is a normal way of life for these Darfuris. Policymakers must work first to end the conflict in Darfur. Ending a displacement that has become protracted will then require long-term investment by the international community in rebuilding a way of life that has been destroyed.

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1. http://physiciansforhumanrights.org/library/ documents/reports/darfur-assault-on-survival.pdf p7

2. http://www.alertnet.org/thenews/newsdesk/IRIN/ a95a529d2e11b6edad20c0d6c69d8aeb.htm

3. http://www.nytimes.com/2008/12/21/world/ africa/21darfur.html?_r=2&ref=africa

4. U.S. Committee for Refugees and Immigrants, *World Refugee Survey 2004*, Washington D.C., 2004, p38 http:// www.refugees.org/data/wrs/04/pdf/38-56.pdf

Comprehensive solutions: a 'whole-of-government' approach

Adèle Dion

In response to the complex nature of protracted refugee situations, the Government of Canada is developing a 'whole-of-government' approach built on its specific areas of expertise and policy priorities.

The issues surrounding refugees and forced displacement are complex, and cut across a number of sectors, including development, humanitarian policy, peacebuilding, diplomacy and immigration. Responsibility for developing appropriate policy and programming to meet the needs of refugees is therefore shared between a number of departments within the Government of Canada – Foreign Affairs and International Trade Canada (DFAIT), the Canadian International Development Agency (CIDA), Citizenship and Immigration Canada (CIC) and the Canada Border Services Agency (CBSA). Each department plays an important role in refugee protection.

The pursuit of durable solutions for displaced persons has long been part of Canada's dialogue on refugee issues and in February 2007 an Inter-departmental Working Group on Protracted Refugee Situations was formed to help Canada respond effectively to these situations. Since its inception, the Working Group has looked at the broad range of tools that Canada has at its disposal. Although not all of these are available or useful in each situation, it was felt that an inventory of tools would assist Canada in participating in comprehensive solutions for specific protracted situations. The Working Group also reviewed past efforts to resolve protracted refugee situations in order to learn from their successes and shortcomings. Academics and civil society representatives have brought valuable expertise and perspectives to this discussion and will continue to be important stakeholders. With this information, the Government of Canada is building a broad-based, whole-of-government approach to inform Canada's response to protracted refugee situations.

Understanding Canada's tools

This approach has allowed the Government of Canada to reflect on its areas of expertise in three key areas – diplomacy, development and refugee resettlement, which are inter-related elements of a Canadian contribution to comprehensive solutions for protracted refugee situations.

Diplomacy: DFAIT is mandated to ensure that Canada's foreign policy reflects Canadian values and advances Canada's national interests. As protracted refugee situations are characterised by protection risks, human rights violations and basic human dignity issues, promoting durable solutions for refugees in protracted situations is consistent with Canada's long-standing humanitarian interest in protecting and assisting refugees. Efforts to promote a rights-based approach and encourage countries both of origin and of asylum to respect their obligations under international humanitarian, human rights and refugee law comprise a fundamental aspect of Canada's foreign policy. Canadian officials have actively sought to highlight protracted refugee situations internationally. They have emphasised that securing durable solutions to these long-standing situations should be of paramount importance, while democracy, human rights and rule of law should be at the heart of long-term efforts to prevent massive refugee outflows and be central components of their eventual resolution.

Canada pursues diplomatic dialogue on refugee issues with host governments and with the countries of origin on return and reintegration, has taken a leadership role in core groups focused on specific protracted situations (including the Core Group on Bhutanese Refugees in Nepal[1]), and has highlighted protracted refugee situations in the UN General Assembly and within the Organization of American States. It also actively engages in UNHCR's Working Group on Resettlement. Canada recognises that diplomatic dialogue can increase the focus on protracted refugee situations in multilateral discussions on peacebuilding, post-conflict reconstruction, early recovery, development and human rights, as well as its importance to supporting reform within the UN, encouraging improved collaboration of humanitarian response and addressing the gap between relief and development.

Development and humanitarian assistance: CIDA is Canada's lead agency for development and humanitarian assistance, and in this context provides core funding to support UNHCR's mandate, including the pursuit of all three durable solutions – voluntary repatriation, local integration and resettlement. Recognising that many of the current operations managed by UNHCR rely on donor funding to meet the basic needs of refugees, these are included within the humanitarian assistance budget, which is also used as the main funding source when UNHCR has specific operations for return and reintegration, or when developing a comprehensive approach.

DFAIT's Global Peace and Security Fund provides both financial and operational resources for conflict prevention, crisis response, peace operations, civilian protection and stabilisation in fragile states. This fund is particularly useful in the context of addressing some of the immediate causes of refugee flows and creating the conditions to promote successful return and reintegration. Key programming areas include support to peace processes

Resettlement can be one aspect of a comprehensive solution. IOM is assisting these Bhutanese refugees to resettle in Canada and other countries.

and mediation efforts, transitional justice and reconciliation initiatives, building peace enforcement and peace operations capabilities, promoting civilian protection strategies, and reducing the impact of landmines, small arms and light weapons.

Finally, within the more traditional development realm, Canada focuses its support for sustainable development in developing countries on a limited number of countries in order to allow for deeper engagement. Refugee-hosting countries do not necessarily include refugees as part of their development priorities, given the range of other issues to be addressed. Canada encourages the inclusion of refugee-hosting areas in poverty reduction strategies to allow for assistance that benefits both host communities and refugees, and supports the host country in fulfilling its responsibilities under the 1951 Refugee Convention.

Resettlement: CIC facilitates and manages legal migration to Canada and is also responsible for Canada's domestic asylum system and related refugee protection issues, including resettlement. Canada has a long tradition of offering protection to refugees through asylum and resettlement and, with other states, has been exploring how resettlement can be used more strategically in the context of protracted refugee situations. The international community has defined the 'strategic use of resettlement' to mean its planned use in a way that leads to direct or indirect benefits to persons other than those actually being resettled – to those refugees not being resettled, to the state hosting the refugees or to the broader protection regime.

Non-government tools: In the search for comprehensive solutions to protracted displacement situations, Canada can also draw on the strength of its own civil society both at home and abroad, the number of active and engaged diaspora communities from protracted refugee situations living in Canada, and the diversity of Canadian private sector actors.

Principles for engagement

In shaping its contributions to comprehensive solutions, Canada has examined current and past practice in addressing protracted refugee situations – and has identified certain key principles that should be included in the processes that Canada looks to support:

Range of actors: For an approach to be successful, it must be multilateral and multi-sectoral, involving different types of partners – multilateral institutions, states, academics, civil society and NGOs – and engage a wide range of peace and security, development, humanitarian, diplomatic and resettlement actors.

Type of approach: The approach taken for each comprehensive solution should be collaborative, inclusive and participatory, involving a range of actors including the refugees themselves and – as durable solutions need time for implementation – with a multi-year commitment.

Prerequisites: It is important to assess when situations are 'ripe for resolution'. Some of the prerequisites for comprehensive solutions include: UNHCR leadership to help identify, plan and move the comprehensive solution forward; the availability of one or more durable solutions that can be accessed by the population; responsibility sharing by donors; political will or state leadership and state responsibility in countries of origin and/or asylum; protection concerns and/or an absence of ready solutions making them a greater priority for resolution; as well as external factors which may help to facilitate a solution, such as Tripartite Commissions, political change or peace processes.

While each situation will benefit from following these principles, every protracted refugee situation also requires context-specific tailoring. One size does not fit all.

Conclusion

In the same way that no one actor will be able to resolve a protracted refugee situation, no one government department in Canada possesses all of the tools required to contribute to an effective response. The 'whole-of-government' approach has set in motion a process that allows Canada to look at its tools for engagement in protracted refugee situations drawing upon the mandates and strengths of various departments depending on the issues at play.

The current momentum in efforts to find comprehensive and durable solutions for protracted refugee situations is exciting and needs to be supported. Refugees overcome extraordinary odds. Their self-sufficiency, strength, courage and determination are a testament to the resilience of the human spirit. Despite this strength, those who are displaced need assistance to find durable solutions. To this end, those Canadian government departments mandated to protect and assist refugees remain deeply committed to working in collaboration with UNHCR and other partners to find ways in which Canada can contribute to finding and implementing comprehensive solutions to protracted refugee situations.

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1. The Core Group on Bhutanese Refugees in Nepal comprises UNHCR, Canada, Australia, Denmark, the Netherlands, New Zealand, Norway and the US.

Daring to dream of an end to exile in sub-Saharan Africa

Marjon Kamara

Almost 98% of the refugees in Africa today could be considered as in protracted refugee situations. We need concerted efforts to draw as many as possible to a close.

People from eight nations are represented among the 2.3 million refugees in sub-Saharan Africa falling within UNHCR's definition of a protracted situation (that is, more than 25,000 refugees in exile for more than five years), namely: Angola, Burundi, Central African Republic, Democratic Republic of the Congo (DRC), Eritrea, Liberia, Somalia and Sudan (Darfur and the South). While the focus on larger protracted refugee situations is warranted both by their numbers and the impact these populations have on their host communities, it is also important not to lose sight of the many small groups of refugees, or individual refugees, who remain in protracted situations in both rural and urban settings. This broader definition adds people from another 13 countries: Chad, Republic of Congo, Ghana, Ivory Coast, Ethiopia, Mauritania, Namibia, Nigeria, Rwanda, Senegal, Togo and Uganda.

Since the 1960s, when UNHCR began working in sub-Saharan Africa, the dynamics of displacement and trends in refugee movements have evolved considerably. Initially, refugee flight was often the result of a liberation struggle. Later, civil conflicts became a major cause of flight. The numbers peaked in the mid-1990s when some seven million Africans were living in exile as refugees. Today half of the nationalities represented among the largest protracted refugee populations at that time no longer figure in the charts. Several more could soon drop off as well, as peace is consolidated and refugees find solutions.

Between 1993 and 2007 more than 9.2 million people across Africa were able to return to their country of origin. Decreases in total refugee populations are also a result of third country resettlement, with over 182,500 people resettled in the same period. Opportunities for local integration, on the other hand, which had been a solution for many refugees

Voluntary repatriation of Sierra Leonean refugees from Liberia, July 2004.

UNHCR/ E Kanalstein

in the region in the 1980s, became negligible towards the end of the 20th century. Encouraging signs, however, indicate that settling permanently in their country of asylum is once again becoming an option for a considerable number of refugees.

Remaining refugees

Among smaller residual populations of refugees in protracted situations are groups and individuals, sometimes widely dispersed among several African countries, who took refuge outside their country of origin many years ago. Identifying appropriate solutions for them requires an understanding of their particular situations. Ghanaians who have been in Togo since the 1980s are already socially and economically integrated and other groups, such as Congolese in Gabon, are moving in this direction. For the Ethiopians who took refuge in Kenya in the early 1990s, resettlement has been the main option to date. On the other hand, Ethiopians who fled to Sudan may have the option of local integration, and a profiling exercise is currently underway to identify an appropriate solution for each individual. Repatriation also remains a possibility for others, such as the Namibians who have been in Botswana for over 10 years and the Mauritanians in Senegal since 1989.

Eritrean refugees in eastern Sudan have spent the greatest time in exile – some of them more than 40 years. In view of the limited prospects for voluntary repatriation, the focus is on self-reliance as a precursor to local integration, which is no longer a taboo. In Ethiopia, where there are just over 13,000 Eritrean refugees, large-scale resettlement is underway.

Solutions for Rwandan refugees have seemed the most elusive since many of those remaining in exile continue to reject the possibility of their return. Many of them are socially and economically integrated in their countries of asylum to varying degrees but, like others, remain dependent upon their refugee status for right of residence. UNHCR continues to work closely with the Rwandan government, host country governments and refugees themselves in exploring all possibilities for solutions, encouraging return where possible

or, alternatively, a change from refugee to resident status to enable their full local integration.

Closing the 'refugee chapters'

A comprehensive approach to achieving solutions for refugees remaining in protracted situations is desirable, including placing a greater focus on increasing receptivity to local integration. For Angolans, Liberians and Sierra Leoneans, UNHCR is working with governments in their countries of origin and asylum to bring the 'refugee chapter' in the history of these countries to proper closure.[1]

The prospects for achieving solutions for all Angolans are encouraging. While the voluntary repatriation operation was formally concluded in 2007, UNHCR and the Government of Angola are developing a comprehensive plan which would provide for the voluntary return of some of the remaining Angolan refugees in Southern Africa, which may in turn open the way for local integration for those who do not wish to return. The will and intentions of the refugees are the key consideration.

While the peace processes in Burundi and South Sudan are still fragile, UNHCR is cautiously optimistic that the conditions for achieving solutions for all remaining Burundian and South Sudanese refugees are falling into place. To date, close to half a million Burundians have gone home, with the number of persons choosing to return having sharply increased since 2006. According to current projections, organised repatriation should be complete by the end of 2009. UNHCR has also actively pursued resettlement, including for a group of more than 8,500 Burundian refugees from the 1972 influx living in camps in Tanzania.[2]

For the South Sudanese, more than half of those who fled across borders have returned. UNHCR projects that of the roughly 125,000 South Sudanese refugees remaining in countries of asylum, almost half are likely to return in 2009. Governments in the countries where these Sudanese refugees have found asylum have not yet offered possibilities for local integration but discussions are under way.

Successful efforts to resolve the border tensions between Nigeria and Cameroon have also enabled the majority of Nigerians who sought refuge in Cameroon to return home. UNHCR is working with the remaining group, which over the years has decreased from 17,000 persons to fewer than 3,000, to identify the preferred solutions and bring this refugee chapter to a close.

Interminable conflicts

Yet prospects for return remain dim for some refugees whose countries are engulfed in intractable conflicts. For the Congolese (DRC), Central Africans, Sudanese from Darfur and Somalis, predicting the outcomes of current peace negotiations is difficult. To increase the likelihood that any agreements will be comprehensive, UNHCR is advocating for the inclusion of both refugees and IDPs in peace processes. UNHCR facilitated the participation of Congolese in the Goma Peace Conference and Darfuris in the Darfur-Darfur Dialogue and Consultations and is currently exploring similar possibilities for the refugee and IDP populations from the Central African Republic and Somalia.

The Congolese refugee population is a mixture of people who fled in the 1970s due to conflict in Katanga Province and others who have been uprooted since 1996 as a result of civil war. The earlier group (some 11,900) fled to Angola, where they have achieved a significant level of socio-economic integration and are expected to be able to naturalise as Angolan citizens or obtain permanent resident status as a step toward eventual naturalisation. The solution for most Congolese refugees who fled in the 1990s is to return home and some, despite the volatile situation, are indeed returning. Resettlement is also being pursued for some and for others local integration may be an option. For the Central Africans in Chad, UNHCR and its partners are focusing efforts on building self-reliance. On the other hand, resettlement has been significant for Somalis, with more than 75,000 resettled since 1996, although this number is small in relation to the total number of Somali refugees in Africa.

In the mid-1980s Ugandan refugees fled to DRC and, in much smaller numbers, to Kenya. Those in DRC are

considered to have achieved a certain level of socio-economic integration. UNHCR will be exploring local integration opportunities with the government, while also exploring possibilities for return both for those in DRC and those in Kenya.

The Chadians who became refugees in several different outflows between the early 1980s and 2008 are largely socially and economically integrated where they live in Benin, Cameroon, CAR, Gabon, Mali, Niger, Nigeria and Sudan. But, like many other refugee groups, they would benefit from the opportunity to obtain an appropriate legal status that would facilitate their local integration on a sustainable basis.

Conclusion

Neither UNHCR nor the refugees can realise durable solutions alone. The efforts need to be combined with those of states (both countries of asylum and countries of origin), multilateral African organisations and the international community at large. In 2006, Ministers at the African Union (AU) Ministerial Meeting in Ouagadougou set their goal very high, calling for a Special Summit "to tackle the root causes of the problem of forced displacement in order to eradicate this phenomenon" on the continent. The AU Special Summit on Refugees, Returnees and Displaced Persons due to take place in October 2009 offers an important opportunity to mobilise African states to build upon the recent positive initiatives taken in several countries and achieve lasting solutions for refugees.

The common factor for all refugees is that they have limited or no control over their lives. For many, their lives are on hold while they wait, sometimes for decades, longing to reclaim their basic human rights and some ability to determine their own future. Perhaps the most poignant dimension of the problem is to see young refugees being born and growing up in enforced exile. A critical part of the AU's undertaking will be to mobilise the political will to give a voice to those who have been forcibly displaced.

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1. See also the following article on West Africa by Alistair Boulton.

2. See also the article by Jessie Thompson on Burundians in Tanzania on pp35-36.

Local integration in West Africa

Alistair Boulton

The ECOWAS Free Movement Protocols provide a basis for long-term refugees from Sierra Leone and Liberia to move on.

Ordinarily, migration is not a 'solution' in the sense used by UNHCR. It is more often a temporary measure resorted to in order to overcome a deficit in the protection or assistance available to refugees. In West Africa, however, the provisions of the Protocol relating to the Free Movement of Persons, Residence and Establishment[1] and four supplementary protocols (collectively known as the 'free movement protocols') adopted by the Economic Community of West African States (ECOWAS) may provide a solution for refugees from one member state residing in another. The rights to residence and employment at the heart of the 'solution' of local integration are available to refugees as to any other citizen of an ECOWAS state – at least, in theory.

ECOWAS and free movement

In 1975, sixteen West African countries signed a Treaty to strengthen sub-regional economic integration through the progressively freer movement of goods, capital and people and to consolidate member states' peace and security efforts. In 1979 the Protocol on free movement was adopted. It conferred on Community citizens the right to enter and reside in the territory of any member state provided they possessed a valid travel document and international health certificate. However, it also allowed member states the right to refuse admission to any Community citizens who were inadmissible under the member state's own domestic law. The Protocol foresaw a three-stage implementation period, with each phase – visa-free travel, right of residence, right of establishment – lasting five years.

The four supplementary protocols adopted between 1985 and 1990 committed member states, among other things, to:

- provide valid travel documents to their citizens[2]

- grant Community citizens the right of residence for the purpose of seeking and carrying out income-earning employment[3]

- ensure appropriate treatment for persons being expelled[4]

- not to expel Community citizens en masse[5]

- limit the grounds for individual expulsion to reasons of national security, public order or morality, public health or non-fulfilment of an essential condition of residence.

The main shortcoming of these highly favourable provisions in the free movement protocols is that they are either not known or not implemented. Theoretically, all three of the phased stages are complete and the entitlements set out in the free movement protocols are the law of the region. In reality, however, only the first of the three phases has been fully implemented.

While commentary generally focuses on what has not been achieved, it is important to recognise how significant visa-free travel in the

region is. Fees for visas represent a scarce source of income which member governments have voluntarily foregone. Despite under-resourced immigration ministries and border control departments, the absence of systematic entry and exit recording systems and the widespread seeking of bribes by border officials, phase one of the protocols really is fully implemented throughout the region. This is reflected in the generally high level of public awareness of the entitlement to visa-free travel. The same public's right to reside and work in other ECOWAS states is, by contrast, not generally known but, given that phase one has been widely implemented, there is every reason to suppose that, with resources and will, phases two and three will be fully implemented as well.

ECOWAS and refugees

The ECOWAS Treaty and free movement protocols are not refugee instruments – but nor are they in conflict with refugee instruments. ECOWAS has issued a statement that refugees are to be guaranteed equal treatment under the free movement protocols with other Community citizens.

The provisions of the free movement protocols are attractive to many refugees in West Africa since they provide secure residence and work entitlements while allowing them to retain their original nationality. This is significant in light of the prohibition on dual nationality by many countries in the region. Indeed, despite offers of naturalisation to Sierra Leonean and Liberian refugees from some countries in West Africa, most refugees from these countries have preferred to retain their original nationality.

Of the three durable solutions, voluntary repatriation had largely already run its course for Sierra Leonean and Liberian refugees in West Africa, as had third country resettlement. Moreover, refugees were aware

that for most of them their status as refugees would be drawing to a close through the process known as 'cessation', under which they cease to be entitled to international protection and assistance. Local integration initiated before cessation became a logical solution.

At the same time, the return of peace and stability, improved economic performance in many ECOWAS states, the desire for closer regional integration and the reciprocal nature of the entitlements under the free movement protocols combined to create a new receptivity to this solution by governments in West Africa.

UNHCR's local integration initiative for Sierra Leonean and Liberian refugees focused on the seven countries where they were most numerous: Côte d'Ivoire, The Gambia, Ghana, Guinea, Liberia, Nigeria and Sierra Leone.

There are three important principles guiding the initiative. First, efforts were conceived on a regional basis, emphasising the regionally specific nature of the ECOWAS free movement protocols, and taking advantage of the strong support of that very active regional organisation. By promoting entitlements set out in the protocols, the initiative was able immediately to provide a degree of reciprocity for two of the countries

involved. Sierra Leonean refugees would benefit from the application of the initiative in Liberia while Liberian refugees would benefit from its application in Sierra Leone. This provided an incentive for both countries to be generous. It also provided an example – or at least tangible evidence of the promise – of the benefits available in the future to the citizens of all ECOWAS countries, providing an incentive for other countries to be generous in turn.

Second, the initiative is community-rather than individual-based so as not to exclude benefits to the host populations whose needs may be as significant as the refugees' and in recognition of their remarkable generosity over a period in some cases approaching twenty years.

Third, to some extent, though not to the extent originally foreseen, the initiative has been fitted into national development plans and priorities rather than asking that these be incorporated into the initiative.

Although in terms of specifics there are as many approaches as there are countries involved in the initiative, the ECOWAS free movement protocols figure in each. So too do the following elements:

- secure legal status (i.e. a status other than refuge status including residency and permission to work)

Voluntary repatriation of Liberian refugees from Sierra Leone, December 2004.

■ multi-year support for community-based self-reliance and capacity-building activities

■ environmental rehabilitation of refugee-affected areas

■ an emphasis on the involvement of other agencies.

In Sierra Leone, the initiative has focused on an inventory of refugees' skills and, through a planned dispersal of the refugees, matching this to the inventory of needs of host communities. Integrating Liberian refugees will enjoy all their ECOWAS entitlements.

In Nigeria, the terms of the transition by refugees to an alternative legal status are set out in a detailed multi-partite agreement signed by the governments of Nigeria, Sierra Leone and Liberia, UNHCR and ECOWAS. In it, the Government of Nigeria agreed to grant renewable residence and work permits to refugees. The Liberian and Sierra Leonean governments agreed to issue passports to those of their citizens who were refugees in Nigeria and wished to integrate there. The refugees to whom passports were issued explicitly acknowledged that by so doing they were again putting themselves under the protection of their country of nationality and were thus no longer in need of international protection. UNHCR agreed to subsidise the cost of both the permits and the passports.

