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review

Adapting to urban displacement

With growing numbers of displaced people in towns and cities, humanitarian and development actors need to rethink approaches to helping the urban displaced live in security and with dignity.

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From the editors

The striking fact that for the first time in human history there are now more people living in towns and cities than outside them is not in itself a reason for FMR to be covering urban displacement. Behind that fact, however, lies the multiplicity of reasons why people have been moving into urban environments and the reality that for many of them it is not a matter of choice.

Relatively little is known about the precise numbers of those forcibly displaced into urban settings, their demographics, basic needs or protection problems. They may choose to be displaced in cities rather than in camps but they did not choose to be displaced, and therefore they may have rights to protection and assistance under humanitarian law. For internally displaced people the situation is especially confused, as they are likely to be living among compatriots facing similar difficulties and challenges – whether city-born residents or, for example, rural-urban economic migrants.

People's reasons for moving to the city may be different but their struggle to survive with dignity is similar. How national and international providers of services and protection attempt to address their needs is therefore a wider issue than a purely humanitarian, displacement-focused one. The humanitarian system will have to engage with this reality in a way that it has previously not been so ready to do.

In their introductory articles in this issue of FMR, UN High Commissioner for Refugees António Guterres and UN-HABITAT Executive Director Anna Tibaijuka emphasise the complexity of the challenges faced by those displaced into urban areas and by those seeking to protect and assist them, and argue for the need for a radical rethinking of approaches. The articles that follow address some of the practical and policy issues that urban displaced people face and that affect providers too. They also reflect the diversity of analysis and geography that is to be expected given the global nature of urbanisation.

In January 2010, during the course of production of this issue of FMR, a major earthquake hit Haiti, causing particular damage and loss of life in the urban areas.

A large number of people have been left without homes – displaced – by this event, and we considered it appropriate to include an article highlighting the principles around which the international system should shape its response, while recognising that the immediate needs are still scarcely being met. We are also considering publishing an issue of FMR in 2011 that will have standards, principles and guidelines as its theme.

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We have recently added a new page to our website to help you search past FMR issues on a specific theme. See http://www.fmreview.org/search.htm We hope it will prove to be a useful service to our readers – and welcome your feedback.

If your organisation has an online library of resources or listings of thematic links, we would be grateful if you could add links to back issues of FMR. We also encourage you to post online or reproduce FMR articles but please acknowledge the source (with a link to our website) – and, preferably, let us know.

Forthcoming issues of FMR in 2010

- FMR 35: feature on Disability and displacement (due out in June)

- FMR 36: feature on the Democratic Republic of Congo and the Great Lakes (due out in October). FMR 36 call for articles is at http://www.fmreview.org/DRCongo/; deadline for submissions is 31 May 2010.

Later this year there will also be an FMR special issue, to be distributed along with FMR 36, on HIV/AIDS, security and conflict. The call for articles is online at http://www.fmreview.org/AIDS/

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With our best wishes

Marion Couldrey & Maurice Herson
Editors, Forced Migration Review

FMR 34: In this issue...

Adapting to urban displacement

Anna Tibaijuka

The forces that have always generated displacement are now more than ever pushing people to become refugees and internally displaced persons (IDPs) in urban areas.

The majority of the world's population already lives in towns and cities – with nearly 1.5 billion people living in precarious informal and slum settlements. Climate change and the natural disasters linked to it, rising global food crises and higher costs of living, and the proliferation of hostilities and complex emergencies are global trends. They incite the movement of millions of people to new urban locations from rural areas or other cities, and are causing the issue of urban displacement to come to the forefront of both our humanitarian and development efforts.

Urban displacement has emerged as a new dimension to the challenges we face in meeting the humanitarian needs of IDPs and refugees. Besides disrupting the family life of the displaced and the social fabric of communities, the movement of people to non-camp, urban settings is further exacerbating the vulnerability of the already resident urban poor. The arrival of new IDPs and refugees further stresses already inadequate water and sanitation infrastructure, shelter and access to land. Competition for resources and livelihoods among the urban displaced and host populations increases social tension and can result in new conflict.

The arrival of displaced people in a city or town may not only generate problems for the city but also jeopardise its ability to plan for its future. Overcrowding, use of space and amenities for living that should be available for education or recreation, for example, and uncontrolled urban sprawl are a drain and a burden on the ability of a city and its residents to see that conditions improve or at least do not deteriorate. Poorer cities undoubtedly are more vulnerable to this than wealthier ones.

Whatever the nature of the city, the dynamics of rural-urban migration present radical challenges, especially when this happens under duress. These same dynamics also provide challenges to those who wish to provide assistance, especially because so much of the experience of the international community has previously been concentrated elsewhere. The processes and modalities of humanitarian work need to be adapted – maybe even transformed – to enable us to meet the basic living requirements and protection needs of the urban displaced.

Cities have always had a social and a political identity separate from, though linked to, that of national identity and national government. Increasingly, cities have their own 'governments' which build their own relationships, have their own networks and have a political presence both nationally and internationally. Cities have power. This provides opportunities for organisations that want to ensure that those who are displaced can live in security, with dignity and with the hope of improvement of their living conditions.

UN-HABITAT strongly believes that partnerships with local governments, NGOs and the private sector are critical resources that cities bring to bear in meeting the needs of the urban displaced and their host communities. UN agencies, national governments and donors all need to seize the opportunities for stronger engagement and more productive partnerships in order to find innovative ways to do business.

UN-HABITAT and partnering agencies can also bring to bear more effective assistance initiatives by strengthening their partnerships through the transfer of good practices and through building institutional and organisational capacity. Building sustainable local capacity is the key to tackling the immediate needs of urban IDPs, refugees and their host communities and to making all our world's cities better places to live.

It is very timely to have a publication such as FMR touch on much of this. The articles that follow bring together academic, policy and operational viewpoints and offer examples of how displaced people are affected by and cope with urban environments, how the international community does – or should – manage its business on their behalf, and lessons for the future.

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Manshiet Nasser, an informal settlement on the edge of Cairo, Egypt, is one of the most densely populated areas in Africa.

A family washes in the River Buriganga, Dhaka, Bangladesh.

Meeting humanitarian challenges in urban areas

Roger Zetter and George Deikun

As humanitarian actors develop new modalities for addressing growing levels of urban displacement, a Task Force of the Inter-Agency Standing Committee Working Group reviewed the changing context and the main characteristics of the challenges in question.[1] This article is based on the findings of the Task Force.

Over many decades, humanitarian policymakers and practitioners have focused primarily on rural emergencies and disasters. However, with the recognition that urban areas already are and increasingly will be where humanitarian needs are to be met, humanitarian actors and agencies are increasingly directing their attention to cities and towns in the global south and are pursuing urban policy initiatives.

Although nowhere is immune from urban disasters and humanitarian crises, cities in the developing world are far more vulnerable to the consequences than those in the developed world. The risk of disaster is sharply increased by rapid urbanisation, and poorly managed or uncontrolled urbanisation and inadequate governance contribute to and may even cause humanitarian crises.

More than three billion people now live in urban areas worldwide. Over one billion of these urban dwellers live in slums and informal 'spontaneous' settlements – mainly in sub-Saharan Africa and south-east Asia. Rapidly growing, unregulated and under-serviced urban areas are high-risk locations rendering the majority of urban dwellers vulnerable to a range of disasters and crises. The increasing stress on urban environments derives both from existing deficits in the supply of land, housing and urban infrastructure and the rapidly increasing demand for these resources as cities grow by between 5 and 10% a year. These processes, and the sub-standard conditions in which so many city dwellers live, contribute to chronic or slow-onset emergencies or become the tipping points for humanitarian crises.

Conditions creating vulnerability

Overcrowding, poor living conditions, lack of access to clean water and adequate sanitation in urban settings contribute to health emergencies including outbreaks of communicable diseases. Urban populations are at high risk of food insecurity (high prices, food shortages, lack of safety nets) due to poor public health conditions, loss of livelihoods, income insecurity and marginalisation. Beneficiary targeting in health and nutrition crises is especially challenging. Moreover, health and nutrition crises may be the by-product of other emergencies such as flooding, earthquakes or urban violence, creating so-called 'stress bundles'.

Climate change and the increasing propensity for cities to experience disasters caused by more frequent extreme weather events will be compounded by rising sea-levels, desertification and drought, thereby driving population displacement and producing new patterns of intra- and inter-urban migration as the displaced search for new land to settle on. Urban disaster risk reduction and preparedness, mitigation, response and reconstruction will come to dominate humanitarian policies and programmes in the coming decades.

The lack of effective preparedness for multiple hazards and limited mitigation measures compound the vulnerabilities of urban populations. Moreover, these same countries are often characterised by poor governance and the limited empowerment of civil society actors necessary to mobilise public agencies and communities when disasters and crises strike.

Although in absolute terms more people will be affected in the large and mega-cities, it is in fact medium- and small-sized cities in the developing world which are more predisposed to these crises. This is because they are generally less well resourced in terms of professional capacity, governance and finance. Their vulnerability

Slum housing in the Ebute Metta district of Lagos, Nigeria.

Bacoor Cavite area south of Manila, the Philippines.

is also greater because of more limited investment in infrastructure and urban services such as water supply, solid waste management systems and health services. In addition, there is less experience of working with humanitarian actors and other international agencies.

Despite the susceptibility of urban areas, we have insufficient data to accurately map, assess and predict the distribution of urban 'hot spots' (regions, cities and areas within cities) at risk of disasters and humanitarian emergencies. Better mapping is critical for preparedness planning and the effective operational capacity of humanitarian organisations.

Experience over many years shows that conflict and disasters often drive large-scale sudden displacements of rural populations to cities and towns. This trend has increased considerably in recent years; more and more refugees and internally displaced people migrate to cities and towns during and after conflict, seeking protection or to reduce their visibility. The new UNHCR Policy on Refugee Protection and Solutions in Urban Areas[2] is a reflection of these changing trends. Displacement places extra stress on urban services and resources with forced migrants and existing urban dwellers sharing densely populated and poorly serviced environments. Increased competition and conflict between communities over limited urban resources such as land and water may further exacerbate the potential for urban crises.

It is important to stress that disasters and humanitarian emergencies have an additional impact on the urban poor and displaced populations not because of the events themselves but because their vulnerability is exacerbated by three factors. First, governments rarely have the capacity to protect poor urban residents by providing satisfactory water supply and drainage systems, effective protection from floods, safe land for housing or sound public health systems. Second, the impoverishment of slum dwellers, refugees and displaced persons compels them to live in hazard-prone locations such as low-lying areas and landfill sites or in sub-

standard, crowded and insanitary housing. Third, these conditions expose communities to a cocktail of multiple hazards, the 'stress-bundles' mentioned above.

Institutional architecture

Perhaps the biggest challenge for humanitarian actors – and also a major opportunity – is to develop ways of working with the existing institutional framework of municipal and civil society organisations which exists in most towns and cities in the developing world. Inter-agency cooperation is the key to successful humanitarian operations in urban areas but the range of interlocutors is substantial and includes local governments, service-providing agencies, line departments of national and provincial governments, urban councils and technical departments, faith-based groups and community-based organisations, police forces and academia.

One problem is that many of these agencies may be orientated to developmental programmes. It is therefore important for disaster preparedness and management planning to be incorporated into their operations in order to harness their capacity and local knowledge in disasters and humanitarian emergencies. There are often national and local agencies specially designated to respond to disasters and to coordinate relief and reconstruction; local professional resources are therefore likely to be available. It is possible to mobilise recovery plans quite quickly since affected populations can be more easily reached because – ironically – of the dense living conditions.

There exist a number of urban networks which normally are less associated with government and humanitarian operations. These include the private sector, academia and other civil society organisations. As these often have knowledge, experience and expertise on disaster management and risk reduction, efforts should be made to coordinate with these actors in urban areas and exploit their capacity to participate in humanitarian assistance, risk reduction and early recovery operations. Some UN Country Teams are currently setting up

committees or stakeholder groups to address urban challenges in collaboration with national and local government institutions and civil society organisations.

Such collaboration may constitute a substantial contrast with the modalities of humanitarian response in rural areas, where international humanitarian actors may be the only competent response agencies. In urban areas, it is the local leaders, decision makers and interlocutors who take, and must continue to take, the lead in mobilising and coordinating humanitarian action and also in managing urban risk reduction, and contingency and recovery planning. International actors will usually play a support role, supplementing the services and resources available in urban areas where these are inadequate to meet the basic demands of the populations in need.

This role creates unfamiliar challenges for humanitarian actors and may make it difficult for humanitarian agencies to develop effective collaboration. Identifying these interlocutors and developing collaborative partnerships with local governmental and non-governmental actors can be complex but is an essential task. Slow decision-making as well as duplication and fragmentation of responsible agencies may produce operational delays. These conditions may cause frustration for international actors who are used to mobilising rapid responses in rural areas, less fettered by public authorities.

Nevertheless, despite the presence of an institutional infrastructure in urban areas, inevitably there are many 'governance gaps'. Urban government staff may have been affected by natural disasters or fled armed conflict or been implicated in urban violence. Vital administrative resources such as land registers, maps and office equipment may have been destroyed, creating additional challenges for both local administrators and their counterparts in international organisations in planning and implementing emergency assistance.

In contrast to working independently, the less familiar

role of collaborating with and supporting urban governmental and non-governmental institutions in emergencies, and sometimes in natural disasters, may challenge the humanitarian principles of international actors. In recent cases, corruption and land grabs as well as situations where local authorities and officials may be politically implicated in humanitarian emergencies have challenged and potentially limited the operational scope of international agencies and organisations.

Operational and sectoral challenges

Targeting vulnerable communities and groups in need is a major challenge for humanitarian actors in urban areas because the potential beneficiaries are sometimes highly mobile, often inaccessible and frequently integrated into existing slums and settlements scattered across the city. Refugees and IDPs who have been displaced in or to urban areas compound these difficulties since they often have particular reasons for remaining hidden, such as fear of harassment, detention or eviction. Thus, safeguarding the rights of refugees, IDPs and disaster-affected populations in post-disaster and post-conflict return or relocation is especially problematic in this context.

Tracking, profiling, registering and documenting target groups dispersed in often inaccessible urban areas in order to meet their needs for material assistance and protection requires effective community outreach. Different kinds of tools to access disaster victims and displaced persons may be available in an urban setting; text messaging and the internet, for example, may be used to complement more 'traditional' means such as local media and community organisations.

International humanitarian actors have developed an extensive range of policies, practices and tools for development and humanitarian work in rural areas which may be transferable to urban settings. But adaptation to this new context, where established regulations, codes and procedures will already exist, is a challenge and new policies and

ways of working at both agency and inter-agency levels may be required. One example of re-orientation and the development of new procedures is the current revision of the Sphere Project Handbook.[3] Others are the development of guidelines on shelter provision for affected urban populations[4] and WFP's review of food targeting practices in urban areas. However, many agencies are currently responding on a case-by-case basis and there is a clear need for training and more systematic, mainstreamed urban-based interventions.

Another major operational challenge for international actors is to assist in finding durable solutions for displaced populations in urban settings. Many refugees and IDPs, especially in situations of protracted displacement, may be unable or unwilling to return, preferring to try to integrate in the cities where they currently reside. Others remain in urban areas because of insecurity or worse material conditions back home than those they face as displaced 'temporary' residents in the urban slums.

Different types of disasters, humanitarian crisis and early recovery situations in urban locations call for different modes of humanitarian action. For example, the mapping of transition from chronic conditions to a crisis and then early recovery is poorly developed. Yet these transitions have crucial implications for defining the entry and exit points for humanitarian actors.

Protecting the rights of refugees, IDPs and other displaced people in urban settings – creating 'humanitarian space' – is a major challenge. This sits alongside the 'hidden crisis' of urban violence, social unrest and the growing insecurity of urban populations (notably women and children) resulting from the incidence of civil conflicts and different forms of armed violence which can exacerbate or be sources of humanitarian crises.

Linking risk reduction to humanitarian assistance in urban areas constitutes another operational challenge for which humanitarian actors are potentially

well placed to respond through their expertise in risk assessment, disaster preparedness and response. Bridging development and humanitarian work, accordingly, constitutes a vital contribution to meeting humanitarian challenges in urban areas in order to promote durable, sustainable interventions which minimise future urban vulnerabilities. A number of organisations have developed risk and population vulnerability mapping.[5] However, it is worth stressing that urban dwellers are usually exposed to a range of risks and hazards and humanitarian actors must integrate these compound conditions into their policies, programmes and practices.

Underpinning these operational challenges is the need to attract donor support – a major concern for humanitarian actors. There has been little systematic analysis of the current scope and distribution of funding for urban humanitarian and disaster preparedness and relief programmes. Although urban populations can be captured in general humanitarian responses, donors have yet to develop strategies for designating funds for humanitarian operations in urban areas. The projected increase in the number of countries with urban localities at risk, however, will accelerate demand for funding in an era of resource scarcity. These trends will affect funding allocations from Consolidated Appeals and the Central Emergency Response Fund (CERF) and will constitute another challenge for humanitarian agencies.

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1. Meeting Humanitarian Challenges in Urban Areas Task Force led by UN-HABITAT http://tinyurl.com/IASC-MHCUA

2. http://www.unhcr.org/4ab356ab6.html

3. http://www.sphereproject.org/content/view/476/278/

4. Led by NRC/IDMC and Shelter Centre with OCHA, UN-HABITAT and a number of NGOs. http://tinyurl.com/ShelterCentre-UrbanProject

5. For example, IFRC, NRC, UN-HABITAT, WHO, UNICEF, UNDP, WFP, OCHA, ISDR, Shelter Centre and others.

Protection challenges for persons of concern in urban settings

António Guterres

Urbanisation is an irreversible trend. More and more of the people we care for – refugees, returnees, the internally displaced and the stateless – will live in cities and towns and we need to adjust our policies accordingly.

The actual number of refugees, IDPs, returnees and stateless persons in urban areas is extremely difficult to ascertain. Damascus and Amman between them have received more than a million Iraqis, providing the most dramatic but far from the only current examples of large-scale displaced populations in urban areas. Khartoum is believed to host 1.7 million internally displaced people and refugees. Abidjan and Bogotá have both absorbed hundreds of thousands of victims of armed conflict, swelling slums which were already poorly serviced. Former refugees returning from Iran and Pakistan and those displaced by violence in rural areas of Afghanistan have joined the even larger number of people migrating to Kabul for economic and other reasons, resulting in a several-fold increase in Kabul's population since 2001.

Urban displacement is clearly a global phenomenon but one with localised effects. It is accordingly a matter of growing concern for city authorities and central governments as well as humanitarian and development organisations. Municipal administrations have become front-line actors. They require the strong support of national and international organisations and a wider engagement of the development community.

Sharpening our focus

UNHCR's experience with refugees, the internally displaced, returnees and the stateless in cities is not new. What is new is the appreciation that increasingly cities will be the main site of humanitarian response to the needs of this population. To discharge our mandate effectively, we have to improve our performance in urban settings and recalibrate our approach, with an enhanced focus on partnerships and paying particular attention to the role of local authorities.

The plight of refugees and others of concern in urban areas cannot be treated in isolation but needs to be responded to in the broader context of the urban poor. The humanitarian community needs to reassess its paradigm of assistance in urban areas. Humanitarian actors in urban areas need to determine how community-based and bottom-up initiatives can be better supported.

We do not wish to encroach upon the work of development actors but we do want to spur on their efforts and coordinate our own activities with theirs. We will need to work hard with governments, local authorities and through UN Country Teams to raise awareness that poverty alleviation, disaster-risk reduction, slum-clearance and similar initiatives must respond to the needs of all marginalised urban populations, including those of concern to UNHCR.

If we want our efforts to have the desired impact, we cannot see these populations in isolation from local communities. We will only succeed if we adopt a comprehensive approach taking into account the rights of both the displaced and their hosts.

Partnerships and priorities

Deliberations at UNHCR's December 2009 Protection Dialogue in Geneva[1] underlined the need for stronger partnerships. Central governments will, of course, remain key partners, as state signatories to the 1951 Refugee Convention and the recently concluded AU Convention for the Protection and Assistance of Internally Displaced Persons and other relevant international instruments, and as authors of the national legal, strategic and policy frameworks in which we all work. Local authorities are absolutely essential too, and need to be much more integrated into the articulation of strategies and policies. Our traditional partners – NGOs, the Red Cross and Red Crescent movement – still have important roles to play, as does civil society, particularly local community leaders, faith-based organisations and other groups promoting social cohesion.

The central element in all our discussions at the Dialogue was how to create, deepen and expand the protection space in cities for those we care for. This includes emphasis on legal frameworks and the recognition of rights, where an enormous amount of advocacy remains to be done, for instance in encouraging the ratification of international instruments, the withdrawal of reservations and the establishment of national protection legislation. This requires an informed and differentiated approach since there are many countries that have not ratified the 1951 Convention but which have nevertheless adopted policies sensitive to and in some cases more progressive than states that have ratified the Convention.

Two observations were highlighted repeatedly by participants at the

UNHCR/James Oatway

Zimbabwean women queue outside the Musina Refugee Reception Centre, run by the South African Department of Home Affairs.

Dialogue. Firstly, we must avoid building parallel structures for the provision of services and assistance, particularly in shelter, education and health. Secondly, we need to strive for effective burden-sharing. Humanitarian and development actors must come together in a more meaningful way. UNHCR is not a development actor but does have a catalytic and advocacy role to play with donor countries to promote a more community development-oriented perspective.

The way we behave towards those we serve is important. We need to ensure it is always humane and professional. We need to work together to avoid harassment or unjustified detention. Our deliberations underscored the importance of the attitudes of local populations in combating xenophobia, the growth of which seems particularly pronounced in the developed world but is also worrying in the developing world. We need to ensure adequate responses to unacceptable behaviour such as human trafficking, rape and other violations of human rights. And we need to be tough on criminal activities while at the same time becoming more effective in protecting the victims of crime.

Many participants at the Dialogue commented on registration, documentation and the determination of refugee status. It must be appreciated that refugees and other displaced persons will not act contrary to their interests. If, for example, they perceive a risk and no benefit in registering, they will not register. We must seek to ensure therefore that registration is seen as useful by those it is intended to benefit.

Another key aspect of protection space is access: access to information, access to safety nets and basic services allowing refugees and displaced people to meet their essential needs, as well as access to self-reliance – training, job opportunities and micro-credit.

Next steps

It is clear that urbanisation presents different problems in developed countries versus developing countries and between countries in terms of laws, traditions and culture. People's protection needs have their own specific natures and our policies have to take that into account. But it is equally important to recognise that there are common principles. Key among them is the appropriateness of a rights-based approach to the strategies, policies and measures we devise.

Following the Dialogue in Geneva in December 2009, UNHCR will be taking a number of steps to follow up our discussions:

1. Revise UNHCR's new urban refugee policy: UNHCR issued a new policy on Refugee Protection and Solutions in Urban Areas in September 2009. The policy recognises that neither UNHCR's nor a state's obligations towards refugees and IDPs ought to be conditional on their residing in camps. The policy emphasises the fact that UNHCR's mandated responsibilities towards refugees are not affected by their location. It aims both to encourage and contribute to the progressive development of national legal and policy frameworks integrating refugees and others of concern in urban areas into the social fabric of cities and towns in an appropriate, rights-respecting way. We will revise the new urban refugee policy taking into account the valuable debate at the December Dialogue.

2. Advocate for urban IDPs: Walter Kälin (Representative of the Secretary-General on the human rights of internally displaced persons) and I have agreed to advocate jointly with the broader humanitarian community to undertake a similar definition of policy for non-camp and urban internally displaced people. This needs to be a cooperative UN effort as UNHCR has no mandate to elaborate such a policy on its own.

3. Conduct real-time evaluations: We have already done an evaluation of UNHCR's activities on behalf of Iraqis displaced in urban areas in the Middle East, with particular emphasis on Amman, Aleppo, Beirut and Damascus.[2] For 2010, several of our offices have already budgeted for enhancements of efforts on behalf of refugees in other urban settings, in line with UNHCR's new policy.

