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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”.¹ 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.² 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.³ 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

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new cooperation focuses on the development and implementation of the spatial planning and infrastructure design of a new settlement in Turkana County.⁴ Such cooperation brings together the expertise of both agencies, and more of this would be desirable.

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1. The New Urban Agenda
<https://habitat3.org/the-new-urban-agenda>
2. (2015) *Migration and Refugees in Urban Areas*, Habitat III Issue Papers no 2 <http://bit.ly/Habitat-III-issue-paper2>
3. UN-Habitat and UNHCR (2014) *Housing, Land & Property Issues in Lebanon: Implications of the Syrian Refugee Crisis*
<http://bit.ly/habitat-hcr-hlp-syria-2014>
4. See article in this issue by Yuka Terada, David Evans and Dennis Mwaniki.

