

Local integration, local settlement and local solutions: disentangling the conceptual confusion

Jeff Crisp

UNHCR has traditionally spoken of three durable solutions for refugees: voluntary repatriation, resettlement and local integration. But the organisation has now introduced the concept of 'local solutions'. What does this notion mean and does it have any value?

The notion of 'local integration' is frequently used in relation to refugees, and yet it lacks any formal definition in international law. The lack of clarity surrounding the concept is reinforced by its frequent confusion with a related but different concept, that of 'local settlement'. For the purposes of this article, local integration can be regarded as a process which leads to a durable solution for refugees, in the sense that it enables them to benefit from the permanent protection of the State which has granted them asylum.

Dimensions of local integration

Local integration is a process with three inter-related dimensions. First, it is a legal process, whereby refugees are granted a progressively wider range of rights and entitlements by the host State, including, eventually, permanent residence rights and the acquisition of citizenship. This principle is enshrined in Article 14 of the 1951 Refugee Convention, which says that signatory States will "as far as possible facilitate the naturalization of refugees" and

"in particular make every effort to expedite naturalization proceedings".

Second, local integration can be regarded as an economic process. By acquiring a wider range of rights and entitlements, refugees also improve their potential to establish sustainable livelihoods, to attain a growing degree of self-reliance, and to become less reliant on state aid or humanitarian assistance.

Third, local integration is a social process, enabling refugees to live among or alongside the host population, without fear of discrimination, exploitation or abuse by the authorities or people of their country of asylum.

Local settlement

While local integration can be defined as a process that leads to a durable solution for refugees, the notion of 'local settlement' can be considered as an operational strategy that is implemented in response to large-scale refugee influxes. It was practised most widely between the 1960s and 1980s, at a time when countries in the Global South were experiencing a growing

number of such movements. Responding to those emergencies, host governments recognised the new arrivals as refugees on a prima facie basis and in many situations provided them with land where they could engage in farming and other economic activities, with the expectation that they would eventually become self-reliant.

While the local settlement approach enabled large numbers of refugees to find a safe haven from the violence affecting their countries of origin, it did not mean that refugees would be granted permanent residence rights or be offered the opportunity of naturalisation in their country of asylum. Indeed, host States in the Global South generally insisted that local settlement was a strictly temporary strategy, to be maintained only until such time as the refugees were able to return to their country of origin or could be resettled elsewhere.

The primacy of repatriation

As the preceding statement suggests, the principle of local integration may be firmly established in international refugee law but most host countries in the Global South have chosen to ignore it. Rather than facilitating their naturalisation, as required by Article 14 of the Refugee Convention, those States have made it extremely difficult for refugees to acquire the citizenship of the countries where they have found asylum. States' real priority has been to ensure that refugees go home at the earliest possible opportunity.

This approach was firmly endorsed by UNHCR and its Executive Committee, which in the 1980s and 1990s issued a series of statements that unambiguously identified voluntary repatriation as the "best" or "preferred" solution to refugee situations.¹ And they did this because the indefinite presence of large refugee populations was increasingly perceived as a threat to the economy, environment, infrastructure and security of the States that hosted them.

Donor States in the Global North were also eager to pursue the 'repatriation is best' agenda, primarily because this averted the need for them to support expensive and long-term assistance programmes for refugees in the Global South. At the same time, in terms of

their own, increasingly restrictive asylum policies, such States had an interest in promoting the notion that refugees should be expected to go home as soon as conditions had improved in their countries of origin.

The outcome of these trends was to make the local integration of refugees a very low priority on the global humanitarian policy agenda. In fact, the only major programme of this type to have been implemented in recent years began in 2007, when Tanzania granted citizenship to some 160,000 Burundian refugees who had been living in the country since 1972. In accordance with the prevailing durable solutions hierarchy, those arriving more recently from Burundi were expected, encouraged and even forced to repatriate.