We will select a number of cities as pilot sites and conduct real-time evaluations of these programmes in order to identify good practice that can be applied during the broader rollout of the policy in 2011.

4. Collect and share examples of good practice: We have agreed to compile an inventory of good practice. This is not something we can do alone and we would appreciate contributions from our network of partners.

5. Mainstream new urban refugee policy: Based on the consolidated report of the Dialogue, the pilots and the good practice inventory, we will mainstream the new urban refugee policy into our 2011 programme, aiming continuously to improve our performance in 2012 and beyond. In terms of resources, we need to consider both the internal dimension – essentially a question of our own prioritisation – and the external dimension, primarily relating to donors' willingness to give this initiative special attention. We strongly urge donor countries and our partners to examine the challenge of displaced populations in urban settings through a comprehensive approach in which community development projects are primarily managed by development mechanisms at local level.

It is not easy meeting the challenges posed by urban displacement – and we will fail to meet them if we confine ourselves to narrow institutional concerns, if we do not establish and strengthen the right partnerships or if we believe we already have all the answers. City and town planners around the world are innovating, experimenting and learning. We need to work with them and the people we care for who frequently remind us that what they need is a hand up and not a hand out.

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1. http://www.unhcr.org/pages/4a12a4a26.html
2. 'Surviving in the city', July 2009 http://www.unhcr.org/4a6dbdbc9.html

Urban displacement and migration in Colombia

Sebastián Albuja and Marcela Ceballos

In order to improve urban policies and planning for IDPs, migrants and local communities, it is important to understand forced displacement to urban areas in Colombia in the context of rural-urban migration.

According to existing data, 93% of the displaced population in Colombia have been displaced to urban areas. At the same time, over the last decade the country has experienced an intense process of rural-urban migration.

Bogotá has a population of around seven million people, including both the largest immigrant and IDP populations in the country, hosting 270,000 internally displaced people. These two phenomena are different

Night view of Ciudad Bolívar, in southwestern Bogotá.

http://censura20.com/2009/10/18/ciudad-bolivar/

expressions of the same root cause: rural-urban migration which has historically been driven by unequal access to land and which has led to tension between land-owners and peasants and eventually to the armed conflict and violence that continue to cause forced displacement. To this day it is difficult to differentiate economic reasons for migration from those linked directly to conflict, violence and human rights violations. This complicates the IDP registration process and partly explains the fact that only about half the IDPs in Bogotá are registered. Because of the coexistence of migration and displacement, many IDPs are not aware that they have

rights as forcibly displaced and therefore do not seek registration.

The registration system, which is by law mandated to admit IDPs into the registry with only an oral account of the causes and circumstances of displacement, is hard pressed to differentiate those who truly are IDPs from those who are economic migrants. So, in practice, IDP registration ends up resembling the Refugee Status Determination (RSD) process conducted for refugees. However, it is evident that the IDP registration process lacks the procedural protections included in RSD and is not conceived as a process for screening, which in practice it is. It is allegedly conducted with a high level of subjectivity and arbitrariness, resulting in the exclusion of people deserving registration.

Another implication of the heavy mixed flow, which is present in most fast-growing cities hosting IDPs in developing countries around the world, is the emergence of informal settlements and informal land markets around Bogotá. Some localities around the city have grown into full-blown settlements which have eventually annexed themselves to the city as a result of the gradual process of conurbation.

It is precisely in these settlements around Bogotá that IDPs settle. After staying with family or friends for a short period of time, IDPs look to meet their accommodation needs by acquiring or renting shelter. Access to the formal land and property market requires a significantly higher purchasing power than is

generally available to IDPs, and access to housing subsidies requires a financial and credit history which many IDPs do not have. As a result, most IDPs by necessity gravitate towards the informal settlements. Sometimes, these processes have resulted in mass evictions, while at other times the municipality has legalised the settlement and provided basic sewage and electricity.

Displacement to large urban centres such as Bogotá also means that it takes IDPs a very long time to access humanitarian aid due to them by right. A survey showed that in Bogotá, with long procedures and red tape being the norm, it can take up to two years between displacement and receipt of the first humanitarian aid in the city. This exhausts the patience of IDPs, many of whom therefore prefer informal channels of support.

Development and humanitarian policy

National-level data reveal that 98.6% of the displaced population live below the poverty line while 82.6% are officially classified as living in extreme poverty, rates that contrast sharply with the 29.1% and 8.7%, respectively for the non-IDP population. The income of IDPs in Bogotá is on average 27% lower than the income of the poor resident population.

Development support is indispensable in the long run in cities such as Bogotá, where the bulk of IDPs appear to have the same aspiration as migrants, that is, to remain in the city permanently. The fact that displacement to Bogotá happens on a steady and continuing basis makes it necessary simultaneously to furnish humanitarian assistance for new arrivals and long-term support for the majority who remain beyond the three-month humanitarian assistance phase. If settlement in the city of displacement is to be a durable solution, it requires realisation of the entire spectrum of rights of

IDPs, without discrimination, at least up to the level enjoyed by similarly situated non-displaced members of the population.[1]

Internal displacement is understood by most city authorities in Colombia as a national-level phenomenon with local implications that must be taken care of by the national government.[2] As a result, municipalities do not systematically incorporate displacement into their local or municipal development plans (with some exceptions) and do not see it as their responsibility to appropriate resources to respond to the phenomenon, particularly when it comes to long-term development.

Recent legislative changes aimed at solving this problem have determined that responsibilities should be shared between national and local government. Nevertheless, the degree of shared responsibility is not clear and the proportion of costs that should be covered by the central government, particularly for long-term socio-economic support, is not set.

Bogotá has taken some steps to incorporate special programmes for IDP families leaving the three-month emergency support network. One such project includes a dedicated social protection programme for IDP families (called 'Bogotá, a positive city for a better life'[3]) within Bogotá's development plan. Nevertheless, such projects remain mostly ad hoc and their impact has not been evaluated. In any case, much more needs to be done to ensure that city planning and development policies encompass social protection for IDPs settling in the city, and to evaluate the impact of existing programmes.

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1. Brookings-Bern Project on Internal Displacement, 'When Displacement Ends: A Framework for Durable Solutions', 2007, p11. http://www.brookings.edu/reports/2007/09displacementends.aspx

2. See also Ferris article p39.

3. 'Bogotá positiva para vivir mejor'

Invisibility of urban IDPs in Europe

Marzia Montemurro and Nadine Walicki

Some IDPs in the Balkans, Caucasus and Turkey seek 'invisibility' for security reasons. Others become invisible when they are forced to move again within the city by the actions of city authorities or property owners.

Where displacement to towns and cities is itself a coping strategy, IDPs may prefer not to display any features that may differentiate them from other urban inhabitants in an effort to avoid becoming targets. Choosing private accommodation over government-sponsored housing can also contribute to their 'invisibility', as can barriers to registration.

Displaced for an average of 15 years, IDPs in Europe, for example, have gradually moved from government accommodation to private accommodation – that they rent, own or share – in towns and cities, or continue to reside in informal settlements at the periphery of urban centres. The fact that they have adopted behaviour similar to that of other urban residents, including economic migrants, are interspersed with them and are searching to integrate has discouraged any effective profiling and monitoring of their needs.

IDPs' accommodation, in particular when informal or collective, is often precarious; IDPs are more prone to forced evictions on the basis of discrimination or because owners decide to reclaim the space to sell it or use it for other purposes. This accrued risk of intra-urban mobility increases pressure on IDPs to keep a low profile, while evicted IDPs usually disappear even further into the urban landscape.

In some cases, government policies have exacerbated their invisibility by creating legal barriers. In an effort to manage increasing urbanisation, governments in Russia and Azerbaijan, for example, have limited people's choice of residence, rendering IDPs in many cases 'ghost residents'. Similarly, Roma IDPs in Serbia must, like other citizens, produce a contract for their accommodation to apply for personal documentation, social assistance and free health care, which they are often

IDMC November 2009

Internally displaced woman preparing a meal in a collective centre that was formerly a tuberculosis treatment centre, Tbilisi, Georgia.

Internally displaced family from Chechnya who applied to the European Court of Human Rights about their eviction from a private apartment, Stavropol, Russia.

unable to do. As they face significant obstacles to changing their official residence from their place of origin to their place of displacement, IDPs join the ranks of urban residents without any formal recognition and struggle to enjoy their rights on a par with their non-displaced neighbours. In other cases, especially in instances of secondary displacement, IDPs may choose not to change their place of residence in order not to lose benefits already secured. Government policies have also created social barriers. For instance, in Turkey, Kurdish IDPs continue to face difficulties with limited recognition of the Kurdish language in public fora and in schools. The societal barrier leads to further marginalisation.

In such circumstances, different groups co-exist with varying degrees of representation in the urban arena but all with the aim of fulfilling their fundamental rights and needs. Invisibility may be an obstacle but it is also a coping strategy. The Tufts-IDMC profiling study of IDPs in urban areas[1] showed how the implementation of a household survey – requiring no IDP self-identification – can not only produce IDP population estimates and patterns of distribution within the city but can also contribute to a valuable understanding of how IDPs and non-IDPs may differ with regard to some key elements, such as housing, education, employment and their experience with forced evictions. Among other considerations drawn from carrying out such a study, three become apparent.

Firstly, the question of who is or is not an IDP needs to be carefully considered – not only in light of the definition provided by the Guiding Principles on Internal Displacement but also so as to have a common approach among all actors involved for who will and who will not be included in the final count.

Secondly, in order to provide an appropriate response in urban contexts, it is essential to collect information on all the different segments of the urban population affected by displacement – urban poor, migrants, forcibly displaced, returnees, etc – as this will provide a comparative snap-shot of each group's vulnerabilities and highlight how conflicting interests may come into play.

Thirdly, in situations of protracted displacement, such a comparative analysis can provide much needed information on whether IDPs have attained durable solutions and, if not, what the outstanding obstacles are, including the unaddressed needs of the host urban population.

On this last point, the example of protracted displacement situations in Europe is particularly relevant. As donors and the media show decreasing interest in internal displacement in Europe and as most governments still prioritise return of IDPs to their homes, there is a widespread lack of basic information about IDPs seeking durable solutions through settlement options other than return, especially in urban settings. This lack of interest and

information on IDPs settling in urban areas is just another form of invisibility. Though in principle an easy group to collect data on because concentrated in the same location, displaced populations who had found refuge either in collective centres or other forms of gathered settlements in urban areas were not profiled in at least 24 out of 56 situations of internal displacement monitored by IDMC in 2008.

Because of the protracted nature of their displacement, IDPs in Europe are facing increasing challenges as the transition to a market economy continues to change urban landscapes. For example, much social housing has been privatised while the continued occupation of collective centres often conflicts with governments' privatisation policies and owners' interests, leading to the eviction and further displacement of residents.[2] Governments have made few housing alternatives available to evicted IDPs and very few former communist countries have developed or implemented social housing legislation since their transition to the market economy. While IDPs' needs may not differ, in some cases, from those of other urban residents, their claims for property restitution and/or compensation remain largely unanswered, which still sets them apart from their neighbours.

The influx of IDPs into urban areas has put pressure on services and infrastructure which have not always been able to meet the increase in demand. Experience has shown that these IDPs are unlikely to return to predominantly agricultural areas when they have a chance to do so – but it is certain that they will be more able to make a truly voluntary choice about whether to return if they are able to live a normal life now.

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1. See article pp13-15 and http://www.internal-displacement.org/urban
2. http://www.internal-displacement.org/europe/protracted

Profiling urban IDPs

Anne Davies and Karen Jacobsen

New methodology used for profiling urban IDPs is enabling researchers to assess and contextualise the particular needs of this group and to address the implications for humanitarian action.

Attempts to estimate the numbers of people who are internally displaced within their own countries invariably come up against the challenge of estimating those who have been forcibly displaced to urban centres. Calculating the numbers and characteristics of IDPs in a country – 'IDP profiling' – is all the more complex in urban settings because the IDPs are not readily identifiable. 'Urban IDPs' comprise a hidden population, and aid agencies and governments have difficulty identifying them and understanding their experiences relative to the host population amongst whom they live. Little is known about their demographics, basic needs and protection problems, yet they are believed to be among the poorest and most vulnerable groups in many conflict-affected countries.

Recognising the need to include estimates of urban IDPs, the Feinstein International Centre (FIC) of Tufts University in conjunction with the Internal Displacement Monitoring Centre (IDMC) conducted three urban profiling studies between 2006 and 2008 in Khartoum (Sudan), Abidjan (Ivory Coast) and Santa Marta (Colombia).

Urban profiling is significantly more complex than identifying and counting IDPs living in camps, usually in rural areas. Urban IDPs are not formally separated from the local community or housed in easily recognisable regions. They are found scattered across urban areas, making them difficult to distinguish from economic migrants and the urban poor. In addition, they are unlikely to reveal themselves when their security is threatened.

Recognising this, the Tufts-IDMC researchers took into account the need to avoid drawing too much attention to urban IDPs alone. The surveys therefore did not seek out IDPs, nor did they ask respondents if they considered themselves to be IDPs, and this differentiates them from other surveys that explicitly seek to identify a targeted population group. Instead, researchers focused on areas where IDPs were likely to be living (as well as 'control' areas where displacement was considered to be insignificant) and profiled all the residents in a given area; they then used secondary analysis to determine who among the residents were displaced, according to criteria in the Guiding Principles on Internal Displacement.[1]

The studies showed that urban IDPs can be profiled, that the methodology tested is feasible for doing so and that estimates of urban IDPs can be made.[2] But why is all this information needed and who does it benefit?

Why profile urban IDPs?

Firstly, the phenomenon of urban IDPs is too big to ignore: over four million globally, out of a total of some 26 million people displaced by conflict and over 36 million displaced by natural disasters.[3] Other estimates suggest that perhaps as many as half of all IDPs migrate to urban areas, particularly to capital cities, where they blend into the population of urban poor and migrants.[4]

Secondly, without a clear definition of urban IDPs and clarification of the actual target for any new policy, it is impossible to design and implement effective durable solutions. Although it is often difficult to distinguish rural areas from peri-urban areas, and the forced IDPs from regular rural-to-urban migrants, these distinctions are crucial for national and international authorities to be able to provide measured and effective assistance to millions of urban IDPs.

Thirdly, in the context of growing urbanisation, IDPs may be perceived as a brake on development of urban areas where their fear of identification leads them to avoid civil registration and where overcrowding, competition for scarce resources and joblessness provide a magnet for urban crime.[5] Determining who, how many and where these urban IDPs are can translate into helping country authorities manage each caseload through context-sensitive, targeted protection and assistance programmes. By association, such programmes could alleviate the plight of host families who are often reported to be as destitute as the IDPs they support[6] as well as the millions of urban poor who share the scarce resources of the IDPs and suffer similar poor living conditions.

Key findings

The three studies confirmed many assumptions about the characteristics of urban IDPs. Using the most recent population census data in each city, and based on the percentage of IDPs identified in the surveys proportionate to non-IDPs, the studies were able to extrapolate the likely number of IDPs in each city. The findings showed that IDPs comprise a significant percentage of the urban population: 21% in Khartoum, 9% in Abidjan and 15% in Santa Marta. In Abidjan, in some areas of the city almost 8% of non-IDP households were hosting IDPs, and in Santa Marta 2-3% of non-IDP households were in host families. Hosting of IDPs is an important aspect of urban profiling to include in future studies.

Using uniform indicators such as housing conditions, access to potable water, access to social services (schools, health, transportation, police stations, etc), levels of education and employment, the surveys revealed that IDPs and non-IDPs share similar demographic characteristics and experience the same stresses related to urban poverty and lack of adequate infrastructure. However, urban IDPs were found to be poorer, at a greater disadvantage and experiencing more insecurity than their non-IDP neighbours. IDPs arrived impoverished – their land, harvests and other assets (including documents) having been lost, stolen or destroyed, and they were often traumatised from these

experiences. In terms of accessing urban livelihoods opportunities, IDPs are at a disadvantage because they tend to lack support networks, urban livelihood skills and knowledge of the urban setting, and they may not speak the language.

IDPs' key protection concerns included feelings of insecurity, being obliged to move several times within the city due to eviction or to escape detection, liability to forced relocation (Khartoum), inability or unwillingness to return to their former areas of origin (due mostly to continuing insecurity or having lost all their land and assets[7]) and not being in possession of identity documents (marriage, birth certificates, school records). The latter implies difficulties of access

of security forces and/or the civilian population, and are more likely to be the victims of looting, intimidation and extortion by militia and criminal groups in the urban area.

Programme and policy implications

What policy conclusions can be drawn from urban profiling and what kind of programmes can be devised to address them? In other words, how can urban profiling findings be converted into conceptual and operational frameworks to assist urban IDPs without causing them further danger or distress?

The Tufts-IDMC studies suggest that, given the subtle differences between IDPs and the urban poor amongst whom they live, programmes should not only target IDPs but also

with a great deal of care, so that they help IDPs but do not antagonize the host community, which ultimately provides their most direct assistance and support. On the other hand, specially targeted initiatives can be designed to address their unique protection issues.

Specific programmes can therefore be divided into a) activities that address the urban poor in general, of whom IDPs constitute a major but diffused group, and b) those that target the particular concerns of IDPs.

a) Urban revitalisation programmes – targeting pro-poor urban planning and municipal reforms – include improving urban infrastructure such as building safer housing; providing safer and more accessible water and sanitation, schools and health services; and creating child-friendly spaces, sports areas and community centres. **Livelihoods programmes** could help IDPs as well as the host population to build up their livelihood capacities, providing them with greater resilience to cope with future shocks and promoting their physical security. Such programmes might include micro-finance schemes to boost income generation and vocational adjustment programmes as a strategy for learning and applying new ways to build household income. In two of the cases examined, Sudan and Colombia,[8] the former vocations of IDPs either made them targets of violence or failed to provide them with the means to save enough to give them more options in their families' strategies. Vocational adjustment initiatives can help them learn new skills and capabilities relevant to their urban settings, improving their chances of employment or creating new businesses.

Eric Levron, June 2007

IDP compound in the Abobo neighbourhood of Abidjan.

to civil rights and social benefits such as education and formal work, making it harder for the displaced to lay claim to their rights as citizens. Findings for the most part confirmed other studies that have reported how IDPs have been deliberately targeted by authorities and subjected to harassment and violence at the hands

encompass poverty alleviation of the poorest and most vulnerable societies in which they live. IDPs' physical and social proximity to their neighbours means that their wellbeing and security are closely tied to their relations with their host community. Under these circumstances it is important to design IDP programmes

b) Protection measures: The greatest possible service to IDPs would be to help them obtain identification

documents. This would reduce their vulnerability to a range of threats and provide them with greater equality of opportunity with respect to their economic development. Assisting with legal problems or helping them fight discrimination by landlords or employers are other potential programming areas. Targeting resources should be done in a strategic way to ensure that they address those vulnerabilities specific to IDPs only, while avoiding IDPs being seen as receiving special treatment. IDP vulnerabilities vary in each city, depending on the political and displacement context. While many urban IDPs are unwilling or unable to return home, those who wish to do so should be assisted by all means possible. Registering for organised return or providing individual families with the financial means to return would be small but significant factors in promoting durable solutions. Finally, where possible, it is important to reinforce the response of the state, not replace it, in identifying durable solutions – whether this is return, integration or resettlement to different parts of the country. In the case of Colombia, the international community has supported the government with constitutional reform that aims to protect the rights of IDPs. In Ivory Coast, government initiatives are starting to help IDPs retrieve or replace lost documentation that will allow them access to their full civil rights.

Involved actors

IDPs are the responsibility of the state and most initiatives should emanate from national authorities, who may nevertheless need to call upon the international community to assist with financial and technical resources. The state's fundamental role is to ensure effective application of the rule of law and, specifically, to develop national legislation that protects the rights of all its citizens including the internally displaced.

Emergency action through humanitarian agencies may be necessary in cases of crisis, for example in rapid onset emergencies that cause large numbers of people to flee to urban centres for temporary protection. By and large, however, it is the role of development actors to

IDMC, November 2006

Informal dwelling in Khartoum.

design and implement the longer-term municipal planning, urban revival and livelihoods programmes through participatory approaches involving local authorities, civil society and the targeted population groups. Humanitarian agencies may intervene in areas where IDPs are clustered to provide or enhance basic amenities such as water, sanitation, health and shelter programmes but these should be durable interventions that assist development, not just stop-gap measures. International NGOs also have a role to play, for example in implementing legal aid programmes specifically targeting the protection concerns of IDPs, while training and building the capacity of local authorities and civil society.

The three urban profiling studies demonstrate that it is feasible, at reasonable cost, not only to obtain better estimates and characteristics of urban IDPs but also to gain a greater understanding of a whole range of contextual issues that concern them: the host communities with whom they share living conditions and resources, the similarities and differences of their vulnerabilities and capacities, and future aspirations and intentions. Such information, taken alone or located within the broader context of urban migration and poverty, can help governments and aid agencies

develop better-informed strategies to assist and protect IDPs. They provide a wealth of information for designing appropriate programmes adapted to each specific context, in support of government efforts to implement whatever durable solutions may be required.

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1. http://www.unhchr.ch/html/menu2/7/b/principles.htm Article 2

2. Reports of all three studies (which include details of methodology) are online at: http://tinyurl.com/TuftsIDMCprofiling

3. Estimated by IDMC, cited in 'Ignored Displaced Persons: the plight of IDPs in urban areas', (p.1) UNHCR 2008. http://www.unhcr.org/487b4c6c2.html

4. Karen Jacobsen, 'Profiling Urban IDPs: How IDPs differ from their non-IDP neighbors in three cities', Feinstein International Center, Tufts University, 2008 (prepared for book chapter in *The Migration-Displacement Nexus: Concepts, Cases and Responses,* edited by Khalid Koser and Susan Martin, forthcoming 2010).

5. See Richard Black and Jon Sward 'Migration, Poverty Reduction Strategies and Human Development', UNDP Human Development Research Paper, 2009/38, p12: http://hdr.undp.org/en/reports/global/hdr2009/papers/HDRP_2009_38.pdf

6. This finding was particularly noted in the Santa Marta survey.

7. Except in the case of many IDPs interviewed in Abidjan who wanted to return home but were unable to, mostly due to lack of resources.

8. Richard Hill, Kari Jorgensen Diener, Sue Miller, and Thomas White 'IDP Livelihoods: IDP Livelihoods and Personal Security: Case Studies from Colombia and Sudan', 2006. *Refugee Survey Quarterly* 25: 40-59. http://rsq.oxfordjournals.org/cgi/reprint/25/2/40.pdf

Improving living conditions in Bossaso, Somalia

Filiep Decorte and Ombretta Tempra

Involving IDPs, host communities and international agencies in thinking about the city, the quality of life and economic opportunities in Bossaso has led to significant improvements in settlement organisation and shelter provision for displaced people.

Displaced people, like others in in urban settings, face a continuous struggle to balance livelihood opportunities with personal safety. While it is initially easier for humanitarian agencies to protect and address the needs of displaced people in camps on the urban periphery, later the physical and social segregation and the perceived preferential treatment become increasingly problematic. With time, inevitably the physical boundaries loosen, mainly driven by the pursuit of livelihood opportunities of the displaced in the local economy and the spread of the city as more people arrive. With time, return to their often rural origins is no longer an attractive option, and internally displaced people morph into economic migrants. Protracted displacement also sometimes sees a whole generation born in their 'temporary' urban location.

Bossaso

Bossaso, a port city in the north-east of Somalia, is a case in point where displacement has many facets. Bossaso has boomed, thanks to its port activities, but its growth would not have been possible without the influx of cheap labour, delivered by migrating minority clans. It has an estimated population of 150,000 people of whom 35,000, or almost one in four, are considered displaced.

The displacement picture becomes even more complex as people from Ethiopia, southern Somalia and even far away places like central Africa and Asia see the port of Bossaso as an important gateway to a better life in the Middle East or Europe. This makes it impossible to single out internally displaced people as a distinct group at a precise moment in time or to only

focus on humanitarian response or on long-term solutions.