Challenges encountered

One of the difficulties encountered so far in the local integration initiative is a lack of interest on the part of refugees. For many, local integration, even with rights of residence and work, is seen as a distant second prize, with third-country resettlement remaining, unlikely as it may be, the first prize.

For those who are interested in integrating locally, there is the problem that the entitlements of the ECOWAS free movement protocols, apart from visa-free travel for 90 days, are not widely known or understood, even by government officials responsible for their implementation. There is in addition a weakness within the protocols in that states have the discretion to

determine whether non-nationals are admissible or not. Unless and until states agree to restrict determinations of (in)admissibility to the ECOWAS-recommended grounds of public order, public health and public security, the entitlements of the protocols can be undermined by states' recourse to overly broad or arbitrary grounds of inadmissibility.

Even when implemented and respected, ECOWAS entitlements do not provide solutions for refugees from non-ECOWAS countries, nor is there any plan at present to expand the scope of the protocols to include refugees from other regions. Indeed, there is a risk that the heavy focus on a regional approach and solution may fuel discrimination and exclusion for individuals outside the region, including refugees.

Observations going forward

There is increased interest on the part of other regional organisations to examine the applicability of similar local integration initiatives to their own labour mobility arrangements.[6] However it is too soon to assess whether the local integration initiative in West Africa has been successful, even in terms of its legal component. While secure legal status is an important element of local integration, it is not the only important element. In a region where all but two countries feature in the bottom 20% of the Human Development Index, socio-economic support – notably for livelihoods – is critical. Local integration needs to be a part of local and national development plans and the full range of government and non-government actors need to be committed to doing their part.

For the ECOWAS free movement protocols to fully serve their purpose, whether for refugees or other Community citizens, they need to be better known and more fully implemented and harmonised, though perhaps not necessarily in that order. In particular, and as included among the recommendations of the November 2008 ECOWAS-UNHCR-IOM conference in Dakar[7], it is necessary for ECOWAS, its member states and relevant partners to:

■ conduct intensive information campaigns in the region to

promote awareness of the ECOWAS free movement protocols

■ comprehensively study national legislation relating to admissibility, residence and work entitlements in order to identify inconsistencies with the regional free movement regime and propose appropriate remedial actions to ensure conformity with the provisions of the protocols.

For its part, UNHCR could usefully encourage harmonisation in the approach to the acquisition of legal status documents for integrating refugees. The multipartite agreement model established in Nigeria, with its emphasis on national passports and explicit elaboration of the actions and responsibilities of its signatories, is without doubt the model to be preferred.

Similarly, UNHCR, together with ECOWAS and the individual states concerned, could expand the local integration model to refugees from any ECOWAS country residing in any other ECOWAS country. In such an expansion, all parties must be aware that the model is appropriate only where there is no longer a need for international protection. The initiative does not and must not replace or undermine refugee protection but can provide a way of reducing many of the disadvantages that accrue to people in protracted refugee situations.

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1. 1979 Protocol A/P.1/5/79 relating to Free Movement of Persons, Residence and Establishment. http://tiny. cc/1979Protocol

2. 1985 Supplementary Protocol A/SP.1/7/85, article 2(1)

3. 1986 Supplementary Protocol A/SP.1/7/86, article 2

4. 1979 Protocol A/P.1/5/79 relating to Free Movement of Persons, Residence and Establishment, article 11, and 1985 Supplementary Protocol A/SP.1/7/85, article 3.

5. 1986 Supplementary Protocol A/SP.1/7/86, article 13(1)

6. These include the Common Market for Eastern and Southern Africa (COMESA), the Economic Community of Central African States (ECCAS), the Southern African Development Community (SADC), the Community of Sahel-Saharan States (CEN-SAD), the Inter-Governmental Authority on Development (IGAD) and the East African Community (EAC).

7. See statement by UNHCR's Assistant High Commissioner – Protection, http://tinyurl.com/ ECOWASNov2008 and summary report http://tinyurl. com/ECOWASNov2008rep

Durable solutions for Burundian refugees in Tanzania

Jessie Thomson

The comprehensive solution currently underway for the so-called '1972 Burundian refugees' in Tanzania can offer important lessons for other protracted refugee situations.

The first major wave of mass displacement in Burundi's recent history followed the 1972 'selective genocide' against the Hutu population. The conflict produced one of Africa's most prolonged refugee situations, in which over 200,000 Burundian refugees have lived in three designated settlements in western Tanzania, known as the Old Settlements, for 36 years. This refugee population is distinct from those groups of refugees who arrived later and were hosted in refugee camps in north-west Tanzania.

Refugees from 1972 were allocated five hectares per family and by 1985 were largely self-sufficient. In 2007, the governments of Tanzania and Burundi announced their desire to find a lasting solution to this refugee situation. Refugees in Tanzania's Old Settlements were given a choice about their future. Some elected to return to Burundi, while the vast majority expressed a desire to remain in Tanzania. A handful of others, who fled first to neighbouring countries and then to Tanzania, were accepted for resettlement in third countries.

So-called 'comprehensive solutions' – which make use of all three durable solutions (return, local integration and resettlement) – are rare. Understanding how this comprehensive solution came about, the range of actors involved and the barriers to sustainability could help in future efforts to resolve similar protracted refugee situations around the world.

The emergence of a comprehensive solution

Following the consolidation of peace in Burundi and with the aim of developing a comprehensive solutions strategy, UNHCR initiated the establishment of an Old Settlements Task Force (OSTF) in partnership with the governments of Tanzania and Burundi. This was followed by a census and full registration of the population in the Old Settlements and resulted in the recommendation in December 2007 that those who wished to return be supported to do so and that those who expressed a desire to stay (approximately 172,000 people) go through an expedited naturalisation process and be supported in their full integration into new communities in Tanzania.

Asked why, after 36 years, the Government of Tanzania decided to naturalise such an unprecedented number of refugees, the Minister of Home Affairs stated: "We felt that it was our duty as a country to take cognizance of the fact that these people have no home other than Tanzania."[1] The initiative emerged, he said, out of the government's commitment to peace and security in the region and in recognition of the possible repercussions of asking 200,000 people to return to Burundi after so many years.

The Government of Tanzania, with the support of UNHCR, has largely completed the initial phase of the expedited naturalisation process. Citizenship will not be granted, however, to anyone until they have left the Old Settlements, as "those who have elected to stay must fully integrate into Tanzania society in the interest of long-term stability."[2]

With regard to voluntary return, UNHCR has committed itself to ensuring that all 46,000 people who have indicated their desire to return are transported in safety and with dignity by the end of September 2009.

Those identified for resettlement have largely left the refugee camps in north-western Tanzania for third countries. While the comprehensive strategy as it was initially proposed did not include reference to resettlement, over 8,000 refugees from 1972 were identified for resettlement – people who are not self-sufficient in Tanzania and would be likely to face a multitude of challenges if they returned to Burundi.[3]

While this is a good example of a truly comprehensive solution involving all three durable solutions and engaging a wide range of actors from a diversity of sectors, ongoing inter-agency collaboration and sustained support from the donor community will be essential to ensuring that each solution is truly durable.

Local integration

While the 1972 Burundian refugees have been largely self-reliant for decades and have been de facto locally integrated in the Old Settlements, the government has said that those who are naturalised will be expected to relocate within Tanzania in order to prevent both the encroachment of the Old Settlements on conservation areas and the creation of an isolated or differentiated group within Tanzania. It remains unclear, however, how they will ensure that they all actually relocate from where their livelihoods, families and communities have been based for over 30 years.

Plans are still being developed to set out where the newly naturalised citizens will be relocated, under what timelines and – given the fact that farmers make up the vast majority of this population – whether or not they will have access to land.

Successful integration into communities in Tanzania will require support for social services, particularly health and education, in receiving communities. It will also require not only that UNHCR receive sufficient resources but also that development partners be willing to work to support these communities. The UN's 'Delivering as One' initiative in Tanzania has

been cited by both the government and UNHCR as an essential way to pursue joint programming.

Voluntary repatriation

Despite the fact that only 20% of the 1972 Burundian refugees in Tanzania elected to go home, their arrival after such an extended period of time is having a profound impact.

In July 2008, each person received a cash grant[4] to support their return and reintegration but, as they were largely self-reliant in Tanzania, it was agreed that food assistance would not be provided. At the same time, this population has a slightly larger baggage allowance for return, which has enabled them to bring food and non-food items from the Old Settlements.

The sustainability of their return is one of the most pressing issues facing the operation. Many have returned to find their land occupied after their long absence and the secondary occupants have accrued certain legal rights. Or they have elected to return to Burundi but

do not know where their family originally came from after several generations abroad. Restitution of land and property is complicated by the fact that many lack sufficient documentation to demonstrate their legal title to the land.

The Arusha Peace and Reconciliation Agreement for Burundi recognised the political dimension of land issues and called for respect of principles that encourage the return of refugees and the recovery of land or compensation.[5] While the Peacebuilding Commission has acknowledged the importance of resolving land disputes for sustainable peace, the National Commission on Land and other Possessions, established to resolve land disputes, has had insufficient capacity to respond to the extensive and complex land and property issues facing Burundi in this post-conflict period.

For landless returnees, the Government of Burundi, in partnership with the international community, has begun to implement its 'villagisation' policy, which aims

to establish Peace Villages. The government has acknowledged, however, that it had been so preoccupied with finding a physical place for people to resettle that it did not fully assess access to basic services in and around these new village sites. Further partnership with the international community and effective planning to ensure both access to land and basic services will be essential.

Resettlement

Resettlement has played an important role in efforts to resolve the protracted refugee situation in Tanzania. First, it has been and continues to be used as a protection tool for individuals with legal and physical protection problems. Second, it has been used in a strategic manner to complement voluntary return and local integration in the context of the 1972 caseload. To this end, group processing was pursued for the resettlement of these individuals from the 1972 caseload currently residing in Tanzania's refugee camps. Four important criteria define this group: they fled Burundi in 1972; they have been displaced more than

Burundi: seven years of refugee return   Andreas Kirchhof

Before UNHCR started its facilitated return programme in spring 2002 Burundi ranked second (after Afghanistan) in UNHCR's global 'country of origin' statistics, despite its small size. With the return of half a million refugees and the majority of the country's 375,000 internally displaced persons since then, the war-ravaged country of some eight million people has had to reintegrate about 10% of its population. Refugee return has taken place mostly to rural areas in border provinces, in a context of widespread poverty, lack of basic infrastructure and scarcity of land. To gain better information on the situation of returned refugees, UNHCR set up a country-wide returnee monitoring scheme. This, and a number of assessments organised with partners, generated the following conclusions.

Firstly, the great majority of returnees do not face protection problems specific to their status as returnees, and discrimination against them hardly occurs. They usually return to their hills (collines), where they are supported by their family, clan or other community members. With regards to socio-economic reintegration, the situation of returnees who have access to agricultural land and who returned several years ago is the same as that of the resident population.

Secondly, some observers have questioned the sustainability of return due to the dire socio-economic prospects in key return communes. In the main communes of return, the population has increased by an estimated 50% since 2002. In the longer term, support in these regions needs to target the communities at large and not returnees in particular.

Thirdly, land tenure conflicts involving returnees are on the rise, particularly since UNHCR began to facilitate in 2008 the return of former refugees from 1972 from Tanzania's 'Old Settlements'. By early July 2009 some 41,000 refugees from the 1972 caseload had returned. Even though this is less than 10% of the total number of returnees, their arrival has attracted significant attention from humanitarian actors. The Government of Burundi, UNHCR and other agencies have responded to the rise in land disputes by increasing support for land conflict mediation, resulting in solutions such as land sharing. While these combined efforts have already resolved thousands of cases, the land issue remains a risk factor in terms of successful reintegration and peaceful cohabitation particularly in southern Burundi. Its resolution is all the more pressing in the run-up to the national elections in 2010.

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1. See http://tinyurl.com/OCHAGLFeb2002.

once; most have spent almost all their lives in exile, and many were born in exile; they do not have the option of local integration and are either unable or unwilling to return home. However, it has created a pull factor for individuals from the 1993 Burundian caseload in Tanzania's refugee camps who could not understand why they were not eligible for resettlement as well. While the difference in profile and needs may seem obvious from the outside, the two groups are integrated in the same refugee camps in north-western Tanzania and many face the same challenges in this protracted situation.

Conclusion

The efforts currently underway to resolve the protracted refugee situation in this region are impressive and demonstrate a number of innovative components. Involvement of the refugees themselves through census and registration has ensured that return is truly voluntary. It is an inspiring example of a careful balance between responsibility sharing and state responsibility in support of voluntary repatriation, local integration and resettlement. Moreover, tools such as the Peacebuilding Fund and the UN's 'Delivering as One'

initiative have provided new opportunities for inter-agency and inter-sectoral collaboration.

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1. The Honourable Lawrence Mesha, Minister of Home Affairs, United Republic of Tanzania, Personal Interview, 9 October 2008.

2. ibid

3. see Box 'Burundi: seven years of refugee return', opposite.

4. 50,000 Burundian francs (roughly US$45)

5. http://www.issafrica.org/AF/profiles/Burundi/arusha. pdf

Refugees: asset or burden?

Patricia A Ongpin

Studying the impact that a refugee population has on its host country's economy is important when assessing and developing government refugee strategies, particularly in protracted refugee situations.

Between 1993 and 2000, Tanzania was host to almost 1.5 million refugees. Since the late 1990s, greater efforts have been made to repatriate refugees but even today there remain some 320,000 refugees and asylum seekers in Tanzania. Even with the presence of international agencies supporting the assistance efforts, such a high volume of refugees has inevitably had an impact on Tanzania's domestic economic situation. The government has publicly announced its displeasure with the stretching of resources caused by the refugee presence as well as with the threats that they are thought to pose to domestic stability.[1] However, some counter these claims by outlining benefits that otherwise would not have occurred were it not for the presence of refugees. It is important to understand both claims and to use such knowledge to ensure that refugee policies support national economic growth.

Economic effects

The Tanzanian government attests that the refugee population it hosts has become a burden to the nation's development by exacerbating, if not creating, a scarcity of resources. They assert that the quality of national programmes such as welfare and the national poverty reduction strategy

has been compromised by the reallocation of funds from government resources to refugee programmes. It is also argued that the sharing of common goods and infrastructure has strained not only resources but also relations between refugees and citizens who find themselves competing for those goods. This is most often seen in the use of grazing land, water sources and transport routes.

Contrary to the government's position, some researchers have claimed that the activity ensuing from the refugee population has stimulated the national economy. International organisations are said to have increased national financial capacity by providing funds to refugee projects as well as injecting much needed revenue via the tax and customs payments made for the aid and supplies brought into the country. Additionally, they have also invested in significant amounts of infrastructure development to enable efficient operations on the ground, thus further strengthening the sevices and infrastructure that are available to locals as well as refugees.[2]

Debate on this topic is further stimulated by the effect that refugees have shown on the labour sector and the pricing market. Refugees have

provided a supply of cheap labour which can crowd out their Tanzanian counterparts from the employment market.[3] Yet this has had a positive effect on opportunities for capacity building in communities, with a larger supply of workers for labour-intensive industries such as mining and agriculture.[4] Such a dichotomous effect is also evident in the prices of goods and services. The arrival of the refugees and the ensuing international relief agency workers caused an increase in the prices of staple foods and real estate, thus reducing the purchasing power of both refugees and locals. However, even with the rise in prices, the quality of social welfare also rose, thus allowing a relative improvement in the standard of living.[5]

A balance sheet

Despite the limited quantifiable evidence available and the difficulty in determining exact costs and benefits of the refugees' presence, it is possible to understand their relative impact through the use of a balance sheet. By summarising the evidence for benefits and costs, then weighing the arguments against each other, a positive or negative score on the economic impact can be hypothesised. Using this approach, a balance sheet emerges suggesting that the refugee population in Tanzania creates a negative economic effect on domestic security as well as access to food and shelter, a positive effect on government finances and business,

and a neutral effect on labour, common resources and infrastructure.[6]

Although the balance sheet's overall score suggests that the refugees do not affect the Tanzanian economy, the importance of such an assessment is not the definitive measurement but rather the understanding that refugees influence specific aspects of the economy in different ways. In light of the vigorous movements towards repatriating refugees and the closure of the refugee camps, the assessment above has serious implications for current refugee strategies and programmes.

If the presence of refugees is negatively related to the economy, then the strategies in place may indeed address one of the causes of Tanzania's current development difficulties. However, if the underlying assumptions and assessments of the national strategies are wrong and refugees are in fact able to provide positive effects on the national economy, then the methods and speed at which refugees are being repatriated need to be addressed. Moreover, the causal relationship of the refugees on the economy may also influence the social programmes that would be necessary to mitigate societal shocks occurring within the local communities most affected by refugees and their relief agencies.

Policy recommendations

In evaluating its repatriation programme and developing further refugee policies, the Government of Tanzania should consider the following four recommendations:

■ **Greater monitoring efforts must be made** in order to document and understand the effects that refugees have on Tanzania's economy. Although it may be too late to assess the influx's impact, the economic changes that occur during the removal of refugees and the closing of the camps can signal the extent to which the refugees were integrated as well as the economic role that they played in the local communities.

■ **Stronger and more holistic refugee policies must be created** in partnership with the countries of origin to ensure that repatriation and any other refugee migration is to the betterment of the refugees, the governments and the local communities where refugees live. Benefits offered to repatriating refugees should reflect their social and economic requirements upon return to the country of origin.

■ **Regions in Tanzania that host refugee camps and significant populations of refugees must be supported.** Regardless of a negative or positive impact on the local area, the removal of refugees will cause changes in the dynamics of the area, especially in infrastructure and markets.

■ **A return to Nyerere's Open Door Policy may mitigate any future negative impact** of refugees on Tanzania. Testimonials and studies of refugees who integrated into Tanzanian society of their own accord have not raised the same economic concern as those placed into refugee camps. Therefore, a policy that would permit some refugee integration, as was the case prior to the 1990s, may ease the dynamics between locals and refugees in addition to promoting positive societal contributions from the refugees.

As Tanzania continues with its efforts to close refugee camps and reduce the refugee population within its borders, its government must consider the ramifications of its actions and policies given that the role of the refugees on the economy is not fully understood. If these actions are based on faulty premises and misinformation, the current strategies may be harming the economy rather than ensuring its stability. It is the thorough consideration of possible negative and positive influences that allows effective decision making for country policies and the future of its economy.

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1. Rutinwa, B (2003) *The Impact of the Presence of Refugees in Northwestern Tanzania.* The Centre for Study of Forced Migration, University of Dar Es Salaam http://www.grandslacs.net/doc/3765.pdf

2. Whitaker, B E (2002) 'Refugees in Western Tanzania: The Distribution of Burdens and Benefits Among Local Hosts' *Journal of Refugee Studies*,15 (4).

3. Rutinwa, B (2003) op cit

4. Jacobsen, K (2002) 'Can refugees benefit the state? Refugee resources and African statebuilding' *Journal of Modern African Studies* ,40 (4), 577-596.

5. Alix-Garcia, J (2007) 'The Effect of Refugee Inflows on Host Country Populations: Evidence from Tanzania', Working Paper Series: University of Montana Department of Economics http://papers.ssrn.com/sol3/papers.cfm?abstract_id=836147

6. For a fuller discussion, see P Ongpin 'Refugees in Tanzania – Asset or Burden?' in *Journal of Development and Social Transformation* http://tinyurl.com/OngpinTanzania

Refugee resources: Sri Lankan Tamils in India

Indira P Ravindran

A Sri Lankan refugee community provides spontaneous and sustained assistance to its Indian host community in their hour of need.

The 2004 Indian Ocean tsunami caused devastation in the southern Indian state of Tamil Nadu, with over 6,000 people and thousands of livestock dead, and hundreds of acres of cultivable land wiped out. Moved by the plight of their hosts – and motivated by gratitude for years of asylum – a Sri Lankan Tamil refugee group known as the Organization for Eelam Refugee Rehabilitation (OfERR) mobilised its staff and volunteers to assist with relief and recovery in the battered coastal communities.

Sri Lankan Tamils, who arrived in Tamil Nadu in several phases, are among the oldest refugee groups in the world. Many of them began their exodus after the 1983 pogroms that killed over 3,000 Tamils in

Colombo and elsewhere; subsequent batches of refugees have fled violent attacks by the government or the LTTE. Tamil Nadu is also home to stateless Indian-origin Tamils who were disenfranchised by the 1948 Ceylon Citizenship Act.

Intended as a resource for refugees run by refugees, OfERR[1] was established in 1984 by a prominent Sri Lankan human rights lawyer. Today it has an established presence in each of the 117 refugee camps across Tamil Nadu, running counselling services and programmes on leadership development, gender empowerment,

OfERR staff with Indian volunteers outside a community centre in Nagapatinam district.

disaster management, first-aid training, and legal and human rights awareness, among others.

Unable to assist with relief work in their original homeland after the tsunami hit, they wanted to help the affected Indian communities. The Tamil Nadu state government was initially hesitant to accept the services of refugees, who were already struggling with resource shortages themselves. OfERR leaders explained that the refugees deserved a chance to express their gratitude at this critical moment to the communities of Tamil Nadu which had provided asylum and hosted them for over two decades. They were motivated by the concept of *senchottukadan* – long celebrated in Tamil literature and tradition – which can be roughly translated as 'debt of

gratitude'. This struck a chord with the host government, and OfERR was granted access to the relief process.

In this way, refugee men and women became invaluable resource persons, empowering their host communities and themselves in the process. Former asylum seekers now assisted those displaced by the floods, and the tsunami survivors in turn acquired lessons in leadership from refugees and passed them on to others struggling on the path to recovery. Five years on, only a handful of NGOs remains working with those affected by the tsunami, and in some villages OfERR is the only NGO with a continued presence. OfERR volunteers are greeted with affection and respect in these tsunami recovery areas, and this interaction has enabled people in the host community to overcome any apprehensions towards 'refugees' or 'foreigners'.

Initially, OfERR had dispatched medical and public health units to the tsunami shelters. Simultaneously, counselling services were begun for individuals and small groups. After assessing long-term needs and gaps in relief, the organisation took a conscious decision to implement models of the refugee camp programmes in the tsunami-affected villages.

Over the intervening years OfERR has also taken on more material

services, such as the building of one-room community centres.

OfERR's non-material services – such as rights awareness, gender training, and counselling – will have a deep impact over the long term. Counselling was a specialisation the refugees had developed in order to cope with life in camps. During the first few weeks after the tsunami, OfERR counsellors visited practically every family living in the shelters, and then continued the process with them as they moved into permanent housing.

