

INFORMAL CONSULTATIONS

NEW APPROACHES AND PARTNERSHIPS FOR PROTECTION AND SOLUTIONS IN AFRICA

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ADDRESSING PROTRACTED REFUGEE SITUATIONS IN AFRICA

I. INTRODUCTION

1. There is growing awareness that the underlying causes of some refugee situations in Africa are so complex and often deep-rooted that it may take considerable time to resolve them. Many of UNHCR's programmes in Africa continue to provide care and maintenance for refugee groups who have been in exile for an extended period of time with no durable solution in sight. Most refugees in such situations live in camps where idleness, despair, and, in a few cases, even violence prevail. Women and children, who form the majority of the refugee community, are often the most vulnerable, falling victim to exploitation and abuse. There are also groups of urban refugees in African towns and cities whose protection and assistance needs may not always be adequately met. UNHCR has identified the need to improve responses to such problems by formulating a comprehensive and coherent strategy to address protracted refugee situations.

2. During the fifty-second session of the Executive Committee in October 2001, UNHCR organised a panel discussion on protracted refugee situations in Africa. The discussion was based on a paper prepared by the Africa Bureau which analysed the issues, proposed a working definition of a protracted refugee situation and outlined a few possible strategic options for addressing this problem. In addition, during the UN Administrative Committee on Coordination (ACC) meeting in New York in October 2001 the High Commissioner presented a paper on the productive capacity of refugees and how this could be linked with development.

II. KEY ISSUES

3. Participants in the panel discussion acknowledged that protracted refugee situations for which no obvious durable solution is immediately available pose serious challenges to the host country, the international community and the refugees themselves. Refugees often develop a dependency syndrome as passive recipients of assistance, which results in lack of motivation and limited ambitions for their future. Protection problems

and insecurity may arise from these situations of enforced idleness. As a consequence, host communities may perceive refugees as a burden, and resentment and even hostility may prejudice relations with the host communities that were often extremely hospitable at the outset. Government policies affecting standards of treatment may tighten as a result of the perceived negative impact of hosting refugees. In addition, donor funding may diminish as new demands on public funding emerge, and protracted refugee situations come to be seen as a bottomless pit. All this has a negative effect on the quality and quantity of assistance and protection, which are often already at minimum, or even below acceptable levels.

4. Could such situations not be avoided if refugees were given the chance to become productive members of society and make a positive contribution to their host country during their enforced exile? Whilst the focus will ultimately remain on the search for durable solutions, there is a need to recognise that the period between an emergency inflow of refugees and the attainment of a durable solution need not be a hopeless and negative one.

5. Instead, the protracted presence of refugees, often in remote areas, which are socially and economically marginalised, should be seen as an opportunity to focus on the refugees' potential to engage in economically productive activities. This would also enable them to contribute towards the social and economic development of the areas in which they live. The assistance delivered by UNHCR to refugee settlements could be better used if considered in a productive way, as a start-up motor and indeed a pull factor, for additional investments and assistance by the development agencies. In this way refugees would become a more positive political asset, both at the national level and in the refugee hosting regions.

6. However, to achieve this there is a need for a new strategy to shift the focus from provision of care and maintenance assistance to empowerment of refugees to attain self-reliance. The other element of this strategy would be to seek ways of using the presence of refugees to promote the socio-economic development of the host communities, who are often themselves living in marginalised areas.

III. ELEMENTS FOR A STRATEGIC FRAMEWORK

7. In order to implement this policy, essential changes are needed firstly in UNHCR's organisational culture. Some of the Office's policies on self-reliance, if updated with lessons-learned and other innovative ideas, could support a better approach to planning and programming for refugee groups in countries of asylum, especially those that have remained in these countries for protracted periods of time.

8. A second essential element for the success of this approach is the ability to establish partnerships and for refugee programmes to be regarded as a reliable and meaningful contribution to the socio-economic balance of the asylum country. A necessary pre-condition for credible partnership in the area

of protracted refugee situations is to include pro-active and constructive planning for such measures within the co-ordination framework of the UN Country Team Common Country Assessment (CCA) and the UN Development Assistance Framework (UNDAF).

9. An effective strategy to address protracted refugee situations and prevent possible future refugee crises from becoming protracted should be based on the following elements:

Compile an inventory of best practices for self-reliance strategies and provide governments with practical operational tools to turn such principles into real measures, including guidelines and manuals for the development of specific projects and programmes. UNHCR needs to draw up a menu of available options/practical tools to ensure that today's emergencies do not become tomorrow's protracted refugee situations.

Promote policies that allow refugees to contribute to the socio-economic activities of the host communities and thereby focus on refugees as potential "agents of development". This would involve integrating them into the development planning process of the countries of asylum so that they can receive more attention and "investment" from donor countries, bilateral development banks and other financial institutions. More specifically, there should be better linkages between UNHCR's activities and national development plans, in particular with poverty alleviation initiatives.