The physical reality is the uncontrolled growth of numerous dense, un-serviced temporary settlements on the urban fringes. The disintegration of public institutions has allowed massive land-grabbing and left all land controlled by private individuals who are members of the ruling clans. Displaced people have no choice but to rent. They are a substantial source of income for the 'landowners', who commonly charge the highest possible rent while waiting for better opportunities to sell off their land. The economic logic, the absence of any standards and the weak societal position of IDPs translate into high and unhygienic densities, leaving no space for livelihood initiatives, community facilities or even simple privacy. Landlords are reluctant to allow any 'permanent' improvements on their property. No permanent shelter materials are allowed. No latrines can be dug. No water systems can be installed. Thus the 'squatters' are kept in a state of permanent transition, under constant threat of eviction and at risk from outbreaks of disease and various abuses.

When Dennis McNamara, the then director of the Internal Displacement Division of OCHA, visited Bossaso in late 2004, he referred to the sea of makeshift structures, made of wooden sticks, cardboard and pieces of textile and string, as one of the world's most neglected and desperate humanitarian situations. Cholera was just under control. No more than 140 latrines had been constructed over the previous 10 years, and of these barely 10% were in working order. There was worrying evidence of sexual violence against women who had to leave

the confines of their settlement at night in order to relieve themselves. Every year up to a quarter of all shelters would burn to the ground, deliberately or accidentally, helped by hot strong seasonal winds and the high population densities. A straightforward humanitarian response would always kick in, focusing on the distribution of wooden sticks for shelter reconstruction, the typical non-food items and a few daily rations. The end result was no better than what was there before.

New approaches

This led to growing frustration and a search for alternative solutions. One initial idea was to identify sufficient land where all of the displaced could be resettled which would allow security of tenure and easier service provision. The local authorities offered land 10 kms out of town, which was of little economic value in the prevailing informal land market. Fortunately, funds were not available for this massive exercise; the displaced would have been cut off from their livelihood

IDP settlement after outbreak of fire, Bossaso.

opportunities in the port and the local markets, and it did not address the fact that new arrivals would continue to end up in the city.

It was clear that the complexity of the situation required a concerted effort of all the actors involved to develop a joint UN-INGO strategy for displaced communities based on a rights and protection approach, combined with concepts of sustainable urbanisation, slum prevention and incremental upgrading.

UN-HABITAT drew up some basic criteria to assess the viability of land for local resettlement:

- ability to provide adequate, affordable and sustainable basic services and infrastructure

- possibility of security of tenure and shelter

- social sustainability (physical security and some integration into the existing host community)

- economic sustainability (access to economic opportunities

- spatial sustainability (promoting environmentally friendly, compact city growth)

- cross-subsidising possibilities and benefits for the host community

F.llep Decorte

(for example, the sharing of infrastructure and services and increased value of serviced land)

Agencies pro-actively adopted the principles of the humanitarian cluster approach, which makes a lead agency responsible for bringing actors together, avoiding conflicting approaches and overlaps, and for common advocacy with local authorities, landlords and representatives of the displaced.

Key components of the new plan were: a) changes to emergency response after fires; b) upgrading temporary settlements by planning access and firebreaks, creating community facilities, building latrines and water points and stocking mobile shelter kits; and c) planning sustainable local resettlement to effectively integrate some of the displaced with the host community.

The emergency response now starts from a 'build back better' approach, using the aftermath of fires as an opportunity to introduce fire-breaks and to distribute mobile shelter kits which use metal poles and fire-retardant canvas rather than wooden sticks and cardboard. This was coupled with disaster preparedness programmes, such as raising community awareness and training displaced people themselves and local authorities in fire response. A simple training guide for upgrading temporary settlements, aimed at municipal officials and community leaders, was developed to allow for a quick transfer of the basic skills needed and to empower displaced people to initiate improvements themselves. In 2008 the number of families who suffered fires fell by 50% compared to 2007.

A campaign was also launched to advocate for the 'rights' of the displaced. The argument was that if you pay rent, there need to be minimum standards for what you get in return. Local authorities and traditional and religious leaders were mobilised, as it is they who define what is acceptable and what is not within the local community. Radio and TV were used to ensure that the debate was widely heard. The discussion focused not only on the 'rights' of the displaced

and their contribution to the local economy but also on the negative impact of unhygienic conditions and heightened fire risk on the host community. The end result was that the first landlords came forward and agreed to negotiate a tri-partite agreement between themselves, the local authorities and the representatives of particular displaced groups. The agreements opened the door for upgrading the settlement and included simple principles preventing ad hoc evictions.

Empowerment of the displaced community has been one of the key factors allowing change for the better. Ms Karoon Sheikh Hussein is the settlement leader of Tawakal:

"In Tawakal we are now about 150 families. We have been living in Bossaso for over 10 years and experienced many difficulties because our clan is a minority in this area. Before Tawakal was created, we were staying in a settlement called 100 Bush but we had to leave eight months ago when the land rent increased. Our former landlord also objected to the construction of latrines, and the sanitation conditions were very bad. 100 Bush was very congested, without access roads and open spaces. We had frequent damage and loss of property from fires and we lived in fear of new fires."

"When I was in 100 Bush I observed UN-HABITAT demarcating the site after a fire to create fire breaks. This is why, when we settled here I and other camp elders insisted on keeping the settlement spaced out and on creating firebreaks. It is the only way to prevent fires spreading."

Displaced people who choose to integrate permanently into the host community have some land made available within the urban growth areas. Services and infrastructure are now planned in a way that benefits both the host community and the displaced. The original landowners benefit as the market value of their land, which will now have services and amenities, is increased. Now displaced people in Bossaso have started purchasing land on an individual

basis and more landowners have come forward to share part of their property. Mosques and schools are being built next to the resettled displaced and shops are opening.

Conclusions

Although it is too soon for a full evaluation, key lessons so far can be summarised as follows:

- A protection and rights-based approach can facilitate access to land and services.

- An inclusive process empowers displaced people and pushes the authorities to fulfil their role.

- A 'One UN/INGO voice' is key to creating the necessary political leverage.

- A focus on the upgrading of temporary settlements, in parallel to integrated resettlement, allows an incremental response. It also improves access to services for

Upgraded IDP settlement with fire breaks, Bossaso.

Filiep Decorte

the urban poor and promotes social and economic integration.

Only an approach that starts from the urban reality, that builds on strong ownership by both the host community (its elite in particular) and the displaced themselves, and that focuses on local integration, albeit temporarily, has the hope of ensuring better protection, more sustainable livelihoods and more durable shelter conditions. Such

an approach also ensures shared benefits for the host community and its urban poor and might indeed be where displacement ends for some.

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The poor and the displaced in Khartoum

Elisabetta Brumat

In Khartoum, as in many other cases of urban displacement, it is difficult to separate the elements of coercion in someone's decision to leave their home from other reasons (including economic ones) as migrants tend to settle among existing residents of slums and shanty towns. There are no visible barriers separating those displaced by conflict and/or generalised violence from other migrants. The protracted nature of displacement in Khartoum blurs this distinction even further and those defined as IDPs may no longer see themselves in this category. The absence of any system of IDP registration in Khartoum, the presence of a population that moved in a series of waves and for different reasons, and a large and not consistently tracked process of spontaneous return to South Sudan make it virtually impossible to put a figure on Khartoum displacement and to determine its trends. The 1-1.2 million IDPs still reported in official UN documents represents a conventional estimate rather than a firm statistic.

Several gaps are visible in the response to urban displacement in Khartoum. The attention of the international community is influenced by the geopolitics and the other emergencies in the country, and advocacy with the authorities, including on forced relocations, is largely left to a few protection/human rights actors. It is believed that in the poorest IDP and squatter areas of the capital, humanitarian indicators may be worse than in the serviced IDP camps of Darfur. The expulsion of international NGOs in March 2009 meant the discontinuation of essential activities in support of displaced and other poor communities in Khartoum which had contributed to a favourable protection environment.

Humanitarian assistance, however, seems increasingly inadequate in providing definitive responses to the challenges of urban displacement and poverty in Khartoum. The chances of mobilising substantial funds by tapping into humanitarian sources are almost negligible. Besides, more importantly, the Khartoum situation calls for development-oriented approaches as well as the increased presence of specialised actors, including in those areas still conventionally defined as IDP sites. Yet on the ground the gap left by relief has not been adequately filled by development assistance.

The situation in Khartoum needs to be tackled from a broader rights-based perspective, where the dimension of internal displacement is only one part of something more complex. This situation requires a renewed dialogue between the international community and state authorities on urban development, land management, pro-poor policies of housing support, access to services, income generation for protracted displaced and urban poor. It requires a renewed commitment by humanitarian and, especially, development actors to strengthen their field presence in the poor urban areas of Khartoum, to improve contacts and networking with the existing civil society and community structures and to support authorities in reaching out to the population. It also requires renewed efforts by donor governments to assist in the mobilisation of resources for longer-term structural interventions for Khartoum's urban poor, including IDPs.

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The journey towards social exclusion in Colombia

Rubén Darío Guevara Corral and Diego Andrés Guevara Flétcher

In their new urban situation, the reality for displaced Colombians is of day-to-day problem solving.

There has been continuing forced displacement over many years in the south of the Department of Valle del Cauca in Colombia. Families fleeing conflict and violence between insurgents and government forces have moved into the municipality of Florida which has a population of approximately 55,000. Having lost the economic, social, cultural and symbolic capital accumulated in their home areas, they struggle to compensate for these losses and to preserve or improve on their well-being and living conditions.

Initial assistance is provided principally by friends or relatives at the reception sites. The new arrivals are offered housing and food and provided with information on work opportunities and forms of support offered by the state.

The displaced population forms a cohesive group on the basis of a shared ethnic and cultural profile. The ways of life of displaced people today are determined by specific conditions of solidarity and by their identity as displaced people, elements that can be even stronger than the factor of their geographical region of origin. Through their need and desire to belong to a supportive association, they become a defined group – and it is this that enables them to approach, obtain and channel the state aid to which they are entitled by law. This constitutes a fundamental aid strategy and, as an officially designated 'vulnerable group' eligible for state benefits, the new urban inhabitants are thus potentially in a situation of relative advantage over the structural poor of the municipality.

Families from rural areas cannot continue their traditional agricultural activities in the urban area; their economic capital diminishes and, unable to enter the labour market in the municipal capital, they become marginalised. They turn to informal labour activities known as *'rebusque'* – street selling of goods and services, construction work, portering, domestic service and, for female heads of household, cleaning and food preparation. These activities form the mainstay of survival and provide minimal levels of economic and cultural capital.

Some displaced male heads of households who live in the outlying areas of Florida earn a living by cutting and processing sugar cane. However, ironically, this work has been rendered more precarious and exploitative under Colombian labour legislation. While it would be reasonable to suppose that formal labour activities would offer the best benefits, in fact the opposite is often true. Tales told by sugar-cane cutters suggest that modern forms of flexible labour, regulation and improved working conditions affect them negatively. They believe these elements increase conflict and insecurity, and lengthen the working day, leading to the weakening of family links, to health problems and to reductions in the quality of life of the whole family. They join the ranks of the needy in the municipality and their situation is frequently even worse than that of those who are unemployed or working in the informal sector.

The discrimination suffered by displaced people in urban settings is also reflected in the fact that it is often impossible for them to access the goods and services to which they are legally entitled. In many cases the authorities refuse to consider them as displaced persons, and their different social codes and loss of capital make their impoverishment plain to see, an impoverishment that signifies both the loss of a past considered by them to have been much better and an uncertain future.

Colombian IDPs arriving in the city.

The municipality is short of resources to meet priority needs such as health, employment, housing and education, and the security of the whole settlement has been jeopardised to the point of unsustainability. Criminal gangs have begun to appear and the security forces claim that most of the gang members are displaced people.

Displaced people have many reasons to resist recognising the reality of their current poverty in the city. On the one hand, they have access to certain resources such as information on state assistance, social relationships and personal contacts that provide access to the labour market; on the other hand, they are nostalgic for their former lives when they had significant economic, social, cultural and symbolic capital.

It is essential that programmes be put in place to meet existing needs and, specifically, to provide employment. Only then will these displaced people be able to access the economic resources they need to acquire goods and services and to activate the economy of the region.

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Desperate lives: urban refugee women in Malaysia and Egypt

Dale Buscher and Lauren Heller

While the international community is still working out how to identify and best serve them, refugees and IDPs in urban settings are making their own way – often placing themselves at considerable risk.

The future of displacement is clearly urban – and clearly fraught with challenges. The Women's Refugee Commission (WRC) has recently undertaken research into the risks and challenges confronting refugee women in urban areas – as well as the opportunities they gain – as they seek to provide for themselves and their families in settings where international assistance is minimal. The research included urban field assessments covering the plight of Burmese refugee women in Kuala Lumpur, Malaysia, and of Iraqi, Somali, Sudanese, Eritrean and Ethiopian refugee women in Cairo, Egypt.

Unsafe at home or at work in Kuala Lumpur

Malaysia is host to a large number of migrant workers and an estimated 100,000 refugees and asylum seekers, most of whom are from persecuted Burmese ethnic groups. Forty thousand are registered as refugees with UNHCR.[1]

As Malaysia has not signed the 1951 Refugee Convention, refugees have no legal status and no right to work or legal residency. In the eyes of the government, there is no difference between an undocumented worker and a refugee. The Malaysian government initiated a widespread campaign to crack down on undocumented migrants in 2004 and has since reported an "intention to deport more than one million undocumented migrants"[2] through mass arrests. This initiative has led, on average, to the arrest of 700-800 UNHCR-recognised refugees each month.[3]

Burmese refugee in Malaysia who was sexually harassed at work and left her job and who is now afraid to seek further employment for fear of sexual harrassment and/or arrest.

The safety of Burmese refugee women living in Kuala Lumpur is greatly compromised by their attempts to make a living. Whereas in many contexts access to livelihoods brings greater protection against sexual harassment, abuse and exploitation, for a refugee woman in Kuala Lumpur having a job increases her vulnerability to gender-based violence, arrest, detention and extortion.[4]

Without status and the right to work in Malaysia, there are few viable economic opportunities open to refugees. However, because they desperately need work, refugee women often find employment in the informal and less regulated sectors of the economy, such as in restaurants as waitresses and dishwashers. Without the protection that legal status and documentation provide, refugee women are at the mercy of their employers, who frequently withhold pay or sexually harass and exploit them. If the women were to report the crimes, they would risk arrest and deportation. The Women's Refugee Commission, in fact, found that the women risk arrest every time they leave the house. This impedes their movement, further narrows their work choices, and limits their social and economic interactions. Burmese refugee women report a cycle of repeated arrests, frequent deportations and the recurring payment of bribes to be either released from custody or to re-enter the country.

> "We are afraid. Women are getting attacked and arrested coming home late from work. We have problems not getting paid at work. We are afraid of the police. We are constantly hiding. Our children go hungry when we are not paid."
> (Focus group with refugee women, 21 May 2008)

Because of the risks they face leaving their apartments, some refugee women stay home and work cooking and cleaning for male household members, who are generally not related to them but come from the same ethnic group. As many as 25 workers reside in a single apartment and collectively cover the rent for a refugee woman who agrees to tend to their domestic needs. While this protects the women from the potential arrest and deportation she might face while going out, it puts her at risk of sexual exploitation from unrelated male household members who share overcrowded living quarters.

While some small NGO projects support home-based handicraft production as a means of reducing vulnerability, the projects offer limited skills training, are not market-driven and hence provide little opportunity for sustainable income. Quality and market access are major impediments to scaling up this projects. At present, most buyers are from the NGO and expatriate volunteer community.

Working risks in Cairo

Cairo hosts a highly diverse refugee population that is struggling to survive in a very difficult urban environment with limited assistance. High national unemployment rates and a huge population of unemployed youth plague the local labour market and impede refugee access.

WRC's field assessment trip to Cairo found many of the same challenges and risks that confront refugee women in Kuala Lumpur. While Egypt allows refugees to obtain work permits, securing a work permit is an expensive, lengthy and complicated process that requires an employer sponsor and no competition from a similarly qualified Egyptian candidate. As a result, refugees are forced into unregulated work sectors and occupations with few protections.

The majority of refugee women who work do so as domestic workers in Egyptian households. As this sector is not regulated by Egyptian labour law, a work permit is not required and there is a constant market demand for such labour. However, the lack of regulation creates a risky work environment. Inside the confines of these private homes, refugee women face potential harassment, physical abuse, sexual exploitation and the non-payment of wages. Of the refugee women who cannot find domestic work, some reportedly turn to commercial sex work.[5] Despite frequent reports of gender-based violence, WRC found few established support services for survivors in Cairo.

Protective elements

The field assessments conducted by WRC did, however, find examples of how refugee women's protection can be enhanced – even in urban

Refugee women working in the Malaika Linen Factory, Cairo.

areas where there is no legal right to work. Protective elements can be built into economic programmes – elements such as accompaniment, requiring codes of conduct for employers, sensitisation campaigns, creating linkages with local women's leadership and political groups, and engaging men – both from the refugee community and also from the host community.

One organisation in Cairo, for example, that trains and places refugee women in Egyptian homes as domestic workers accompanies them on their first day. The NGO records the name and contact details of the employer as well as the agreed payment rate, thereby letting the employer know that the woman has a backup support system and the NGO knows how and where to find the employer should there be problems.

Other successful models includes a private sector initiative, the Malaika Linen Factory, that hires both Egyptian and refugee women to do highly skilled embroidery. The factory offers a 40-day training programme that includes transportation and meal costs for women participants and is one of the only examples of a private sector company actively recruiting refugee women and integrating them with Egyptian female employees.

Building in these protective elements, though, requires thoughtful planning, understanding the risks faced, assessing the means of reducing risks, and integrating components into the livelihoods intervention to reduce vulnerability. Advocating for and securing legal status for refugees in these environments and their legal right to work would offer the most protection.

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1. Interview with UNHCR, 26 May 2008.

2. Joint NGO Memorandum concerning the crackdown on undocumented migrants, 29 January 2005.

3. See article Nah pp31-3.

4. 'Desperate Lives: Burmese Women Struggle to Make a Living in Malaysia', Women's Refugee Commission, May 2008: http://www.womensrefugeecommission.org/docs/mys_rep.pdf

5. Interview with Refugee Egypt medical staff, 24 July 2008.

Urban refugee health: meeting the challenges

Paul Spiegel and the Public Health and HIV Section at UNHCR

Many of the accepted health strategies, policies and interventions for refugees are based on past experiences where refugees are in camp settings and in poor countries. Rethinking of these to take account of the many urban and middle-income refugees is underway.

More than half of the world's refugees now reside in non-camp settings, including urban areas, and a larger proportion of them than before are now fleeing from middle-income countries where the demographic and disease epidemiologic profiles are those of an older population with chronic diseases. Furthermore, refugees in urban areas often face numerous disadvantages compared with low-income city dwellers – disadvantages such as lack of community support systems, exclusion from social security systems or health insurance schemes, and insufficient disposable income (e.g. to pay for transport to access such services and for user fees and other health-care costs). Stigma and discrimination may also reduce access to already overstretched government health services.

In response to the publication in 2009 of UNHCR's Policy on Refugee Protection and Solutions in Urban Areas, UNHCR's Public Health and HIV Section has adopted a three-pronged strategy – focusing on advocacy, support of existing capacities and monitoring of delivery – to work with its partners to increase access to affordable and good quality health services for urban refugees and other persons of concern.[1]

Advocacy

UNHCR will advocate with the authorities on behalf of refugees to ensure that public services such as health care, nutrition programmes and water and sanitation services are made available to these populations at a limited or no cost.

Ethical issues of equity of access and quality of care, both between refugees and host populations as well as between refugees living in the

same and different countries, have been an important and controversial topic for many years – and are particularly relevant in urban refugee situations.[2] In most situations, policies and treatments should follow the host country's health ministry's guidelines and protocols. However, if these are incorrect or inappropriate, UNHCR and its partners will prefer to use internationally recognised guidelines, and in the meantime work with the national authorities to improve the guidelines and protocols.

Given the need to prioritise efforts and allocation of resources, and while priorities will vary from one situation to another, they will usually include safeguarding the well-being of pregnant and lactating women, children under five years of age, unaccompanied and separated children, orphans, older people and those who are seriously ill, including those with HIV and tuberculosis. Other priorities include providing care and counselling to people with specific needs, especially people with disabilities, those who are traumatised or mentally ill, victims of torture and sexual and gender-based violence, and those with complex diseases requiring specialised care.

Support

Integration of refugees into such health systems in urban environments is a more efficient use of limited resources than setting up separate facilities. So it makes sense

to integrate health-care treatment into existing public services and to augment the capacity of these systems, directly when funding is available and indirectly by encouraging the engagement of various donors and other actors.

Initially, UNHCR and partners (such as WHO, UNICEF and medical or health NGOs) will assess whether existing services need help to expand their capacity, and how to manage any such expansion. This approach has the added benefit of encouraging the authorities and the local population to recognise the fact that refugees can bring additional resources to the towns and cities where they have settled. These benefits may have the indirect effect of improving the protection space for refugees and others.

IRIN/Jaspreet Kindra

Residents of the Boa Vista informal settlement queue for water, Luanda, Angola.

As a general rule, when working in urban areas, UNHCR will avoid setting up separate and parallel services for its beneficiaries, and will instead seek to reinforce existing delivery systems, whether they are public, private, not-for-profit or community-based. If refugees cannot afford user fees for health services, agencies may need to cover certain costs for the more vulnerable refugees to ensure that all have access to good quality health services.

Community health outreach programmes that reach out to refugees as well as the host community are essential to ensure communication of the rules and regulations of whatever services there are, improve access to all levels of care, provide health education and help ensure effective delivery of preventive services. Outreach workers may even deliver home-based health-care services when appropriate.

Given that poverty and food security are often present among refugees in urban areas, if refugees

cannot be integrated into existing government food and nutrition programmes for local populations, as is desirable, new programmes may indeed need to be created.

Similarly important parts of the strategy include a) advocacy for refugees to be included in any local (government) social safety nets, b) support to local water and sanitation authorities to improve the existing infrastructure to cope with the additional burden placed on existing systems by the arrival of displaced populations and c) outreach through existing hygiene promotion activities.

Minimising the number of partners and facilities/institutions while trying to ensure sufficient access to services has many advantages – in terms of establishing agreements, securing protection and confidentiality, monitoring the quality of care and rationalising and monitoring the costs.

Monitoring

Monitoring the public health and nutritional status of urban refugees is important for ensuring that these do not fall below acceptable standards and to provide sufficient information to advocate effectively and support health services for urban refugees. The challenges, however, are increased by the populations being dispersed, often in wide and multiple geographic areas, and in some cases not wishing to be registered.[3] Integrating refugees into existing health systems generally includes using existing health information systems. This can be problematic as some systems are not sufficiently flexible to allow for essential modifications to disaggregate data according to nationals and refugees, or to add certain disease categories that may be more predominant among a particular group of refugees. Furthermore, many health information systems do not function well anyway and may not

provide sufficient data to allow for prioritisation of activities or to allow for proper monitoring and evaluation.

Besides the difficulty in profiling urban refugee populations, urban health information systems are more complicated than camp-based systems because of the number of facilities at different levels (i.e. community-based, primary health care, secondary care and tertiary care facilities) and different providers (e.g. public, private, NGO) involved in such a system. The health information system must also take into account or be linked to budget monitoring to allow for the evaluation of the costs of a programme and relate the costs to services rendered.

In non-camp settings, population-based sample surveys have proved difficult, politically controversial and bias-prone, and some of their methods still require validation. Other surveillance methods such as sentinel sites or prospective, community-based surveillance may be more useful approaches in many situations but are rarely used, perhaps reflecting a failure of imagination and funding rather than insurmountable technical problems.

In promoting access to affordable health services for urban refugees, UNHCR will follow its Public Health and HIV Guiding Principles.[4] Among these principles, issues relating to integration, partnership, quality of services (i.e. availability, accessibility, equity, appropriateness, acceptability, effectiveness and efficiency) and sustainability are of particular relevance to the urban refugee situation.