OfERR consciously chose to work within marginalised areas and to engage with historically marginalised communities such as Dalits and members of indigenous tribes such as the Irulas. Its approach emphasises building better relations between parts of the government and the public. It has made it a priority to educate the villages it serves on the full range of government services available to them. The refugees have thus assumed the rather unusual position of serving as an information conduit between the host government and the local population.

OfERR's institutional journey is significant for the obvious reason that it highlights the tremendous potential held by refugees as individuals and as a community. No doubt, the unique combination of political circumstances and social access that currently exists in Tamil Nadu may be unavailable to refugees in other parts of the world. Judging by the impact the refugees have had in India's post-tsunami reconstruction – particularly their successful 'camp-to-village' transfer of programmes – they should be able to play a crucial role in post-conflict Sri Lanka. The refugees continue to view their stay in India as temporary, and they aspire for a permanent and honourable return to Sri Lanka, and for the ability to participate as full citizens in the rebuilding of their war-torn country.

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1. www.oferr.org

Displacement shock and recovery in Cyprus

Peter Loizos

Long-term study of displaced Cypriots suggests that most have transcended the shock of displacement.

In 1974, following nearly twenty years of intermittent violence between Greek and Turkish Cypriot nationalist militias and an attempted coup d'état by Greek Cypriot extremists, Turkey invaded Cyprus and occupied the northern 37% of the island. 170,000 Greek Cypriots left their homes in the north while 50,000 Turkish Cypriots left homes in the south and went to the north. Both communities moved because they feared further violence.

The events of 1974 were a major social and psychological shock to the 1,400 Greek Cypriots living in Argaki village in the now Turkish-controlled part of Cyprus. Displaced to Greek-controlled areas, they were temporarily disoriented and destitute – but political stability, effective state emergency planning, rapid economic growth and their own flexible, innovative recovery efforts allowed them to transcend this shock. Thirty years later, they remain marked by it but most of them believe they have effectively transcended the 'severe life event' of displacement.

My long-term study of Argaki villagers started in 1968 when it was a prosperous community of intensive farmers. Subsequent periods of study were at the time of displacement in 1974, during the first 15 months of displacement in 1975, and then again between 2000 and 2004.[1]

A controlled comparison with the nearest non-displaced village, comparing the cohort of men and women born between 1930 and 1940, suggested no increased mortality among the displaced but higher rates of reported depressive illness, and nearly twice as much reported cardio-vascular illness. The particular cohort was selected because they were aged 34-44 in 1974, and thus certain to have young dependent children and to be facing the possible burdens of care for ageing parents and grandparents. The wider comparative implications of the health findings are that in situations where shocks are multiple and continuous, rather than a single severe life event, and/or where there is either 'state failure' or no effective state to meet the needs of the displaced, health outcomes are likely to be very much worse.

My findings suggest that men and women were equally affected, though in different ways, and that the critical issue was not gender but 'life course' factors – age at displacement and number of dependents. Children appeared to be the least damaged by displacement. The elderly were confused by it but less distressed than their descendants because, in Cypriot cultural terms, they had already discharged their obligations to their descendants and were not expected to make massive new economic efforts. The Cypriot state has had old-age pensions in place since before 1974, and that was an important protective factor.

In the first 15 months of displacement, many Argaki families moved four, five or six times, initially experiencing extreme overcrowding but slowly finding temporary housing which was less crowded. They settled in more than 25 sites in the major towns and villages in the government-controlled area of South Cyprus, where roughly one in every four resident Greek Cypriots was a displaced person. As Turkish Cypriots were leaving the Greek-controlled zone due to their own well-founded security fears, the incoming Greeks sometimes found empty Turkish-Cypriot housing and land – but many other people lived in garages and sheds for up to four years.

The Greek Cypriot government (recognised internationally as the Government of Cyprus) implemented a series of Emergency Plans to meet the challenges thrown up by the displacement and by the

'Generations' and cohorts

Although much writing on refugees and IDPs refers to first, second or third 'generations' this is often done casually, assuming the reader knows what is implied. My work suggests greater analytic clarity and specificity are needed.[2] If 'generation' means parents and their children, any normal population of displaced people will contain, for example, parents of 75 with children in their fifties, parents of 50 with children of 25, and parents of 25 with children under 5. Reflection suggests that the way in which displacement impacts a 75-year-old, a 50-year-old and a 25-year-old is likely to be sociologically and psychologically different. Those who are 75 years old have lifetimes behind them, and have normally discharged their obligations to their children, whereas a 25-year-old parent has a major task of provision ahead.

If the common sense of 'generation' meaning a 30-year period is implied instead, this still leaves unclear just how much a five-year-old IDP has in common with a 35-year-old mother of four children, beyond the simple fact of displacement. Even if 'generation' is used loosely to divide a population into 30-year age groups these long periods contain people with vastly different social obligations.

For these reasons, I favour using the demographer's concept of a cohort, defined here by being born within a specified period of years, to examine the health issues of displaced people. Epidemiologists also favour cohort analysis, as more specific than the fuzzy notion of 'generation'.

loss of agricultural land, housing and industrial capacity. Displaced farmers were offered relief from pre-war debts plus unsecured loans to continue in agriculture. Displaced civil servants were employed but on reduced salaries. Businessmen had to repay any pre-war debts but small-scale artisans and businesses were offered re-start loans. The state viewed those who had been displaced as a development resource endowed with human capital, rather than an economic burden, and re-employed them in a number of infrastructure projects – roads, airports and, significantly, refugee re-housing. The displaced Greek Cypriots responded energetically and within three years unemployment was greatly reduced.

Argaki refugees and employment

Some Argaki farmers managed to take machinery – tractors, trailers, cultivator rigs – with them when they fled, which allowed them to cultivate land in the south. Some found abandoned Turkish land; some rented land owned by Greeks; some obtained permission to farm government-owned land. Truck and bulldozer drivers were easily re-employed if they had brought the machines out of the war zone, and if they had not, they still had their skills to sell. Flexibility was a key coping strategy. Farmers switched from long-term tree crops to short-term vegetables, making innovative use of plastic sheeting to make 'green-houses' to capture seasonal markets; or moved into intensive live-stock rearing, which needs little land and can be started with modest capital.

Professionals such as doctors and lawyers sought or continued employment. Some have been highly successful, while others have more modest incomes in government service. Some teachers enterprisingly set up private education establishments, working a second shift at the end of their state-paid day job.

Those who needed wages but lacked specialist skills or capital looked in several directions. A number of Argaki women, some of whom who had never taken paid work before, have worked for many years in home-based activities (lace-making, cooked food production) or in

light industry, packing fruit and vegetables. Others have worked in the tourist sector as domestics. Men have worked as chefs, barmen and drivers. More educated and younger men have worked as salesmen.

Many Argaki people started a business of one kind or another – taverns, restaurants, coffee-shops, a car rental firm, or a bakery. Some combine a modest white-collar job with something else at home, such as part-time tailoring. One farming family bought a house plot in Nicosia and later sold it for a handsome profit, which they re-invested in growing flowers. One young college teacher invested in a college ably managed by his wife's cousin and has seen the investment flourish.

Factors mitigating dispersal

Argaki had been a village where four out every five marriages were between Argaki-born people. People knew their village as a highly inter-related site of dense, rich sociality, although of course conflict and social competition also featured. When people fled the village, their flights were unplanned, uncoordinated. The individual three-generation household was the key unit of flight and re-settlement, and thus married siblings sometimes ended up in different communities, although they sometimes deliberately regrouped close to each other. This dispersal was felt strongly but, over the years, changes in economy and technology helped to mitigate the severity of the social losses. Pre-war, for example, only a handful of families had had a telephone but gradually most families acquired one. The motor car had a similar history – from luxury possession to a standard item in most households. These two developments facilitated social contact with dispersed kin and friends. Thirdly, as the Argaki peoples' lives became less uncertain, less hand-to-mouth and more economically stable, they were able to meet each other at village weddings and funerals. Lastly, there were several areas

with concentrated populations of former Argaki villagers, creating mini versions of the village.

Although official rhetoric from political leaders and school teachers

Peter Loizos

Argaki couple with their baby, 1975.

has sought to make school-age children in Cyprus since 1974 take a militant stance over the recovery of the 'lost lands', fine-grained research with individuals suggests that those who were of primary-school age in 1974 distinguish clearly between what their parents suffered by displacement and their own experiences. They have made their friends, found work and made homes in the south of Cyprus, and their attitude to 'return' is not like that of their parents. Those displaced as adults have shown a greater emotional involvement with the past. Those displaced as very young children or born after 1974 to IDP parents are much more future-oriented. While they share their parents' sense of grievance, and they talk a 'human rights' language which keeps compensation claims alive, they show no signs of trauma.

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1. 1 See Loizos P (2008) *Iron in the Soul: Displacement, Livelihood and Health in Cyprus*. Berghahn Books. http://www.berghahnbooks.com/title.php?rowtag=LoizosIron

2. See *Iron in the Soul* for a fuller discussion.

Local integration for refugees in Serbia

Miloš Teržan and Dejan Kladarin

By paying particular attention to the promotion of livelihoods and self-reliance, UNHCR hopes to be able to phase out the long-standing assistance programme.

The situation of Bosnian and Croatian refugees in Serbia was one of five identified for support when UNHCR launched a Special Initiative on Protracted Refugee Situations in 2008. In December 2008 a high-level meeting took place in Geneva between the High Commissioner and a Serbian delegation, where both parties agreed to make a last effort towards ensuring that the remaining refugees in Serbia would find a durable solution, through either return or local integration, so that within a two-year period this particular situation would finally be resolved.

Thirteen years have passed since the end of hostilities in the western Balkans but there are still some 361,000 IDPs and around 100,000 refugees in Serbia, Croatia, Bosnia and Herzegovina, and Montenegro, of whom around 96,000 are in Serbia alone. Some 140,000 refugees have returned from Serbia to their countries of origin over the past decade, while around 50,000 people were resettled to third countries. The majority of refugees in Serbia, however, decided to integrate locally.

Local integration of refugees in Serbia is a process that has lasted for more than a decade. Serbia allowed naturalisation of refugees in 1997. Citizenship legislation was amended several times after that and the current legal framework is very liberal. However, naturalisation is only one component. Local integration is also an economic process in which refugees should grow less dependent on state assistance and become self-reliant. Finally, it is a social and cultural process, enabling refugees to contribute to the social life of the country of asylum.

"This is not the same as normal life. Everything is very difficult. You lose your house, you lose your property, the children grow up and leave you – it's awful." Vinka Kolundzija, a Croatian Serb who became a refugee in Serbia 13 years ago.

Serbia's National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons (2002) and Poverty Reduction Strategy Paper (2003) set out clear guidelines and provide a solid foundation for progress in the integration of refugees in Serbia. The National Strategy focuses on promoting repatriation to Croatia and Bosnia and Herzegovina, as well as return of IDPs to Kosovo, and promoting local integration by addressing the issues of housing (including the closure of collective centres), facilitating opportunities for employment and dealing with the legal and property aspects of both local integration and repatriation.

Housing

UNHCR in Serbia has developed a number of programmes for local integration of refugees, mainly in the sectors of housing and employment. More than US$100 million has been invested in integration projects, of which $30 million is for housing projects alone. During the nineties, the public housing system established during socialist times was intentionally destroyed by the regime. UNHCR, as the only international organisation operating in Serbia at the time, therefore aimed its first housing projects at meeting the needs of both the most vulnerable among the population of its concern (people in collective centres) and those in private accommodation, who would be able to manage their own housing if they had some support.

In Serbia, over 90% of the housing stock is now privately owned. Unfortunately, private ownership of housing continues to be elusive for the majority of refugees. A December 2008 survey by the Serbian Commissioner for Refugees indicated that only 29.5% of refugees in the Republic of Serbia owned their own housing. The largest percentage live in rented apartments and houses (41.75%), paying a large proportion of their monthly income in rent. Another 19.75% live with family or friends. The remaining collective centres accommodate 1.5%, social welfare institutions and other forms

of social housing 6%, and 1.5% live in other forms of accommodation.

Mass construction of individual houses and apartment buildings for refugees was undertaken in the period 1996-2004. Several new housing concepts were introduced in accordance with the strategic documents published by the government which increased the interest of the international community in providing assistance. Building on UNHCR's experience and models, the European Commission implemented a series of projects through its CARDS programme[1] between 2004 and 2007. During the same period, UN-HABITAT implemented an innovative housing programme funded by the Italian government, supporting the capacity of several municipal housing agencies at the local level.

At the same time, in the absence of a national housing policy, UNHCR continued exploring possibilities for new housing models. The result has been the Social Housing in Supportive Environment model, which relies heavily on local resources and includes the purchase of village houses for the rural caseload and micro-loans for housing. This experience has shown what can be achieved with the cooperation and coordination of all international stakeholders (humanitarian or development), both local and central government, and civil society – and, most importantly, with the involvement of refugees in the process of design and decision-making.

These programmes and initiatives have generated slow but steady improvement in this sector. Compared with the time of the refugee registration carried out in 2004-05, there is an increase in property ownership and a reduction in the numbers of those staying with family or friends. Interestingly, the number of vulnerable refugees in social welfare institutions and social housing has grown, mostly due to large housing projects by the European Agency for Reconstruction, UN-HABITAT, UNHCR and others which also

brought down the percentage of refugees in collective centres.

Employment

However, local integration of refugees and their socio-economic cohesion within society are a very long and

"I don't think about our future anymore. Anything I planned in life is impossible. I feel trapped – there is no way out in this situation." Miljo Miljic, a Bosnian refugee living in Ripanj, Serbia.

complex process. Changing refugees into Serbian citizens and providing housing solutions are not enough. Employment and a steady source of income are key prerequisites for a dignified life. One of the main constraints that the Government of Serbia is facing in its search for local integration solutions for refugees is the vulnerability of the economy, which is still in transition, aggravated by the current global economic crisis. The key indicator of refugee vulnerability is the high unemployment rate. Compared to the host population's unemployment rate of some 20%, the unemployment rate among the refugee population is nearly 33%. Almost 66% of refugees accommodated in collective centres are not employed.

Due to the high unemployment rate in Serbia many refugees face difficulties in finding jobs locally or in starting their own income-generating activities because they do not have appropriate skills. UNHCR has organised a Vocational Training programme directly targeting the

poorest and socially most vulnerable refugees. For those with a greater entrepreneurial spirit UNHCR has established a Micro Loan Revolving fund, managed by two independent local micro-finance institutions, which are running successful micro-credit activities for refugees and IDPs from Kosovo from a portfolio of approximately $5 million.

Human rights

The search for durable solutions for refugees must be undertaken within the human rights context. UNHCR follows a rights-based approach, believing that refugees can more easily become self-reliant if they have full access to their human rights. Therefore, re-acquisition of rights in the countries of origin is essential not only for repatriation but also for local integration. This process was successful in Bosnia and Herzegovina, where the legal framework allowed for the full restitution of property rights. It is reflected in the number of remaining refugees in Serbia, where only some 10% of refugees from Bosnia and Herzegovina registered in 1996 still hold that status. In the same time, the situation in Croatia is much less favourable for refugees, and that is one of the main reasons why there are still some 70,000 registered Croatian refugees in Serbia.

Conclusion

The success of housing and employment programmes, as well as the access to rights in their countries of origin, is vital to the integration that is, in turn, the best hope for resolving the fate of the long-standing refugee population in Serbia. Now that protracted refugee situations have found a prominent place on the international humanitarian agenda we hope that this opportunity will not be missed and that the refugee saga in Serbia will finally have its happy ending, serving as a good example for similar protracted refugee situations elsewhere in the world.

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1. http://tiny.cc/EC_CARDS

Displacement, decentralisation and reparation in post-conflict Peru

Gavin David White

More effective planning and investment are needed in Peru in order to meet the needs of the country's long-term IDPs and to foster sustainable economic development.

Since the end of its internal conflict in 2000, Peru has integrated humanitarian statutes into national law and, through regional decentralisation, has tried to tackle the pervasive levels of poverty that sparked the Maoist insurgency in 1980. In spite of this progress, there has to date been little concerted effort made to assist those who suffered most during the conflict and who remain the most marginalised – the long-term internally displaced. Effective planning through the reparations process can not only restore justice but also have tangible benefits that contribute to the nation's development.

Over 600,000 people were displaced within Peru during the 1980s and 1990s as a result of armed conflict between the government, self-defence groups and insurgent forces of the Shining Path and the Tupac Amaru Resistance Movement, while 69,000 people were killed or disappeared. The conflict emerged as a campaign for greater land reform and broader social and economic rights, in response to one of the most unequal systems of land distribution in Latin America, extreme poverty and social exclusion. This initial cause developed into an oppressive Maoist movement that resulted in widespread human rights violations. The government remained slow to comprehend the full extent of the conflict during the 1980s. Once the full force of the conflict was felt in the capital in the early 90s, decisive action by the Fujimori government successfully countered the insurgency threat. This was achieved, however, through a system of peasant mobilisation and martial law that resulted in widespread human rights violations on a par with the atrocities committed by insurgency forces.

In the years that have followed, the government has striven to deal positively with the past. In 2004 it introduced a new law on internal displacement which incorporated international humanitarian and human rights standards into domestic legal structures through the framework of the Guiding Principles on Internal Displacement. The law clarifies the rights of those who have been forced to flee their homes by armed conflict or other causes, formalising state acceptance of responsibility for the prevention of displacement and for the protection and assistance of those who are displaced – clear progress towards preventing new injustices in the future.

The final report of the Truth and Reconciliation Commission (TRC) of 2003 recommended compensation programmes for both individuals and communities in areas of mental and physical health, education, economic support and the provision of identification documents, regardless of the resulting financial implications. However, despite this broad acceptance that the internally displaced remain a group with particular needs, their continued displacement is evidence of a failure to implement processes to achieve durable solutions.

Challenges to progress

The reparation process has effectively stalled. Despite successful registration of IDPs by IDP associations, the National Reparation Council has been marred by lack of coordination, training for enumerators and IDP participation. In spite of its international obligations to do so, the state has not completed the collation of individual testimonies that would pave the way for individual monetary compensation based on specific rights violations. A major obstacle to

this is the insistence that individuals produce documentation that proves where they were originally displaced from. IDPs are invariably unable to produce such documentation, having fled under duress, usually only with sufficient time to collect rudimentary possessions. Government insistence that every individual within an IDP association complete individual registration for compensation before collective compensation can begin has resulted in the majority of associations being effectively blocked from receiving collective assistance.

Individual registration is inherently difficult, especially as the identity card system has only recently been extended nationwide in Peru. The most feasible and worthwhile approach is to focus upon collective reparations to IDP organisations in the form of sustainable livelihood programmes that have tangible development benefits, operated through the Ministry for Women and Social Development (MIMDES), the government department ultimately responsible for finding a durable solution. There must be a clear distinction between programmes that provide basic social services – that are national development priorities – and reparations programmes that target the specific needs of IDPs and uphold a notion of justice and compensation for victims. Offers of new schools and health-care centres to IDP associations by the authorities reflect a lack of understanding of the key issues of displacement and normal government responsibilities.

On the outskirts of Lima, the capital city, the urban slums of Villa El Salvador and San Juan de Lurigancho are home to some 200,000 IDPs. Although the majority of them came to Lima over 15 years ago, there is an enduring problem of integration, a consequence of social, political, economic and cultural exclusion. They live in the same makeshift shacks that were constructed upon their arrival. Most only have access to

trucked water which costs seven times more than tap water. The majority of IDPs arrived with knowledge of the agricultural sector that is not transferable to the arid coastal region; as a consequence, they work on average more than 14 hours a day in informal street trade and temporary work to make ends meet. Their ability to develop better livelihood strategies is severely hindered by the fact that, of the population now living in Lima, 25% only speak Quechua rather than the national language, Spanish, 42% are illiterate and 35% have only completed primary-level education.

When considering the protective structures of the Guiding Principles pertaining to resettlement and reintegration and actual implementation, the gap is all too apparent. Assistance should include access to financial resources, credit and adequate income-generating projects, especially for women. The absence of post- conflict interventions in Peru mirrors the scant attention given globally to durable solutions for the long-term displaced – and illustrates the consequences of funding shortfalls for effectively linking humanitarian relief and development interventions. While many IDPs worldwide reside in countries high on the radar of the humanitarian community, many more reside within less-noticed nations where the displacement-inducing conflict has ended yet where there are still significant protection needs and lack of choice of durable solutions.

Durable solutions

How do we bridge the gap between what is provided for by law and what is realistically achievable through assistance programmes? An important first step is to evaluate how durable solutions and justice initiatives can be interwoven with national development priorities. Extending the reach and effectiveness of the state through decentralisation has been the principle development focus in Peru. The growth of the Maoist insurgency in the 1980s keenly illustrated the government's relative weakness beyond its power base in Lima. Consequently it has sought to increase the presence of government institutions and bodies in the interior, particularly in the isolated northern jungle and Andean regions. As a result

the state has made some progress in increasing school enrolment to cover 97% of the population while access to improved water sources has increased to 83% from 74% in 1990 at the height of the conflict.

The process has not been without its problems. Constructing and improving the effectiveness of local institutions inevitably requires capacity-building programmes – through village associations, for example – to improve accountability, engage communities in the democratic process and strengthen notions of national identity. This policy has backfired, however, as insufficient attention has been given to improving economic opportunities, accountability and the quality of social services. The response has been greater support for the Bolivarian Revolutionary Movement as a more attractive option for change. This is particularly the case within the higher Andean regions, bordering Bolivia, leading the international donor community in Peru to halt its engagement with the process, pending a reappraisal and evaluation of cooperation policy. In addition, with Peru's recent transition to middle-income country status, national authorities will become increasingly responsible for driving forward this process independently.

What remains clear is that providing livelihood opportunities at a regional level is fundamental to the decentralisation process and national development. The absence of opportunities in the interior has caused a steady flow of economic migrants to urban centres over recent decades, along with those who were forcibly relocated. While 61% of the population lived in urban areas in 1975, this figure rose to 72% by 2004, placing an immense burden on weak public and social support structures. However, there will be no reverse migration without improved economic opportunities and further improvements in the quality of the education system in rural areas.

Here the Peruvian government has a unique opportunity to fulfil its commitments to the nation's IDP population, while furthering national development priorities. An essential aspect of regional economic development is access to

the national marketplace of Lima, the absence of which has traditionally hindered access to higher earnings and essential reinvestment. However, viable networks already exist among the IDP populations themselves. Family and community networks have remained strong in the years since displacement. The numerous displaced people's associations provide an immediate focal point for the development of cooperatives or small businesses that can share skills and benefit from the comparative advantages of different locations.

