Refugees and the city: UN-Habitat’s New Urban Agenda

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Special protection for refugees and displaced persons should be part of countries’ housing policies.

The UN-Habitat New Urban Agenda adopts human rights language, with repeated references to the principle of non-discrimination “regardless of their migration status”. Unlike its predecessor Habitat II, the Agenda calls for inclusion of urban refugees within existing city structures; however, it remains a legally non-binding document without any enforcement mechanisms.

In preparation for Habitat III (the UN Conference on Housing and Sustainable Urban Development held in October 2016), one issue paper co-led by UNHCR (the UN Refugee Agency), OHCHR (the Office of the High Commissioner for Human Rights) and IOM (the UN Migration Agency) affirms the importance of urban space in refugee protection. With the majority of refugees and IDPs living in urban areas it acknowledges the complexity of the legal recognition of migrants and refugees and the importance of legal status as a pre-condition for protection and assistance. The issue paper concludes that municipalities are disconnected from national migration policies, and argues that including issues related to migration and displacement in urban planning and development will empower municipalities to provide services irrespective of legal status. With this, the paper not only calls for a human rights-based approach in the provision of services but also for stronger planning for population movements at a municipal level.

Article 28 of the New Urban Agenda reads in part: “... although the movement of large populations into towns and cities poses a variety of challenges, it can also bring significant social, economic and cultural contributions to urban life. We … commit ourselves to… supporting local authorities in establishing frameworks that enable the positive contribution of migrants to cities and strengthened urban-rural linkages.”

However, the Agenda lacks specific engagement with the particular needs of refugees and IDPs, refugees being listed merely as one group among a larger list of very different kinds of ‘vulnerable’ populations. References to refugees and IDPs – as well as to the phrase “regardless of their migration status” – are lacking in key articles calling for access to shelter and public services. Moreover, civil society groups have been very critical of the fact that, like its predecessor The Habitat Agenda, the New Urban Agenda is legally non-binding and lacks any reference to independent evaluation and monitoring.

The attitude of many governments – despite their participation in Habitat II and Habitat III – towards urban refugees remains sceptical; they prefer camp solutions.

In order to convince more governments to put aside their scepticism towards urban refugees and inclusive urban policies, there needs to be a greater number of cooperative initiatives between UNHCR and UN-Habitat. In the context of the Syria crisis, UN-Habitat in Lebanon has increasingly focused on issues of urban refugees and shelter over the last four years with a number of different partners, in the course of which UNHCR and UN-Habitat conducted a joint study on issues of housing, land and property in Lebanon and the influence of forced displacement.

The study criticises the focus at the time on short-term shelter by humanitarian agencies and calls for a more development-oriented approach. An example of closer cooperation between the two agencies can be found in Kenya where, in July 2016, UN-Habitat and UNHCR formally signed a Memorandum of Understanding. One of the key projects of the
new cooperation focuses on the development and implementation of the spatial planning and infrastructure design of a new settlement in Turkana County. Such cooperation brings together the expertise of both agencies, and more of this would be desirable.

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http://development-research.org

1. The New Urban Agenda
https://habitat3.org/the-new-urban-agenda
4. See article in this issue by Yuka Terada, David Evans and Dennis Mwaniki.

Shelter provision and state sovereignty in Calais

Michael Boyle

Government provision of shelter for Calais’ migrant population over the last twenty years has prioritised the assertion of state authority over the alleviation of human suffering. Policies in 2015-16, which involved the destruction of informal shelter and the provision of basic alternative accommodation, continued this trend.

Successive French governments have responded to the large undocumented migrant population in the northern port of Calais by heightening security around the border and by controlling migrants’ access to shelter in the immediate vicinity of Calais. There has been a pattern for over twenty years of alternating between providing accommodation and conducting evictions or forced relocations. Reception centres have opened and then shut down and encampments have been allowed to grow and then demolished.

By January 2016, when the French Minister of the Interior ordered the demolition of the informal camp known as ‘the Jungle’ and the relocation of its residents, the migrant population of the camp comprised an estimated 6,000 people. The Jungle was demolished in two phases over a period of eight months. During the first phase, some of those evicted were relocated to a temporary facility constructed next to the camp from re-purposed shipping containers. Many chose instead to move to the half of the camp which was still standing. In the second phase of demolition, riot police used tear gas, water cannon and rubber bullets to evict everyone, including residents of the container facility.

The provision and destruction of shelter for migrants in Calais has been consistently justified by officials using the language of humanitarianism, citing the poor conditions in which the inhabitants lived. Yet the state’s ‘humanitarian response’ to the conditions in the Jungle in 2016 was to violently evict several thousand people (half of whom saw their homes bulldozed twice), temporarily re-house a minority in shipping containers that did not conform to international humanitarian standards, and ultimately relocate people to asylum accommodation that many chose to leave, preferring to sleep on the streets.

The Jungle camp challenged the sovereignty of the French state. Although the migrant population had received permission to occupy the site in Calais, the autonomous construction of a semi-permanent settlement that by 2016 housed several thousand people defied state authority. Residents of the settlement lived in extreme hardship but they had opportunities to be themselves and perform acts of citizenship which were incompatible with their status as undocumented migrants. It was therefore desirable for the state to demolish the camp and reincorporate its inhabitants.