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1. For the remainder of this article the term 'refugees' should be understood to refer to other categories of persons of concern to UNHCR, such as asylum seekers, internally displaced persons, stateless persons and returnees.

2. UNHCR. 'Public health equity in refugee settings.' Geneva, 2009.

3. See Davies and Jacobsen article pp13-15.

4. http://www.unhcr.org/488600152.html

Support systems among urban IDPs in Georgia

Namrita Singh and Courtland Robinson

Given the population density and diversity of peoples in urban contexts, it might be expected that urban displaced communities would have strong social networks and support – but a recent study carried out with IDPs in Tbilisi, Georgia, suggested the opposite.

Social support refers to the perceived or actual psychological benefits from social contacts, such as trust, cohesion and intimacy, as well as to the exchange of information and material goods. Social networks provide the connections which allow for the exchange of such support and resources (as well as the transmission of disease). While refugees and migrants may come into contact with numerous social networks in urban settings, the connections they develop with them may be too weak to be meaningful. Rebuilding strong social support systems is hindered by the disruption produced by displacement and the felt or real impermanence of living situations.

UNHCR's Policy on Refugee Protection and Solutions in Urban Areas notes that a lack of social support limits the potential for self-reliance among refugee populations. However, this is the only mention of social support in the document. More attention needs to be given to the effects of social support mechanisms (or the lack thereof) on livelihoods, health and overall well-being. A small qualitative study was carried out during July and August of 2009 in Tbilisi by researchers at the Johns Hopkins Bloomberg School of Public Health and the Institute for Policy Studies (IPS) in Tbilisi.[1]

Preliminary findings

The IDPs we interviewed reported that they did not interact frequently with the local community. While their adult children and grandchildren were regularly involved in work and school activities, older IDPs had no form of regular engagement with non-IDPs. Further, their limited mobility – often due to health problems and the layout of the collective centre in which they lived – made interaction with each other more difficult. One woman had not left the collective centre in two years.

Some of the IDPs lived alone, and the rest lived with their spouses, relatives or their adult children and grandchildren. IDPs described spending the majority of their time in their individual rooms, cooking and watching television on small sets given by local charities. Social interaction tended to take place in the shared hallways but there were no regular social activities within the collective centre in which IDPs could take part. One woman reflected on our interview with her by saying that it was nice to have company and someone to talk to. Despite living at very close quarters for a number of years, the individuals we spoke with described feeling isolated and alone.

Programming implications

Collective centres in urban spaces are often former hotels, hostels, schools or unfinished buildings. These types of spaces do not promote social interaction within the local urban community, as they are spaces closed off from the outer environment, both symbolically and literally. In our study, the only collective spaces inside were the hallways and stairwells, and groups of IDPs were separated by the different floors on which they lived. It is difficult to imagine how any meaningful space for social interaction could develop. The physical space of collective centres needs to be considered in interventions that address refugees' social and psychosocial health.

Collective centres tend to be dispersed within urban environ-

IDP collective centre in former hospital building, Tbilisi, Georgia. An estimated 148 families live in this hospital complex which suffers from widespread rat and insect infestation and falling masonry.

UNHCR/P. Taggart

ments and also to be isolated from each other, so building social networks and social capital among urban displaced communities is difficult. One strategy might be to develop relationships between collective centres so that individuals and groups can share resources, information and social ties.[2] For example, retired teachers in one collective centre might provide tutoring services for children in other centres. One IDP we spoke with was a trained nurse who was unable to work. Interventions that build social capital would attempt to utilise her knowledge by connecting her with those who need medical services.

Psychosocial interventions with displaced communities need to move beyond targeting wellbeing at the individual level to also considering the health of social relationships. Existing self-help groups or community support mechanisms should be identified and strengthened as a part of psychosocial interventions. Researchers in the field of forced migration and public health need to understand the role of social support systems in refugees' psychological, physical and social health. Doing so is key to developing community resources, as well as culturally appropriate and innovative psychosocial interventions.

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1. 21 IDPs were interviewed who were residing in one collective centre in the city, which housed long-term IDPs displaced from Abkhazia in the 1992 conflict. These IDPs were all ethnic Georgians aged 60 years and above.

2. The Global Initiative on Psychiatry's (GIP) Tbilisi branch used this approach in their interventions with Georgians displaced during the 2008 crisis. Interview with Jana Javakhishvili, Mental Health and HIV/AIDS Projects Coordinator for the South Caucasus and Central Asia, Global Initiative on Psychiatry (GIP), Tbilisi, 30 July 2009.

Education and self-reliance in Egypt

Marisa O Ensor

Education has the potential to empower urban refugees to maximise their options, compensate for their disadvantaged position vis-à-vis local citizens and build a more secure future.

The increasing presence of refugees in urban settings poses some unique challenges. Urban refugees are expected to become self-sufficient more readily than their camp-based counterparts who, often prevented from engaging in subsistence or income-generating activities, are typically assumed to require ongoing assistance.

The reality, however, is that urban refugees' capacity for self-reliance is often severely constrained as well, with restrictions placed on their right to work and on their entitlements to critical forms of social support. Those coming from rural areas may be at a higher risk of impoverishment and marginalisation if they lack the skills needed to operate successfully in an alien urban environment. Adequate educational and training interventions can help refugees in urban settings to overcome some of these obstacles.

Barriers to education for forced migrants in urban settings include difficulties in regularising their status and obtaining necessary documentation, communication challenges and lack of awareness of available educational opportunities. The link between education and increased self-reliance can also be compromised when legal and structural restrictions prevent refugees, whatever their level of education or training, from working.

The significance of education

UNHCR's guidelines on urban refugees[1] emphasise the promotion of self-reliance among refugees, with education and vocational training initiatives designed to support the acquisition of the essential life skills that can enable urban refugees to become autonomous members of their host societies.

Some of the educational problems encountered by urban refugees are similar to those facing other vulnerable groups within urban areas. For the urban poor, school fees, uniforms, books and other school materials may be unaffordable and transportation may be too time-consuming and unsafe. At the same time, city-based refugee children often have to compete with local students for limited places in schools. Legal provisions prohibiting refugees – especially those without recognised legal status – from enrolling in public schools are not uncommon, nor is discrimination on the part of school administrators, teachers and even local students.

Many refugee children come from societies where chronological age is not recorded. Most fled situations where conflict, social upheaval and displacement are likely to have disrupted educational services. Those who are – or appear to be – significantly older than the class average may encounter difficulties enrolling in courses at their appropriate educational level. The need to adjust to unfamiliar pedagogical techniques, communicate in a new language and navigate the expectations of the dominant group whose views on religion, gender, race and other cultural values may be alien and unwanted are other obstacles commonly facing urban refugee students.

When enrolment in regular local schools is not a viable option, 'refugee schools' – frequently run by churches or faith-based humanitarian organisations – often provide one of the few opportunities for displaced students in urban areas to acquire an education and recover a measure of normalcy. They are, however, far from being a panacea. Limited resources, reliance on volunteer

staff, high rates of turnover and inconsistent curricula are some common difficulties. Their most problematic feature is the lack of official accreditation; students attending refugee schools which are not officially recognised are likely to be prevented from enrolling in higher education institutions regardless of the educational level they have achieved.

Working towards self-reliance

When formal education is not a realistic option, job-related training may open another door to economic independence for urban refugees who are effectively forced to work in a cash economy. They are less likely to receive the kind of direct financial assistance provided to many camp-based refugees and, given the higher expenses associated with urban living, must rely on alternative forms of income generation.

In effect, the majority of the forced migrants living in urban areas – especially those in the global south – support themselves through participation in the informal economy, although those with higher levels of education may be able to find better paid employment as, for instance, teachers in refugee schools, interpreters or within humanitarian agencies. Programmes seeking to enhance the self-reliance of forced migrants in urban areas are thus likely to include apprenticeships and vocational training initiatives or skills training in cottage industries, particularly for women. However, restrictions on the right to work often make it impossible for even well-educated workers and those trained in vocational skills to find a position in the formal sector suitable for their qualifications.

Refugee children at St Andrew's Refugee Services 'refugee school' in Cairo.

Albino Yéi

The case of Cairo

There are no refugee camps in Egypt. Virtually all displaced persons in the country reside in two large urban centres – Cairo and, in smaller numbers, Alexandria. The Egyptian government's official position towards refugees is characterised by its unwillingness to permit refugees legal integration into Egyptian society. Refugee parents without legal status are unable to register their children. Complicated bureaucratic procedures, overcrowded schools and xenophobic attitudes are additional difficulties, as is the fact that many refugee parents object to the Islamic curricula taught in Arabic in government schools. Unaccredited refugee schools, many of which teach in English, are the only realistic alternative for many refugee students in Egypt – but, unable to obtain recognised school certification, the majority of them are then barred from pursuing a higher education.

The link between education and self-reliance for refugees in Egypt is further compromised by factors regulating the labour market for refugees. The informal sector of the economy generally provides the only income-generating opportunities available to them. The difficult economic situation, high unemployment levels and pressure on the education system contribute to making education, income generation and self reliance difficult to achieve for city-based displaced populations in Egypt.

Conclusions and recommendations

UNHCR and other humanitarian agencies regard education as a basic human right, a tool for protection and an essential component of humanitarian assistance to displaced populations. They typically adopt a utilitarian view of the role of education in urban displacement that favours local integration and encourages refugees to become educated and learn the skills needed to become self-reliant. Education is a highly desired goal for most refugee communities. However, legal restrictions, structural conditions and cultural factors may erode education's promise as a pathway towards

their increased self-reliance. It is, therefore, imperative that these limitations be adequately addressed.

Recommendations to make educational opportunities more easily available to urban refugees and to enhance their chances of becoming self-reliant include:

- avoiding the imposition of local curricula perceived as undermining the cultural values and practices of the displaced population, especially when local integration is not a desired goal

- supporting church-run schools and other institutions that accept refugee students, and working with local education authorities to ensure that these schools are granted full accreditation

- providing long-term assistance in the form of scholarships and education grants, and helping students to enrol in private schools if public ones are not accessible

- disaggregating data on education, livelihood strategies and other factors affecting urban refugees by age and gender, as women, men, children and the elderly are likely to have different needs and seek different solutions

- implementing programmes to address the special needs of young adults with limited or no schooling.

Adequate educational and training opportunities can enhance urban refugees' capacity for establishing sustainable livelihoods and mitigate the risks of life on the margins of urban society although by themselves these initiatives are unlikely to address all the challenges of urban displacement.

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1. UNHCR policy paper on urban refugees (IOM/25/97 – FOM30/97), further elaborated in the document UNHCR Policy on Refugees in Urban Areas (IOM/90/97-FOM95/97). http://www.unhcr.org/4ab356ab6.html

Urban shelter and the limits of humanitarian action

Kate Crawford, Martin Suvatne, James Kennedy and Tom Corsellis

Shelter requirements for people displaced into or affected within urban areas will pose major challenges for the humanitarian community. Decision-makers and practitioners calling for urban shelter guidelines have expressed concern about the role of humanitarian organisations.

Traditionally there has been a focus on the delivery of 'products' to meet the shelter needs of individual families, often in a rural setting. In an urban context, the focus needs to switch to people's limits and capacities, especially since there are likely to be:

■ established markets, a cash economy and various layers of informal and formal financial institutions

■ local authorities, planning bodies, housing strategies, legal institutions and building codes

■ civil society organisations with various agendas, hierarchies and mechanisms of accountability

■ private contractors and workers with 'urban skills'

■ infrastructure and service providers

■ households and neighbourhoods with urban coping strategies and livelihoods

■ complex, multi-functional use of a variety of outdoor or public spaces. These are generally not envisaged in the concepts or vocabulary of rural-based shelter-response guidelines and need a 'settlements approach' – and ultimately an urban planning-based approach.

More and more humanitarian shelter organisations are focusing their responses on people's shelter needs in urban settings but specific guidelines and assistance methods are not yet available. The production of guidelines for humanitarian assistance in urban areas is a shelter Sector Project supported by Shelter Centre, funded by DfID and

moderated by the Norwegian Refugee Council (NRC) with specialist input from UNOCHA, Médecins Sans Frontières International, World Vision International, Practical Action, Swiss Resource Centre and Consultancies for Development (SKAT) and Habitat for Humanity. The project aims to:

■ complement existing humanitarian response tools in different agencies and the sector as a whole such as the Sphere Project, UNHCR's *Handbook for Emergencies, Shelter after disaster: strategies for transitional settlement and reconstruction* (UN, forthcoming 2010[1]), the Camp Management Toolkit[2] and the documentation around the Pinheiro Principles[3];

■ convey an urban livelihoods perspective which links profiling to a palette of assistance methods such as supervision and technical expertise, capacity building, delivering construction materials, supporting infrastructure and settlement planning

■ provide tools for mapping institutions

■ provide decision-making tools for selecting appropriate assistance methods

■ tap into developmental research on urban and peri-urban vulnerability and environmental and resource impacts inside and beyond cities

■ link to existing tools and handbooks on urban planning and housing.

The four themes identified by decision-makers and programme managers that are driving the format of forthcoming urban assistance guidelines are: agreement on the

humanitarian objective of shelter and reconstruction; identification and livelihood profiling; housing, land and property issues; and the role of humanitarian organisations in shelter provision.

The humanitarian objective

Humanitarian assistance to meet shelter needs not only supports protection, privacy, dignity and household/community coping strategies but can also enable the recovery of sustainable livelihoods. There are also known links between adequate shelter and health, as well as multiplier effects in the local economy from investment in shelter. These other objectives do not need to be separately specified but emerge from the primary shelter objectives if these are properly designed and implemented.

Humanitarian assistance needs to address several sets of differences, for example in terms of the vulnerabilities and capacities of displaced people and the urban poor. Should assistance stop once the immediate destabilising impacts of a crisis have abated as it is not the role of these agencies to tackle general urban development or 'slum upgrading'? Where urban areas themselves have been damaged by conflict or disaster so that people are homeless but not displaced, should shelter assistance only aim to assist the most vulnerable and those least likely to be able to reconstruct (because, for example, they do not have land tenure or have no documentation to prove tenure)? If a city is still the safest place to be, should those affected by a humanitarian crisis receive assistance or only the displaced?

Identification and profiling

Identification and livelihood profiling exercises can inform programme designs so as to avoid exacerbating tension between groups living at close quarters in urban areas and allow agencies to plan. In practice, profiling of all groups in an affected urban area is not always done

systematically during rapid shelter needs assessments as humanitarian organisations find themselves faced with a variety of data and settlement options and limited time to gather evidence before taking action. Special attention may need to be paid to the differences between those displaced within a city, and who may already have urban coping mechanisms and 'city skills', and those who are being displaced into a city for the first time from a rural area.

Housing, land and property issues

The great variety of land ownership and land-use patterns makes it difficult to navigate housing, land and property (HLP) issues and, often, the physical terrain of the city itself. This raises questions about assisting both displaced and non-displaced populations:

■ in multiple occupancy, high-rise dwellings

■ living with host families

■ in private or social/state rental housing

■ without legal status or in slum areas.

Without an accurate understanding – obtained by rapid participatory methods – of habitation patterns, security of tenure issues and the key institutional actors involved in developing and formalising urban areas, emergency shelter assistance may do more harm than good.[4]

The role of humanitarian organisations

In an urban context, engagement with local partners – particularly building good working relationships with government – and participatory planning with the affected populations are crucial. It may also be necessary to design programmes based on a broader palette of assistance methods and to recognise that a more regulated urban environment has implications for the legal liability of humanitarian organisations.

NRC's work in collective centres in Beirut (2007-09) and in the reconstruction of the adjacent area to the Nahr El-Bared Camp in north Lebanon (2009-11), for example, suggests that humanitarian organisations can bring experience in participatory methodologies that local authorities and private sector contractors may not offer. NRC was able to act on behalf of refugee clients by recognising the need for and then building its internal capacity to conduct people-oriented planning (POP) exercises and to negotiate sensitive HLP issues with a wide range of stakeholders. The reconstruction and the future responsibility for multiple-occupancy high-rise dwellings were taken on by contractors under NRC management.

A similar approach to managing specialist contractors was taken by NRC in Georgia in August 2007 when 150,000 people displaced by conflict were on the move and had to be accommodated in 300 collective centres – abandoned buildings used as transitional shelters. Experienced local contractors were tasked by NRC with implementing a series of upgrades to these collective centres. This intervention required a combination of planning for humanitarian relief and strong contract management.

The evaluation of CARE International's Umoja project in Goma, DRC[5] noted the importance of working with local leadership structures in both IDP and non-IDP populations. The key actors were the local authorities, the clergy and the teachers. Female leaders of savings groups were also able to provide initial assistance. These women were highly organised and accessible and as such were already involving IDPs in their groups. Not every urban area has these structures but agencies are increasingly making efforts to assess, map and work with the institutions that work in and develop urban areas.

It is important that humanitarian agencies carefully evaluate their contribution to the humanitarian objective and the added humanitarian value of taking on specialist activities such as:

■ contract management for sophisticated reconstruction or retrofits

■ specialist negotiation of the legal aspects of land tenure

■ brokering multi-stakeholder consensus

■ convening forums for participatory settlement planning

■ facilitating and supporting local authorities in strategic planning for return, local integration or resettlement

■ taking on advocacy and information-dissemination roles regarding HLP issues.

Conclusion

Responses in urban environments must be based upon agreeing a clear intended outcome or humanitarian objective. The entire population affected should be considered, rather than only those displaced. The policies and strategies, developed with government, will be improved if the options facing individuals in these populations are known. Similarly, categorising and combining methods of assistance, such as materials or legal aid, support more integrated programming.

Preliminary findings suggest that, to be useful, guidelines for practitioners must be part of a wider integrated programme of policy development, training and, perhaps most importantly, timely, small-scale practical support to practitioners faced with these issues in the field.

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1. http://www.sheltercentre.org/library/ Shelter+After+Disaster

2. http://www.nrc.no/camp

3. UN Principles on Housing and Property Restitution for Refugees and Displaced Persons http://tinyurl.com/ UNPinheiro

4. *UN Office for the Coordination of Humanitarian Affairs* (UN/OCHA) and Shelter Centre, 2010, *Shelter after disaster: strategies for transitional settlement and reconstruction* http:// www.sheltercentre.org/library/Shelter+After+Disaster

5. RALSA Foundation, 2009. See article by Jeene on p48.

6. For example in the IASC Task Force http://tinyurl.com/ IASC-MHCUA and at the UNHCR High Commisioner's Dialogue http://www.unhcr.org/4b1e3c589.html

Refugees and space in urban areas in Malaysia

Alice M Nah

Refugees know that their safety and wellbeing depend on their accurate reading and careful negotiation of different spaces and landscapes in urban areas.

There are over 28 million people living in Malaysia. Among the three to four million non-citizens are around 100,000 asylum seekers, refugees and stateless persons. Malaysia is signatory neither to the 1951 Refugee Convention, nor to its 1967 Protocol. It has not enacted domestic legislation recognising the legal status of asylum seekers, refugees and stateless persons. However, it permits UNHCR to register, determine status and provide assistance to these populations. There are no refugee camps in Malaysia. Most reside in urban areas – the largest numbers in Kuala Lumpur, the Klang Valley and Penang. As of September 2009, UNHCR had registered 63,572 persons of concern from 44 countries in Asia, Africa and the Middle East, 32.8% of whom were women and girls. 91% of them originated from Burma.

UNHCR's ability to intervene to protect a person of concern to them is established through negotiation with law enforcement agencies and is therefore subject to change, sometimes at the whim of individuals holding key positions. As registration with UNHCR does not confer legal immigration status, most asylum seekers, refugees and stateless persons are vulnerable to the effects of an aggressive, punitive 'crackdown' on irregular migrants. From 2005 to 2008, the Immigration Department detained 216,373 persons and deported 191,583.

Unreliable income, exploitation at work (in particular, in the form of unpaid wages), extortion by law enforcement officers, robbery by local gangsters, the high cost of rent, health services and education, as well as the need to support those unable to find work, make poverty endemic amongst refugees in Malaysia.

Living and work spaces

The first task refugees undertake upon arrival is to contact relatives or friends in Malaysia. Social support and assistance are more likely to be extended to individuals with kinship ties and who come from the same village and/or region. Refugees are not distributed evenly across urban areas – there are certain places that have a much higher density of migrants and refugees than others. These places are selected for two main reasons. They are where informal work and low-cost accommodation are available, and where relatives, friends and – for those without connections – other people of their own ethnic identity reside.

There are two broad categories of living spaces in Malaysia. The first are what civil society groups and UNHCR describe as 'jungle sites'. These are plantations or pockets of jungle scattered in and around urban areas, a result of uneven urban development. In these jungle sites, refugees typically construct their own huts, made of plastic sheeting, wooden planks, trees and leftover construction materials. In areas more prone to sudden immigration raids, they avoid constructing even semi-permanent structures in order to reduce the likelihood of detection and instead sleep in the jungle.

The second are known as 'urban sites', typically run-down, low-cost, high-rise apartments located in densely populated areas. Several families and individuals share the cost of renting an apartment, with adults and children sleeping close together.

Humanitarian needs differ between these different sites. In jungle sites refugees lack clean water and sanitation, and are exposed to malaria and dengue. In urban sites, there is chronic over-crowding, high potential for the spread of infectious diseases, and greater vulnerability to sexual and physical violence when women and men walk home at night after late shifts at work. Refugees suspect that perpetrators of these crimes are emboldened by the fact that survivors almost never lodge police reports for fear of being arrested for immigration offences. Refugees shift residence frequently for fear of arrest during immigration raids conducted in high-density areas and also because they are unable to pay rent.

Living spaces are always connected to work spaces. In jungle sites, refugees stay within an hour's walking distance of construction sites and plantation areas where they seek informal employment. In urban sites, they live close to markets, restaurants and shops willing to hire undocumented workers. Accessibility on foot to work locations is a fundamental consideration when choosing a place to live, as many cannot afford daily transportation. Refugees work 8- to 12-hour days for between RM20-35 (US$5-9) a day alongside other migrants, both documented and in an irregular situation.

It is difficult for refugees in Malaysia to obtain regular work. In both jungle and urban sites, between 30 and 60% of refugees are employed at any time – and those who have work pay for the food and expenses of those who do not.

Spaces of detention and deportation

Immigration raids are conducted frequently by three enforcement agencies – the Immigration Department, the Royal Malaysian Police and a paramilitary civil volunteer organisation called the Malaysian Volunteer Corps (Ikatan Relawan Rakyat, RELA). Upon arrest, migrants and refugees are brought to different types of detention facilities ranging from immigration

detention centres (IDCs) to temporary holding cells and lock-ups in police stations. The Immigration Act 1959/63 permits law enforcement agencies to hold non-citizens for up to 14 days (Malaysians can only be held for up to 24 hours), after which they have to be brought before a magistrate.

Serious overcrowding is a chronic problem in spaces of detention. In May 2005, Malaysia's prisons and detention centres held 45,000 inmates, many of whom were migrants and refugees, in facilities designed to hold only 30,000 people. Ex-detainees in police lock-ups describe having had to take turns sleeping on damp, dirty floors. In IDCs, babies and children, including unaccompanied minors, are detained with adults. Ex-detainees in IDCs report having been beaten, verbally abused and deprived of adequate food, water and bedding. Skin diseases and respiratory tract infections are common, and those who are seriously ill – including those suffering from severe mental health problems – are not given adequate treatment. There have been deaths in detention due to illnesses, fights and suicide.

Refugees, asylum seekers and stateless persons, like other migrants in an irregular situation, are clearly unequal before the law in Malaysia. During their 14 days in remand, they are not permitted to make phone calls (although guards are susceptible to bribes), and are thus unable to secure outside assistance. Unless UNHCR or NGOs intervene, they usually receive no legal counsel or representation in court. Many are unable to understand the charges read to them. Even if they do understand, they are unable to mount an adequate defence, as irregular entry is an offence under the Immigration Act. Many are sentenced to months of imprisonment and/or whipping. Between 2002 (when the Malaysian government amended the Immigration Act to include whipping for immigration offences) and 2008, 47,914 individuals were whipped for immigration offences.