Although there has been the perception that the internally displaced in Peru are simply waiting for reparations payouts, the realities in Lima's slums point to the contrary. Yes, they have suffered greatly but they are also full of creativity and ideas for small business development that are realistically achievable and that offer durable solutions to displacement and benefits to wider economic growth. Sample projects have included the production and importation of citrus products for the manufacture of fruit juices that are currently unavailable in the capital, the manufacture of household cleaning products using natural derivatives from the interior, and vocational skills training to provide young people with professional skills marketable in the capital. Such initiatives are invaluable starting points that the national authorities can support and extend. Importantly, such structures can benefit both rural and urban IDP communities, contributing towards both slum regeneration and rural economic development and, by association, contributing towards the increased economic activity amongst the poor that fosters further economic development and encourages reverse economic migration.

Capital is required to meet initial set-up costs. The lack of tradable collateral assets for small business loans can be offset through collective lending, where each individual holds collective responsibility. Here the state could kick-start the process, honouring its commitment to the displaced in the form of collective reparations that would drive small business development. Development actors and donors should step forward and support the

government in pursuing this policy agenda. Through honouring such commitments, the state would build important bridges between itself and the social class that will ultimately define the future of the nation. While some bridges may be symbolic in terms of national identity and shared collective vision, others are tangible, including adherence to the rule of law and the integration of the tax system.

Rather than being placed on the margins of political priority as simply a restorative justice process, the need for durable solutions to displacement should be seen as an opportunity to foster sustainable economic development. Considering the enduring plight of Peru's internally displaced since their flight some 15 or 20 years ago, they are a people that deserve just such an opportunity.

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Peacebuilding in displacement

Tammi Sharpe and Silvio Cordova

Despite their knowledge and experience, and their vested interest in resolving conflicts in their countries, refugees are not yet being fully engaged as peace advocates.

Opportunities to tap the potential contribution of refugees as key stakeholders in peace processes include:

- developing participatory mechanisms to ensure the inclusion of civil society in peace talks

- honing mediation skills to channel refugees' knowledge and interests into peace talks

- strengthening capacities to enable refugees to contribute more effectively to the social and economic recovery of their country.

Calls for the involvement of refugees in peace processes have been clearly made in recent years. Goal 5 of UNHCR's Agenda for Protection – 'Redoubling the search for durable solutions'[1] – specifically encourages states "to facilitate the participation of refugees, including women, in peace and reconciliation processes to ensure that such agreements duly recognise the right to return and contemplate measures to encourage repatriation, reintegration and reconciliation."

Peace talks

Engaging refugees in peace talks can strengthen the peacebuilding process in two key ways. First, refugees can contribute to the development of peace agreements that more comprehensively address the causes and consequences of conflicts. Second, they can assist in implementing agreements. Yet their inclusion is far from being an established norm of peace making.

Admittedly, broadened participation, unless carefully designed, can render negotiations extremely challenging, if not unworkable. Civil society groups may be politicised and fragmented and the range of issues they put on the table can also become difficult to manage. Nonetheless, these concerns

An episode of a UNHCR-produced soap opera promoting tolerance in Côte d'Ivoire won the Audience Award at the 7th Abidjan FICA film festival (Festival international du court métrage d'Abidjan) in the short features category. Directed by young Rwandan refugee Joseph Mouganga.

Le Matin d'Abidjan/N Lucie

can be addressed and, in the process, prospects for peace can be increased.

For example, Burundian refugees, with the support of UNHCR in identifying representatives and facilitating travel, participated in the Arusha Peace Process consultations through two mechanisms which channelled refugees' interests into the official talks through a presentation to a formal committee dealing with refugee issues, set up as part of the negotiations, and through participation in a UNIFEM-sponsored conference that provided female delegates at the official talks with a list of recommendations.

Issues tabled by refugees, and ultimately reflected in the peace agreement, included the recovery of land and property, and measures to guarantee the voluntary and safe return and reintegration of refugees into Burundian society.

Liberian civil society, after years of substantial lobbying, formally participated in the 2003 peace negotiations with backing from grassroots organisations which included refugees. Their participation supported the inclusion of members of civil society in the transitional government, counterbalancing the

representation of the fighting factions, and also contributed to provisions concerning transitional justice such as the establishment of a Truth and Reconciliation Commission.

Such engagement can provide momentum for ongoing involvement by civil society in support of peacebuilding. Indeed, critical steps have been taken in this direction in both countries. In Burundi, civil society has been active in the activities of the Peace Building Commission and in Liberia a group of Liberian civil society actors drafted the legislation for the Truth and Reconciliation Commission, in essence leading the process.

Conversely, overlooking refugees' interests can be extremely detrimental to peace processes. Since the failure of the Darfur Peace Agreement (DPA)[2], when displaced populations were neither officially represented at the negotiating table nor consulted, current negotiations have recognised the need for inclusive talks. Refugees in Chad have already been consulted and have shared their concerns on issues related to security, assessment of root causes, compensation demands and native administration.

There is also a real risk that neglected and protracted situations, where refugees have little or no scope to contribute to efforts to resolve their plight, may provide fertile ground for those who would seek to persuade refugees to take up arms. Tackling the recruitment of adults and children by armed groups is a common challenge in refugee settlements.

Peacebuilding in exile

Some 98% of refugees in sub-Saharan Africa – which hosts approximately a quarter of the world's refugees – spend more than five years in exile. This time can be used to foster knowledge, attitudes and skills critical to future peacebuilding. The lack of opportunities to keep up education and skills during protracted displacement can be very disempowering. Formal education and vocational training programmes can be critical in ensuring that the home country has a future educated generation, particularly when refugees spend decades in exile. The involvement too of refugees in designing and delivering humanitarian assistance programmes helps to hone community organisational skills.

When refugees return home, these skills can help them also in supporting reconciliation processes.

Joseph Mouganga fled Rwanda in 1994 to Côte d'Ivoire. On winning the FICA Audience Award, he said: "I am a refugee and refugees have won this prize through me. When refugees win such a prize, it means that we are loved by the host population. I want to pay tribute to them."

In Lumbala N'Guimbo, a community in Angola divided for decades by war, a women's association helped to rebuild community relationships by enabling those returning from exile abroad and from internal displacement to share the sewing, literacy and craft skills they had developed while displaced. In addition, former refugee women were able to draw upon the management experience they had gained in women's groups to help them run the association.

Weaknesses within the social fabric of a displaced community can compound over long periods of displacement. Addressing them can bring significant benefits both in countries of asylum and after return. Such situations can be approached in a variety of ways. One of these is through the Peace Education Programme (PEP)[3] developed by UNHCR and the Interagency Network for Education in Emergencies which fosters critical conflict mediation skills based on the idea that everyone is responsible for peace. PEP consists of training modules for inclusion in formal education programmes, as well as community projects targeting adults and out-of-school youths. Graduates of the programme have spearheaded a number of peace activities that have promoted peace, minimised conflicts within and between communities, and empowered women. One Liberian returnee graduate is currently facilitating peace education training as part of a community empowerment project in the main areas of Liberia where people have been returning after many years away.

A refugee soap opera provides an example of the skills of refugees and the use of media to promote tolerance. In 2003 UNHCR and some refugees launched a campaign in response to growing tensions in Côte d'Ivoire. Twelve episodes of the soap opera, 'Résidence Akwaba', directed by a Rwandan refugee, depicted the realities of daily life, including joys and challenges in the interactions between refugees and the local population.

Recommendations

Constructive use of time spent in prolonged exile means that the returning refugee population is better equipped to rebuild an economy, reconcile with former community members and mediate conflicts during what are likely to be fragile recovery and reintegration processes.

As the international community debates how to build sustainable peace, full recognition should be given to refugees as key stakeholders, who can and should play a determining role in peace. The UN Security Council should adopt a Resolution that will call for broader civil society engagement, including that of refugees. It is also important in these debates to define peacebuilding in an inclusive way which recognises peacebuilding beginning as soon as conflict surfaces.

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1. http://tinyurl.com/UNHCRAgProt

2. http://allafrica.com/peaceafrica/resources/view/00010926.pdf

3. http://www.ineeserver.org/page.asp?pid=1062

Importance of access to financial services

Sue Azaiez

When there is no clear end to displacement in sight, there is a great need to support both short- and long-term coping mechanisms which promote self-sufficiency.

Improved access to financial services may be an effective household coping strategy in situations where displacement has become protracted and where IDPs continue to suffer as a result of their marginalisation or where there is no imminent durable solution available – especially when combined with other basic services to support self-reliance.

Some IDPs in protracted displacement may be in camp settings or settlements, while others live dispersed in urban environments. Some may be legally permitted to work and provide for their families, attaining what may be perceived as a level of local integration, while others may be unable to work for a variety of reasons. The Internal Displacement Monitoring Centre (IDMC)[1] estimated that 11.3 million IDPs were living without any significant humanitarian assistance from their governments in 2007. And while each situation must be examined individually, there are many characteristics that are prevalent among IDPs and which, over time, exacerbate their instability and suffering:

- lack of access to livelihoods opportunities: this results from discrimination, lack of legal documents, geographical isolation or other reasons.

- loss of assets: many IDPs have few or no assets, while those who do generally see their assets depleted over time.

- exclusion from formal financial systems: the displaced, like many of the poor in the developing world, often have to rely on informal mechanisms such as moneylenders, group savings schemes, storing assets in insecure environments, or money carriers to meet their financial needs.

These informal mechanisms may be expensive and/or risky.

Financial services

It is important to recognise that microfinance is no longer limited to credit services. Loans are not always appropriate assistance mechanisms for the very poor as indebting the destitute only worsens their situation. Microfinance has evolved into an effort to 'bank the unbanked', to bring those outside the formal financial sector into it by offering them specific services and products which serve their needs. Evidence shows that the poor benefit from access not only to micro-enterprise loans but also to a wide range of financial services, such as micro-loans, micro-savings, remittance and other money transfer services, and other specialised products such as micro-insurance or housing micro-finance loans.[2]

Particularly because IDPs in protracted situations are often fairly settled in their host environment, and because they do not face the immediate prospect of returning or resettling elsewhere, this population is especially suited to strategies which seek to increase economic self-sufficiency as a means to reduce vulnerability. Financial services can therefore be very appropriate. In addition, governments may throw up significant challenges to the provision of financial services to IDPs, based on the misconception that providing assistance means IDPs will never return. Promoting self-sufficiency may in fact facilitate return when the time comes, because IDPs will be better prepared economically for the transition. The focus should therefore be on protecting the rights of the displaced pending a solution which may later support their ability to return, recognising, however, that in some cases return may never be a viable option.

Financial services alone cannot stabilise a situation but when combined with other income generation or livelihoods programmes or when IDPs have some type of stable income, then the promotion of savings, the facilitation of cash transfers (remittance mechanisms), and access to appropriate credit and insurance products may be significant contributors to reduced risk and vulnerability for the protracted internally displaced.

Remittances and money transfer services: Many poor people in developing countries rely on remittances from family members who send funds through a number of channels. The displaced, like other migrants, both send and receive remittances, often relying on them for daily subsistence needs, health care, housing and education. Facilitating remittance transfer services through formal channels often means reduced fees and more secure delivery. Those without access to banks have to use alternative transfer services or informal money carriers who take a significant cut to deliver the funds; informal transfer mechanisms can also mean a risk of loss of the funds. Formal transfer services can also be used as a means to provide secure cash transfers from government or other relief programmes directly to beneficiaries.

Savings and deposit services: Many people who do not use formal banking services take risks by storing their family's assets in material goods or in insecure environments, such as by purchasing livestock or storing cash in the home. In addition to reducing the risks inherent in these insecure methods, offering savings and deposit services to the poor can help them to build assets, increase economic stability and, over time, build wealth: "Poor people can save and want to save, and when they do not save it is because of lack of opportunity rather than lack of capacity. During their lives

Bhutanese refugee women in Timai camp, eastern Nepal, participate in a microcredit scheme, which offers loans to start small businesses.

UNHCR/J Pagonis

there are many occasions when they need sums of cash greater than they have to hand, and the only reliable way of getting hold of such sums is by finding some way to build them up from their savings."[3] Appropriate financial services for the poor, including protracted IDPs, should therefore promote savings as a means to build wealth and to make these lump sums available when needed in a safe, convenient, flexible and affordable way.

Micro-insurance: Poor IDPs and poor people generally are at greater risk than other groups and economic shocks affect them much more profoundly. They need insurance products which are low-cost and targeted to their needs. This may include life insurance or guarantees on micro-loans to protect them in case they cannot repay a loan, property insurance to protect the few assets they may have, or other specialised insurance products that reduce their vulnerability. Affordable mechanisms such as micro-insurance may enable them to weather economic and other life-cycle shocks and may help increase stability in the long run.

Micro-credit loans: While often touted as the solution to poverty, micro-credit should be offered judiciously and only to those with a real ability to re-pay their loans.

While it is generally accepted that micro-credit loans may not be effective for displaced populations, this may be less true in cases of protracted displacement than in new displacement situations. This is because micro-credit programmes rely on populations who are not mobile and who are able to re-pay their loans. However, in cases of protracted displacement there may be those who over time have been able to gain some steady income and who do not plan to move in the foreseeable future. For people in situations of protracted displacement, micro-credit may be appropriate for those with a long history of income generation already, as is shown in UNRWA's experience with micro-credit and Palestinian refugees.[4] Micro-credit can also be very effective with populations who have graduated from grant assistance to loans with complementary technical assistance.

Recommendations

Access to financial services, when combined with other assistance and protection programmes, can have a significant impact on the economic stability and self-reliance that is needed so desperately among protracted IDP populations. It is necessary, however, to look beyond micro-credit and define the range of potentially appropriate financial services for protracted IDPs. This

will allow donors, policymakers, governments, NGOs and other actors to better assess their needs and to tailor programmes to them. It is important to assess a household's remittance flows, cash and asset management, income, risks, spending needs, borrowing needs, repayment capacity and whatever formal or informal financial services are currently available to them.

With regards to micro-credit, there are several important principles learned from the micro-finance industry that must be upheld to ensure it is appropriate for this population. These include the need to:

■ ensure protection for the borrower (especially with vulnerable populations like IDPs)

■ maintain the integrity of the institution as a lending organisation and not as a charity, and separate the provision of relief aid from the provision of micro-finance as there will always be a natural conflict between these two objectives[5]

■ maintain a high-quality portfolio, applying market interest rates and ensuring that micro-finance institutions become profitable

■ include the vulnerable host population in any programmes for IDPs; as well as reducing tensions between the displaced and their neighbours this can also help develop the critical mass needed to make a microfinance operation profitable.

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1. http://www.internal-displacement.org

2. CGAP Key Principles of Microfinance http://www. cgap.org/p/site/c/template.rc/1.9.2747

3. Rutherford, Stuart (1999) 'The Poor and Their Money: An essay about Financial Services for Poor People' http:// www.uncdf.org/mfdl/readings/PoorMoney.pdf

4. See http://www.un.org/unrwa/programmes/mmp/ overview.html

5. Bartsch, Dominik. 'Micro-finance and refugees', FMR 20 http://www.fmreview.org/FMRpdfs/FMR20/FMR2005. pdf

Hope and opportunities for young people

Jenny Perlman Robinson and Shogufa Alpar

Displaced youth urgently need education and training in marketable skills so that they can be participants and leaders in the rebuilding of their communities.

While in theory displacement is meant to be short term, in reality that is rarely the case and millions of young people around the world are growing up in the confines of refugee camps and urban shanty towns, having never known any other way of life. For older children and young adults growing up in protracted conflicts, the challenges are acute. Displaced young people face all the complexities and uncertainties of any adolescent but with very few opportunities to gain the knowledge, skills and experiences required for a healthy transition to adulthood. With few options and prospects for the future, young people are vulnerable to recruitment into armed groups, one of the few viable options for employment, or they may resort to dangerous jobs, criminal activity and drug and alcohol abuse. Girls are also particularly vulnerable to sexual abuse and exploitation.[1]

According to research by the Women's Refugee Commission in various conflict-affected countries, young people overwhelmingly cite the lack of good education as one of their top concerns. They link the absence of education closely to poverty, unemployment and lack of basic necessities, such as food, clothing, shelter and health care.[2]

What's needed?

Creative interventions are required, such as second-chance educational programmes that allow young people to enter or re-enter school, and accelerated learning programmes that allow them to complete the normal six-year primary school curriculum in two to three years. However, young people also need vocational skills and job training programmes that are market-driven and lead to sustainable employment opportunities. They need life skills education – training in communication skills, financial literacy, HIV/AIDS awareness, leadership development and conflict mediation. The youth programmes that appear to be the most effective combine employment readiness, basic education and life skills.[3]

Whereas adults may have a wealth of life experience to draw upon when making livelihood choices, young people are ill-prepared to make these decisions without assistance. The vocational training needs of young people are different from those of adults and need to include not just occupation-specific skills but also a set of business, academic and life skills. No less important than the training itself are the follow-up mechanisms to monitor the progress of participants and offer support where needed.

Education and job-readiness programmes should also take into account the different needs, experiences and constraints facing young women and men. In many countries, young women do not have equal access to education and skills-building programmes. Conflict and displacement create new and increased risks and responsibilities for young women; they may have less time than boys to participate in classes due to household chores and responsibilities, and security concerns about travel may also prevent their attendance. Additional barriers for girls include traditional beliefs that favour sending boys rather than girls to school or training programmes, as well as early marriage. A lack of female teachers and single-sex classes can also limit their participation. Education and livelihood programmes must therefore work closely with the local community to identify barriers to young women's participation and design programmes that overcome these, such as by providing childcare, distance learning opportunities and flexible attendance options.

Young people do not want training for the sake of training; they want market-driven skills development programmes. Young people interviewed by the Women's Refugee Commission in northern Uganda spoke of their expectations of vocational training. For one young woman, the main goal was self-employment: "I thought I would make money out of the training and then go and help my children with school fees."

One 23-year-old talked about training he had attended: "During the course of the training, we were told we could make money. So my thought was confirmed about making money. That maybe I would have start-up tools or capital to continue the skill – but there was nothing." It is critical that training objectives are clearly stated so that participants' expectations are not falsely raised.

Northern Uganda

In many ways, young people in northern Uganda have been the group most deeply affected by the brutal conflict between the Lord's Resistance Army (LRA) and the Government of Uganda. In the past 20 years, hundreds of thousands of young people have seen their communities attacked and destroyed, have lost parents and relatives to violence and disease, been separated from their families and displaced from their homes.

The vast majority of young women and men have missed out on opportunities to go to school because of extreme poverty, insecurity, abduction, poor health and household responsibilities. Many youth who lost their parents are responsible for caring for younger siblings and are unable to continue their studies. Young women and men who were abducted and missed school while in captivity are often unable to re-enter

the school system. Few second-chance or 'catch-up' programmes were in evidence in our May 2007 assessment to support youth who wished to re-enter the formal education system.

The other concern most widely voiced by youth was the lack of opportunities to earn a safe and dignified income to support themselves and their families. Exploitation and abuse, poor health and hygiene, and lack of food are all a direct result of this. Girls may engage in sex for money, gifts or employment while boys under the age of 18 are susceptible to recruitment by the Uganda People's Defence Force, as it provides one of the few opportunities to earn some money. Many young people with whom the Women's Refugee Commission spoke called for more vocational training and income-generation projects.

When training programmes are available, many do not appear to result in increased income as there is not sufficient market analysis to identify what vocational training is appropriate in camps, towns and areas of return. While community members are routinely consulted to identify specific programme activities, without adequate analysis the programmes tend to be the same, one-size-fits-all model. Meanwhile, few programmes facilitate the transition from training to paid employment. Without interventions that lead to future opportunities, these young people will have little recourse but to survive through all available means, even if it means placing themselves at risk.

Afghanistan

As thousands of refugees are returning to Afghanistan, the focus is largely on future employment opportunities. An International Rescue Committee (IRC) programme provides training to both young men and women calibrated to the needs of the labour market and is using technology to connect young people to jobs. Afghan youth are trained in Pakistan based on market assessments conducted in Afghanistan; once they have completed their training their information is entered into a database that is accessible to potential employers in Afghanistan. This approach connects refugee youth with meaningful employment opportunities once they return, so they can quickly reintegrate and support themselves and contribute to their families and the reconstruction and development of their home country.

Recommendations

If they are to earn income for their families, support community development and contribute to peace building and post-conflict community rebuilding, young people in protracted displacement contexts need greater opportunities for good quality, relevant education and skills development that are linked to safe, legal and dignified work. This requires the following:

■ **Provide a comprehensive package of services** that includes basic education, 'catch-up' classes and transferable vocational skills that would be useful while displaced as well as once they return home or are resettled in a third country. Distance-learning opportunities via computers, mobile phones and radio may be appropriate for displaced communities. The private sector should be included in curriculum development and incentives provided for businesses to increase apprenticeships for youth. Programmes should not reinforce gender stereotypes but rather work with elders and the community to provide young women with greater opportunities.

■ **Support market assessments and research into viable job opportunities** in camps, countries of resettlement and home countries. Emphasis should be on vocations and skills that are transferable, such as financial literacy, computer skills and language skills. While in the camps, young people could be trained in the production of goods that are currently provided by relief agencies (such as charcoal, soap and sanitary materials), which they can then produce and sell.

■ **Expand displaced youths' access to the labour market.** In protracted refugee contexts, the UN, donors and international NGOs should encourage host governments to allow refugees to work. Any system must include protective mechanisms to ensure that displaced youth are not exploited or put in greater danger. Young people should also have access to materials and credit to start small businesses.

