

Module 9: Durable Solutions

Objectives

- Identify the three types of durable solutions;
- Recognise the close link between refugee protection and durable solutions;
- Appreciate the importance of refugee participation and provision of information when deciding on a solution.

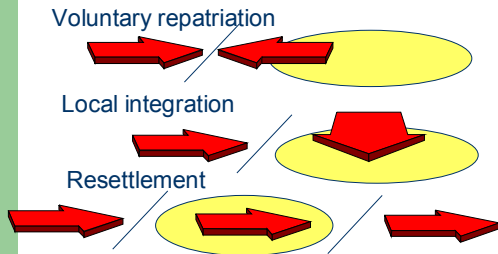
Overview

International protection is temporary substitute for safeguards of national protection.

Protection interventions need to support the attainment of the 3 durable solutions:

1. Voluntary repatriation;
2. Local integration;
3. Resettlement.

Durable solutions



Refugees cease to be refugees

When they:

- Re-avail themselves of national protection in their home country (but some may have compelling reasons not to return);
- Re-acquire or obtain a new nationality.

Voluntary repatriation - fundamental principles

- **Voluntariness** Free and well-informed decision
- **Return in safety** Conditions of legal, physical and material safety
- **Return in dignity** Unconditional, Respectful treatment
Not separated from family

What can the RC/RC and NGOs do?

- **Incorporate** monitoring activities into assistance programmes for returnees;
- **Ensure** local community benefit from returnee assistance;
- **Facilitate** reconciliation process;
- **Share** information with counterparts in country of asylum.

Local integration preconditions

- Full cooperation of host government;
- Sufficient external financial support;
- Receptivity of local population;
- Viable economic context for self-reliance;
- Full incorporation into new society (naturalisation).

Integration obstacles

Competition for scarce local resources

High cost of welfare services



Resistance of local population

Misuse of integration

Local integration
must **not be imposed** upon
refugees
in order to impede voluntary return
(e.g., after expulsions)

What can/should the RC/RC and NGOs do to make solutions real?

- Help strengthen local socio-economic infrastructure;
- Identify income-generation options and stimulate participation of refugees;
- Promote community development and mitigate local resentment;
- Cooperate with other actors to develop phased assistance;
- Promote registration, the granting of identity documents and legal status.

What is resettlement?

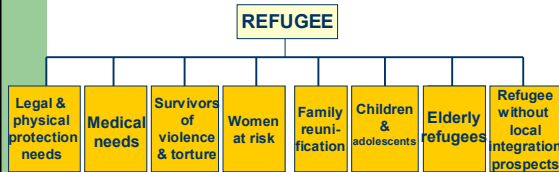
- A tool to provide international protection and meet the special needs of refugees whose life, liberty, safety, health or other fundamental rights are at risk in the country where they have sought refuge;
- A durable solution to reinstate national protection, to restore basic dignity and safety, and to secure a future where refugees can enjoy life again;
- Means for international responsibility-sharing, whereby states assist each other to assure that refugees do not unduly impact the country of first refuge.

When can resettlement be considered?

- After establishing that a person is a refugee under the UNHCR's mandate;
- When a refugee is at risk in their country of refuge or has particular needs as established by UNHCR criteria;
- After fully exploring the possibility of local solutions;
- After evaluating the possibility that voluntary repatriation will be feasible or foreseeable within an acceptable time frame.

Who can be resettled?

Resettlement determination
UNHCR resettlement criteria



Legal and physical protection needs

- Immediate or long-term threat of *refoulement* to the country of origin or expulsion to an other country from where the refugee may be *refouled*;
- Threat of arbitrary arrest, detention, or imprisonment;
- Threat of physical safety or human rights violations in the country of refuge analogous to that considered under the refugee definition and rendering asylum untenable.

Family reunification

«The family is the natural and fundamental group unit of society and is entitled to protection by society and the State» (UDHR & CCPR)

The UNHCR promotes reunification of:

Nuclear family

- ✓ Husband and wife
- ✓ Parents and minor/dependent/unmarried children
- ✓ Unaccompanied minors with parents or siblings
- Other dependent members of the family unit
- ✓ Dependent parents of adult refugees
- ✓ Other dependent relatives
- ✓ Other dependent members of the family unit

What resettlement is not

- A right;
- An immigration/ migration tool to reach the country of choice;
- A tool to only improve a person's economic/ social situation;
- The solution for all problems and challenges that a refugee is experiencing.