Whipping is also carried out at the end of a prison sentence, before refugees and migrants are deported. When they are deported, the nature of the geography where this happens, who is present and the process used

for their release are also significant for the refugees. For several years, refugees from Burma were handed over in isolated locations on the Thai-Malaysia border to human traffickers who forced them to pay money for their release. Group deportation procedures focus on expelling refugees and migrants from the physical boundaries of the state but fail to return them to their home countries, which are often hundreds of kilometres from deportation sites along the borders of Malaysia. Deportees often find themselves stranded in border zones, having to choose between resuming precarious lives in Malaysia or returning home impoverished (and, for refugees, in danger). Most choose to return to Malaysia, the safer option with a more promising future.

Spaces of appeal and protest

UNHCR and embassies are places imbued with symbolic meaning, places that represent the (otherwise abstract and amorphous) 'international community'.

UNHCR functions both as a space of appeal and a space for protest. In Malaysia, there is only one UNHCR office, located in a residential area on a hill in Kuala Lumpur. It is here that asylum seekers, refugees and stateless persons from all over Malaysia come to seek protection and assistance.

There are two entrances to the UNHCR office: a gate designated for people seeking assistance leading to the 'Annexe', and an entrance for staff, civil society groups and official visitors leading to the main office building. Over the years, UNHCR has had to expand its office space to cope with overwhelming caseloads. While in 2003 it was possible for refugees waiting in the Annexe to look through wire fences into the garden of the main UNHCR compound, over time these fences were replaced by impenetrable fences without holes, reinforcing the separate nature of two spaces – the concentrated, guarded area for appeal where refugees wait for long periods of time, and the freer, open space of the comparatively powerful, where officers make life-changing decisions in air-conditioned rooms. The latter space is accessible to refugees only by special invitation.

Refugees have ambivalent feelings about UNHCR, and this is manifested in the way they behave in and around its compound. Any appeal for help, small or large – whether to obtain a letter for a sick refugee to go to the hospital, to question the status of their asylum claim, to wait for a precious refugee status determination interview, to plead for UNHCR intervention in the arrest of a friend or a community member – usually entails hours of waiting at the Annexe, sometimes a whole day. This is a humiliating process, and refugees have expressed their dislike of it, saying that they "feel like beggars". Refugees often complain that they cannot get the attention of UNHCR officers and that they have to visit the UNHCR office several times before they receive any help or response.

Financial assistance is limited and UNHCR tries to prioritise those who need it most from a vulnerable population struggling with poverty and personal insecurity. This prompts refugees to make bitter observations about UNHCR, such as "they only want to help the old, the sick and the maimed" and "you must be dying, literally before their eyes, before they will help you". The treatment that asylum seekers, refugees and stateless persons receive at the Annexe shapes the way they think of the UN. It is often a shock to their idealised notions of the 'international community', especially when they experience being manhandled by guards or shouted at by UNHCR officials.

Refugees also see the UNHCR office as a space for protest. Over the years, there have been a number of demonstrations by refugees of different ethnic identities protesting against discrimination in treatment, corruption among officials and the lack of real solutions to their daily problems. UNHCR officers receive their letters and complaints but have, on occasion, also called in the police to remove protestors from their premises, much to the dismay of Malaysian civil society groups.

Embassies are also key spaces for protest and appeal. Protests are held outside embassies of refugee-producing countries as well as embassies of countries viewed as being sympathetic to these regimes.

Appeals are made to embassies of resettlement countries as well as of countries perceived to promote and uphold human rights. Over the years, refugees have written numerous letters of appeal to embassies, pleading for asylum and resettlement out of Malaysia. They all receive the same standard response: that refugee status determination is conducted by UNHCR and embassies only receive recommendations for resettlement from UNHCR.

Conclusion

In the wide expanse of cities, refugees are, surprisingly, found in very specific areas. They are not randomly scattered, even if they come from different backgrounds and have no knowledge of each other. They live, work, are detained, imprisoned, charged in court, deported, hold demonstrations and ask for help in (broadly speaking) the same places. They talk about similar problems in similar locations and there are similar patterns of movement among all of them, even though different groups do not interact with each other, separated as they are by linguistic, religious and cultural differences.

There are other types of spaces crucial to refugee life in urban areas that are important to examine for policy making, such as spaces for essential services (in particular, health care, education and legal aid) that may be governed by states, NGOs or refugee community groups. These are where refugees congregate to seek assistance, and where they can also be vulnerable to exploitation or arrest.

The policies and practices of states shape the relationship between space and refugees. However, states are unable to regulate space completely and refugees have their own ways to negotiate these key spaces. Understanding how refugees in urban areas interact within different types of spaces can help policymakers and practitioners design more effective protection and assistance programmes. This article suggests some ways in which these spaces are constructed, connected and imbued with meaning by refugees.

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"It is not easy to live with so many people in one place. But I am alive, my family is alive. We are poor here but we are in peace," says one ethnic Chin man, who lives with some 30 people in this flat. In order to optimise space, this balcony doubles as a bedroom at night.

More a prison than a home, their spartan apartment keeps them captive since the two Afghan refugee brothers in their 20s cannot work legally, even though they are desperate to support their families. "The employers always want to see my identity card. All my life I never had an identity card," says one.

A former physics student, a refugee herself, teaches refugee children at an informal community school in Kuala Lumpur. Enterprising refugees in Malaysia have shown a great deal of initiative in organising services for themselves. "I have knowledge; I can contribute to my community," says the young Chin teacher.

"We cannot live separately; no one can live by themselves. When we live together, we share our money, we share our food, we help take care of each other." In this flat, 50 refugees form a 'village' where communal cooking and cleaning are done and the members support and assist each other. Those who are able to earn an income help support those who cannot.

Photos all by UNHCR/Zalmaï. Full photoset online at http://www.unhcr.org/pages/49c3646c25d-page2.html
See also the video at http://www.unhcr.org/pages/4b0e4cba6.html

Urban IDPs in Uganda: victims of institutional convenience

Hilde Refstie, Chris Dolan and Moses Chrispus Okello

The reluctance of some humanitarian actors to address the needs of IDPs inconveniently located in urban areas – in contrast to those in camps – belies their commitment to a rights-based approach to assistance and protection.

The largest wave of displacement in Uganda occurred in 1995-96, when the government forced civilians in northern Uganda into so-called 'protected villages' using mortars and helicopter gunships in the process. The 'protected villages' were later turned into IDP camps[1] which received little assistance from the government. The humanitarian community in Uganda limited its food distribution to IDPs registered and residing within the camps.

People scattered and fled from the war in northern Uganda to many locations and it is estimated that between 300,000 and 600,000 people went to urban areas.[2] IDPs in urban areas are most often perceived as either economic migrants, or IDPs who have reached a durable solution. Consequently the urban IDPs in Uganda are not given much attention, and assistance is seldom provided for this group.

The gap in policy and practice between encamped and non-encamped populations stems partly from the government's focus on control rather than rights in the course of the conflict in northern Uganda. It also stems from humanitarian actors being guided by convenience rather than the rights of the population they are mandated to assist. Protecting and assisting urban IDPs involves challenges on three levels. On the practical level is the difficulty of identifying IDPs in an urban setting, which is exacerbated by a lack of registration and information. On a more conceptual level, the neglect of urban IDPs can be explained through two on-going debates within the field of migration: voluntary versus forced migration, and when displacement ends. On a connected, more ethical level,

there are also concerns linked to singling out IDPs from other people experiencing similar hardships.[3]

IDPs among other urban poor

IDPs that live outside camps are not registered, and there is not much information available about them. Such challenges in identifying urban IDPs make it difficult for the government and the humanitarian actors to address their needs. Whereas IDPs in camps in Uganda have at times had ration cards indicating their entitlement to assistance, urban IDPs have no corresponding form of documentation with which to 'prove' their displacement and therefore they often disappear into the larger population of economic migrants.

In addition to problems with identifying IDPs in an urban context, it can also be complicated to assist them. Favouring IDPs over the local host population can lead to friction between the two groups. Consequently, a more integrated approach of development that

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"What About Us?"
http://www.refugeelawproject.org/video_advocacy.php

What About Us? is a 32-minute video about displaced Acholi people in Kampala and other urban centres. These displaced Acholi share their stories, their feelings on being treated as foreigners in their own country, and their hopes of returning home to northern Uganda despite the return to armed conflict. The video also addresses the inability of government and humanitarian agencies to design appropriate interventions for those displaced to urban areas. (A seven-minute version of the video is also available.)

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includes both the IDPs and the host population is often promoted. However, it should also be recognised that many urban IDPs will have the displacement-specific need for assistance with return as well as compensation for loss of property and assets that do not apply to their non-IDP neighbours.

A third challenge in identifying and assisting urban IDPs is related to people's mixed motivation for moving to urban areas. The formal IDP definition distinguishes clearly between forced and voluntary migrants. In reality, however, the distinction is quite blurred. IDPs, like everyone else, search for both protection and livelihood opportunities. Many countries, including Uganda, face a failing rural economy and rapid population growth. In such a context, people may have mixed reasons for migrating to urban areas.

A durable solution?

Actors who recognise that people often flee from conflict to urban areas frequently consider such individuals to have reached a durable solution and therefore to no longer be displaced. According to the Framework for Durable Solutions,[4] IDPs are considered to have reached a durable solution when they have either returned to their places of origin, have locally integrated in the areas in which they initially took refuge, or have settled and integrated in another part of the country and no longer have displacement-specific needs.

The few studies conducted on whether urban IDPs can be considered to have reached a durable solution point to relative material and psychosocial vulnerabilities of urban IDPs. A recent study from the Refugee Law Project suggests that while urban poor and IDPs face similar challenges, they are exacerbated in the IDPs' case by psychosocial vulnerabilities stemming from their conflict-related

to create viable livelihoods for themselves and their families.

When protection and assistance are limited to IDPs living in camps, alternative solutions are difficult to pursue. While most agencies have adopted a rights-based approach on paper, financial constraints often lead to needs-based strategies in practice. Considering the challenges in working with urban IDPs, many find it more convenient to focus on the IDPs placed before them – namely, the camp-based IDPs. We argue that by focusing exclusively on encamped populations, the government, UNHCR and other humanitarian actors have effectively extended what might be termed an 'institutional convenience syndrome' into the area of IDPs.

The protection cluster in Uganda[6] led by UNHCR has recently attempted to gather more information about urban IDPs, which is a good first step. However, further research, both qualitative and quantitative, is needed to assess the specific needs of IDPs outside camps, including those in urban areas. The life and future of these IDPs should not be determined by institutional convenience.

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1. Internal Displacement Monitoring Centre and Refugee Law Project (2006), 'Only Peace can Restore the Confidence of the Displaced', Geneva http://www.refugeelawproject.org/others/RLP.IDMC2.pdf

2. Urban IDPs are not registered so the estimates are mere guesswork. Refugee Law Project (2007): 'What about us? The exclusion of urban IDPs from Uganda`s IDP related policies and interventions', Kampala http://www.refugeelawproject.org/briefing_papers/RLP.BP09.pdf

3. Refstie (2008) 'IDPs Redefined – Participatory Action Research with Urban IDPs in Uganda', NTNU, Trondheim. http://www.tinyurl.com/NTNURefstie08

4. http://www.unhcr.org/3f1408764.html

5. Wyrzykowski Paulina & Okot Kasozi, Benard (2009): 'Violence, Exile, and Transitional Justice: Perspectives of Urban IDPs in Kampala', RLP Briefing Paper, August 2009.

http://www.refugeelawproject.org/briefing_papers/Psychosocial_Briefing_Note.pdf

6. http://www.ugandaclusters.ug/protection.htm

Meeting of IDPs in Jinja, Uganda. They have been organising themselves over the last two years (together with IDPs in Kampala, Entebbe and Masindi) and are advocating for being included in the return and resettlement framework and activities developed by the government and its partners.

experiences, weak support networks in the urban areas and – in some cases – language differences between the IDPs and the local communities. The study indicates that the ramifications of displacement for urban IDPs, as for IDPs elsewhere, often go beyond the mere change of location. The displacement signifies a loss of one's land and of means of support, cultural loss and subjective feelings of exile.[5]

Many of the recent methods and tools developed for identifying urban IDPs seem to focus exclusively on how to determine whether or not the IDPs are worse off than the surrounding population. In an urban setting people settle according to their income, effectively reflecting the status of people around them. IDPs therefore often end up among the very poorest in the cities. It may be worth asking the question whether being part of the urban absolute poorest

population can be considered a durable solution for IDPs.

Conclusion

In recent years UNHCR has expanded its role and responsibilities to include IDPs. In the case of Uganda, UNHCR supports the government in addressing internal displacement. However, while advocating for freedom of movement, UNHCR has been complicit with the government's policy of encampment by limiting assistance to IDPs residing within camps.

It must be recognised how government interests, supported by the tendency of humanitarian actors to act according to institutional convenience, can limit forced migrants' access to durable solutions. Restricting the movement of refugees and IDPs for reasons of control and convenience undermines their rights and opportunities

Transition, connection and uncertainty: IDPs in Kampala

Richard Mallett

If government authorities are to identify appropriate durable solutions for urban IDPs, the concerns and aspirations of those most affected by urban displacement must be considered.

Uganda's long and brutal civil war resulted in the internal displacement of nearly 1.6 million civilians, of whom an estimated 300,000 to 600,000 fled not to one of the country's many IDP camps but to urban destinations. In July and August 2008, through interviews with northern Ugandan IDPs now living in a Kampala slum known colloquially as the Acholi Quarter, I attempted to get a sense of what everyday life meant for the often invisible urban displaced.

Transition

*Now here we are like in a foreign land.*

With an estimated 90% of its population displaced over the last two decades, northern Uganda's Acholiland has been the country's worst affected region. Given that large swathes of the north were rendered insecure by Lord's Resistance Army (LRA) insurgencies, as well as the fact that IDP camps were mostly absent throughout the initial stages of the conflict, heading to urban areas constituted a sensible and viable option for many IDPs, particularly if there were some kind of pre-existing connection, such as the presence of a relative.

Considering the abject conditions of many Ugandan IDP camps, urban destinations may appear advantageous but the reality can be very different. For the displaced Acholi, Kampala represents a marked contrast to their northern homelands and former agrarian lifestyles, a contrast which is sharpened by often romanticised 'pre-conflict' memories of the north. Whereas livelihoods and material necessities were previously regarded as 'given' – intrinsically connected with one's land and subsistence activities – access to

even the most essential of amenities is uncertain in Kampala. As one interviewee pointed out, "Life is very, very difficult… everything needs money: rent, water, even toilets."

The lack of land and tenure security not only gives rise to concerns among IDPs regarding their basic economic survival but also hinders successful local integration, as the absence of formal land titles entrenches the idea that their (forced) migration is only temporary. Thus, even in cases where a considerable degree of urban adaptation has been achieved, the Acholi are still confronted by the notion that they are somehow 'out of place', living on land which is not theirs. Of course, there are no simple solutions to such a dilemma, particularly as many in the local host community face similar difficulties with regard to access to adequate housing and employment. Implementing IDP-specific policies could in this case promote further resentment towards the Acholi, thereby exacerbating an already considerable problem of routine discrimination.

However, while it is certainly appropriate to view Kampala as a site of transition, this should not always be framed negatively. Places of destination – and particularly urban ones – offer prospects not just of safety but also of opportunity. Many women and children in the Acholi Quarter engage in the BeadforLife project, making jewellery from recycled materials, for which there is an established market.[1] Furthermore, the presence of displaced communities can also result in positive changes for the host population. In the Acholi Quarter, for example, Meeting Point International (MPI), a community-
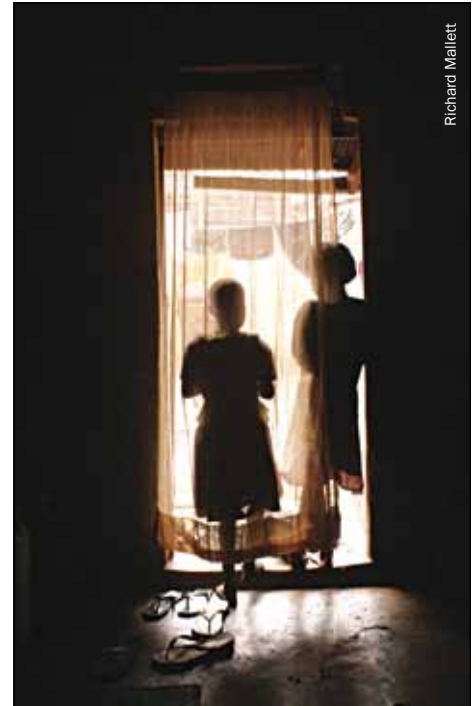
Urban IDPs in Kampala

based NGO, is run in part by Acholi IDPs. MPI's services are not limited to the displaced, and include a popular support group for HIV+ women, distribution of free HIV anti-retrovirals, subsidised school fees and – until recently – food donations.

Connection

I tell you, do you think you can leave the Motherland? You cannot.

Although having often experienced trauma and violence, and been physically detached from their 'homes' in some cases for over 20 years, Acholi IDPs in Kampala retain a strong connection with their villages. Most of those interviewed insisted their 'home' continues to be in the north, while the few who were less certain about returning still expressed a strong desire to uphold their connections with Acholiland. Furthermore, there is little doubt that sustaining connections of various kinds with the north – by maintaining verbal or written communication with relatives or friends in the villages, for example – has been central to the Acholi IDPs' ability to adapt to their urban environment.

On a related note, it is perhaps unsurprising that many Acholis opted for settlement in the Acholi Quarter, a 'community' within

Kampala that can facilitate adjustment to urban life, assisting not only with logistical acclimatisation, such as securing shelter and employment, but also representing a site of belonging – a 'quasi-territory'.

Thus, while the Acholi Quarter is characterised by a lack of amenities, inadequate housing, high sickness levels and low employment prospects, at the same time it has been imbued with meaning, representing the extraterritorial expression of collective Acholi identity.

Aspirations

Leaving this place totally will not happen.

Following the signing of the Cessation of Hostilities Agreement between the Government of Uganda and the Lord's Resistance Army in August 2006, the security situation in the north has seen significant improvement. Despite the LRA's continuing refusal to sign the Final Peace Agreement, there remains cause for cautious optimism, reflected by the shifting focus of peace operations from protection to return, recovery and reconstruction. By May 2009, approximately 823,000 IDPs – 60% of the total – had returned to their villages of origin, while a further 244,000 (18%) were in transit sites.[2]

For the thousands of urban-based IDPs, however, returning 'home' is by no means a straightforward or even viable recourse. People are hesitant to return 'empty-handed', without sufficient funds or the equipment necessary to rebuild their lives and resume an agrarian existence. Moreover, although Uganda's 'National Policy on IDPs' does not limit resettlement assistance to people in camps, support to those in urban areas has not been forthcoming – a point raised on several occasions by the Refugee Law Project (RLP). However, even if support were to be extended to the displaced in the Acholi Quarter, there are no guarantees that people will return, at least not initially. Kampala offers services that may not (yet) be found in the north: health care, better-paid

work and, importantly, children's education. Despite the general consensus among interviewees that the superior quality of education in Kampala is something they would like to continue to take advantage of, the loss of cultural identity – assumed to be inevitable after years living in Kampala – is regarded as profoundly problematic. Decisions, therefore, are not straightforward.

Subsequently, while Uganda's urban IDPs must be included – as fairness, logic and obligation dictate – in the government's return frameworks, so too must the authorities recognise the particular complexities associated with urban displacement, and (re)consider durable solutions accordingly.

Finally, questions also surround the future of the Acholi Quarter itself. As many individuals intend only ever to return to the north as 'visitors' – particularly the elderly not wishing to embark on the lengthy processes of reconstruction and reintegration – there are hopes that the government might intervene and improve the slum through much needed infrastructural repairs and

developments. Conversely, there is arguably a very real possibility of the government stepping in with different intentions. Fears of forced relocation, as articulated by a number of interviewees, are perhaps not altogether misplaced. In October 2008, an RLP update on urban IDPs stated that in the Acholi Quarter, "some [of the IDPs'] homes have been demolished at the demand of neighbouring landowners who want them out",[3] and there continues to be national press coverage of forced evictions occurring throughout the city.

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1. http://www.beadforlife.org/

2. Inter-Agency Standing Committee Update on IDPs Movement, May 2009 http://tinyurl.com/IASCUgandaMay09

3. Refugee Law Project 'Govt Stalls Urban IDP Profiling', A Special Bulletin on Urban IDPs, October 2008 http://www.refugeelawproject.org/others/idpspecialbulletin3.pdf
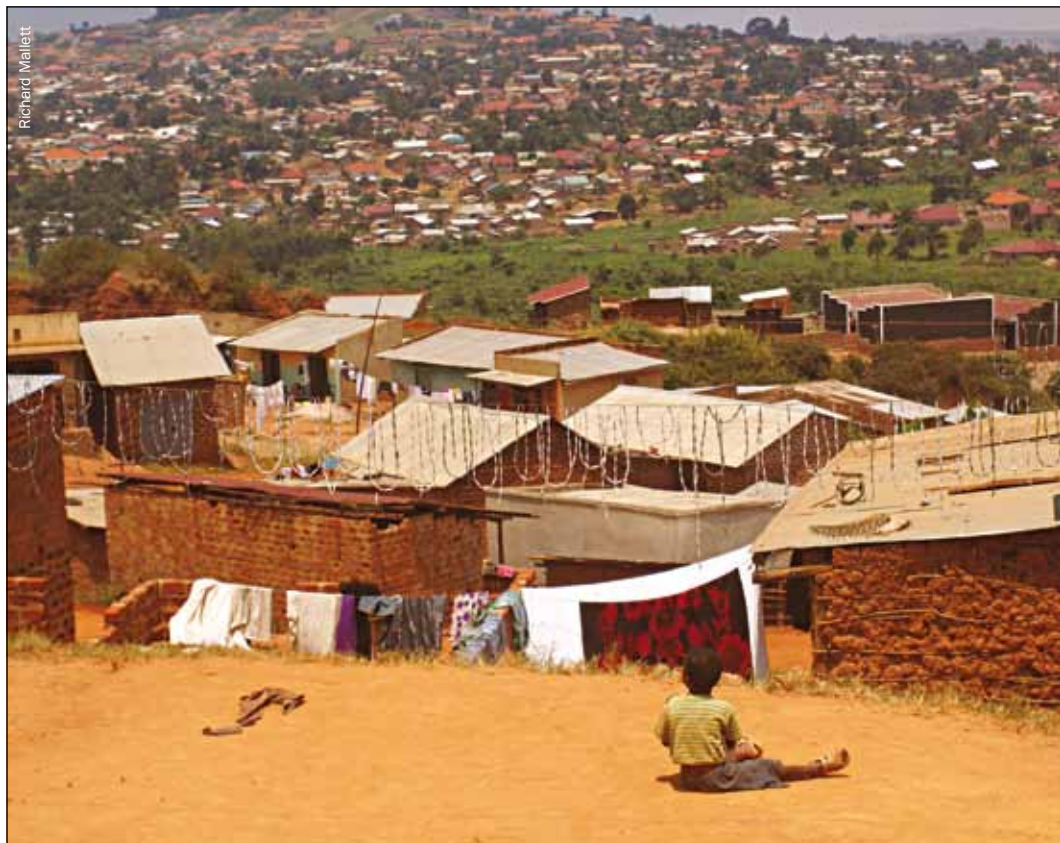
Strings of beads made from recycled materials (BeadforLife project) hanging to dry, Acholi Quarter, Kampala.

Urban Somali refugees in Yemen

Tim Morris

Being an urban refugee in Yemen brings far fewer benefits than being in a camp – and scarcely more opportunities.

