

Understanding the challenge

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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 problematic² 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.



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 geopolitical 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

Statistics

For statistical information relating to protracted refugee situations, see UNHCR’s *2007 Statistical Yearbook* and *2008 Global Trends*, both online at <http://www.unhcr.org/statistics.html>

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.