■ **Promote self-assessment** in all youth vocational training programmes. Young people should be given the tools to think
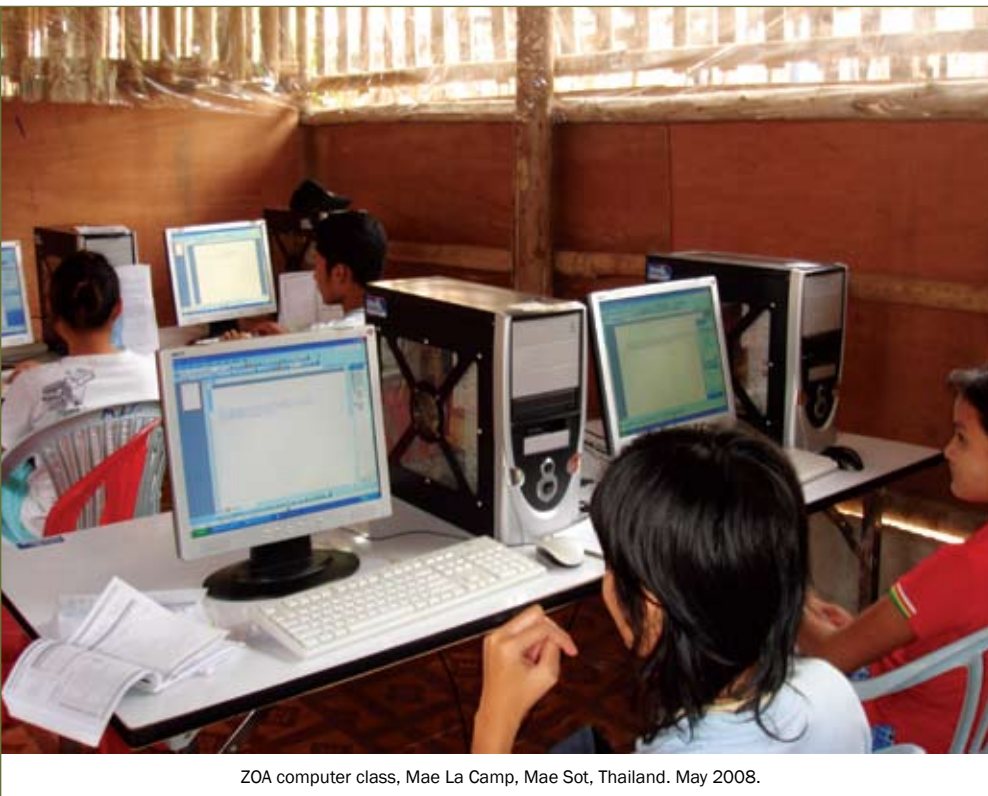
ZOA computer class, Mae La Camp, Mae Sot, Thailand. May 2008.

possible job opportunities that best match their skills and needs. In every camp or urban settlement, one central location should be established where information is available on courses and job opportunities.

Youth is a stage of life marked by uncertainty, change and challenge. It is also a time of enormous potential, enthusiasm and energy, when young people make choices based on available opportunities to plan for their transition to adulthood. There is an urgent need to enhance the opportunities available to displaced young people so they can make better choices, ultimately allowing them to fulfill their potential and go on to live strong, healthy, prosperous lives.

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The Women's Refugee Commission/Columbia University Market Assessment Toolkit for Vocational Training Providers and Youth *includes a series of tools to help young people become active participants in determining which vocation best matches their skills and needs. Available at http://www. womenscommission.org/ pdf/ug_ysl_toolkit.pdf*

See also the Women's Refugee Commission's May 2009 report Building Livelihoods: A Field Manual for Practitioners in Humanitarian Settings *online at http://tinyurl.com/WRCLivMan09*

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IRC training programme, Kitgum IDP camp, northern Uganda.

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Sudanese refugee youth 'gangs' in Cairo

Themba Lewis

Belonging to a gang is a rejection of given notions of refugee life in Cairo as well as an alternative outlet for expression.

Youth violence emerged from Cairo's Sudanese refugee community in 2005 in the form of self-declared gangs, which reshaped existing concepts of social systems and challenged refugee advocates and assistance providers. In the years since, some service providers have limited or tailored access, authorities have increased their maltreatment of and scepticism towards refugee youth, and relations between refugees and Egyptian society have become increasingly strained.

The behaviour of Cairo's Sudanese youth gangs should be understood as coming out of a network of relationships and social structures that support the gangs' members – rather than wholly through

visible negative consequences such as violence and the potential for a backlash against migrant communities. Those who call themselves 'gang' members offer a new way of understanding collective representation amongst Sudanese in Cairo and, however potentially misguided, an alternative, refugee-generated means of ensuring protection and assistance for those unable or no longer willing to rely on UNHCR or the Egyptian government.

Between 1994 and 2005, more than half of the recognised Sudanese refugees in Egypt were resettled to other countries and UNHCR Cairo became one of the largest resettlement operations in the world.

This is no longer the case, and many Sudanese who had hoped to leave Cairo have instead had to stay. In Egypt, however, reservations placed on the 1951 Convention and domestic law effectively cripple refugees' ability to create local livelihoods to support themselves. Egypt does not fulfil the requirements of local integration as identified by UNHCR for its massive urban refugee and asylum-seeker population.

A dramatic demonstration organised by Sudanese refugees in late 2005, which boasted participation in the thousands and aimed to address a documented list of grievances, was dispersed with significant force and loss of life at the hands of Egyptian police. The horrendous outcome has had a direct impact on the collective psychosocial state of the southern Sudanese refugee population and

has been a critical component in the rise of violent youth groups.

Reinterpreting social order and reaffirming status

The gangs initially emerged to serve strictly social purposes, establishing networks of youth who, in cooperation, could afford to throw parties and plan social events. Gang youth in Cairo – who are predominantly but not exclusively male – adopt fashion trends, dance moves and symbolic gestures such as hand signs to conspicuously identify with cultural imagery of successful, strong, young, black males who embody (and rap about) experiences of poverty, disrespect and solidarity in resistance to forces devised to divide, oppress and subjugate them. Specifically, overt dedication to and identification with Western hip-hop culture, fashion and artists also represent a visible manifestation of rejection of the Egyptian and Sudanese cultural systems with which displaced Sudanese youth are expected to identify.

Rooted in the inability of a community to realise common goals and solve chronic problems, the development of gangs is a creative process that allows for deviance from established hierarchies – in express opposition to, and a direct result of, impotent systems.

In protracted situations younger generations may mature without being able to fulfil meaningful social roles, gender-based responsibilities, and inter-generational relationships, while organisations such as UNHCR may assume the role of 'provider', potentially undermining pre-established systems of social authority. These circumstances "have a particular impact on adolescent refugee males … who are unable to assume traditional male roles after puberty, and who have little prospect of establishing a sustainable livelihood."[1]

As refugees and asylum seekers in Cairo endure year after year, many lose faith in the ability of institutions to affect their circumstances positively. As various efforts to change this have repeatedly failed, disenfranchisement has become entrenched and intractable. This may encourage the embrace of opposition as lifestyle. In a very real sense, gang membership in Cairo represents an assertion of control and pride in the face of circumstances of displacement that often suggest the opposite. Gangs provide an

Sudanese refugee youth party in Cairo.

alternative for the realisation of authority through new conceptions of strength and social order.

Gang affiliation also solidifies a sense of belonging to a much larger transnational community. Two of the Cairo groups have members in resettlement countries all over the world (as well as back in Sudan); the experience of migration itself globalises gangs. Further, by utilising the lingo, identifying signs and appearance of American rappers, young Sudanese in Cairo signify their belonging to larger foreign networks.

Violence

Violence, although directed by gang youth almost exclusively towards other gang youth, is a form of pro-active resistance to the powerlessness that permeates the lives of displaced Sudanese in Egypt. Violent conflict between gangs may serve as an avenue to subvert oppressive structures by allowing youth to demonstrate social influence through force and irreverence.

'Retaliatory' violence against Egyptians or UNHCR would be illogical as youth have limited involvement with, and even less confidence in, these forces and such action would make perpetrators extremely vulnerable at the hands of the state. Ironically, it is to some extent in the interest of gang-affiliated refugee youth to re-direct violence back into the Sudanese community for the sake of self- and community-preservation vis-à-vis the Egyptian state. Nevertheless, with rising levels of inter-gang violence, such groups threaten the security of a much larger proportion of the refugee population than themselves.

The Sudanese refugee community in Cairo is large and very diverse. Gang-affiliated youth comprise only a fragment of the whole, and certainly do not represent all young Sudanese in Cairo. But youth gangs challenge mainstream conceptions of the refugee experience in significant ways. Gangs dramatise a reassertion of control under circumstances in which other ways to achieve this may appear not to exist.

Clearly, violence from or within refugee communities is disturbing and puts lasting protection at significant risk. However, gang structures provide an opportunity for policymakers, advocates and academics alike to update concepts of refugee life, better understand the experience and the potential consequences of protracted circumstances, and recognise elements of that experience that are perhaps otherwise unseen.

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Activism among a new generation of Palestinian exiles

Maher Bitar

Despite their history of protracted and fragmented displacement, we should not mistake Palestinians for vulnerable, powerless and minor actors in their own tragedy.

In contrast to most situations of refugee flight, it is not individual persecution or country circumstances that are the cause of the Palestinians' protracted exile but rather the dissolution and disappearance of an internationally recognised political entity to which Palestinians belong. Despite this, in many ways the Palestinian experience of prolonged displacement has also been a persistent experiment in 'refugee participation', where refugees – as part of a displaced national collective – have for decades actively sought to overcome their disenfranchisement, challenge protection gaps, and have their interests included in political negotiations affecting their futures.

Yet now, more than 60 years after their parents and grandparents became stateless refugees, a new generation of Palestinians is coming of age in a very different political and cultural context and is facing daunting challenges.

Alongside the immediacy of Israeli military occupation and expansionism, and entrenched discrimination and marginalisation experienced in countries of exile, Palestinian youth have begun to mobilise politically in an effort to push back against intensifying pressures arising from three long-standing and exacerbating forces: firstly, the multi-generational dislocation they were born into; secondly, the global fragmentation of their community; and, thirdly, the political vacuum created by the slow disintegration of a Palestinian national movement with global reach.

Palestinians of my generation are coming to re-imagine their potential roles within the Palestinian body politic, both as refugees and as members of the Palestinian people. Emerging responses suggest a culturally and politically astute "reassumption of refugee consciousness"[1], woven into a more assertive Palestinian nationalism and a gradual shift away from activism based on 'solidarity' – a form of political engagement that effectively sectioned off Palestinians on the 'outside' from those on the 'inside'. Acutely aware of the corrosive effects that protracted displacement, geographic fragmentation and political marginalisation are having on their communities, young Palestinians have begun articulating the need for reformed institutions to step into the void left by the national movement. This has spurred a number of promising transnational political and cultural initiatives that are re-organising and reinvigorating local communities, while also seeking to re-establish links across Palestinian communities around the world.

In the world of art, author Ahdaf Soueif notes that "diaspora Palestinians are constantly activating links with home – and links between different bits of home – forming productive partnerships as part of a wider community of artists." This generation of Palestinian artists represents, according to Soueif, "a whole society in a state of cultural mobilisation, […] with people from every sector engaging in activities that they define as cultural and as affirming Palestinian identity and resistance."[2]

There has also been a surge of international political organising among young Palestinians – much of it encouraging but still uncoordinated, under-funded and searching to find its political moorings. For example, the Palestinian Youth Network (PYN)[3] has managed to connect Palestinian youth from every continent across geographic – and political – boundaries. At its core, PYN seeks to plug a fundamental gap: Palestinians of this generation do not have a vehicle to facilitate face-to-face contact. We simply do not know who else is out there and how each of us is responding to the myriad, distinct challenges facing our communities.

Moreover, by representing a diverse array of communities around the world and utilising the latest communication and political organisational tools to their advantage, PYN members embody an unintended, if not paradoxical, consequence of prolonged exile. They are searching for ways to transform their perceived weaknesses – their individual and communal dispossession, statelessness and fragmentation – into collective strengths. Global citizens by default, many are trying, through PYN or other channels, to capitalise on their diverse educational, cultural and political experiences in order to ensure that their voices and demands are heard in their countries of residence, on the world stage and, to varying degrees, among the remnants of what constitutes the Palestinian political leadership.

Political organising centred on achieving concrete national and human rights has become infused with an urgent sense that such activism must seek to preserve and reinvigorate a shared sense of Palestinian identity. Fragmentation and long-standing displacement have exacerbated generational, factional, religious and other divisions that must be transcended. Although an uphill struggle, it reflects what Sayigh aptly describes as a "refusal to be forgotten."

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Use of housing vouchers in Georgia

Andrew Golda

The use of Housing Purchase Vouchers offers IDPs durable housing and community integration, while allowing them an opportunity to choose their own homes and their own durable solution.

There are still hundreds of thousands of refugees and IDPs displaced by 'frozen conflicts' in Eastern Europe and the former Soviet Union. For more than ten years, return has been the most favoured solution, not only by those displaced but also by the host governments. In addition, because of economic development in the region, IDPs have had increasing pressure put on them to leave their temporary shelters by investors and governments who see the buildings they inhabit as an asset.

Prior to the August 2008 conflict in Georgia and its breakaway region of South Ossetia, Georgia had a displaced population of over 200,000 who had fled from the earlier conflicts in Abkhazia and South Ossetia. About half of this population lived in collective centres – public buildings that were partially or completely taken over by displaced families. The more recent conflict has added significantly to this population, increasing demands on buildings that were not designed for permanent habitation.

Housing Purchase Vouchers

From 2005 to 2007 an innovative approach[1], the Housing Purchase Voucher (HPV), was piloted in the Georgian city of Kutaisi. Based on a project that had worked in Armenia to provide housing to families left homeless by the 1988 earthquake, HPVs allowed 175 families who had been displaced by Georgia's internal conflicts in the early 1990s to purchase and have ownership of housing. This was a cost-effective way to assist IDPs' integration into the host community.

The HPVs were also used strategically to release back to the community important assets such as schools, hospitals and government buildings that had been occupied by the displaced families. By focusing on a specific neighbourhood, the approach offered opportunities for concentrated redevelopment.

HPVs are a guaranteed subsidy for IDPs to purchase housing. Vouchers differ from a cash payment in that they are only redeemable for housing. The amount of the subsidy was based on average house prices and adjusted by family size in order to allow IDPs to purchase housing appropriate to them in the same communities where their temporary shelters were located so that vouchers did not encourage moves to Tbilisi or other more developed cities. Unlike new construction or even the renovation of temporary living space, HPVs allow IDPs to choose housing that is no different than the host community's and removes the potential stigma of being an IDP.

How do HPVs work?

HPVs can work where there is an available housing stock in the host community's housing market. Use of existing housing stock, instead of new construction or rehabilitation, keeps costs down while providing families with some choice in type and location of housing.

In Georgia, IDPs staying in specific public buildings that were a) in poor physical condition, b) owned by the government and c) housed residents who were interested in participating in the programme were registered as eligible and were issued vouchers. This approach has the added benefit of clearing public buildings or open space for redevelopment, a key obstacle to local economic development in many of the post-conflict societies of the former Soviet Union. Other criteria, such as socio-economic status or type of housing that was lost in the conflict, could also be used with HPVs but in the Georgian context the benefits of freeing up public buildings provided an incentive for crucial government and community support.

IDP and community outreach activities proved important for the success of the programme. Outreach staff from local NGOs helped IDPs to collect documents, such as powers of attorney and housing registration, and to view available housing units. Efforts were made to build the trust of the host community in the programme and to collect information about housing units for sale. A project steering committee of central and local government was important in promoting the local visibility of the project.

IDP families that have been issued a voucher must register them with a participating financial institution whose role is to assist beneficiaries in the legal procedures of purchasing a house and to transfer the funds. At various stages in the programme, the documents are reviewed by an independent auditor to ensure the transparency of the transactions and to ensure that all documents are completed correctly, protecting IDPs' rights to the property that they are purchasing.

The final stage of the process is the official handing over by the IDPs of their temporary shelter to the relevant local authorities. The IDPs are entitled to receive, as cash, any difference between the cost of the housing and the amount of the subsidy, which encourages programme participants to look for the least expensive housing that meets their needs and discourages inflation of housing values. It was felt that if IDPs did not receive any benefit from 'shopping around' then purchases would tend to take place at exactly the amount of the subsidy.

HPVs will not be viable in all humanitarian emergencies. Based on the Georgian experience, the

following conditions are vital for the successful use of HPVs:

■ the political will to improve living conditions for the displaced: in a number of post-conflict situations, the poor living conditions of the displaced are used as a political card in negotiations on the settlement of the conflict.

■ an available supply of housing units: this ensures that IDPs' living conditions can be improved quickly instead of waiting for new construction to be completed.

■ private ownership of property: HPV programmes work based on the choice and flexibility offered by a functioning property market. Private ownership of housing is necessary for IDPs to have a secure improvement in living conditions through this approach.

■ operating and trustworthy banking institutions: in order for the programme procedures to work efficiently, beneficiaries and vendors must have at least a minimal amount of faith in and access to the local banking system.

Observations from Georgia

The HPV programme in Georgia surveyed participants to study the impact of the programme on their well-being after the end of the second year of the programme. Some of the key findings were:

Housing Purchase Vouchers did not make IDPs more economically vulnerable. Families that successfully purchased housing did not face worsening socio-economic conditions by participating in the programme. In addition, they said that they did not lose their status as IDPs or their access to state benefits by moving into purchased accommodation.

While there were a number of factors that prevented IDPs from successfully redeeming their vouchers, such as family composition, type of housing desired and type and location of employment, income (and by extension the amount of the subsidy) was the most significant difference between successful and unsuccessful families. With income being the largest factor in determining success in the programme, the vulnerability of those who were unsuccessful was a concern.

The programme did not disrupt IDP social networks. Over 70% of IDPs who resettled using HPVs stayed within their community, many within sight of their former collective centres.

IDPs saw HPVs as an opportunity to invest in their future. Throughout the course of the programme in Georgia there was an increase in housing prices in the market overall, putting pressure on the fixed-price subsidies of the HPVs.[2] Slightly fewer than half of the families in the programme reported adding their own resources to the subsidy and nearly two-thirds said that they invested additional money to renovate their housing after purchase, in stark contrast with the 18% of IDPs who said they had invested (smaller amounts of) money in renovating or maintaining their temporary residences in the collective centre over the course of twelve to fourteen years.

With the conflict in August 2008 again highlighting the plight of IDPs in Georgia, the use of Housing Purchase Vouchers, while not an ideal solution for every displaced family, provides a politically appealing solution to IDPs' housing needs at an efficient cost.

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2. HPVs of course do not need to be fixed price. However, for simplicity of administration during the pilot phase, the value of the Georgian vouchers was not adjusted.

Confidence-building measures in Western Sahara

Edward Benson

Despite the fact that a long-term solution to the extended displacement of Sahrawi refugees still seems far off, there is at least now an opportunity for some Sahrawi families to be briefly reunited.

As Spain was preparing to relinquish control and withdraw from Western Sahara, Morocco asserted its claim of sovereignty over the territory of the former Spanish colony. In response, the Polisario – a Sahrawi group that had been fighting the Spanish for the right to self-determination – turned its focus on the Moroccans and war ensued. As a result, thousands of Sahrawis fled in 1975 into the desert, where they still remain, scattered across five refugee camps located in a territory which the Algerian government has allowed the Polisario to control in the south-western part of the country, close to the Algerian town of Tindouf.

The political sensitivities involved in the Western Sahara question have so far prevented UNHCR from conducting a proper registration exercise. The host government, Algeria, estimates the number of refugees in the five camps near Tindouf at 158,000 persons.

In 1991, a ceasefire brokered by the UN saw the establishment of MINURSO – a peacekeeping mission tasked with monitoring the ceasefire and organising a referendum on the future of the territory. The ceasefire has remained and, though modest in numbers, MINURSO is now the longest serving UN peacekeeping mission in Africa, a longevity that is a reflection of the lack of progress in finding a political solution.

Confidence-building measures

It is against this background that UNHCR has implemented a Confidence Building Measures (CBM) programme, to address the humanitarian needs of the refugees and to "contribute to establishing a certain level of confidence among the parties concerned in the conflict in Western Sahara."[1] UNHCR initially proposed four CBM activities: visits between refugees in the camps near Tindouf and their family members in the Territory of Western Sahara; a telephone service in the camps, allowing refugees to call their relatives in Western Sahara at no cost; seminars to bring together separated Sahrawis to discuss topics of common interests of non-political character; and a mail service between Western Sahara and the refugee camps. As of now, UNHCR has only been able to implement the telephone service and family visits.

UNHCR began operating the telephone service in 2004 and there are currently four telephone centres for the refugees to use. The family visits allow family members who have been separated, the majority for at least a generation, to reconnect in person. Each week, family members living either in the camps near Tindouf or the Territory are transported between the two locations by UN plane and vehicles hundreds of miles across the Sahara Desert to visit their families. Should visiting family members wish to remain rather than return, they are free to do so; UNHCR follow the outcomes of such decisions, particularly if it involves the separation of minors from their parents. However, while over 8,000 Sahrawis, from both the Territory and the refugee camps, have participated in family visits since the start of the programme in 2004, to date only a very tiny minority has opted to remain rather than return.

The popularity of the visits with Sahrawi families is evident. In UNHCR's most recent registration exercise at the end of 2008, over 27,000 individuals recorded their intent to visit their families in Western

In the Territory of Western Sahara, in Smarra town, Mohammed Fathil greets his daughters El Ghalia and Aghbanama, plus five grandchildren he has never seen.

UNHCR/S Hopper

Sahara and the refugee camps in the months and years ahead. Many will have to wait years before their wish will materialise since demand far exceeds operational capacity.

Humanitarian impact

It is hard to overstate what these five-day visits mean to those lucky enough to benefit. For the first time in over thirty years, people have the chance to spend time with their mother, father, son, daughter, husband, wife, brother or sister. Naturally, the celebrations each time family members arrive to re-unite with their families either in Western Sahara or the refugee camps are something to behold. Hundreds may surround the cars as the beneficiaries pull up outside their host's residence, jostling with one another to be the first one to make physical contact with a member of their family whom they may have not seen for a generation or, for the younger ones, for the first time.

As ecstatic as the emotions can be at the start of the visit, the opposite is true when the five days have passed and the family members have to leave. Particularly for those returning to the isolated and land-locked desert refugee camps of southern Algeria, where temperatures are in excess of fifty degrees in the summer, sandstorms are regular, and they are dependent on humanitarian aid,

the reality of what they are returning to is brutal. One elderly woman as she was boarding the plane back to the refugee camps explained that in her water bottle she had seawater and pebbles from her visit to the Atlantic Ocean. Though she remembered as a child growing up next to the sea, having been in the refugee camps for over thirty years and seemingly with no solution to this situation in sight, she was unsure if she would ever see the sea again.

Negotiations and confidence

The CBM programme has not been easy for UNHCR to negotiate and deliver between the parties. The 65-point Plan of Action (POA) required several months of negotiation to gain the agreement of the Governments of Morocco and Algeria and the Polisario.

On building confidence, the issue is complex. Visits can allow beneficiaries to understand better what life is like for their relatives on the other side, including the role of the respective parties and UNHCR. This – depending upon their five-day experience – can contribute to general confidence.