Yemen shares characteristics with many other countries hosting urban refugees: lack of durable solutions; challenges of quantifying populations; a host government evading Convention responsibilities; hostility from a once-welcoming host community; political interference in choice of implementing partners; and, most fundamentally, inadequate provision of protection, food, health care and education.

The great majority of urban-based refugees in Yemen are Somali, although there are also substantial numbers of Ethiopians, Eritreans and Iraqis. In 2008 over 50,000 Somalis arrived in Yemen – a 70% increase from 2007 – as increasing numbers flee conflict between the government of Ethiopia and Oromo insurgents.

The Yemeni public generally takes pride in the fact that Yemen welcomes Somali refugees while its richer Arabian neighbours turn them away. Yemenis believe this indicates their greater adherence to the deeply-rooted Islamic duty to offer shelter

to those fleeing persecution. Few are aware that Yemen – the only country in the Arabian Peninsula that is a signatory to the 1951 Refugee Convention and its 1967 Protocol – is obliged by international law to accord everyone the right to seek asylum. However, Yemen has not enacted national refugee legislation, and refugee matters are dealt with on an ad hoc basis. In June 2009, after prolonged advocacy by UNHCR, the government established a Ministry of Refugee Affairs but there is considerable uncertainty about its role.

There are no durable solutions for Somalis. In 2008 only 40 Somalis voluntarily repatriated. Resettlement is not a viable option – in the first half of 2009 a mere 164 Somalis were resettled – and the Yemeni government has repeatedly stressed its opposition to local integration. Somalis with over 20 years' documented residence have failed in attempts to apply for Yemeni citizenship.

While UNHCR has data on Somalis who present themselves to reception centres it has no means of estimating the number of Somalis who subsequently leave Yemen or who reside outside the country's only refugee camp, Kharaz, situated in a bleak region west of Aden. The Yemeni government often asserts that there are 800,000 Somali refugees. UNHCR reported that at the end of June 2009 there were 154,009 refugees in Yemen: 13,143 in Kharaz and the remainder in urban areas. UNHCR staff, however, unofficially acknowledge their reliance on guesswork.

Discrepancy between Yemeni government and UNHCR statistics is complicated by the numbers of *muwalidiin* – people of mixed Yemeni and Somali/Ethiopian descent. For centuries Yemeni traders have lived in the Horn of Africa while maintaining links with the homeland. Since the 1980s, considerable numbers of *muwalidiin* have been returning to Yemen as a result of conflicts and disruption to trade. Many have settled in urban areas and been acknowledged as Yemenis, often despite lacking official

Somali refugees in Yemen.

IRIN/Adel Yahya

identity papers. While the *muwalidiin* are often stigmatised by Yemenis, they nevertheless have a higher social status than Somalis and Ethiopians in a nation with deeply entrenched, inherently racist, concepts of social hierarchy. Many Somali refugees believe that the government of Yemen and UNHCR privilege the *muwalidiin*, claiming that most of those resettled have falsely presented themselves as refugees.

Refugee entitlements

There is considerable discrepancy between the rights which the government of Yemen asserts are enjoyed by Somali refugees and refugee testimonies. The government argues that no restrictions are placed on Somalis seeking employment, health care or education but refugees point to a range of restrictions and shortcomings.

Employment: In a nation with massive un- and under-employment, few male refugees can find regular work. In Sana'a they make money by washing cars or emptying latrines. Some older and more educated men manage to find employment as English language teachers, and a small number of Somalis run kiosks, internet cafes and restaurants. The overwhelming majority of Somali men, however, have to depend on whatever income can be earned by women. In a traditionally patriarchal society this often leads to psychological distress – and cases in which Somali men abandon wives and children in Sana'a and leave for Saudi Arabia are reportedly on the increase.

Somali women are frequently seen begging. Those with regular employment are mostly employed as domestic servants in Yemeni households but many are forced to leave children unattended – often tied to beds[1] – while they go to work.

Chronic inflation makes it increasingly difficult for refugees to buy sufficient food. Until Yemen's economic crisis worsened it was common for restaurants to provide Somalis with unconsumed food but nowadays Somalis are in competition with malnourished Yemenis for the leftovers.

Yemeni government protestations that Somalis may enter the job market on an equal basis with Yemeni citizens are strongly refuted. Increasingly, Yemen's deteriorating economy has led to even the most menial jobs being reserved for nationals. Somalis complain of a complete lack of labour rights and official indifference and inaction whenever they try to bring complaints against employers.

ID: Refugees are entitled to receive free government-issued identity cards but authorities routinely solicit bribes. Recently arrived refugees report being asked to pay the equivalent of $15 to police and neighbourhood officials. Unable to pay, many do not seek ID cards – but Somalis without ID cards may be arrested, and it is increasingly difficult to rent accommodation without a valid ID. Recently issued cards are not recognised by the major money-transfer companies, forcing Somalis who receive funds to pay Yemeni intermediaries. UNHCR and the Yemeni government have started an EU-funded campaign to register Somalis but Somali refugees want the EU to recognise that lack of ability to pay bribes may prevent many from registering and obtaining an ID.

Health care: As Yemen's public health-care system collapses, it has become ever harder for Yemenis to be seen by health professionals. Government health-care institutions no longer provide free medication to Yemenis, and Somalis report being ignored when they report to government hospitals.

Education: Only an estimated quarter of Somali children in Sana'a are enrolled in school as many are unable to pay for uniforms, books, transport or food. Somali students increasingly face harassment and racially-based intimidation.

Freedom of movement: Even if Somali refugees hold a valid ID card they are prevented from moving between Yemeni cities by government orders to bus companies and taxi drivers not to transport them. There are frequent reports of Somalis being detained at checkpoints, asked to pay bribes, and being abused, arrested or dumped at the roadside without the means to return to their families.

Refugee perceptions

Key complaints made by urban refugees:

■ Refugees allege that many staff members of UNHCR's six Yemeni implementing partners (IPs) in Sana'a demand bribes; they are particularly critical of the longest-established and largest IP, alleging that refugees are only treated with respect when UNHCR international staff are present, its clinic only provides analgesics, medical personnel do not facilitate transfers to government health institutions, and guards routinely abuse patients and carers. Refugees want more services from international IPs and improved monitoring of partners by UNHCR.

■ Minimum nutrition needs are not met. Highly vulnerable households are eligible to apply through a Yemeni IP for a UNHCR monthly grant of $25 and for food coupons but the application process is bureaucratic. Somali representatives report that no more than 80 families in Sana'a are regular recipients of assistance.

■ Many refugees, particularly those in female-headed households, want to be relocated to Kharaz camp where they will get food, health care and education. UNHCR, however, actively discourages return there – presumably in order to keep capacity for future arrivals. This policy is much criticised; in the absence of reliable support, Somalis say, it is hardly surprising that many turn to prostitution and theft.

■ UNHCR adheres to Yemeni policy prohibiting foreign organisations from employing refugees. The only refugees who receive income from UNHCR are translators employed on a casual basis. Refugees call on UNHCR to challenge Yemeni policy and to advocate for quotas for non-nationals in humanitarian organisations.

■ Microcredit and vocational training programmes are underfunded. The average credit available from UNHCR – $100-200 – is not enough to start a business and only women are eligible. Refugees

believe that vocational training providers have few skills.

■ There is no coordination mechanism between the government, UNHCR, recognised IPs and those INGOs with an interest in refugee affairs.

■ Refugees also call on UNHCR to contest corruption, intimidation of refugees by officials, and movement restrictions.

UNHCR has recently made great efforts to improve relations with urban refugees. Somalis are impressed by the willingness of recently appointed UN Volunteers to get to know the realities of the Somalis' lives. UNHCR has facilitated the election of committees to represent the Somali communities in Sana'a and in Aden and to present their needs to the Yemeni authorities; this has given great hope to the refugees. A building has been rented in Sana'a by UNHCR to act as a community centre although it lacks any furniture or equipment, and committee members receive no stipends. They report that the community now has unrealistic expectations of them. No matter how committed they are to helping their fellow refugees, they lack the means to do so and are forced to prioritise their own immediate survival.

In Yemen, UNHCR lacks the funds and the political clout to fully exercise its mandated role to assist and protect urban refugees. In the worsening economic climate – and with the scale of internal displacement increasing significantly as a result of conflict in northern Yemen – opportunities for Somali refugees in Yemen's cities are likely to deteriorate further.

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1. http://www.irinnews.org/report.aspx?reportid=27007

Displacement within the city: Colombia

Luz Amparo Sánchez Medina

Since the late 1990s, Colombia's major cities have been places where people become displaced between communes and quarters of the cities. The city continues to receive people displaced from the countryside but cannot be considered a safe refuge for them. As illegal armed actors see that valuable resources – both human and other – are to be found in the city, so the war is brought into the city, causing further violence and displacement.

Some of those targetted have moved to neighbouring areas while others have returned to their original homes. It is more difficult for those who had to move from further afield or have been displaced again. With each displacement, "It's from one fire to another", as one woman says. Those who have nowhere else to go occupy schools and other collective centres where, overcrowded and in poor living conditions, they are not even protected from the armed groups which caused the displacement.

While such people may not have had to move far, their losses and the breaches of their rights are no less. In one case, the people took refuge in a local school which was hardly suitable to live in. They asked the authorities for help but were refused, on the grounds that they did not meet the criterion of being displaced from the countryside to the city. In response, the people achieved a legal victory by winning recognition of intra-urban displacement and the obligation of the state to provide assistance to those affected in this way. Despite this, there remain many cases where legal recognition is not accorded to such people and they do not receive assistance.

This failure on the part of the state to provide protection means that its citizens are more easily displaced. While some displaced have taken their case to court and obtained some assistance, others are too afraid to come out into the open. They prefer to remain invisible, with the result that the authorities and society at large underestimate the deleterious effects on their lives. Those who have won court cases did so by facing up to the fear and taking collective action.

Between 2000 and 2004, more than 4,000 people felt they had to flee from their homes in Medellín. Although intra-urban displacement has now reduced, there are still recurring peaks in displacement, there and in other big cities, and a feeling that the forces that displace people within the city could return at any time.

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UNHCR/B Heger

The role of municipal authorities

Elizabeth Ferris

Municipal authorities present the most immediate interface between a government and its citizens. If the rights of IDPs are to be upheld and their needs addressed, more attention needs to be paid to the municipal level of government.

Colombia's national legislation on internally displaced persons (IDPs) is impressive. The country has a strong judicial system, a Constitutional Court that has consistently upheld the rights of IDPs and a committed network of civil society organisations, including hundreds of IDP associations. In his 2006 visit, however, the Representative of the Secretary-General on the Human Rights of Internally Displaced Persons was "perturbed by the clear gap between the policies decided in the capital, Bogotá, and what is effectively implemented at the departmental and municipal level."[1]

To examine the role of municipal authorities in addressing IDP issues in Colombia, the Brookings-Bern Project commissioned Ana María Ibáñez and Andrea Velásquez of the Universidad de los Andes to analyse the responses of four local and departmental governments, including the municipalities of Bogotá, Medellín and Santa Marta and the department of Antioquia. This study then served as the basis for a seminar held in Bogotá in November 2008 which brought together representatives from municipal governments, national governmental agencies and international organisations working with the displaced to consider the problems faced at the municipal level and to suggest ways of overcoming these obstacles.[2]

Mayors and municipal authorities are responsible for providing and managing the budgets for services such as public security, education, health and recreation. When large numbers of IDPs arrive in a municipality, municipal authorities come under increased pressure to provide schools, health care, security, housing and other services. At the national level, the Colombian government has established a range of institutions to promote the rights of the displaced. In particular, Unified Comprehensive Plans (PIUs)[3] provide a coordinating mechanism between national, provincial and local institutions, with territorial committees tasked with developing their own plans for assisting IDPs in accord with national legislation. But municipalities have been slow to develop their plans. Only 24% of municipalities with IDPs have formulated their PIUs and even where plans do exist, there are weaknesses in implementation.

At the seminar, participants heard from mayors and municipal officials about the difficulties they faced in complying with their obligations to assist IDPs. In particular, they noted the lack of data on the displaced, the lack of clarity about relationships between the central and municipal levels, the scarcity of financial resources at the municipal level and the lack of capacity of municipal authorities. They expressed particular concern about housing and socio-economic stabilisation. Housing for IDPs in municipalities is scarce and where municipalities are able to provide land for housing projects for IDPs, they are unable to cover the costs of public services. Integration into the economic life of the community can be extremely difficult for IDPs. Low literacy levels among the displaced, for example, make it difficult for them to compete for jobs in urban areas.

Despite nationally mandated actions in support of IDPs, participants expressed frustration that they were not given the necessary resources to comply with them. Moreover, municipal authorities were concerned that by giving preferential treatment to the displaced, other needy groups – such as the historically poor – would be disadvantaged. "We have many mandates," one participant observed, "and not enough resources to meet all of these needs. How do we balance the needs of IDPs with those of people with disabilities, for example?" Municipal authorities also pleaded for more flexibility to ensure that the particular contexts of each region be taken into consideration and expressed serious concern about the lack of clarity in the relationship between the different levels of government and the lack of functioning coordination mechanisms.

Jader García Marín, from San Carlos, reported that his municipality is facing an emergency in trying to deal with returning IDPs. The return of 5,000 persons in 2006-07 put serious strains on the municipal budget, with hundreds of requests to build or repair housing for the returnees. He noted that "it has been much more expensive to assist those who are returning than to provide humanitarian assistance to the displaced." Paola Carvajal, from Bucaramanga, noted that by working in partnership with the government and the Colombian Red Cross, they had been able to mobilise additional resources to meet demands.

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1. http://www.brookings.edu/projects/idp/RSG-Press-Releases/200606_rsg_colombia.aspx

2. Convened by Acción Social, UNHCR, the Universidad de los Andes and the Brookings-Bern Project. Report at: http://www.brookings.edu/reports/2009/07_colombia.aspx

3. PIUs, Planes Integrales Únicos

Los Altos de Cazuca, Ciudad Bolívar shantytown, Bogota. At night-time, armed groups roam the streets.

Surviving in the city

Jeff Crisp

"Nothing really prepared us for this operation, so we had to adopt an unconventional approach to the way we did business."

Those are the words of a UNHCR staff member in the Syrian capital of Damascus, referring to the challenge of responding to the massive Iraqi refugee exodus that has taken place since 2006. UNHCR is familiar with the demands of coping with large and sudden movements of refugees but the unique feature of the Iraqi situation is that the vast majority of exiled Iraqis are not housed in camps but have settled in the cities of neighbouring states, especially Amman in Jordan, Beirut in Lebanon as well as Damascus and Aleppo in Syria.

A recent evaluation has highlighted some innovative aspects of how UNHCR attempted to address the specific characteristics of its urban operations in the region.[1]

Reception and registration

In the absence of national asylum laws or procedures in Jordan, Lebanon or Syria, and without formal reception facilities run by the authorities or NGOs, UNHCR was obliged to play a central role in the tasks of reception, registration and documentation – a role in which UNHCR was confronted with a wide range of challenges that were met creatively in the different countries.

In Amman and Beirut, separate reception and registration areas were established adjacent to UNHCR's offices, while in Damascus, a dedicated registration centre was established 20 kilometres away in the suburbs. There were innovations at all UNHCR's facilities, including:

■ improved appointments systems that avoid long waiting periods and overcrowding

■ the permanent presence of Community Services and Protection staff (see below)

■ the capacity to distribute emergency assistance on-site, if needed

■ fast-track systems for vulnerable refugees

■ child-friendly spaces, equipped with toys, games and drawing materials

■ individual booths for interviews, equipped with closed-circuit TV and 'panic buttons' to protect staff security

■ clearly identifiable security personnel trained to be both helpful and efficient

■ information videos, anti-fraud posters and information leaflets in Arabic

■ clean and spacious amenities, including separate areas for men and women, water fountains and lavatories.

One of the more innovative aspects of the Syria operation has been the use of mobile registration, enabling UNHCR to register those refugees residing in governorates outside Damascus and even enabling at-home registration in certain circumstances. As a result of the mobile registration initiative, UNHCR learned that large numbers of refugees were residing in the northern city of Aleppo, a discovery that led to the establishment of a UNHCR office in that location. Mobile registration has proved its worth as a form of outreach and should be replicated where possible in other urban settings.

Another lesson to be learned from the Iraqi refugee operation is the importance of providing timely and ongoing guidance to registration clerks, many of whom are relatively junior yet are required to make important judgment calls with potentially significant consequences for the refugees they are registering.

Registration is the moment at which a refugee first comes into formal and substantive contact with UNHCR

A UNHCR staff member talks with an Iraqi refugee family in the one-room apartment shared between 13 extended family members, Syria.

and is given the opportunity to explain his or her situation and needs; what happens during the registration process can have major implications for a refugee's future life. In the Iraqi refugee context, UNHCR adopted an approach that goes well beyond the traditional collection of basic biodata and which instead encompasses issues such as resettlement needs, vulnerabilities, circumstances requiring urgent protection interventions and referrals for counselling and services.

Community outreach and communications

Many of the UNHCR staff members interviewed in the course of this evaluation drew attention to the challenge, in an urban context, of making contact with refugees, determining their needs, understanding their intentions and identifying the most vulnerable among them. The Iraqi refugees are scattered among a large urban population and across a wide geographical area. Some are immobile due to ill-health or family commitments, while others live a long distance and an expensive journey away from UNHCR's offices. And those distances are getting longer. As their time in exile becomes more protracted and their financial assets diminish, some Iraqi refugees are moving to the outskirts where accommodation, their primary item of expenditure, is cheaper. In these circumstances, there is a danger that a 'survival of the fittest' scenario might arise, whereby the refugees who have most contact with UNHCR are not the most vulnerable but are the most articulate, entrepreneurial

and physically able members of the exiled Iraqi population.

In Syria, efforts were made to mobilise the refugee community through the establishment of specialised 'support groups', comprised of appropriately qualified refugee volunteers and covering issues such as 'health', 'mental health', 'survivors of violence' and 'unaccompanied and separated children'. These groups provide a means for exiled Iraqis to make effective use of their skills and to advise their compatriots on the services that are available to them.

In Jordan, UNHCR has sought close integration between its community services function and its protection and programme activities by establishing 'multifunctional teams', made up of staff members from different units within the office. Among the primary responsibilities of these teams are to monitor and assess the impact of implementing partner activities, to ensure that those partners have established beneficiary complaints mechanisms and that they engage refugees in decision-making.

In Damascus, UNHCR has appointed around 75 female Outreach Volunteers (who are trained and paid a small stipend) originating from all sections of the refugee population and residing in all parts of the city and suburbs where refugees are to be found.[2] The decision to engage only females was partly for cultural reasons, partly because women are confronted with fewer security risks when moving around, and partly because many of the most vulnerable refugees are female. Their functions include identifying and visiting particularly vulnerable refugees and referring them to UNHCR if necessary; providing refugees with counselling, information and practical assistance; and mobilising refugees to play an active role in support of their compatriots.

Some of these Volunteers pointed out that the volunteer programme could have usefully been established prior to mid-2007, when the Iraqi influx was at its height and UNHCR was registering up to 3,000 people a day, something to be taken into account in the contingency planning, emergency response and programming

procedures employed in other countries where large urban refugee populations exist or are anticipated.

UNHCR has also sought to promote the establishment of community centres where Iraqis, other refugees and members of the local population can come together, access services, information and counselling, participate in recreational activities and enjoy each other's company. Such centres have proved popular but do they represent good value for money in terms of community outreach, or do they attract a relatively small number of clients who make regular and repeated use of such facilities? And it is known, for example, that some Iraqi men prevent their wives and daughters from attending the centres, while many refugees, for one reason or another, are not mobile enough to leave their home or immediate neighbourhood or are unable to afford the expense of travelling to their nearest centre.

Renting a property, paying the wages of full-time staff and providing such centres with equipment and materials entail significant costs – costs that might prove difficult to cover as funding for the Iraqi refugee programme diminishes and spending has to be more tightly focused on essential needs. They might also prove to be constraints in other, less well-funded contexts.

Other elements of UNHCR's community communications strategy have included a dedicated UNHCR

hotline for refugees, 'complaints boxes' in prominent locations, and highly visible anti-fraud campaigns, informing refugees that all UNHCR services are free and that they should not attempt to bribe any of the organisation's employees.

Conclusion

There is a very real prospect that the resources available to UNHCR will decline in the near future. Other emergencies are now capturing the world's attention and the money available to humanitarian agencies may diminish as a result of the global economic crisis.

An important question to be asked is whether some of the innovative and exemplary arrangements found by this evaluation could be established in other urban settings. While UNHCR should aspire to replicate such facilities elsewhere, it is unlikely that this would be possible without similarly large investments in staff and infrastructure.

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1. See also article by Sayre Nyce pp42-3.
2. A similar system has been established in Jordan, working through UNHCR's implementing partners.

UNHCR registers vulnerable Iraqi families eligible for the first food distribution for them in Damascus.

ATM cash assistance: does it work?

Sayre Nyce

Direct financial assistance for refugees in Jordan is proving popular and effective.

Over 40,000 refugees and asylum seekers in the Hashemite Kingdom of Jordan (Jordan) are registered with UNHCR and live primarily in urban settings. As Jordan has functioning national institutions, UNHCR has concentrated on reinforcing the capacity of Jordanian institutions (such as health clinics and schools) to include Iraqis in their services, alongside actively pursuing resettlement and – in a limited number of cases – voluntary repatriation for refugees, and providing safety nets for the most vulnerable.

Given the urban setting, UNHCR's Jordan office questioned whether the conventional method of distributing food rations, hygiene kits and non-food items was indeed the most effective, efficient and dignified means of addressing the basic needs of refugees, and instead decided to introduce a system of direct financial assistance through Automated Teller Machine (ATM) cards. "In an urban environment, where necessities are available at every corner, giving refugees the means to buy whatever suits them not only makes them ten times happier but from a logistical perspective it is also that much more efficient," says UNHCR Jordan Programme Officer Amra Nuhbegovic.

In the last two decades, there has been much debate about providing cash assistance instead of the traditional in-kind assistance. Several concerns have been raised about providing cash assistance, including that it may be used for anti-social purchases and/or that it may cause protection problems (insecurity, disadvantages to vulnerable family members, etc) or encourage corruption. Among the questions discussed within UNHCR have been:

- At what level should such payments be set, and how should they relate to the minimum wage (if one exists) received by nationals?

- What is the most effective, efficient and equitable manner of distributing cash to refugee households?

- How can the expenditure of cash payments be monitored and their impact assessed, so as to ensure that they are not spent in an inappropriate way?

- Do cash payments discourage refugees from finding work and alternative income-generating opportunities?

- Once cash payments have been introduced, is it possible to withdraw them without causing hardship to refugees or increasing their level of frustration and thereby creating greater security risks for UNHCR staff?

Almost 5,000 vulnerable Iraqi families in Jordan now receive cash assistance each month. How much they receive is based on the amount received by vulnerable Jordanians through the national social safety system: the equivalent of US$106 for one person, increasing with family size to a maximum of $410 for a family of 10 or more. Refugees are eligible if they are registered with UNHCR and are living on incomes below the poverty level[1] as are all families with school-aged children when specific conditions to ensure their educational needs are met. UNHCR's implementing partner, International Relief & Development,[2] conducts home visits to assess that beneficiaries meet the criteria. The ATM cards are distributed by the bank and need to be replaced once a year. The distribution of the card is usually to the men, as they are the primary refugee applicant, and this is perceived as culturally appropriate. Reassessment of the ATM beneficiary list is ongoing and some people are removed from the list for reasons including resettlement, having expired asylum-seeker certificates or disqualification after reassessment.

After the first year of implementation, UNHCR conducted an impact assessment and cost effectiveness analysis of the programme, surveying more than 1,000 ATM

Iraqi refugee using ATM in Amman, Jordan.

UNHCR Jordan/Moon for Media Production

cash assistance beneficiaries through home and phone visits, holding focus group discussions and interviewing implementing partners. The findings of the assessment indicate that cash assistance is efficient, effective and dignified and that fears about misuse or protection problems have not been realised. Furthermore, refugees themselves overwhelmingly favour cash distribution through ATM cards over any other kind of assistance method.