Local solutions

Most recently, the longstanding confusion that has existed in relation to the notions of local integration and local settlement has been given a fresh twist by the introduction of yet another concept, that of 'local solutions'. Mentioned briefly in the 2018 Global Compact on Refugees and subsequently elaborated by UNHCR and the International Council of Voluntary Agencies (ICVA), local solutions have been defined as "transitional arrangements aiming to assist and equip refugees on their path towards a durable solution, notably local integration"² The two organisations explain that:

"Local solutions and local integration have in common the notion of socio-economic and cultural inclusion of refugees. The main difference between the two resides in the former being a set of arrangements and tools to work towards a durable solution, while the latter is a durable solution. This permanency of the solution is the main difference between local solutions and local integration."

So what are we to make of the local solutions concept? Does it deserve to have a place in the humanitarian policy vocabulary, and what are the implications of this notion for the future of the international refugee protection regime?

First, the notion of local solutions is an entirely superfluous concept, given it has precisely the same meaning as the strategy formerly known as local settlement. It means that refugees should be allowed to remain in a host

country for as long as they need protection. It means that they should be offered the support required for them to become self-reliant. It means that they should have fair access to public services and enjoy peaceful and productive relations with the host population. But it does not mean they have any entitlement to naturalisation and citizenship.

Second, the new notion has added to the conceptual confusion that already exists in this area, especially in relation to its misleading use of the word 'solution'. Traditionally, solutions for refugees were considered by UNHCR and its partners to be 'durable' or 'permanent', in the sense that they established a lasting bond between refugees and a State that was willing and able to protect them: the country of origin in the case of repatriation, a third country in the case of resettlement, and the country of asylum in the case of local integration. But as UNHCR and ICVA explicitly acknowledged in their statement on the matter, a local solution is not durable or permanent but simply a step on the way towards a possible solution.

Third, the notion of local solutions is an opportunistic one. For many years, UNHCR did its best to avoid the subject of local integration, knowing that it was strongly opposed by many of the world's refugee-hosting countries and recognising that the mere mention of local integration could jeopardise the organisation's relationship with them. This became abundantly clear in 2002, when a new High Commissioner, Ruud Lubbers, announced a strategy entitled 'Development Through Local Integration' which was intended to engage the World Bank and other development actors in the task of providing long-term support for areas populated by large numbers of refugees. Confronted with an immediate and vociferously negative response from many refugee-hosting States, especially those in Africa, the name of the Lubbers initiative was swiftly changed to the less controversial 'Development Through Local Assistance'.

By introducing the notion of local solutions, UNHCR appears to have stepped back from its responsibility to advocate on behalf of local integration in the full and legal meaning of the concept. The new notion has also made it much easier for refugee-hosting States to claim that

they are pursuing solutions for the refugees in their territory, even when they have rejected any suggestion of introducing a naturalisation process and when their primary objective is to push for the early – and in many cases premature – repatriation of those refugees to unsafe countries of origin.

Finally, the notion of local solutions appears to have been introduced to support the claim that the Global Compact of Refugees has been a substantial success. UNHCR and its partners invested an enormous amount of time, effort and resources into the process that produced the Compact. And as soon as that process was concluded, the organisation was already describing the Compact as "a game changer," "a paradigm shift" and even "a minor miracle".³ By specifying that a major purpose of the Compact is to promote local solutions (but not necessarily to ensure that refugees can enjoy local integration in the full and durable sense of the concept), UNHCR has lowered the bar for success and enabled the organisation to misleadingly substantiate the Compact's supposedly miraculous status.

In conclusion, there is a need to acknowledge the value of the local settlement strategy. It is evidently beneficial for refugees to progressively acquire more legal rights, to improve their economic circumstances and to establish closer social relations with the host community during their time in exile. But it is misleading to replace this well-established notion with the new concept of local solutions – a concept that adds to the conceptual confusion that already exists in this area of refugee policy and which limits the ambitions of the international community in its efforts to resolve the plight of refugees.

Jeff Crisp jefferyfcrisp@gmail.com @JFCrisp
Independent Consultant and Visiting Research Fellow, University of Oxford

1. UNHCR Executive Committee (1996) *General Conclusion on International Protection*, No. 79
bit.ly/UNHCR-international-protection

2. UNHCR and ICVA (2021) *Local solutions for refugees: key considerations*
<https://data.unhcr.org/en/documents/details/91142>

3. Crisp J (2020) 'UNHCR at 70: an uncertain feature for the international refugee regime', *Global Governance*, 20 (3)
bit.ly/UNHCR-at-70