Progress in confidence between the parties involved in the Western Sahara conflict is far harder to gauge. In a conflict of this duration, with entrenched levels of distrust and frustration, humanitarian actors should be realistic in terms of what might or might not be achievable, particularly in the short to medium term. However, if the programme is delivered transparently with all parties feeling they are being treated equitably, confidence can be built between the humanitarian actor and each of the conflicting parties, a significant and not easy step to make when tensions and suspicions run so high.

Partial progress

Since the original POA was agreed some years ago, experience has been gained and some operational momentum achieved. UNHCR has

access to the Sahrawi people in the refugee camps and in the Territory that no other international actor enjoys. CBM remains the only humanitarian activity that spans the camps and the Territory.

Despite little progress at the political negotiating table, in 2008 there was agreement among the parties to explore the establishment of family visits by land in addition to the existing programme by air.[2] If realised, there might be a chance for families to visit for longer than the five days and in far greater numbers. The symbolic act of travelling

overland, passing the heavily-mined 2,000km sand wall, know as the Berm, which separates Western Sahara from Polisario-held areas, could be symbolically important: a trip that they or their ancestors did some thirty years ago and an activity that would be replicated if there were ever to be large-scale returns of refugees in the event of a political solution. Long-term solutions aside, uniting families that have been long separated and with no obvious end to displacement in sight should, from a humanitarian perspective, be reason enough to sustain this important initiative for

one of the world's most protracted and forgotten refugee situations.

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1. UNHCR Western Sahara Operation, CBMs Plan of Action

2. Communiqué of the Personal Envoy of the Secretary-General for Western Sahara, Peter van Walsum, Meeting at Manhasset (Greentree Estate) 16-18 March 2008

Refugees and mobility

Giulia Scalettaris

The way that mobility is dealt with in respect of protracted refugee situations shows a gap between social practices and international policies.

Asylum and migration are currently considered as separate policy areas. Refugees are seen as lacking agency, mostly not doing but being done to; they are forcibly displaced and in need of protection. Migrants are seen as voluntarily migrating and

Exhausted survivors of smuggler-organised crossings of the Gulf of Aden wait for help on a beach in Yemen.

not in need of protection. While both regimes are based on states' borders, the regime addressing voluntary migrants centres on controlling and preventing migration between states, rather than on defining and protecting their rights. Within refugee policies, mobility is considered incompatible with solutions to displacement. In fact, all three durable solutions imply settlement, either in the country of origin

(repatriation), or in the neighbouring countries (local integration), or in a third country (resettlement).

However, mobility and transnational networks often constitute effective livelihood strategies. For instance, mobility patterns of Afghans and Somalis, both considered among the largest and protracted refugee populations, intensified following outbreaks of conflict. Both populations have extensive diasporas and have developed extended transnational networks with multidirectional and/or cyclical mobility patterns. From this viewpoint, mobility could be considered as a solution by itself.

Secondary movements are one of the key issues discussed in policy documents on protracted refugee situations (PRS). The notion refers to refugees moving independently from their first host country to a third country. PRS are seen as particular susceptible to secondary movements, which are prompted by the lack of durable solutions. In addition, secondary movements are seen as strictly of concern to the refugee regime – a matter of asylum rather than of migration policy areas.

The notion of secondary movements acknowledges that as a matter of fact

refugees do move outside the three solutions framework. It envisages a degree of agency, as movement is not aimed exclusively at searching for protection in a 'country of destination'. While refugees' trajectories are still seen as linear and as having a direction (secondary movements are often referred to as 'onward movements'), at the same time secondary movements are considered as an exceptional phenomenon, prompted by the protracted hopelessness peculiar to PRS.

Secondary movements as a problem

In UNHCR policy papers, secondary movements are presented as a problem to be addressed and as a phenomenon to be reduced and prevented. The main reason is that they are usually irregular. Irregular movements undermine "the right of States to control who can enter and remain in their territory"[1] and entail disorderly and unpredictable flows, both considered undesirable for states.

In Southern countries refugees have often no opportunities for legal mobility and this lack of legal opportunities diverts the flows to irregular channels, meaning that in many cases secondary movements are irregular almost by definition, as a result of existing policies. Therefore, in practice, preventing irregular secondary movements means preventing any movement.

The strategy of Northern countries aiming at containment of refugees regionally, ensuring orderly and limited arrivals exclusively through resettlement, reflects the very same attitude which secondary movements clearly undermine. Thus, refugees are not supposed to move again after finding a refuge from persecution or war. When they move, the exception to the migration regime restricting cross-border movements that has been made for them does not hold anymore; they are caught in the same mechanisms that control and prevent international migration. As UNHCR acknowledges, this has deplorable effects particularly in the case of persons who lack protection in their country of origin, as they risk being returned there.

According to UNHCR, a related consequence of secondary movements is the fostering of human smuggling and trafficking, seen as absolutely negative for refugees, because of the human rights violations they are exposed to. While smuggling and trafficking might indeed entail serious human rights violations, it should be recognised that existing policies, by preventing migration, encourage smuggling and trafficking which are often the only means available to individuals wanting to move.

UNHCR also sees secondary movements as "destabilising … structured international efforts to provide solutions to refugees"[2] – that is, refugees' mobility strategies perturb the refugee regime itself. Refugees are not supposed to search on their own for solutions other than the three proposed by the refugee regime – even though it is acknowledged that these solutions have reached an impasse. In order to apply the three solutions and assist refugees, clear responsibilities on defined territories have to be established, meaning that protection and assistance can be given only to people that 'stay'. Refugees are not supposed to move except when repatriating or being resettled.

Lack of protection is considered by UNHCR as the main cause of secondary movements. This calls into question the capacity of host countries to protect refugees. Within the debate on PRS, UNHCR affirms that livelihoods as well as personal security should be an integrated aspect of protection.

Absence of education and employment, or the failure of the state to protect from extreme poverty, are associated with protection in host countries, whereas a person leaving their own country for the same reasons would be considered as a voluntary migrant.

Considering the importance attributed by UNHCR to fostering refugees' self-reliance, it is paradoxical that mobility – one of the most widespread livelihood strategies, which in addition does not require any donor resources – is presented as a problem, and all the more so because the effectiveness of mobility as a livelihood strategy is indirectly recognised. The absence of self-reliance is listed among the main causes of secondary movements. Urban refugees who have escaped from camps are often presented as a positive example of refugees who have succeeded in achieving self-reliance; remittances sent by family members who have succeeded in moving to another part of the world are acknowledged to contribute to livelihoods in Somali camps in Kenya. How did Somali arrive in other parts of the world? Most probably, through the same irregular secondary movements that the refugee regime wants to prevent.

Instead of considering mobility as an asset to enhance self-reliance, the focus is rather on enhancing self-reliance to prevent mobility. In a world structured on the geopolitical order of sovereign nation states, the interests of the states take precedence over these considerations. However, international mobility and its effectiveness for people should cause us to reflect whether and how mobility could be enhanced as a livelihood strategy, rather than be considered as a problem.

RSD and migration

One has to be recognised as a refugee by the authorities of the refugee regime through refugee status determination (RSD) or, in exceptional cases, *prima facie* recognition, in order to be entitled to international protection. Through RSD, the theoretical distinction between refugee and voluntary migrant assumes concrete meaning in reality. But there are no universally accepted criteria and procedures so that falling into the refugee or the migrant category is to some degree therefore arbitrary.

Moreover, due the co-existence of international and national legal systems, legal status is not always clearly defined. For example, the one million documented Afghans in Iran are not strictly refugees according to Iranian law. Alongside them there are hundreds of thousands of undocumented Afghan commonly labelled as labour migrants who have no rights whatsoever.

More broadly, policy papers on PRS indicate lack of refugee identification as a cause of secondary movements: lack of documents provokes vulnerability and vulnerability induces onward movements. From a sedentary perspective it is important to carry out registration and identification as early as possible in the refugees' movement.

However early registration and identification may hinder mobility strategies. While it is accepted for persons in need of protection to leave their country illegally, as soon as they have been intercepted and recognised as refugees, they are not legitimated to move illegally anymore, although no opportunities for legal mobility are available. From this viewpoint, becoming visible to refugee authorities makes it impossible to reach other destinations legally, whatever the reasons: to apply for asylum in a country with higher standards of protection, to reach an attractive labour market, or to reunite with family. In fact, often individuals strive to postpone identification and remain invisible as long as possible, going so far as to destroy identification documents.

Migration and asylum are, as we see, intertwined, even though states and international stakeholders strive to keep the two policy areas separated. Most states are unwilling to foster multilateral discussions on migration in order to safeguard their rights to control immigration flows, and are disposed to make an exception only with regard to a specific category of migrants, notably refugees. The fact remains that the two areas are closely interconnected.

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1. http://tiny.cc/ConventionPlus
2. ibid

A regime at a loss?

Jean-François Durieux

"Protracted situations cannot and should not be allowed to fester."

So stated UN High Commissioner for Refugees António Guterres in closing the Dialogue on Protracted Refugee Situations (PRS) in 2008. The Dialogue itself focused on a number of existing PRS, in an effort to pull them out of neglect and to mobilise the international community towards their resolution. To bring long-standing refugee situations to a dignified and sustainable closure is a worthy and urgent undertaking. The more intriguing question remains, however: why do refugee situations fester in the first place? And its corollary: what can be done to prevent refugee situations from becoming protracted – i.e. to help them evolve fluidly towards an eventual resolution?

The contemporary refugee regime represents a formidable ambition, namely: to tackle and solve all manifestations of the refugee 'problem', regardless of where, when or how often these happen. The unpredictability inherent in this commitment is compounded by the polymorphism of the refugee 'problem', to the effect that, refugee crisis after refugee crisis, the regime must constantly reinvent itself around a rather incomplete set of 'universal' standards, few of which are binding or undisputed.

Between front-line states, potential burden-sharers (including resettlement countries) and – critically – the state of origin and other states able to influence its behaviour, every new refugee situation sets into motion a hesitant waltz around responsibilities, in which no-one dares take the first step, for fear that the partner(s) step back. This makes UNHCR's role as a mediator of solutions singularly complex, and often unrewarding, as the UN refugee agency is all too easily sacrificed by one or more parties as the ultimate scapegoat for their own lack of cooperation or determination.

In order to promote durable solutions, UNHCR has no choice but to build trust in the cooperative model it embodies. The only tool at its disposal in this endeavour is the much-touted 'comprehensive plan of action', a package of measures projecting a sense of equity in the attribution of states' responsibilities, supported by a mechanism for ongoing negotiation and arbitration.

Such an approach must be introduced early on in the developing crisis, lest uncooperative reflexes solidify and wishful thinking about solutions replace the will to act on them. Exhortations to this effect are in abundant supply: two recent Conclusions of UNHCR's Executive Committee recommend that "consultations should seek to develop, as early on in a crisis as possible, a comprehensive plan of action [...] that includes arrangements on a bilateral or multilateral basis to apportion burdens and responsibilities in response to specific mass influx situations"[1]; and, within this context, to "recognize the challenges involved with the timing and sequencing of solutions."[2]

That so many refugee situations have become protracted is a sure sign that an early focus on solutions is easier said than done, and indeed, the refugee regime as we know it has a serious problem with timing and sequencing generally.

The term 'protracted refugee situation' carries an important qualitative connotation: it is about the duration of life in exile but also, and more significantly, about the quality of such life, which is seen to deteriorate over time as solutions remain elusive. "The consequences of having so many human beings in a static state," notes UNHCR, "include wasted lives, squandered resources and increased threats to security."[3]

The image of the 'warehoused' refugee is symptomatic of a regime at a loss: it is as though there were no standards to be followed between "the emergency phase – where the focus is on life-saving protection and assistance" – and durable solutions, which in most cases "cannot [be] expect[ed] in the foreseeable future".[4] Furthermore, it denotes a worrying disconnect between reality and standards, for no human situation is ever static – rather it is the system that is unable to capture (and support) its inner dynamics.

The conceptualisation of refugee situations in terms of successive 'phases' is a problem in itself, as it entails rigidity where fluidity should be the keyword. Time is represented as a series of isolated 'moments', and regime norms, institutional mandates and types of intervention are supposed to phase in, then phase out, almost mechanically. In contrast, a dynamic conceptualisation of 'refugee time' will rely on the concept of transition, and the regime's ability to meet its dual objectives – protection and solutions – will depend on the way those ingredients of the regime dovetail.

Almost a decade ago, UNHCR staff member Arafat Jamal denounced the continuing use of 'minimum [emergency] standards' as benchmarks for UNHCR performance many years into an operation. He urged UNHCR to think in terms of essential needs rather than minimum standards, arguing that over time essential needs will grow "as refugee lives become increasingly intolerable".[5] Jamal claimed that this shift from minimum standards to essential needs would provide UNHCR with a "dynamic analytical tool" and that UNHCR must "both let go – give more responsibility to the community; and tighten the rein – develop a comprehensive plan".[6] Indeed, the protection and development of skills and resources within the refugee community enable a certain dynamism in programming. UNHCR and other humanitarian actors have by now espoused this approach quite firmly through self-reliance and livelihoods programmes. But perhaps Jamal's most luminous intuition was that "[e]nabling the development of human capacities entails essentially a time-elastic

human rights approach", seeing in this the rights-enhancing potential of self-reliance as a modality of dignity and freedom – the ownership of rights as resources being squarely located in refugees and their community.

On the other hand, rights are of little avail if they are not mirrored by (state) obligations. International law allows for a gradual evolution of the basic duty to admit refugees into a more complete set of solution-oriented obligations, which are no less real for being shared with the international community at large. The clearest indication of the significance of the passing of time for the realisation of refugee rights is in Article 17 of the 1951 Refugee Convention, which provides that restrictions on wage-earning employment must disappear after three years' residence in the country. Elsewhere, the gradual realisation is rather implicit in the conditioning of rights on the nature of the refugee's attachment to the host state. Nowadays, however, the Convention, and indeed the whole body of refugee law, must be read in the light of general human rights law, and an incremental enhancement of rights is the norm – known as progressive realisation – under the International Covenant on Economic, Social and Cultural Rights. The concept of progressive realisation recognises that economic, social and cultural rights cannot generally be achieved within a short timeframe. The concept nonetheless incorporates obligations which are of immediate effect, sets positive progress – more rights as time passes – as the norm, and bans retrogression.

Despite their impressive growth in recent years, self-reliance and livelihoods programmes face difficulties in setting clear benchmarks to measure their impact on the 'progressive realisation' of socio-economic rights, and more still in getting host states to acknowledge any obligations in this regard.

In any event, solution-oriented obligations cannot be imposed upon countries of asylum alone. "Why is the road to solutions blocked?" and "Why do refugees' rights and their quality of life deteriorate?" are two sides of the same question. The gradual descent of a refugee

situation into 'protractedness' is best described as collective action failure. Particularly in large-scale refugee situations, the reluctance of host states towards local integration is a major factor in the degradation of standards in refugee settlements and refugees being "unable to break free from enforced reliance on external assistance".[7] What this attitude reflects, however, is essentially a deep mistrust in an international system of responsibility-sharing that has all too often failed to deliver fairness.

The perception that local integration is a duty for asylum states, whereas burden-sharing and repatriation/reintegration are left to the discretion of resettlement states and states of origin, cannot be overcome within the strict parameters of the traditional 'trilogy' of durable solutions. Indeed, this traditional approach may be self-defeating, precisely because it compares and combines standards and modalities of international cooperation that correspond to multiple and varied levels of individual and collective responsibility. Thus, for example, voluntary repatriation is both the corollary to a *non-refoulement* rule binding on the country of asylum, and the expression of a right to return which cannot forever be detached from notions of state (of origin) responsibility, including in its reparation and rehabilitation dimensions.

Likewise, continued mobility on the part of former refugees after repatriation does not necessarily represent a failure of the reintegration process. It may be appropriate to consider whether legal migration opportunities should be incorporated more fully in comprehensive solutions plans.[8]

To be true to the objective of resolving the refugee 'problem', one has to acknowledge that the refugee regime does not contain in itself either the normative or cooperative instruments which will deliver the sought-after permanent solutions. The ultimate transition may well be 'regime shifting',[9] as the sustainability of solutions to a refugee problem means little more than a mutation of this problem into a set of non-refugee problems.

How early in a refugee situation should this mutation be prepared, and factored into a dynamic management of 'refugee time'? There cannot be a single clear-cut answer to this question. It matters, however, that it be on the minds of all stakeholders – governments, international organisations, NGOs and analysts – if they are serious about preventing new and future refugee situations from festering.

While it does not stand alone, the refugee regime is an essential mediator between broader social and political processes. It occupies a critical space in international relations – but it is probably more helpful to conceptualise that space as time. The problem-solving orientation of the regime contains the paradox that, to be effective, it must constantly work itself out of relevance. The conundrum will always be to ensure protection as long as it is needed, while keeping it as short as possible. There seems to be only one way of dealing with this, and that is to stress the link between protection and solutions as twin pillars of the regime: not to see protection as an obligation and solutions as lucky windows of opportunity but indeed to work creatively and responsibly on both, all the time.

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1. Conclusion No. 100 (LV), 2004, International Cooperation and Burden and Responsibility Sharing in Mass Influx Situations. (Emphasis added.)

2. Conclusion No. 104 (LVI), 2005, Local Integration

3. UNHCR, 'Protracted Refugee Situations', Executive Committee of the High Commissioner's Programme, Standing Committee, 30th Meeting, UN Doc. EC/54/SC/CRP.14, 2004

4. UNHCR, The State of the World's Refugees 2006

5. Arafat Jamal, 'Minimum Standards and Essential Needs in a Protracted Refugee Situation : A Review of the UNHCR Programme in Kakuma, Kenya', UNHCR 2001 http://repository.forcedmigration.org/show_metadata. jsp?pid=fmo:3429

6. Ibid.

7. UNHCR, note 3 above

8. See Jeff Crisp, 'Beyond the Nexus: UNHCR's evolving perspective on refugee protection and international migration', New Issues in Refugee Research http://www. unhcr.org/4818749a2.html

9. I have borrowed this term from 'regime complexity' theory, while appreciating that it commonly denotes a tactical choice of states or other regime actors, rather than a mutation of the problem at hand. Thanks to Alexander Betts for guidance on this point.

A missing element of 'camp management'

Damian Lilly

Collective centres are often overlooked as a settlement option for IDPs in displacement crises.

Camp management has developed as a key concern within the humanitarian community as part of the humanitarian reform agenda, alongside the more traditional sectors in emergencies. However, most of the tools and guidelines – including the Camp Management Toolkit, UNHCR Emergency Handbook and Sphere standards[1] – assume a traditional camp setting. Although reference is made to different kinds of settlement options, a differentiated approach to them is rarely offered. Collective centres

Some 500 Lebanese refugees fleeing violence sheltered in Al-Shariya High School, South Damascus, Syria.

are certainly 'camp-like' and share characteristics of camps. For the most part, the broad principles and approaches of management developed for camps are relevant and applicable to collective centres. However, there are many differences that are overlooked, requiring different approaches, strategies and standards.

Collective centres have been defined as "pre-existing buildings and structures used for the collective and communal settlement of displaced persons in the event of war and natural disasters" and can be of a many different kinds, such as schools, hotels, stadiums, military barracks and warehouses. Compared to camps, which are usually

supported by aid agencies, little is known about collective centres as a settlement option. Although they have been prevalent in a number of displacement crises, not only in the Balkans and the Caucasus from the 1990s where they were very common but also in other recent emergencies such as Lebanon, Sri Lanka, Somalia and Iraq, they have not received significant attention by aid practitioners. For this reason, the Camp Coordination Camp Management (CCCM) Global Cluster[2] commissioned a study in 2007 to look at the scope of the collective centre phenemenon and propose best practice in terms of camp management.[3]

Scope and scale

It is impossible to say how many of the estimated 26 million IDPs worldwide reside in collective centres. In some contexts they represent a substantial proportion of IDP settlements. For example, in Georgia as many as 45% of the 250,000 IDPs in the country are in collective centres. In natural disasters, collective centres are often used as a temporary measure. The use of the Louisiana Superdome after Hurricane Katrina and typhoon evacuation shelters in Bangladesh are just two examples. Although probably a small but significant proportion of IDPs globally is settled in collective centres, they are sidelined as a settlement option because they do not fit the traditional camp model.

Whether a collective centre is in the public, private or civil society sector will have different kinds of implications for aid practitioners which should be factored into assessments, planning and responses. For example, use of public sector buildings may make the local authorities more active in their management but the local population will suffer from a disruption to the primary function of the building e.g. a school or hospital. In private sector collective centres, the owner may need to be compensated for the use of the building. Civil society collective centres may have religious or community leaders involved in camp management and therefore have closer links with the local population.

Temporary or prolonged settlement

There are no generic reasons why collective centres are used as a settlement option in some situations and not others. The CCCM study discusses a variety of factors that might lead to their use, including security, geography, culture and development. For example, buildings used as collective centres may be deemed safer for IDPs in the event of disasters. Cold climates make other shelter options, such as tents, less acceptable and collective centres more of a necessity. In many cultures tents are not considered appropriate and in middle-income countries IDPs may be unwilling to go into tented camps, choosing instead to be accommodated in available buildings.

Collective centres are usually portrayed as a short-term measure during mass displacement, often in urban

settings. The study dispels these assumptions, however, showing that they have been used in many different contexts and not only as a temporary settlement option. Ensuring they remain a temporary solution, however, is a key camp management priority as there are a number of negative consequences of IDPs residing in collective centres, which stem from the unsuitability of most of the buildings used and the close proximity in which IDPs are forced to live. Negative consequences include:

- social tensions and psychosocial concerns because of the lack of privacy and living space

- the high proportion of vulnerable groups including the elderly, mentally ill, single-headed households and separated children

- dependency syndrome and a lack of self-reliance among IDPs.

Camp management strategies

The CCCM cluster has developed a framework for camp management, detailing the key roles and responsibilities of the actors involved. The main concepts – camp administration, camp coordination and camp management – are all applicable to collective centres. The role of governments is usually more pronounced in collective centres as compared to camps.

CCCM roles and responsibilities

Camp administration refers to the functions of national governments and authorities in the oversight and supervision of camps. This includes site selection and camp closure and land, property and occupancy rights.

Camp coordination refers to the role of aid agencies who work in support of national government to help manage camps. The primary objective of camp coordination is to ensure the effective delivery of humanitarian assistance, including adherence to agreed standards and guidelines, technical support, capacity building, and monitoring and evaluation.

Camp management refers to activities within a single camp and includes the coordination of basic service delivery, establishment of governance structures, community participation and data collection.