Effective

Iraqis are not permitted to work in Jordan without an official work permit (which relatively few have obtained) and, with rising inflation and decreased employment opportunities for the Jordanian nationals, there continues to be significant dependence on assistance. Cash assistance has enabled persons of concern to enjoy the minimum acceptable standard of living in their country of asylum. "Cash assistance has been a great benefit to me," said one Iraqi man living in Amman. "It has covered most of my expenses, such as rent, medication, food. Without it I would have had to go back to selling garbage scraps on the street."

The evaluation found that cash assistance appears to be an effective way of promoting protection of refugees' rights to shelter, food and medicines, and that little is used for inappropriate items such as alcohol or cigarettes.

"They eat better food; they move to better accommodation," said one implementing partner. "Also, people have lower levels of stress when they get financial assistance." After receiving cash assistance, the 1,069 current beneficiaries surveyed reported accessing better housing (49%) and food (50%), and 7% reported that the financial assistance helped them to send their children to school for the first time.

Efficient

The ATM system makes assistance more accessible, thus overcoming a major challenge of distributing assistance in an urban refugee context. It is convenient for refugees to withdraw cash near their homes whenever they choose; 40% of beneficiaries walk to the

nearest ATM and 54% pay only 1-2 Jordanian Dinar (US$1.40-2.80) to travel to an ATM.

Furthermore, there is no value lost in the distribution of cash through ATMs. Whereas in-kind assistance is often sold at local markets at a reduced value, cash assistance can be fully utilised by the beneficiaries.[3]

The ATM card system is also more financially efficient than in-kind assistance or cash assistance distributed by NGOs. The overhead costs (bank and card fees) for the ATM card system are only 2.26%, while the overhead cost for assistance distributed through implementers (transportation, warehousing, distribution, etc) could be as high as 23%.

Dignified

"Beforehand, it was much more difficult having to stand in line at the crowded distribution point for hours," said an Iraqi mother of three. "Passers-by would stare at us which used to be an embarrassment, while now, thank God, I can go to the bank with my plastic card at my convenience. Within ten minutes, I am back home." Beneficiaries who are able to make their own choices about how to meet their basic needs gain a deep sense of empowerment and the freedom to prioritise.

The impact assessment found that 98% of respondents prefer to receive financial assistance through the ATM card system compared to any other system, such as receiving cash at an NGO office where beneficiaries would sometimes have to wait in long queues to receive assistance. Ultimately, providing an avenue by which refugees are able to be part of the local population – shopping at a neighbourhood market, choosing which necessities to buy, using cash to pay for items – promotes tolerance, equity and dignity.

Safe

In the Jordanian context, there is little evidence that the ATM card system creates significant protection risks. Only 1.3% of respondents to the impact assessment felt that the money is misused in their family. With few exceptions, older persons and persons with disabilities have been able to rely on support from

their community (as well as NGO and bank staff) to access ATMs.

In addition, ATM cash assistance is less of a security risk for beneficiaries and NGOs. It is a less visible means of receiving assistance as refugees are not seen carrying large non-food items or food packages. Women in particular reported a greater feeling of security in collecting their assistance anonymously at ATMs rather than at an NGO office. Implementing partners also felt that, with this system, they face less risk of fraud, security incidents, human error and stealing.

Finally, implementing partners have heard relatively little about incidents of fraud. Stealing cards or PINs appears uncommon. Although some refugees mentioned that people being resettled may sell their card upon departure, UNHCR mitigates this issue by cutting assistance automatically upon departure.

Conclusion

In September 2009 UNHCR officially introduced a new policy on refugee protection and solutions in urban areas which states that "in situations where it is viable, UNHCR will establish ATM card systems, both in view of their efficiency and because they enable refugees to maintain a greater degree of dignity."[4] While questions still arise about the benefits and challenges of providing cash assistance (and its applicability in other settings), the success in Jordan is clear. Putting the decision about how refugees choose to meet their most pressing needs into the hands of the refugees themselves has worked.

1. The Jordanian national poverty level was defined in 2006 as $46 per person/month, a figure close to the $50 per person/month used widely as a poverty line throughout the region.

2. http://www.ird-dc.org/what/countries/jordan.html

3. J Crisp, J Janz, J Riera, S Samy 'Surviving in the city: A review of UNHCR's operation for Iraqi refugees in urban areas of Jordan, Lebanon and Syria', Policy Development and Evaluation Service, UNHCR, July 2009: 37. http://www.unhcr.org/4a69ad639.html.

4. UNHCR. 'UNHCR policy on refugee protection and solutions in urban areas', September 2009. http://www.unhcr.org/4ab356ab6.pdf

Cities of Solidarity: local integration in Latin America

Fabio Varoli

Latin America has long had a reputation for offering asylum to those fleeing persecution. The Cities of Solidarity programme provides a concrete mechanism for providing not only asylum but full local integration.

When the first group of Palestinian refugees arrived in April 2008 in La Calera, a city of 60,000 inhabitants in central Chile, it was a great event. The central square was filled with people as the people of Calera gave their new neighbours a warm and emotional reception. This was a deeply moving experience for the refugees who, just three days previously, had been living in the extreme conditions of Al Tanf – a camp in the desert on the border between Syria and Iraq.

La Calera is one of the many cities in the 'southern cone' of Latin America that has joined the self-sufficiency and integration programme known as 'Ciudades Solidarias' (Cities of Solidarity) under the Mexico Plan of Action.[1] Municipal governments – such as La Calera – and UNHCR commit to a cooperation framework to ensure international protection, local integration and assistance for asylum seekers.

The municipality accepts responsibility for identifying the needs of refugees and asylum seekers, evaluating the conditions in which they find themselves in their territory and establishing plans of action to address their needs. The municipal authorities appoint staff specifically to support their local integration through social programmes such as family welfare payments, emergency housing plans, food policy plans, support for small businesses and integration into the education system.

"Collaboration between the Municipality of Santiago and the Vicaría de Pastoral Social [the social welfare agency of the Archdiocese of Santiago]," says Veronica Vargas, the Vicaría's coordinator, "has led to a programme of community action in Yungay district which is having a significant impact socially for the refugees who live in this popular area of the Chilean capital. Not only are public programmes of action successfully addressing the specific needs of the refugees but we are also seeing all types of cultural and educational community projects, which have encouraged the spontaneous coming together of the refugee population and local residents. This is very important if refugees are to take the first steps towards integration in our country."

Particular attention is given to the inclusion in municipal school programmes of child and adolescent asylum seekers and refugees (especially when unaccompanied or separated from their families). Similarly, immediate assistance is given to women considered to be at risk. Continuity, monitoring and the integrated nature of interventions are promoted through a committee made up of various departments of the municipal government, UNHCR and its operating partners, and other institutions involved in pursuing durable solutions for refugees.

Generally, the agreements between UNHCR and the municipal authorities under the Cities of Solidarity programme are ratified by the municipal council and become public policies that remain in force through any changes in public administration.

The importance of these agreements is not limited to refugee access to state social programmes on an equal footing with nationals. The signing of these agreements takes place at public events with media coverage. This provides visibility and has helped to create a more positive and open attitude to refugees. It has also allowed many refugees to establish networks within the community and direct relationships with public officials in the various services. This in turn has enabled refugees to go through the administrative procedures necessary to obtain documentation and apply for subsidies and to take an active role in finding employment or housing.

Innovative framework for solidarity

Agreements with municipalities make explicit reference to the Mexico Plan of Action and to the Cities of Solidarity programme. The Mexico Plan of Action, signed by 20 Latin American countries in 2004, gave governments and civil society organisations on the continent a renewed strategic and operational framework that defined "the main challenges to the protection of refugees and other persons in need of international protection today in Latin America" and identified "courses of action to assist countries of asylum in the search for appropriate solutions within the pragmatic and principled spirit of the Cartagena Declaration on Refugees."

The Cities of Solidarity programme is without doubt one of the most novel components of the Mexico Plan of Action. It arose from the fact that refugees and asylum seekers tend to settle in the cities – both large and small – of Latin America, particularly in the southern cone. "Latin America can help promote and put into action the concept of protection for persons of concern in urban situations," says Marta Juárez, director of UNHCR's Bureau for the Americas. "There are valuable examples of refugees who have successfully integrated in many locations in Latin America where communities have been welcoming and where local government is working effectively to support them."

The achievement of self-sufficiency and local integration of refugees has continued to be one of the major challenges for programmes for the care of refugees in Latin America. Refugees face complex socio-

وطن ملاذ واحتضان تشيلي

CHILE PAÍS DE ACOGIDA

Welcoming Palestinian refugees to La Calera, Chile.

essential in the first instance to encourage public officials to recognise the particular situation of refugees and the differences that exist with other migratory groups and, in the long term, for them to incorporate these perspectives in local public agenda. Effective local integration is achieved through the execution of public policies that take account of the social, economic and cultural rights of refugees as well as their obligations.

Municipal and/or regional governments have become key actors in enabling refugees to achieve a decent standard of living and to enjoy their fundamental rights and for UNHCR and its partners it is increasingly important to make alliances with these local administrations. For UNHCR offices in each of the countries, implementation of Cities of Solidarity agreements means extending institutional capacity building to include regional and municipal entities as well as the central and ministerial levels. Work done to date with these cities indicates that it is not sufficient to establish a regulatory and legal framework that protects the rights of refugees; rather, it is fundamentally important to guarantee the conditions and mechanisms so that public policies are both defined and implemented effectively, entirely on a local level.

economic situations where they have to compete with other disadvantaged sectors of their host communities. In addition, the programmes for refugees traditionally implemented by UNHCR and its operating partners have been executed with a predominantly 'assistentialist' and patriarchal perspective, unrelated to local realities and social networks.

Cities of Solidarity programmes, on the other hand, promote a different attitude towards the urban context. The city is presented as an open space and a place for opportunities to be explored and exploited. Beyond providing short-term support for the refugee or asylum seeker, UNHCR and its partners look for interaction with community networks and public social programmes, recognising the fundamental role of local, municipal or district public administrations in caring for refugees. It is therefore

Political and personal will to protect

However, the issue of 'solidarity' has also played a fundamental role in local public administrations taking on commitments, both personally and institutionally. Ever since Latin

America became a community of independent countries, its peoples have opened their doors innumerable times to persecuted neighbours fleeing their homelands. As reflected in the introduction to the Mexico Plan of Action, Latin America is recognised internationally for its generous tradition of asylum. It has been able to deal with its own refugees creatively and pragmatically, providing examples of how political will, regional solidarity and shared responsibility are essential principles in the provision of protection and the pursuit of durable solutions.[2]

The memories of mass violations perpetrated during the brutal military dictatorships of the 1970s and 1980s are still in the collective consciousness of many Latin Americans. Tens of thousands of people were forced to leave their countries to save their lives and the international community opened its arms and offered them every opportunity to integrate and to heal their wounds. Many of those who benefited then from international protection have returned to their own countries to rebuild democracy and are today important agents in the political and social lives of their countries. Many leading officials in countries such as Chile, Argentina and Uruguay have personally experienced asylum and the benefits of international solidarity. It is therefore easy to understand why there is currently an exceptionally favourable disposition toward tackling the issue of refugees.

The Mayor of Montevideo, Ricardo Ehrilch, on signing the agreement to make Montevideo a City of Solidarity, stated that, having been a refugee himself, he had personal reasons to promote the agreement with UNHCR, mentioning the need to give back to the international community as much as had been received by those Uruguayans forced to flee in search of protection during the dictatorship.

In La Calera, meanwhile, local councillors won the immediate backing of various sectors of the local community such as the Arab clubs, the Palestinian women's associations and a network of volunteers created spontaneously to receive and accompany the refugees

due to arrive from the Syrian-Iraqi desert. The extent of the mobilisation exceeded all UNHCR's expectations. According to Roberto Chahuan, mayor of La Calera, the reception organised for the Palestinian refugees was an outstanding display of solidarity involving not only Chileans of Arab descent but the whole community. There were many offers of help. Each refugee child was sponsored by a Chilean family, for example, and private companies offered employment opportunities. He explains: "We are very proud of being a city of solidarity because Chileans, and Chileans of Palestinian origin in particular, owe a historical debt of gratitude to the international community. For this reason we did not hesitate for a moment to open our city's gates to refugees when UNHCR asked us to do so."

While the Cities of Solidarity programme represents a novel strategy offering refugees better options and opportunities for local integration, the cities involved must go much further than the declarations of principles contained in the agreements. Plans of Action made by municipalities are the departure point for a complex process, the implementation of which is a long-term challenge that must be adequately accompanied, monitored and evaluated as it develops.

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1. http://www.acnur.org/biblioteca/pdf/3453.pdf
2. http://www.acnur.org/biblioteca/pdf/3868.pdf

Michelle Bachelet, outgoing Chilean president, welcomes a young representative of the Palestinian refugees upon their arrival in Chile, at a ceremony in the presidential residence of la Moneda.

City of Sanctuary – a UK initiative for hospitality

Jonathan Darling, Craig Barnett and Sarah Eldridge

It is often argued that in the UK the dispersal of asylum seekers has led to increased social tensions and threats to 'community cohesion'. This article challenges this view by showing how a local social movement is encouraging cities to be proud of their status as potential sanctuaries.

Since the decision in 1999 to disperse asylum seekers to a number of towns and cities across the UK, it has been argued that British cities have offered an indifferent and often hostile response to those in need of refuge. Yet this overlooks a range of daily acts of welcome offered across these dispersal sites. Highlighting and celebrating such positive examples of welcome is the aim of the City of Sanctuary movement. This movement not only offers a chance for individuals and groups to challenge the way the asylum debate is framed in the UK but is also concerned with creating a culture in which the virtues of welcome and hospitality are valued and through which asylum seekers and refugees are free to make a full contribution to their cities and to engage with local communities.

The City of Sanctuary movement originated in Sheffield in the north of England in 2005 and began with a group of people organising a series of local community meetings to garner support for the idea, with local businesses, organisations and community groups being asked to support a resolution stating that they "welcome asylum seekers and refugees".

In 2007 Sheffield became the UK's first official City of Sanctuary when the City Council agreed to support the movement. A manifesto was drawn up, outlining key areas of concern for asylum seekers and refugees in the city, and was adopted by the Council in February 2009. In November 2009 Sheffield celebrated the signing of its 100th supporting organisation.

Since 2007, the movement has grown into a network of fifteen towns and cities currently working towards City of Sanctuary status.[1] The precise dynamics of the initiative and the activities undertaken are different in each locality due to the grassroots nature of this work but there are a number of key characteristics that distinguish the movement.

Firstly, the movement emphasises the contributions asylum seekers and refugees have made to British cities, along with the role British citizens can play in welcoming these new arrivals. For example, the Sheffield group has invited people to suggest practical ways for welcoming refugees,[2] whilst the 'Building Sanctuary in Swansea' exhibition showed writing and images to highlight how refugees and asylum seekers have contributed to the city.

Secondly, it creates opportunities for local communities to meet and form relationships with those seeking sanctuary by staging a range of events to enable asylum seekers and refugees to communicate their experiences to different audiences. These include a 'Stories of Sanctuary' event in Bradford and a blogging workshop and training with local radio stations in Sheffield. Alongside this, the movement establishes events where local communities and asylum seekers and refugees can interact on an informal basis, such as a traditional British dance and a music concert in Sheffield.

Thirdly, it aims to offer a positive vision of hospitality within local communities, and in doing so

Sheffield City Council launch, UK, September 2007.

Reclaiming hospitality

Cities can never offer sanctuary in its fullest sense until there is a shift in government policy away from placing many individuals, including children, in detention, deporting others back to repressive regimes, and consigning some to destitution on Britain's streets. The City of Sanctuary movement presents one opportunity to change the attitudes which engender such national policies, through encouraging cities to stand up for the rights of asylum seekers in their own policies and through allowing an alternative account of asylum to emerge from local acts of welcome. This is an account which values a tradition of hospitality not as a commodity to be traded by governments but as a virtue to be celebrated.

> "It's brilliant work. It's bringing together locals and foreigners and saying look, we're human beings and we can live together, we have a lot to share and we can work together to make our city a better place for all of us."
> (Georgian refugee, Sheffield)

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1. As of November 2009 there are City of Sanctuary groups established in Bradford, Bristol, Chester, Coventry, Derby, Huddersfield, Hull, Ipswich, Leicester, London, Nottingham, Oxford, Sheffield, Swansea and Wakefield.

2. The City of Sanctuary 'inspirations' page highlights these offers of help. See http://www.cityofsanctuary.com/inspiration .

3. See City of Sanctuary film at http://www.cityofsanctuary.org/film

4. Barnett, C and Bhogal, I (2009) *Becoming a City of Sanctuary: a practical handbook with inspiring examples,* Ripon, Plug and Tap. http://www.cityofsanctuary.org/book

hopes to build cities which are proud to be welcoming.[3]

The movement has published a handbook with advice on how to establish a City of Sanctuary group and why now, more than ever, is the time to challenge the popular denigration of sanctuary.[4]

Challenges

There are a number of challenges to be faced in establishing a City of Sanctuary. Firstly, it is important to note that such a model will not work in all cities. Such an initiative must be embedded in the local community, rooted in local concerns and local commitments. In Bolton and Leeds, both major dispersal cities, citizens decided this was not a route they wanted to follow, for political and cultural reasons particular to each city.

Secondly, there is an intangibility to the demands of the movement which can at times be challenging to communicate and translate into practical actions. Being for a culture of hospitality demands careful thought as to how such a culture might be promoted, developed and sustained. In Sheffield this process was achieved partly through the manifesto put to the council after consultation with a variety of refugee groups and charities. Yet it also

came about through creative means of getting Sheffield's citizens to think again about asylum – through printed drinks mats distributed in cafes and pubs which question myths about refugees, and through signs which businesses display to demonstrate their support.

Linked to this concern is a final challenge for the movement, that of its idealistic nature as defining a vision of a better future for dispersal towns and cities. A City of Sanctuary is identified as a place that is not only more welcoming to newcomers but also one which benefits from their contributions to create a more vibrant place, which is more inclusive of all its residents. This has led to criticism that the City of Sanctuary movement is unrealistic in its vision. In response, we would argue that a City of Sanctuary is not an end point to be reached but rather it is the process of promoting hospitality which is important. It is this process that enables local communities to make small acts of welcome and which may engender a shift in broader discussions of asylum at a national level. For example, in Sheffield the City Council's Sustainable Communities Panel has publicly recommended a change in central government policy over asylum seekers' right to work in the UK.

Hosting 'the enemy'

Harry Jeene and Angela Rouse

In 2009 in Goma town, Democratic Republic of Congo (DRC), CARE International supported conflict-displaced families who were being hosted in the houses of resident families. The assistance was for both the host and the displaced families.

We noted that, in line with previous experience, most families were hosted by relatives or friends, albeit sometimes distant. A pre-existing relationship formed the basis for the hosting relationship. However, we also found a number of cases of hosting of complete strangers. Most were within the same ethnic group but we identified five cases of hosting across ethnic and linguistic barriers. The story below is one such example:

"I had been to the kiosk just before dark to buy some palm oil and flour. I met some people who asked the way to a refugee camp. They looked very tired and frightened. I told them it was still a long way and to be careful, because there was shooting going on."

"Then I just said: "Come with me. You can stay at my house, and go to the camp tomorrow." I came to Goma in the war of 1996, and I was displaced again in 2002 by the volcano so I guess that's why I said it."

"When we got home there turned out to be 18 of them in all. One of my sons grumbled about sharing the little food we had with so many but I told him to be quiet. The next day our neighbours brought food and water, and even some clothes, so our guests stayed for a few more days."

"Well, that was nine months ago, and they are still here. It is not easy; the house is very crowded, they speak a different language and do things differently, food is expensive and work is hard to find, but what can you do?"

We thought this quite remarkable, as the longstanding conflict in the area is largely fought along ethnic and linguistic lines, with horrendous abuse of civilians by all parties.

This form of positive deviant behaviour, of 'hosting the enemy', might help us understand more about the dynamics of urban displacement during conflict, and possibly provide us with a new way of building peace from the bottom up. We would be very keen to hear from others who have observed a similar situation.

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Angela Rouse, CARE International DRC

Claude Mumbere fled the fighting in Rutshuru in November 2008 and found refuge with a family in Goma. He carries out odd jobs such as carpentry to contribute to his family's upkeep with his hosts. He became one of the key members of the committee of community representatives who worked with CARE to design and implement the assistance programme for host and displaced families. His daughter Angela was born a few months into the project.

"Legitimate" protection spaces: UNHCR's 2009 policy

Alice Edwards

UNHCR's revised urban refugee policy has moved on from its outdated predecessor – but is it fit for purpose?

UNHCR's latest Policy on Refugee Protection and Solutions in Urban Areas, issued in September 2009, responds to the phenomenon of refugee urbanisation, partly mirroring the global trend towards urbanisation but also reflecting sub-standard care and protracted stays in refugee camps in which freedom of movement is restricted, self-sufficiency or employment opportunities are limited, and access to full human rights is far from assured.[1]

The new policy follows over ten years of discontent expressed by many NGOs and others about the predecessor 1997 policy, and a host of consultations on that document about how to make progress. In many ways, therefore, the release of the 2009 version, revising the 1997 policy, must be seen as a protection triumph. It is no easy task to reconcile, or at least attempt to reconcile, competing interests – both inside and outside UNHCR – and to produce a statement that aims to shift the working ethos of the organisation from being camp-focused to recognising that seeking protection in urban spaces is "legitimate". So what does this new policy provide, and what does it tell us about the priorities of and challenges facing UNHCR?

Rights and protection

The policy is based on the principle that the rights of refugees are not affected by location, their means of arrival or their status (or lack of status) in national legislation (para. 14). Neither are UNHCR's mandated responsibilities affected by these factors. The policy covers many of UNHCR's areas of concern, including reception conditions, registration and data collection, documentation, refugee status determination, community outreach, fostering constructive relations with urban refugees, security, a zero-tolerance policy in respect of improper behaviour, strategies of self-reliance and access to livelihoods, access to health care, education and other services, durable solutions, and the question of freedom of movement.

The document is guided by a general rights framework (Pt II) but this could have been expanded to feed into the remainder of the document. Although a list of 'indicators' of 'protection space' are outlined at para. 21, they are not directly framed as rights, yet they easily could have been, which would have given them a better legal basis. Interestingly, except in its opening pages the policy opts to define and utilise the non-legal terminology of 'protection space', rather than 'protection' or 'rights' language. 'Protection space' is said to denote "the extent to which a conducive environment exists for the internationally recognized rights of refugees to be respected and their needs to be met" (para. 20). Specifically, the policy is rather vague on the question of rights to work, which is not helped by its policy – rather than legal – orientation.

The policy references its guiding principles, as usual – rights, state responsibility, partnerships, needs assessment, age, gender and diversity mainstreaming, equity, community orientation (previously 'people-centred planning') and self-reliance. But it adds a new, albeit a rather odd, principle: that of 'interaction with refugees', which subtly reminds UNHCR staff that they must "interact regularly and directly" with refugees in urban areas (paras. 46, 47, etc.).

The first of the protection strategies is on reception facilities, and reiterates what should be a prerequisite of refugee protection, that "no refugee or asylum seeker will be prevented from having direct access to UNHCR offices and staff members" (para. 47). However, access to UNHCR and its staff is increasingly difficult for refugees in both rural and urban areas, reflected in elitist attitudes of some staff, the location of offices far away from areas where refugees live, and the increasing outsourcing of refugee protection through either implementing partners or local organisations. The urban refugee policy makes reference to UNHCR staff making "periodic visits" to neighbourhoods where refugees live and to facilities used by them, e.g. schools and health centres (para. 80). However, this rings of minimum engagement with refugees, rather than of building meaningful relations with refugees.

The policy further encourages an outreach service, not of itself a bad thing, including the engagement with trained refugee outreach volunteers who keep in daily contact with all segments of the refugee community. However, again these persons are "to liaise with UNHCR" (para. 79), rather than UNHCR having direct and regular contact with urban refugees. It does, however, note the need for more community services positions within UNHCR to respond to the phenomenon of urban refugees.