Ensure that, from the outset, assistance programmes for refugees have a limited emergency relief and care and maintenance phase and that strategies for self-reliance/empowerment are integrated into UNHCR's programmes at the start of a new operation. This would include designing programmes in order to increase the absorption capacity of host countries and mitigate the impact of refugees on local host communities.

Adopt community-based assistance as a central pillar of UNHCR's programmes in existing and future refugee situations, including making social services and amenities destined for refugees available to the entire host community, and initiating joint economically productive activities, particularly in agriculture, but also activities for urban refugees.

Ensure that refugees, in particular refugee women and adolescents, and host communities themselves participate in the design and development of self-reliance and development programmes. Programmes concretely benefiting host communities would also ensure greater sustainability.

Devise programmes based on a relief-substitution strategy, which would involve both refugees and local communities in producing certain items (e.g. cooking oil, flour, blankets, stoves etc.) for the initial care and maintenance programmes rather than continuing to import them.

Seek to increase investment in education and skills training, which would not only benefit self-reliance strategies and increase local economic activity, but also constitute transferable skills for the refugees upon return to their countries of origin.

Develop legal and institutional frameworks that would enable refugees to exercise their civil, social and economic rights (e.g. access to land, right to work and education, freedom of movement, provision of identity documents, access to the judicial system), in order to engage in productive activities.

Reinforce partnerships with governments and the international community to include information-sharing, joint strategic planning and programming, co-ordination and division of labour with different actors and joint management of projects and programmes implemented by different partners within and outside the UN country teams.

10. The course of action outlined above would be beneficial to states, which would enjoy better security and be able to stimulate socio-economic development in areas hosting refugees. It would allow the international community to put its resources to more productive uses and avert the seemingly endless cycle of protracted care and maintenance programmes. And, most importantly, refugees themselves would gain an enhanced quality of asylum and be empowered to become self-reliant and contribute actively to their host country for the period of their enforced exile.

11. Furthermore, refugees would be in a much stronger position to participate in national reconstruction and reconciliation when they eventually return to their country of origin. Sustainable reintegration upon return will be facilitated if refugees take back with them new and transferable skills and resources to restart their lives. They should also be less likely to become dependent on national welfare and international aid.

IV. THE WAY FORWARD

12. For all the sense of urgency that has prompted the Office to focus on protracted refugee situations, it is clear that there is no magic formula. A multifaceted approach involving a series of different actors over a number of years is required to meaningfully address the problem, both from the protection and assistance point of view. Each situation will require a specially tailored response and it is also clear that more resources will be required in the short to medium term to implement these programmes.

13. The following are recommendations for immediate action by UNHCR, host governments, donor governments, other agencies and NGOs:

Recommendation 1:

14. Obtain indications of general agreement from all stakeholders (i.e. the political leadership in host countries, UN agencies, NGOs, donors, host communities and refugees themselves) about the validity of re-orienting protracted refugee programmes towards self-reliance and empowerment of refugees.

Recommendation 2:

15. Immediate set up of national committees or task forces (led by the relevant Ministry and comprising representatives of UNHCR and all other stakeholders) in countries of asylum in order to establish an inventory and analysis of any protracted refugee situations in the country concerned. The committees should be formed within the framework of national institutional arrangements for development planning. The committee or task force would review previous self-reliance programmes to determine what has worked and what has not, and identify which elements could be included in renewed efforts and responses. It would then be possible to develop specific strategies tailored to the needs of the different refugee groups. UNHCR, and more especially the development actors, should support the process with provision of the necessary expertise and guidelines.

Recommendation 3:

16. Mobilise additional resources and draw attention to each refugee situation. Allocation of resources for projects could, in some instances, already be included in national development plans or could be part of bilateral agreements with development banks and financial institutions. Governments in cooperation with UNHCR should hold meetings at the national level focusing on protracted refugee situations in order to draw attention to the economic and development potential of the refugee situation. Fund-raising campaigns should be designed for specific programmes targeting specific donors and economic partners, including the private sector.

Recommendation 4:

17. Call a meeting, at the level of experts, to take stock of progress made and challenges encountered by the proposed national committees on protracted refugee situations, and plan for the way forward. This meeting could be scheduled just before the fifty-third session of the Executive Committee, which will be held in Geneva in October 2002.

V. CONCLUSION

18. Protracted refugee situations test the generosity and capacity of host countries, donors and agencies to deal with the challenges of implementing relief, protection and development programmes. The just way out of these

situations would be one based on durable solutions, but it is precisely their elusiveness that frequently conspires to create and perpetuate protracted refugee situations. Nonetheless, UNHCR believes that protracted refugee situations can be managed in a manner that both enhances refugee capacities and benefits host countries.

19. This paper suggests the way forward. The challenge ahead is to translate ideas into action and rally support for the benefit of all concerned, including, most importantly, the refugees themselves.

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