National governments may register collective centres and assign representatives or officials to manage them. Unregistered, spontaneous collective centres often fall off the radar for assistance. It is rare that an international or national aid agency becomes a camp management agency for collective centres, although this often happens for camps. There is no 'one size fits all' model for the best management structure for collective centres, although IDP participation, a designated manager, contractual agreements with owners, and an active role for local authorities are all key elements for their successful management. The closure of collective centres and the eviction of IDPs from them should be resisted until property housing rights and durable solutions can be assured.

The fact that the majority of collective centres are pre-existing buildings, not usually meant for human inhabitation, presents most challenges for camp management practitioners. In planned camps proper living conditions can be more easily assured than in collective centres in which humanitarian standards are often not met. Careful consideration should be given to whether the building in question is suitable for mass accommodation or whether a better alternative exists.

The initial decision on the settlement option for IDPs has a significant and long-lasting impact on their well-being. Collective centres may be planned as a temporary measure but they may accommodate IDPs for months, if not years. IDPs, owners of buildings, community representatives and local officials should all play a role in deciding whether a building in question will be used. Only those buildings that are structurally safe and away from potential hazards should be selected, and buildings should be accessible in the event of an emergency. Collective centres will also have to rely on access to public services (health, water and education) in the local community. A legal agreement should be signed as soon as possible with the owner of the building, the local authorities and preferably the IDPs themselves to outline the rights and obligations of all parties

The approach towards profiling and registration of IDPs is broadly the same for collective centres as for other kinds of settlements. Assistance provided should respect humanitarian standards, although IDPs in fact frequently live in deplorable conditions in collective centres. The potential benefit of collective centres is that they have existing facilities for providing IDPs with basic services. However, up-grading these may be difficult and they can swiftly fall into disrepair. There are also unique challenges for collective centres through the different phases of operation (emergency preparedness, contingency planning, emergency, care and maintenance, durable solutions and exit strategy) which the study outlines in detail.

Conclusion

The bias towards camps as the default option in emergencies needs to be resisted and greater consideration given in displacement crises to other settlement options such as collective centres. As collective centres can only provide sub-optimal living conditions, however, they should remain a temporary measure until longer-term solutions can be found. If they become, by default, a long-term solution, efforts must be made to ensure that minimum humanitarian standards are met.

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1. See http://www.nrc.no/camp; http://tinyurl.com/UNHCREmergHbk3rd; http://tinyurl.com/SphereHandbook.

2. http://tinyurl.com/HumRefCCCM

3. This article is based on this study, which included desk research, interviews with Cluster members and case studies on Liberia, Serbia and Georgia.

When 'temporary' lasts too long

Erin Mooney

Though intended as temporary places of shelter, collective centres often become a place where IDPs or refugees stay for years, even decades.

Commonly characterised as "overcrowded", "congested", "dilapidated", "deplorable", "degraded", even "extremely sub-standard", collective centres can hardly be considered a "home". Typically, collective centres are found in buildings that were never intended for habitation, or at least not for long-term or family accommodation. They thus tend to lack the living space as well as water, sanitation, electrical systems and cooking facilities for the number of residents and their length of stay.

Because collective centres are intended to provide only temporary shelter, maintenance tends to be kept to a minimum, with at best ad hoc repairs. Meanwhile, conditions become more crowded as families grow, leading to additional strains on common infrastructure. In short, not only were the buildings usually defective when the IDPs or refugees first moved in but conditions only further deteriorate in the years that follow.

Conceptual issues

No official definition of 'collective centre' exists, although common usage of the term carries a connotation distinct from camps. Rather than being defined, the term is usually followed by explanatory examples of the types of buildings these occupy. The Glossary prepared by the Camp Coordination and Camp Management (CCCM) Cluster describes how: "IDPs may decide to shelter in transit facilities located in pre-existing structures, such as community centres, town halls, gymnasiums, hotels, warehouses, disused factories, and unfinished buildings."[1] Along the same lines, but more closely approaching a definition, the CCCM Cluster's Typology of Camps describes collective centres as: "a type of settlement […] where displaced persons find accommodation in pre-existing public buildings and community facilities, for example, in schools, barracks, community centres, town halls, gymnasiums, hotels, warehouses, disused factories, and unfinished buildings. …. Often, mass shelter is intended as temporary or transit accommodation."[2]

Referring to collective centres as "a catch-all category of a variety of structures", a 2004 World Bank study on protracted displacement developed a useful typology:

- buildings not originally intended for human habitation, including abandoned factories, unfinished buildings, military bases, and public buildings such as clinics, schools and administration buildings

- makeshift accommodation such as railway cars, abandoned transport containers, and other structures never meant to hold people

- buildings and facilities originally intended for seasonal or short-term occupation, such as hotels, spas and summer camps or seasonal herder accommodation

- camp-like settings, which may be initiated as tented camps and eventually consolidated into makeshift housing or established from the

Refugees from Bosnia and Herzegovina in a sports centre in Sremska Mitrovica, Serbia.

UNHCR/A Hollmann

beginning as more weatherised housing, such as limestone-brick housing and prefabricated units.

This study also identified common characteristics:

- multiple displaced families living in the same structure or settlement

- residence in the settlement typically assigned by government authorities, donor agencies or both

- shelter almost always provided free of charge

- settlements usually set apart from the local populations, creating varying degrees of isolation.[3]

In any of the existing descriptions, how many residents it takes to constitute 'collective' living is not specified. The CCCM Cluster guidance simply notes that collective centres provide accommodation to "a group of displaced persons". In fact, residents can number in the tens of thousands, such as, for example, when some 30,000 IDPs in Liberia sheltered in the national football stadium in the summer of 2003 and an equal number of residents of New Orleans in the Superdome after Hurricane Katrina in September 2005.

Whether a particular collective centre came into being from spontaneous or organised settlement can have important consequences for its residents. Refugees and IDPs in collective centres lacking official recognition as such are at high risk of eviction. In Georgia, for example, only IDPs living in shelters officially recognised as collective centres by the authorities are eligible for the entitlements prescribed by national legislation such as free electricity and now, under a long overdue programme, for rehabilitation and privatisation of these spaces.

Generally, it is the pre-existing character of these buildings that makes them useful as emergency shelters. However, the term has also been used to describe purpose-built shelters for longer-term housing. For example, MSF built new 'collective centres' for IDPs from Chechnya in 2001 as an alternative to their sub-standard tented accommodation of several years.

In Bosnia and Herzegovina, 'collective centres' are either pre-existing structures which first were used during the war as temporary emergency shelter or shelters constructed after the war as alternative, albeit still temporary, accommodation to this war-time shelter. One example of this second type consists of several dozen adjoined houses, each comprising four individual family apartment units offering privacy and much improved living conditions. A number of residents interviewed in summer 2008 noted that they would stay in this housing permanently if only they could be given security of tenure; however, their continued stay is contingent upon their IDP status, which in turn requires, by law, a regularly expressed desire to return to their place of origin.

Comprehensive response needed

Definitional issues of course are hardly the main concern. Most important is that IDPs and refugees in collective centres receive systematic attention and can access their rights, not only to adequate housing but also to a durable solution to their plight. Recent evaluations of the Cluster approach and of responses to sexual and gender-based violence (SGBV) underscore how 'non-camp' displaced populations, including those in collective centres, risk being overlooked.[4]

The CCCM Cluster is to be commended for interpreting its mandate beyond that suggested by its name to also cover "all types of collective accommodation for displaced persons regardless of the terminology used to describe such accommodation." However, addressing the situation of IDPs in collective centres is not the responsibility of the CCCM cluster alone. Indeed, in addition to the role of the national authorities, there arguably is a role for all of the different clusters established under the UN humanitarian reform approach.

First and foremost, given that collective centres specifically are used as – and their use recommended as limited to – temporary shelter, the Emergency Shelter Cluster clearly should play a role. Its mandate of ensuring that shelter responses in humanitarian emergencies are in line with existing policy guidelines, technical standards and human rights obligations would go a long way towards improving conditions in these shelters.

Water, sanitation and hygiene typically are among the most pressing problems in collective centres, especially when these exist in buildings never designed for even temporary habitation. The sub-standard living conditions in collective centres inevitably have serious health repercussions. A UNICEF study found that harmful health effects among IDP children living in the collective centres in Georgia included a high level of acute gastrointestinal diseases, scoliosis and neuroses.[5] The congested conditions also increase the risk of mental stress and strains on psychosocial health. The WASH Cluster and the Health Cluster therefore also have critical contributions to make.

Attention to collective centres is also relevant for the Early Recovery Cluster, which aims to restore services, livelihoods and governance capacity. Collective centres located in pre-existing buildings had prior uses; freeing up these buildings to regain their original use can be critical to improving access to education and public services, stimulating economic development and livelihood opportunities and providing basic government infrastructure. At the same time, pressures to restore collective centres to their original use, especially when buildings are of commercial interest, heighten the risk of eviction for occupants. This process therefore must be carefully managed and closely monitored to ensure displaced occupants' rights are safeguarded.

In this connection, the Protection Cluster, mandated to ensure that protection is integrated into the work of all clusters, clearly has a critical role. In collective centres, the lack of security of tenure and of adequate property registration creates a tenuous existence where the risk of evictions is ever present. An important role therefore arises for the Protection Cluster expert group on land, housing and property rights.

IDP accom-
modation
near Zugdidi,
Georgia.

UNHCR/R Hackman

in collective centres or to access alternative durable housing solutions. While collective centres sometimes marginalise their residents vis-à-vis the local community, it also true especially in protracted situations of displacement that collective centre residents may have developed their own community links and support mechanisms that they wish to maintain; they should be supported to be able to remain together wherever possible.

Conclusions

The approach to collective centres and those accommodated in them should be comprehensive in a number of ways:

- programmatically, by devoting greater attention to addressing the situation of non-camp IDPs and refugees; ensuring that collective centres are covered in profiling exercises and assessments would be a critical first step.

- conceptually, by encompassing all types of shelters fitting the collective centre characteristics

- institutionally, bringing to bear the collective expertise of all the different sectors and clusters of the international humanitarian response and of government counterparts

- temporally, recognising the potential utility of collective centres as emergency shelter but also guarding against displaced populations being stuck in these accommodations, without proper maintenance and protection safeguards, for protracted periods

- through a multi-sectoral collaborative approach, in which protection of the IDP and refugee residents' rights is at the core.

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Solutions

Protection for refugees and IDPs ultimately is about securing durable solutions. While collective centres often provide displaced populations with critical emergency shelter, they are unlikely to provide a durable and dignified housing solution; the poor living conditions and the associated vulnerabilities are only exacerbated over time. Fifteen years on, some 100,000 IDPs in Georgia are still living in the 'temporary' accommodation provided by 1,600 dilapidated collective centres, including one found in a run-down ward of a functioning hospital, where children play outside among used syringes and other medical refuse. In BiH, 14 years after the war, some 7,000 IDPs – mostly elderly, chronically physically or mentally ill, and otherwise highly vulnerable persons – continue to live in places which provided emergency shelter during the war.[6] Although general guidance that alternative shelter should "be found quickly, if possible in no longer than one month"[7] will be difficult to realise in most emergencies, more durable and dignified living conditions should be actively sought and secured for refugees and IDPs as soon as conditions permit.

Any alternative accommodation must meet adequate housing standards, and the refugee and IDP residents must have a right of stay, without risk of arbitrary eviction, until a permanent housing solution is found. In a government-led effort to close collective centres in Chechnya in 2007, IDPs were offered incentives including use of land or a grant for rental accommodation. However, IDMC reports that the compensation and assistance were seldom adequate.[8]

In other cases, it will be possible, even preferred by the displaced residents, to convert the collective centres into long-term accommodation, possibly as part of refugee and IDP residents opting for local integration as a durable solution. Such a process was launched in Georgia, in an important policy shift by the government in May 2009, to rehabilitate collective centres to adequate housing standards and allow IDPs to take ownership of their places

1. http://tiny.cc/CCCMGlossary

2. http://tiny.cc/CCCMtypology

3. Steven B Holtzman & Taies Nezam, *Living in Limbo: Conflict-Induced Displacement in Europe and Central Asia* (World Bank, 2004)

4. http://www.unhcr.org/46a4ae082.html and http://www.unhcr.org/48ea31062.html

5. http://tiny.cc/UnicefGeorgia

6. See article by Mooney and Hussain, pp22-24.

7. Global Protection Cluster, *Handbook for the Protection of Internally Displaced Persons*, available at: http://tiny.cc/IDPProtection

8. IDMC, *Global Overview of Trends and Developments in 2007* (2008), p86. See also article by Golda, pp55-56.

Rights and responsibilities in Darfur

Katherine Reyes

A combined UN-military-police-humanitarian initiative has been promoting civic rights and responsibilities among IDPs in order to increase security throughout Kalma camp and its surroundings.

Kalma camp was established in early 2004 as a place of refuge for displaced persons fleeing violence throughout Darfur. Over time, however, Kalma has come to be seen as a haven for criminal activity, with growing numbers of rival armed elements and rampant violence against minorities in the camp.

On 25 August 2008, Sudanese security forces entered the camp, allegedly with the intention of disarming and arresting those residents in possession of weapons. Although there are conflicting reports on the number of people who died or were injured, an estimated 47 people were killed during the operation, among them many women and children.[1]

This incident served as a catalyst for UNAMID – the African Union/ UN hybrid operation in Darfur[2] – to establish a 24-hour presence in Kalma and highlighted the need for a concerted effort by political, military and humanitarian actors to support activities to depoliticise the camp and promote a sense of collective responsibility for security among IDPs. Protracted displacement in camps may generate a feeling among displaced persons that their security is primarily the responsibility of external agencies – the military, UN, NGOs – but camp security is intricately linked to residents' degree of tolerance of arms and political violence inside the camps.

With the deployment of UNAMID's forces in the camp came a strategic effort by the mission to persuade the inhabitants of Kalma that while protection is their right, they also hold important civic responsibilities. A Task Force was established and chaired by UNAMID Civil Affairs and Human Rights, and UNHCR with the objective of providing workshops where agencies and IDPs could discuss the mandate of UNAMID, the Guiding Principles on IDPs, conflict resolution, and gender-based violence. The aim is to spread two main messages: first,

that the mission is there to work with IDPs and to liaise with – but not replace – the government and, second, that IDPs have the right to protection but they must also work to maintain the humanitarian and civil nature of the camp. This second message is of critical importance in such a politically charged camp where many IDPs have voiced their discontent with the government and armed movements. False expectations of the mission as the sole answer to the conflict are dangerous and show a lack of collective responsibility for the security of a community.

> Kalma's approximately 92,000 inhabitants are divided into sectors led by community leaders ('sheikhs') who have been designated by the IDPs as their representatives in terms of working with the international community and for internal camp management. The camp sheikhs are not the traditional tribal leaders but have been selected by communities of IDPs for their ability to lobby for the interests of Kalma's displaced persons, and for their skills in maintaining order within the camp. Many traditional leaders did not join the IDPs in camps and the IDPs therefore had to organise their own leadership.

Workshops

Participants at the workshops, which followed up on previous workshops on UNAMID's mandate, included camp leaders and elders, women and youth representatives, and teachers. As the groups most excluded from the decision-making process in the camp, the youth and women gained much from the chance to better understand the role of the international community, and their rights and responsibilities as IDPs not to tolerate criminality in the camp and to promote security within and on the outskirts of the camp. Furthermore, the distinction was made between the role of the military and

humanitarian international agencies working in the camp. Explaining these different roles is critical to supporting the security of the humanitarian community that provides important services within the camp.

The workshops also served as a support mechanism to UNAMID police's programme of community policing volunteers. Kalma's community police centres and community police volunteers report crimes and promote a zero tolerance stance against the possession of arms in the camp. The sheikhs of the camp support these efforts and have been asked to promote the community volunteers as good examples of civic responsibility in Kalma.

The workshops also led to a greater appreciation by agencies of the urgent need to work with the youth who are targets of violence and recruitment into the armed militias that infiltrate a number of camps in Darfur. UNDP has subsequently funded a programme of vocational training for IDP youth, supporting them in leadership roles.

The strategy of the Kalma Task Force represented a joint effort by its members to focus on the promotion of civic responsibilities in IDP camps. Since the establishment of a 24-hour presence of UNAMID in the camp, there has been a sharp decrease in the number of reports of criminal activity in the camp and its immediate vicinity. Equally important is the strong message received by the community of IDPs that their security starts with their own refusal to tolerate arms and criminality in the camp.

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The views expressed in this article are those of the author and should not be attributed to UNAMID.

1. http://tinyurl.com/AIKalma2008
2. http://www.un.org/Depts/dpko/missions/unamid/

South Africa's smugglers' borderland

Tesfalem Araia and Tamlyn Monson

The construction of an imaginary borderland is key to smuggling along the South Africa/Zimbabwe border.

A research project[1] on the human smuggling industry and its effects on would-be asylum seekers revealed that of those asylum seekers who crossed a land border into South Africa, a substantial majority entered via Zimbabwe.Just over a fifth of these asylum seekers were smuggled, and the majority paid for the assistance they received. Asylum seekers were smuggled by – in order of prevalence – smugglers, transport operators, fellow immigrants, friends or relatives, and, alarmingly, state employees. Nearly a fifth of those who were smuggled were harmed in some way during their border crossing.

"I am the border", a smuggler boasted, illustrating a key finding of the project. The demand for smuggling is manipulated by smugglers through deliberate deception of asylum seekers. The misinformation and deliberate omissions of smugglers create an imaginary border which, in the minds of prospective asylum seekers, is far more antagonistic and forbidding than the reality. As a result, undocumented entry via the services of a smuggler may appear to be the only means of entering South African territory. This encourages a trend toward undocumented border crossing even among those who would qualify for an asylum permit. The increased invisible population that results creates a problem for the state's management of migration, as well as rendering would-be asylum seekers more vulnerable to abuse.

Fertile ground for smugglers

A central reason why asylum seekers are vulnerable to deception about border conditions is the fact that more than two-thirds are not aware of the theoretical possibility of seeking asylum before they leave their countries of origin. On the other hand, there is a pervasive awareness of 'amagumaguma' – an umbrella term for non-state actors responsible for various forms of abuse, exploitation and extortion along the border.

For some, amagumaguma are unscrupulous smugglers who turn on their clients and rob, beat or abandon them during the border crossing. For others, amagumaguma are independent gangsters that roam the border area, preying on smugglers and their clients alike. Still others believe that they are a fiction, a ploy by cunning smugglers to boost the market for their services by creating the impression that the assistance of a smuggler is crucial to safe passage.

A popular imagination preoccupied with the threat of amagumaguma and oblivious to the existence of refugee protection legislation in South Africa provides fertile ground for smugglers. Professional smugglers may simply bring refugee clients to immigration officials at the border post, who, as required by law, usually provide them with transit permits to temporarily legalise their stay until they enter the refugee reception system. Although this is an everyday task of the Department of Home Affairs (DHA), which provides the permits free of charge to those who declare an intention to seek asylum, smugglers construct it as an irregular service secured only through connections or bribes. As a result, it seems that some asylum seekers pay for what the law freely provides.

Smugglers who transport clients across the border rather than through the official point of entry depend on

A man with a small child crosses under a barbed wire fence on the Zimbabwe-South Africa border.

their clientele's ignorance of refugee protection processes. Thus, by action or omission, they often mislead clients about their eligibility for asylum. In order to make demands for additional payment during the cross-border journey, some smugglers use connections with corrupt officials to threaten migrants with arrest and deportation, which further entrenches the impression that the South African state is closed to people fleeing persecution, occupation, war or breakdowns in public order.[2]

Abuses and corruption

A common practice among smugglers is to accept a low sum at the start of the border-crossing journey and to extort further payments during moments of heightened risk en route. Migrants reported a variety of abuses suffered during the border crossing. In addition to extortion, clients are sometimes abandoned if they cannot satisfy demands for additional payment. Smuggled migrants are often robbed either by smugglers or by criminal gangs lurking in the vicinity of the border. Some respondents were searched and robbed of all their belongings (including bags, documents, money and cellphones), while others were forced to undress and exchange their good clothes for dirty and torn clothes or shoes. The apparently independent gangs may actually work in cahoots with smugglers to encourage clients to submit to demands for extra cash.

When migrants do not submit to the demands of their assailants, they are often violently assaulted. Respondents reported many cases of wanton violence and abuse, including rape and murder, and these reports were supported by officials and NGOs in the border area.

One rape victim was an 18-year-old from Bulawayo who was beaten and raped at knifepoint by two gang members, after she and another girl she had met were 'rescued' by a group of men from taking a path they claimed would lead the women towards *amagumaguma*. A recent fact-finding trip after the closure of a temporary shelter for asylum seekers revealed several women with babies born of sexual abuse. Many women were unaccompanied minors at the time that they were subjected to rape and sexual assault in the process of border crossing, and one told of her detention at a 'rape camp' where Zimbabwean soldiers had cooperated with smugglers.

The research found evidence of official corruption related to the smuggling industry, in both the police and immigration services. Officials are reportedly paid regular 'stipends', bribed on an ad hoc basis, and encouraged through the use of improper influence to make the smuggling possible in various

way and to protect the smugglers from arrest and prosecution.

Some police officers are also alleged to be actively engaged in providing their own smuggling services and conspiring to extort money from informal migrants. The involvement of state employees in the smuggling industry can only encourage perceptions of a hostile and predatory state and further entrench the imaginary borderland that smugglers rely on for their business. There is a need to fully investigate and root out corrupt practices within the border-control staff of the South African Police Service and the DHA.

Conclusion

Although current refugee protection mechanisms in South Africa seem to be afflicted by a preoccupation with immigration control, the DHA is beginning to advocate a 'migration management' approach to border control. This will require improved communication about the immigration options available to migrants in general and refugees in particular. The role played by misinformation and lack of knowledge of refugee protections in South Africa suggests the need for publicity about the process.

However, the research casts doubt on recent calls for a strengthened border-control policy. Indeed, the existing perception of a closed border appears to play a key role in encouraging undocumented migration. The invisible flow that results undermines not only the rights of asylum seekers but also the ability of the state to monitor and manage its immigrant population.

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1. Tesfalem Araia, 2009, 'Report on Human Smuggling Across the South Africa/Zimbabwe Border', Migrant Rights Monitoring Project, Forced Migration Studies Programme. Online at http://www.refugeeresearch.net/node/277

2. The South African Refugees Act 1998 supplements the 1951 Convention definition of 'refugee' with that of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.

IDP health in Colombia: needs and challenges

Andrés Quintero L and Tegan A Culler

Providers of reproductive health care to displaced communities in Colombia need to plan not only for the immediate needs of IDPs but also for their longer-term needs.

Situations of protracted displacement require a shift in mindset from immediate, crisis-based humanitarian action to sustainable service provision – and preferably some degree of local integration. The notion of local integration may be uncomfortable for governments and IDPs alike as both groups may fear that even short-term integration will preclude eventual return for displaced people, yet it can offer a welcome route to stability and dignity without eliminating the possibility of return, should it become feasible.

Profamilia – Colombia's foremost provider of sexual and reproductive health (SRH) education and services – endorses the concept of local integration as being about "realizing and protecting rights during displacement, about building self-reliance and self-sufficiency."[1] For more than 40 years, Profamilia has provided family planning services and education in Colombia; it now reaches 65% of the country's population via 33 centres. In 1997, Profamilia extended its reach to include groups of displaced people, and its current work with this population includes joint projects with USAID, Mercy Corps and the RAISE Initiative.

Access to health services

Colombia's five-decade-long conflict has displaced between two and three million Colombians, making it home to the world's second largest population of IDPs, second only after Sudan. Colombia has no camps for IDPs; rather, the displaced are dispersed throughout the country, with most concentrated in urban settings. Whether they live in rural or urban areas, displaced Colombians' access to health services is sharply limited, and they face stark health challenges. Immunisation coverage is extremely low in rural areas and one study showed that more than 60% of the population presented symptoms of clinical depression.[2]

Compared to non-displaced Colombians, IDPs also experience a disproportionate rate of SRH problems. For example, although domestic violence is prevalent throughout Colombia, 52% of displaced women have experienced domestic violence, including sexual violence, as opposed to 41% of non-displaced women.[3] Displaced women aged 40-49 have an average of 5.8 children, which is much higher than the national average of 3.1 children and suggests dramatically reduced access to contraception. Furthermore, displaced women aged 13-49 have a rate of unintended pregnancy that is 40% higher than non-displaced women.[4] One third of displaced adolescents are pregnant or parenting, compared to about 20% of non-displaced adolescents. Sexually transmitted infections (STIs) are as common as respiratory infections amongst displaced Colombians but few displaced people are familiar with common symptoms of an STI.[5]

In rural areas, IDPs' health issues are exacerbated by a lack of access to services. IDPs are widely dispersed and, in the Pacific region especially, the health service infrastructure is minimal. Afro-Colombians and indigenous Colombians comprise a disproportionate number of the displaced. Recognising that these populations in particular lack economic resources and are almost entirely cut off from access

Profamilia staff providing sexual and reproductive health services to displaced communities in Colombia

RAISE Initiative/Andrés Anzola M

to health services, Profamilia sends regular mobile health brigades (MHBs) to these communities. Profamilia's workers first discuss the community's health needs with community leaders. If the leaders are interested, Profamilia creates an MHB customised to the needs of the community. MHBs visit each community at least four times per year to ensure that clients have adequate supplies to complete a year-long contraceptive cycle.

Urban contexts present different challenges. Although IDPs are eligible for the national health system, displaced people may not be aware of this, or of how to access it, or they may be afraid that the armed groups will discover them if they seek services. Profamilia helps displaced Colombians to navigate the bureaucracy of the national health system so that they can gain sustained access to health services.

Tensions between IDPs and host communities are not uncommon in urban settings. IDPs who receive special services based on their status as forcibly displaced people may evoke resentment from the area's non-displaced, but likewise impoverished, urban residents. Aware that NGOs can exacerbate disparities by neglecting the communities that host IDPs, Profamilia works closely with host communities to offer services to more established residents as well as to newcomers, an effort that is key to the philosophy of local integration.

Comprehensive services and education

Profamilia centres and MHBs offer a range of contraceptive methods. Profamilia also offers antenatal care and refers pregnant women to the national health system so that they can give birth in high-quality health institutions.

Although Profamilia's focus is SRH, this may not always be the foremost health priority for men and women when displaced. Adults in displaced communities are far more likely to seek medical attention for their children than for themselves. In recognition of this, Profamilia has expanded the scope of its services for IDPs to encompass general medical consultations, including a dispensary with a wide range of medicines (as well as contraceptive supplies). As the general health needs of children are met, their parents – who may never have seen a doctor in their lives – are then able to address their own health concerns, including SRH.

Profamilia only delivers SRH services to clients who attend an educational session. Such sessions are supplemented with written material and individuals are also offered private assessment sessions so that they can ask questions they might not be willing to ask in public. The educational sessions also help the community health workers understand what kinds of SRH services people need or expect, so that they can tailor their work accordingly.

Profamilia charges a nominal fee for its services and products, believing that it is important to promote the concept that health has a value and believing that a modest fee encourages people to expect and demand high-quality services. Where individuals cannot afford the payments, the community as a whole will often try to raise the small amount of money needed; ultimately, however, if clients cannot afford to pay, Profamilia will not refuse to provide services to them.

Instituting best practices

In scenarios of protracted displacement, organisations should make every effort both to protect the human rights of and cultivate self-sufficiency among IDPs. To do this:

- **Institutions must work very closely with the communities** they intend to serve in order to meet their needs. This requires coordination with local leaders, local authorities and community members; flexibility in approach; and individual tailoring of programmes.

- **Alliances are vital.** A single organisation cannot possibly meet the population's high demand for health services and providers must build local partnerships with other health organisations, both private and governmental.

- **Humanitarian actors must be forward thinking and willing to advocate** for the future needs of IDPs, whether the ultimate goal is return or permanent integration into the host communities.

In Colombia, for example, rural people displaced to urban areas may be reluctant to return to their homes even if the conflict ends, as the agricultural areas are neither protected nor subsidised, and the lack of infrastructure impedes the ability of farmers to sell their crops. Those who do return may face starvation unless they are willing to grow illegal drugs. Yet people who remain in urban areas may lack the skills that will ultimately allow them to permanently integrate into those communities. Humanitarian actors have a unique perspective on the range of both current and future challenges that IDPs face – a perspective which they must share when working with health organisations and communities facing protracted displacement.

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1. Expert Seminar on Protracted IDP Situations 21-22 June 2007 http://www3.brookings.edu/fp/projects/idp/conferences/20070622.pdf

2.. WHO 'IDPs in Colombia' www.who.int/disasters/repo/7301.doc.

3. Human Rights Watch (13 October 2005) 'Colombia: Displaced and Discarded: The Plight of Internally Displaced Persons in Bogota and Cartagena' http://www.hrw.org/en/node/11574/section/5

4. IDMC (17 October 2008) 'Colombia: Rate of new displacement highest in two decades - A profile of the internal displacement situation. http://tinyurl.com/IDMCCol2008

5. F Castano, S Ward and E Hill (2007) 'Light at the End of the Tunnel: HIV Prevention for Colombia's Internally Displaced Youth' Margaret Sanger Center International at Planned Parenthood of New York City http://tinyurl.com/ColLight

RAISE

Reproductive Health Access, Information and Services in Emergencies

Towards a humanitarian climate change agreement

Vikram Kolmannskog

In Copenhagen in December 2009 states are expected to arrive at an 'agreed outcome' on climate change action.

As long ago as 1990, the Inter-governmental Panel on Climate Change (IPCC) wrote that the gravest effects of climate change may be those on human migration; yet states did not address this in climate change negotiations and agreements. While the 1997 Kyoto Protocol commitments which run until 2012

Floodwaters at Dadaab, Kenya, November 2006.

IRIN/Richard Lough

focus on climate change mitigation, the agreed outcome will also address the consequences of climate change that can no longer be avoided – and the need for climate change adaptation. A sub-group of the Inter-Agency Standing Committee task force on climate change has focused on getting recognition for migration and displacement issues, and a draft negotiation text for Copenhagen now refers to human mobility.

Both climate change mitigation and adaptation are relevant to the obligation to prevent arbitrary displacement from happening in the first place. Such prevention efforts have not always been sufficient to avoid disasters and displacement from happening, however. Particular protection challenges that arise with climate change include relocation of people away from high-risk areas, and the normative protection gap for the cross-border displaced who do not qualify as refugees by international, regional or national law.

Climate change-related migration was highlighted in some statements during the UN Framework Convention on Climate Change (UNFCCC) conference in Poznan in December 2008, most prominently in the opening statement by the Polish Minister of the Environment and President of the Poznan conference and in the statement delivered by the Ambassador of Algeria on behalf of the Africa Group. The issue of migration and displacement later figured in the assembly document of ideas and proposals where Bangladesh referred to "climate refugees" and the Alliance of Small Island States (AOSIS) referred to "climate victims". The particular challenge of relocation was also mentioned by Mexico during the risk management workshop held in Bonn in April.

By May 2009 a draft negotiation text had been prepared and made public. It is a 200-page document based on hundreds of submissions. Many text proposals suggested by humanitarian agencies are included and have support from both industrialised and developing countries, but the text is still subject to further negotiation.

The first draft of the text included reference to "activities related to national and international migration/planned relocation" as adaptation actions. The reference, ensured by a Bangladeshi submission, was well-received by many States Parties at the first reading in Bonn in June. Humanitarian agencies present, such as UNHCR, IOM and NRC, and the Representative to the Secretary-General on the Human Rights

of IDPs welcomed the reference and offered some advice on how the text could be modified. At a second reading of the draft text in Bonn, suggested modifications had been included, and a revised negotiation text became available.

In addition to migration- and displacement-specific text, key language on risk management and disaster risk reduction is now prominent, including for the first time a reference to "emergency response". There is also text suggesting that priority be given to the needs of the most vulnerable people (rather than states).

While these are significant steps in the right direction, it remains to be seen whether and how the agreed outcome actually incorporates displacement and other humanitarian issues. During the last and crucial months of drafting, as the 200-page draft is whittled down, it will be important to make sure that the text we want is retained.

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The document of 'Comments and Proposed Revisions to the Negotiating Text' prepared by the Chair of the UNFCCC Ad Hoc Working Group on Long-Term Cooperative Action is available at http://www.unhcr.org/4a408cc19. html; the revised draft negotiation text, as of July 2009, is available at http://unfccc.int/resource/docs/2009/awglca6/eng/inf01.pdf

NORWEGIAN REFUGEE COUNCIL

Protracted Muslim displacement in Sri Lanka

Kavita Shukla

In order for the protracted displacement of the IDPs in Puttalam to end, the government and humanitarian community will have to prioritise this group.

Despite having few prospects of returning home or finding other durable solutions, people living in protracted displacement in Asia often receive limited attention and acknowledgement of their status from governments and humanitarian agencies, especially in comparison to other IDP groups.

One such example is in Sri Lanka, where several cycles of displacement have taken place since conflict broke out between government forces and the Liberation Tigers of Tamil Eelam (LTTE) in 1983. A ceasefire during 2002-06 enabled many IDPs to return but large-scale conflict resumed from mid-2006, leading to hundreds of thousands of new displacements. Although the armed conflict came to an end in May 2009, there remain several different IDP populations in the country.

The plight of one displaced group from the north living in a protracted situation in Puttalam district of western Sri Lanka since 1990 has frequently been overlooked. This group is made up of more than 60,000 Muslims who were forced to flee their homes – largely in Mannar, Jaffna and Mullaitivu districts – in October 1990 when LTTE cadres went from village to village, announcing that Muslims had 48 hours to leave LTTE-held territory or face reprisals. Many of them fled with only their clothes and a little money, leaving behind as much as 5,000 million rupees ($46 million) worth of property and valuables.[1]

Following their expulsion, the northern Muslims have been living in IDP camps and settlements in Puttalam for almost 19 years. Currently 41% of the displaced population is made up of children who have known no home other than the camps and settlements. Many of the IDPs' traditional family

structures have broken down, with women and men forced to leave their families in search of a livelihood, with both going abroad in several cases, leaving the care and protection of children to elderly relatives or older siblings. There continue to be conflicts between the displaced and host community over the limited resources and jobs in the area.

Although some humanitarian agencies maintain that the displaced are integrated and no longer in need of aid, there has been no political will to acknowledge their presence in Puttalam on a permanent basis. This attitude has hampered the local integration process and reinforced the sense of IDPs as being out of place and lacking 'local citizenship' such as access to certain livelihood opportunities such as fishing and government jobs.[2] According to the Government of Sri Lanka's statistics, around 80% of the IDP population remain without a permanent source of livelihood and survive through manual labour.

More than half of the displaced have managed to purchase land in the IDP settlements but their individual plots are very small and sustain the sense of impermanence. There has been some hope of a durable solution of local integration for these land-owners since 2007, when the World Bank approved a $32 million housing project for the construction of over 7,500 permanent houses for those Puttalam IDPs who have deeds indicating their ownership of land.

Some IDP leaders have stressed that as soon as conditions are safe for return, the entire group of displaced will go back to its areas of origin. A small number of IDPs in Puttalam did return to Jaffna during the ceasefire years, only to come back to Puttalam soon after. Despite an end to the

conflict in 2009, any eventual return would pose significant problems with many of the IDPs' houses destroyed during the conflict, or occupied by Tamils displaced by the conflict. Under Sri Lankan law, property owners lose the right to property occupied by others for more than ten years, and the issue of secondary occupation remains extremely complicated. Rebuilding Muslim villages in areas where they were abandoned would be very costly.[3]

Despite the present justifiable focus of the government's and the humanitarian community's attention on the almost 300,000 persons displaced from the north during 2008-09, they should be taking measures so that the Muslims can either acquire local citizenship rights and fully integrate in Puttalam, or return to the north with conditions in place for their return to be sustainable.

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1. International Crisis Group, 'Sri Lanka's Muslims: Caught in the Crossfire', May 2007 http://www. crisisgroup.org/home/index.cfm?id=4868

2. Cathrine Brun, 'Finding a Place: Local integration and protracted displacement in Sri Lanka', *Social Scientists Association*, 2008.

3. International Crisis Group, May 2007

Internal displacement and peace mediation

Andrew Solomon

The need to protect the rights of persons displaced by conflict and find durable solutions to their displacement is inextricably linked to achieving a viable, sustainable peace.

No realistic plan for peace and reconciliation should ignore the rights and interests of IDPs. Failure to consult with IDPs, address their needs or find solutions to their displacement through a peace process and agreement can stir tensions, affect post-conflict politics and challenge ongoing peace-building efforts.

To assist mediators and their teams better understand the rights, needs and interests of IDPs and to provide them with practical guidance on how best to devise processes that address these interests in a meaningful fashion, the Brookings-Bern Project on Internal Displacement has developed a new resource, *Integrating Internal Displacement in Peace Processes and Peace Agreements: A Guide for Mediators*. This *Guide* sets out four steps for mediators to consider at the outset of a peace process. Each step discusses the key issues related to situations of displacement that may arise while planning and conducting a mediator-led peace process. The four steps are:

Step 1: Assess the causes, dynamics and characteristics of internal displacement. Mediators should invest the time and resources necessary to understand the nature and patterns of internal displacement, along with the characteristics of specific IDP groups and any leadership structures that may exist. Links that IDPs may have to parties to the conflict should also be identified. This understanding will help mediators to avoid the pitfall of thinking of IDPs as one homogenous bloc, and to ascertain how IDPs may affect the peace process either positively or negatively.

Step 2: Create a framework for integrating internal displacement. Once mediators have assessed the displacement situation, they need to develop a framework for integrating internal displacement into the peace process. This framework should comprise two elements: 1) a core mission statement that identifies the needs of IDPs, and 2) the legal and policy foundations for the participation of IDPs in the peace process. These foundations can be drawn from the Guiding Principles on Internal Displacement, international humanitarian and human rights law, and national legislation and policy. Grounding IDP interests and rights within this framework, and linking them to the Guiding Principles in particular, can help all those involved in a peace process to view the situation of displacement through an objective lens and shield it from political manipulation.

Step 3: Engage IDPs in the peace process. Mediators should decide how to consult IDPs and how these consultations relate to the overall mediator-led peace process. IDP consultations can take place as a stand-alone process or they can be linked to the mediation process itself. In deciding upon a specific consultative process, mediators will need to ascertain the views of the parties to the peace process on consultations with the IDPsin addition to the willingness and capacity of the IDP community to participate in the process. Mediators should ensure they consult with IDPs who are credible representatives of the community, including women's associations.

Step 4: Integrate the rights and interests of IDPs in the peace agreement. In doing this, mediators may elect to include substantive provisions in the main text of the agreement or in an associated protocol. Either approach can work depending on the specific context. However, mediators should ensure inclusion of the following elements: 1) clear definitions pertaining to internal displacement, 2) stipulation to respect displacement-specific human rights and protection under international humanitarian law, 3) incorporation of IDP interests in a manner acceptable to the parties, 4) obligations of the parties vis-à-vis internal displacement, and 5) a clear implementation process that involves roles for IDPs.

The *Guide for Mediators* is being published by the United States Institute for Peace as part of its Peacemaker's Toolkit Series[1] and will then be disseminated to mediators and others involved in resolving conflicts that have triggered internal displacement. A CD-ROM resource kit with reference materials, case studies and texts of peace agreements and international instruments such as the Guiding Principles on Internal Displacement will accompany the *Guide*.

Andrew Solomon (asolomon@ brookings.edu) is the Deputy Director of the Brookings-Bern Project on Internal Displacement and a Fellow in Foreign Policy at the Brookings Institution.

The Project's earlier publication Addressing Internal Displacement in Peace Processes, Peace Agreements and Peace-Building *is online at http://www.brookings.edu/ reports/2007/09peaceprocesses.aspx*

1. http://www.usip.org/resources/core-conflict-management-resources

Brookings-Bern Project on Internal Displacement

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UNIVERSITÄT BERN

Jan Egeland to give the RSC's 2009 Harrell-Bond lecture 18 November, 5pm

University Museum, Oxford 0X1 3PW

Jan Egeland, former UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator and current director of the Norwegian Institute of International Affairs, will speak on 'Beyond blankets: in search of political deals and durable solutions for the displaced'.

For more information or to reserve a place, please contact: wouter.tekloeze@qeh.ox.ac.uk

RSC International Summer School in Forced Migration 5–23 July 2010

The RSC's International Summer School offers an intensive, interdisciplinary and participative approach to the study of forced migration. It enables people working with refugees and other forced migrants to examine critically the forces and institutions that dominate the world of the displaced. Beginning with reflection on the diverse ways of conceptualising forced migration, the course considers political, legal and well-being issues associated with contemporary displacement. Individual course modules tackle a range of other topics, including globalisation and forced migration, and negotiating strategies in humanitarian situations.

Thank you for a wonderful, challenging and enlightening course. The tutors were excellent, the course work rigorous, and the readings informative. I will stop simply accepting things the way they are and start asking: "Why are things this way and how can it be better?" Participant, 2009

The participants: Typically representing more than 40 nationalities, participants include host government officials, inter-governmental and non-governmental agency practitioners involved with assistance and policymaking for forced migrants, and researchers specialising in the study of forced migration. The course, which is residential, is held in Oxford. Teaching is conducted in English.

The teaching: Lecturers and tutors include research staff, academics and professionals from the Refugee Studies Centre and other world-class institutions, drawn from a number of disciplines and practices including law, anthropology, politics and international relations.

A number of bursaries are offered on a competitive basis to applicants from less-developed countries.

For further information and an application form, please visit http://www.rsc.ox.ac.uk/teaching_summer.html or contact: Outreach Programme Manager, RSC, ODID, University of Oxford, 3 Mansfield Road, Oxford OX1 3TB, UK. summer.school@qeh.ox.ac.uk Tel: +44 (0)1865 281728/9 Fax: +44 (0)1865 281730

Forced to Flee

In August, IRIN Films launched Forced to Flee, a series of short films about internal displacement in Nepal, Liberia, Nigeria and Cambodia.

The films illustrate the impact of different causes of displacement, whether from conflict, natural disaster, development or climate change. In Nepal in 2001, Kamarik and his wife Dharma were chased out of their mountain village by Maoist rebels. For the past eight years, they and their six children have lived "worse than dogs" in the capital Kathmandu. In Cambodia, 50-year-old Sum Rin was displaced from a shanty town in the centre of Phnom Penh to make way for a new commercial development. And in Liberia, former child soldier Emmanuel witnessed his parents' murder and can never return to his childhood village.

These and other IRIN films are online at http://www.irinnews.org/filmtv.aspx

For more IRIN coverage of displacement and refugee issues, see http://www.irinnews.org/Theme.aspx?theme=REF

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Community resilience in rural East Timor

Pyone Myat Thu

East Timor's tumultuous history of colonisation and military occupation has been accompanied by waves of displacement and relocation of communities. Many of those forcibly relocated have had to adopt a variety of strategies to secure a viable existence in their new surroundings.

Daisua village in Manufahi district and Waitame village in Baucau district were two communities of people driven out from the mountainous interior in 1975-79 during the Indonesian occupation. 'Resettlement villages' were created on accessible lowlands to isolate them from contact with the remaining resistance fighters in mountain hide-outs.

The villages, however, were located in areas with poor water supply and infertile land. Separated from immediate family relatives, and receiving no external support, displaced households turned to their extended kin networks or created new relationships to negotiate access to land which would enable them to grow food.

Daisua villagers sought access to land from a neighbouring village with which they had marriage and indigenous political ties, and were given user rights to establish gardens in the communal land. Waitame villagers, on the other hand, did not have such ties with their host community, and this greatly limited their ability to negotiate land rights. However, the host community had large tracts of rice fields. Taking advantage of a labour shortage, displaced households from Waitame entered into sharecropping contracts with the hosts. Tenants are responsible for tilling, planting and weeding the rice paddies. Rice harvesting is a shared task, and the rice yield is divided equally between the land owner and tenant. The East Timorese government's push for agricultural mechanisation might, however, adversely affect such land-labour exchange practices.

Daisua's case illustrates the persistence and reaffirmation of kinship relations while sharecroppers from Waitame demonstrate the mutual benefits reaped by land owners and displaced people, with more rice fields cultivated than would otherwise be possible.

Some tension is inevitable. One host community, Tekinomata, lodged a petition to the national courts in 2001 requesting that the Waitame 'newcomers' vacate their land: "Where will our grandchildren live? They [Waitame] have their own land. They promised when the Indonesian flag comes down, they will return." The case is still pending. Others in Tekinomata feel differently now: "We used to have clashes. But now my son married a girl from there. So we are now family. All land in East Timor is for us to live on."

What proportion of the East Timorese remain in similar protracted displacement situations remains unclear. The majority of displaced households are reluctant to abandon their now well-established livelihoods to return permanently to their isolated and inaccessible former homes. The challenge in addressing protracted rural displacement is to think beyond return and repatriation. The myriad of livelihood strategies and associated land tenure arrangements which have evolved at the local scale must be respected. In particular, social networks which are integral in the pursuit of land and livelihoods cannot be overlooked.

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