Partial dislodging of the camp bias

The camp bias in the policy and practice of UNHCR is partially dislodged by the new policy, although there are statements that appear to qualify the underlying premise that urban areas are "legitimate" protection spaces. The policy states that it is legitimate for refugees to live and exercise their rights in urban areas and, in this regard, UNHCR foresees that its role in creating this space will include advocacy, monitoring and capacity building for local services to meet the particular needs of refugees (paras. 110-112). Despite these positive statements, however, there are still lingering hints of a camp bias in the latter pages of the document, in which UNHCR's responsibilities in regard to camp refugees are reaffirmed, juxtaposed with a recitation of why refugees leave the camps. This seems to suggest that one of the aims of the document is to acknowledge that if camp environments improve, motivations for leaving them will be reduced and there will be fewer refugees seeking protection in the cities.

This may not be the intention at all of the drafters but regrettably these latter pages may play into the hands of governments operating camp confinement policies who argue that UNHCR should spend its time improving camp conditions rather than engaging with urban refugees. Moreover, the document says little about any positive contributions refugees make to urban economies and communities.

Foreshadowing broader protection challenges

Overall, the new policy is ambitious in its orientation, protection-focused, broad in its coverage, yet rather vague in its specifics. It starts with a realistic set of caveats on the scope of the document, interwoven with honest statements on the inevitable constraints on UNHCR's capacity to deliver its protection mandate in urban areas. Indeed, the challenges outlined in the document in relation to urban refugees provide a small window onto the challenges facing the organisation more generally in the 21st century. At the same time as UNHCR engages in the operational delivery of refugee rights, it also plays the role of 'gatekeeper' or, in its own words, it 'polices' the refugee population with negative attendant consequences for its relations with refugees (para. 126). In many situations, the organisation decides who is and who is not a refugee, and distributes humanitarian assistance while advocating for rights as well as monitoring the implementation of those same rights. Recognising that the organisation is often working in a vacuum of state protection, it is time that it addresses some of these 'conflicts of interest' more broadly. Nonetheless, the policy on urban refugees should be praised for its candidness of identifying these and other wider protection challenges.

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1. UN High Commissioner's Dialogue on Protracted Refugee Situations, 1 Dec 2008: http://www.unhcr. org/4937de6f2.html

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Resources on urban displacement

RSC's Forced Migration Online resource summary: http://www.forcedmigration.org/browse/thematic/urban-displacement/

'Selected bibliography: displacement to urban areas', prepared for UNHCR by Tim Morris: http://www.unhcr.org/4b0ba1209.html

Using standards to shape response and recovery in Haiti

Maurice Herson

Decisions being made right from the start through to the post-disaster reconstruction and rehabilitation effort need to conform to international standards and principles.

As this issue of FMR goes to press, the humanitarian response to the effects of the earthquake in Haiti on 12 January 2010 is still gearing up. Even at this early stage talk is quite rightly turning to what happens next, emphasising longer-term recovery as much as relief. In contrast to how it might perhaps have been ten or fifteen years ago, we seem to have learned that each stage or phase of response is not separate, that they overlap and affect each other.

Nowadays there is also wider knowledge and acceptance of the standards, norms, principles and guidelines that have been painstakingly and assiduously developed, negotiated and agreed upon in order to improve quality and accountability. There will be those who fail – whether in ignorance or willfully – to behave in accordance with these standards and it is up to those responsible for coordinating and shaping the overall effort to ensure that these standards are adhered to and used to guide the work of response and recovery.

Displaced in Haiti

Displacement is one of the major issues in the aftermath of the earthquake. Estimates of numbers displaced range from the government's 467,000 people to OCHA's 1.2 million. Maps of spontaneous settlements in and around Port-au-Prince alone show hundreds of locations where people are staying.

Haiti is quite heavily urbanised, the pressures on its agrarian economy having forced tens of thousands of small-scale farmers into overcrowded urban slums. Although there are no reliable statistics, hundreds of thousands of Port-au-Prince residents have been living in desperately sub-standard informal housing, often perched precariously on the side of deforested ravines. Not only have they become the victims of this 'natural' disaster but they also had few rights and little infrastructure to start with on which to build a response.

There are recognised principles that apply specifically to situations of displacement and these should be followed. There are also many other standards which can also be applied to the protection and assistance needs of displaced people. For example, the Operational Guidelines and Field Manual on Human Rights Protection in Situations of Natural Disaster[1] are relevant, but are not limited to, displaced persons. Unlike obviously relevant but more technical standards, these Guidelines underscore that it is not just a question of applying standards in areas such as water and sanitation, health and shelter but of integrating a protection lens into disaster

ACT Alliance/Paul Jeffrey

People take a truck out of Port-au-Prince, Haiti, some of tens of thousands of city residents who have fled the city since the 12 January 2010 earthquake.

response. This was a major lesson from the Indian Ocean tsunami and a commitment that international agencies and NGOs have since made. They must follow through in Haiti.

It is important to realise that those who have lost their homes are not necessarily displaced and may not wish to move elsewhere, despite pressures for them to do so. No doubt the people whose homes have been destroyed or badly damaged by the earthquake will be pulled and pushed by different motives and desires in deciding whether to stay near or on the site of their previous home and in their community or whether to move away and into camps where temporary shelter and other forms of assistance are available. That they should have the choice is a principle of international law that must be upheld and that should trump any concerns about convenience on the part of the humanitarian agencies. The humanitarian system has always struggled to provide assistance when its beneficiaries are dispersed – one of the reasons why refugee and IDP camps have often been the preferred option for agencies.[2]

With 300-400,000 people having left the city on government-provided transport and an unknown number through their own means, most of them to stay with family or friends elsewhere, it is clear that host families will need support in providing a roof and sustenance for the displaced. Then the challenge is to ensure that there is a way for people to be able to rebuild their lives in displacement.

Others are being moved into so-called 'organised settlements', designed, it seems, along the lines of the traditional refugee camp, where assistance can be more easily coordinated and delivered. This may not be the best rationale for how to respond at this moment if recovery and reconstruction are to happen with the participation and according to the wishes of the affected population – but if there are to be camps, they should not be allowed to become permanent. In Pakistan, after the October 2005 earthquake, giving cash grants to families for reconstruction resulted in quicker rebuilding. The lesson seems to be that the best results

are achieved when ownership is invested at the most appropriate level; when families rather than agencies have ownership of house construction, it happens far more quickly.

The state, however, may have justification for attempting to enforce moves to encampments; for example, it might be considered wrong for the state to leave its citizens in a ruined city when it is unable to provide any services or governance when it might have that capacity if the residents were elsewhere. People have already been encouraged to move to rural areas by the government's offer of free transport.

The extent and style of rebuilding should be given very serious consideration. Port-au-Prince did not have the infrastructure to support its pre-earthquake population adequately, so starting off with a decentralisation of the country could be a positive thing – and indeed this has already been proposed by the government.

The priority will be to manage both rebuilding and decentralisation – if it occurs – in a way that ensures that rights are respected. In this context, land rights are among the most relevant as well as among the most vulnerable.

State responsibility

Common among most of the standards and principles is the idea of local ownership of and participation in emergency response, recovery and reconstruction. It is not always clear whether this implies ownership by affected people or their representatives, or state authorities, but it is generally taken to entail both. In the Guiding Principles on Internal Displacement, as in human rights and international humanitarian law more generally, the most fundamental underlying principle is that responsibility lies with the state whose people are (internally) displaced.[3] Thus it would be wrong for governments

A camp for homeless families set up on a golf course in Port-au-Prince, Haiti.

and agencies not to work in ways that allow the government of Haiti to take that responsibility.

Given the extensive damage done to the human and physical infrastructure of Haiti's capital by the earthquake, however, this may not be entirely realistic. Before the earthquake, Haiti's government before the earthquake lacked many of the features of an accountable and capable government, being called by many Haitians not a failed state but a 'phantom state'. Therefore the challenge is multiplied – how to work with a government that does not necessarily enjoy the confidence of others and how to work with the extensively damaged infrastructure of that government. If the aim is again to 'build back better', the slogan that took hold after the Indian Ocean tsunami, this requires the involvement of the state.

A greater focus on the role of the affected state in disaster response raises complex questions of principle and practice in both the idea of the state being accountable to its citizens and of humanitarian actors being accountable to the affected state. The prospect of building effective state capacity in Haiti will be even slimmer than it might be if those responding to the earthquake sideline its potential, and principled, role.

Haitian Prime Minister Jean-Max Bellerive said in January, on his return from a donor meeting in Montreal, that not all the aid money coming into Haiti would have to go through the government but that the country's leaders should have a say over how it is used. This

Families constructing new temporary shelters in a camp for homeless families in the Belair section of Port-au-Prince.

ACT Alliance/Paul Jeffrey

reasonable expectation should be matched with the government itself fulfilling its responsibilities towards the displaced. Guidance for such national implementation is available in the Guiding Principles on Internal Displacement themselves,[4] and in *Addressing Internal Displacement: A Framework for National Responsibility*[5] which provides guidance on how to operationalise sovereignty as responsibility, including steps that can be taken even amidst the chaos of the emergency and immediate recovery phase. There is in addition, possibly more realistically for the next phase, *Protecting Internally Displaced Persons: A Manual for Law and Policymakers*.[6]

In Pakistan after the earthquake in 2005, the government took control and had at its disposal a strong military that could provide logistical and other support.[7] In Haiti most of this support is coming from outside. In addition to the hundreds of international aid agencies, many governments have sent assistance, much of it military. The political risks that this entails aside, foreign governments and their military forces are also being tested for their humanitarian capability. Will they behave in a way consistent with civilian humanitarian practice? And how well will they operationalise their state of origin's commitments to the Guiding Principles above all but also to other internationally recognised standards?

Improving practice

Haiti in 2010 should be an opportunity to apply many of the lessons identified after the Indian Ocean tsunami of 2004. The incremental professionalisation of the humanitarian system over recent years appears to have included a recognition that lessons can be learned; the old complaint that not only had lessons not been learned but that there was no institutionalised culture of learning and few processes for learning has possibly become less true. Perhaps encouragingly, the ALNAP lessons paper on responding to earthquakes was downloaded over 3,400 times in the two weeks after the earthquake struck Haiti.[8] It should not be forgotten, however, that the pool of professional agencies who know to check lessons from previous experience are only a part of the total number of those involved in the earthquake response.

Finally, this is a chance to do some advocacy, some awareness raising about rights and about what the state should be providing and what its role should be and how it might fulfil it. Haiti's future will be best secured if authorities in Haiti and the international community – including the military – ensure that all response activities comply with the standards and aspirations of the Guiding Principles, the guidelines associated with them and the many other standards and guides.

Those involved in the rebuilding need to listen to the Haitians themselves when they define what they need[9] and people should be given choice and the freedom to exercise it. With so little to be expected of the state, Haitians have always had to do things for themselves, and so civil society has always been strong. Civil society organisations doubtlessly also took a battering in the earthquake but they can still play a strong role

in the recovery and rebuilding and should not be sidelined.

Conclusion

It is relatively easy to talk of rights and their value and importance but even rights that have been well established for decades, such as those that exist for refugees under the 1951 Convention, can be hard to apply, even with goodwill on all sides. Haiti might be seen as a test case for the application of the Guiding Principles. Of course neither the humanitarian system nor the wider international community is, nor should it be, experimenting on the people of Haiti; yet their behaviour in applying, or failing to apply, the Guiding Principles and other standards should be scrutinised. There will be more lessons to be learned, and more material for the development of theory, of research and of policy that might benefit people affected by future natural disasters. The agreed principles and standards were designed for exactly these sorts of situations.

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The editors of FMR usually confine their views to their editorial (p2). However, we wanted to include an article on the earthquake in Haiti – which occurred as we were preparing this issue – but were aware that those best placed to write were too busy with the response. We therefore prepared this article ourselves, in consultation with colleagues.

1. http://tinyurl.com/OpGuidelines

2. Other articles in this issue of FMR explore some of the challenges in assisting and protecting displaced people in the dispersed environment of towns and cities.

3. Principle 25 states that "the primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities".

4. http://www.brookings.edu/projects/idp/gp_page.aspx

5. http://www.brookings.edu/fp/projects/idp/20050401_nrframework.pdf

6. http://tinyurl.com/IDP-Law-Policy

7. For more reflections on the roles of the military, government and agencies after that earthquake, see John Cosgrave and Maurice Herson, in the 7th ALNAP Review of Humanitarian Action (2008) http://www.alnap.org/initiatives/current/rha/7.aspx

8. 'Responding to earthquakes: Learning from earthquake relief and recovery operations', Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP) http://tinyurl.com/Earthquake-lessons

9. Guiding Principle 28 talks of "Special efforts…to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration".

Beyond good intentions: implementing the Kampala Convention

Prisca Kamungi

The new African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) outlines the obligations of a wide range of actors in all phases of displacement.

Africa is taking the lead in formulating human rights standards to legislate for protection and assistance for IDPs. Angola, Burundi, Sierra Leone and Uganda were among the first in the world to develop national policies or plans of action based on the UN Guiding Principles on

The prime minister of Uganda, Apolo Nsibambi, (right) with Sierra Leone's foreign minister, Zeinab Bangura, at the African Union Summit in Kampala, Uganda, 19 October 2009.

Internal Displacement. From 1999, the International Conference on the Great Lakes Region (IC/GLR), a joint UN-AU (African Union) effort to address complex conflicts, displacement and underdevelopment in the Great Lakes region, led to the formulation and signing of the 2006 Pact on Security, Stability and Development. This Pact, which came into force in June 2008, represents the first multilateral instrument in the world to commit member states to adopt and implement the Guiding Principles, through its Protocol on the Protection and Assistance of Internally Displaced Persons.[1] It also provides the legal basis for

the domestication of the Guiding Principles into national legislation.

Even as this process was underway, the AU recognised the need to have an overarching continent-wide legal framework on IDPs in Africa, similar to the 1969 Organisation of African Unity Convention governing the Specific Aspects of Refugee Problems in Africa.

The approach for drafting the Kampala Convention[2] borrowed heavily from the IC/GLR process, most notably the principles of participation, inclusiveness, partnership and ownership. In this regard, the concept of 'comprehensive leadership' that recognises the need for inputs from all stakeholders was adopted. Within this framework, inter-ministerial committees and thematic experts from member states played a key role in the drafting process, with critical input from CSOs including human rights and humanitarian NGOs, trade unions, women and youth groups. Before the adoption of the Kampala Convention at the Special Summit on Refugees, Returnees and IDPs in October 2009, CSOs developed a communiqué presented to the Heads of States, in which they raised questions on

such issues as statelessness, birth registration and enforcement of existing international and African standards, which they felt were not adequately addressed by the Convention or hindered effective protection at the national level.[3] An AU-CSO pre-summit meeting (organised by the AU Citizens and Diaspora Directorate and the Pan African Movement) contributed to the AU Action Plan for speedy ratification and implementation of the Convention. CSOs will be involved in monitoring and evaluating progress on implementing the Convention and the ensuing AU Action Plan.

Opportunities

The Convention outlines general provisions for the prevention of displacement. It summarises measures aimed at preventing and mitigating internal displacement by eradicating the root causes, such as persistent and recurrent conflicts and the effects of natural disasters. The Convention requires states to modify their national criminal law in order to "declare as offences punishable by law acts of arbitrary displacement that amount to genocide, war crimes or crimes against humanity" (Article 4(6)) – a measure that resonates positively with the need to restrict African states and non state actors' tendency to displace populations as a war or counter-insurgency strategy or in order to disenfranchise groups associated with political opposition.

Inclusion of civil society in the drafting process provided useful criticism and expertise that helped capture disparate causes of displacement and contextual challenges to effective response. CSOs also helped refine the drafts by pointing out factual errors, aligning the Convention's obligations with provisions of the Guiding Principles and making suggestions on the language such as on obligations of armed groups. The Convention

recognises the challenges to durable solutions such as land disputes, disputes relating to property of IDPs and lack of reconciliation. It provides for freedom to choose residence, and calls for "an effective legal framework to provide just and fair compensation" and for states to protect the individual property of IDPs.

The Kampala Convention, like the IC/GLR Protocols, calls for registration of IDPs.[4] This requirement is designed to address situations where governments minimise or otherwise manipulate numbers of IDPs or make it difficult for them to access assistance or social services.

African states have led the way in signing and ratifying international Conventions and their adoption of the Kampala Convention – in the face of the scale and complexity of the issues – is to be applauded. States often, however, fail to adhere to the binding provisions. In drafting the Convention, states have also incorporated mechanisms to monitor compliance (Article 14), including a regular Conference of State Parties and regular reporting under the African Charter on Human and People's Rights and the African Peer Review Mechanism. These internal and external mechanisms aim to provide oversight in the implementation of the Convention, safeguard against diplomatic rhetoric and ensure participation of stakeholders in remedying displacement situations governments may be unable or unwilling to respond to.

Like any other legal instrument, the Kampala Convention can be used by advocates as an advocacy tool to encourage member states to acknowledge the plight of IDPs and to provide increased protection and assistance.

The challenge of implementation

In most African countries, good laws are frequently rendered impotent by a political culture of impunity. Perpetrators of human rights violations are often untouchable: powerful people in government, in the economy and in other influential sectors. The strength of their control and influence undermines civil society.

Thousands flee the IDP site and surrounding area in Kibati, north Kivu, Democratic Republic of Congo, November 2008.

This results in a hostile, indeed dangerous, political environment for victims and for advocates pushing for durable solutions. It also translates into protracted situations of displacement, suggesting that displacement in most of Africa is a political question needing far more than legal solutions.

Speaking on the IC/GLR, Zachary Lomo argued that the key problem facing IDPs is not the absence of laws but rather "the absence of strong national systems and local and international commitment to enforce existing international standards."[5] The formulation of international or regional standards for protection and assistance for IDPs reflects the good intentions of individuals and groups and states seeking to alleviate human suffering and to promote a human rights culture. These good intentions are often defeated by political imperatives or founder due to lack of an effective strategy of engagement with the powers that be.

In addition to the overarching political challenges, there appear to be disconnects between programming for IDPs and legal provisions. For example, the humanitarian response in Kenya following the 2007 post-election violence relied on agencies' standard operating procedures (SOPs) and the mechanics of the Cluster Approach, with little reference to existing legal guidelines. In fact, it was towards the end of the intervention that the Protection Cluster began to think of formulating a National

Policy on IDPs based on the IC/GLR Protocols, the Guiding Principles and (lately) the Kampala Convention.

In most African countries, the formulation of regional or international instruments is undertaken by the foreign ministry, with some of these ministries demonstrating limited technical expertise. Often, such ministerial participation is at the highest level, not at the practical level which is guided by existing government policy. Lack of inter-ministerial coordination blocks the entry of new guidelines.

The interval between adoption of regional instruments and coming into force of legislation can lead to protracted legal lacunae in responding to IDPs' needs – particularly when Members of Parliament are opposed to the legislation, as is often the case because of questions such as land access and the desire for justice.

While multilateral diplomatic processes to adopt the instruments can enjoy political backing, including allocation of resources, such political will wanes very soon after. Indeed, many countries take a very long time to accede to new standards or to deposit their instruments of ratification, thus delaying the coming into force of such standards. States may ignore the new international instruments, citing competing development, reconciliation or reconstruction priorities or lack of resources.

The development of region-wide binding conventions or standards involves much diplomatic bargaining and compromise to reach consensus on issues. Often, the need to move the process forward creates loopholes for states to avoid responsibility for complex problems such as statelessness. In both the IC/GLR and the Kampala Convention, states failed to prioritise the challenge of statelessness or to establish mechanisms to address statelessness.

Suggestions for civil society advocacy

Civil society organisations have identified four key roles that they can play to speed up the implementation of the Convention:

- understand and disseminate the message of the Convention among and within countries and among IDPs so that they can seek the protection and assistance that it offers

- determine how to enable and enhance effective protection and assistance for IDPs based on CSOs' own activities and presence

- explore how the Convention can be used to provide a stronger and clearer legal basis for states and other stakeholders to protect IDPs

- undertake specific post-ratification activities in the AU's Plan of Action.

In addition to these, other actions to be taken to push for speedy ratification and implementation might include:

- coordination with line ministries with national monitoring mechanisms linked to NEPAD[6] to identify the service delivery gaps and how the provisions of the Convention can mitigate these gaps

- fostering a cordial working relationship with the government. Adversarial advocacy strategies make government officials reluctant to work with human rights groups, which they dismiss as 'noise-makers'. Civil society organisations should conduct research and argue from positions backed by data.

- analysis of the status of ratification of international instruments and highlighting reservations, and organisation of multi-stakeholder forums to discuss the reservations and possible solutions

- production of periodic audit reports to the AU Economic, Social and Cultural Council (ECOSOCC) to lobby governments (as part of the obligation to monitor compliance)

- provision of technical or advisory services to implementation mechanisms including government bodies and bodies within Regional Economic Commissions (RECs) and the AU

- initiating the drafting of appropriate laws for domestication of international law; understanding the law-making process and identifying allies in parliament; and identifying influential caucuses among MPs and lobbying them to support such laws

- making sure civil society bodies are aware of the Convention and base their strategic plans and programming objectives on key provisions of the Convention

- working with both low- and high-level civil servants to ensure legislation percolates through government and non-governmental programmes, and encouraging the designation of a focal point in each ministry (who should record activities for purposes of institutional memory and continuity)

- focusing advocacy on positive aspects of the Kampala Convention – legislators are often motivated to pass or reject laws by perception of political mileage

- establishing working groups and partnering with global campaigns for peace, security and IDP protection – such as the Global Partnership for the Prevention of Armed Conflict,[7] the Darfur Consortium,[8] and R2P (the Responsibility to Protect)[9].

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1. Protocol at http://tinyurl.com/2006PactIDPProtocol See also Jesse Bernstein and Olivia Bueno, 'The Great Lakes Process: new opportunities for protection', FMR 29, January 2007 http://www.fmreview.org/FMRpdfs/FMR29/73.pdf

2. http://tinyurl.com/KampalaConvention

3. Recommendations of the Civil Society Meeting on African Union mechanisms and the Protection of Refugee, IDP and Citizenship Rights, 19-20 October 2009

4. Article 13(1): "State Parties shall create and maintain an up-dated register of all internally displaced persons within their jurisdiction or effective control …"

5. Zachary Lomo 'Regional or national protection for Great Lakes IDPs?' FMR Special Issue December 2006. http://www.fmreview.org/FMRpdfs/BrookingsSpecial/14.pdf

6. The New Partnership for Africa's Development http://www.nepad.org

7. GPPAC http://www.gppac.net

8. http://www.darfurconsortium.org

9. Responsibility to Protect http://www.responsibilitytoprotect.org

Resource for Civil Society on the Kampala Convention

Civil society has a critical role to play in promoting and supporting implementation of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).

To support such efforts, a new *Guide for Civil Society on the Convention for the Protection and Assistance of Internally Displaced Persons in Africa: Supporting the Convention's Ratification and Implementation* is being prepared to provide information on key provisions of the Convention and highlights ways in which civil society can raise awareness of the Convention in AU member states, advocate for its ratification, and contribute to its implementation.

The Guide is being developed in consultation with African civil society organisations through the AU Economic, Social and Cultural Council (ECOSOCC) and the AU Citizens and Diaspora Organisations Directorate (CIDO), and will be published in partnership with the Internal Displacement Monitoring Centre (IDMC).

Arabic, English, French and Portuguese versions of the Guide will be available for download as of mid-2010 at: http://www.internal-displacement.org or in hard copy by contacting idmc@nrc.ch or cido@africa-union.org.

Shade netting: simple design – effective relief

Ingrid Macdonald

NRC's simple but innovative shelter design provided relief for thousands of displaced people in Pakistan.

In the relentless heat of the Pakistan summer, with temperatures well in excess of 40 degrees centigrade, the heat inside the tents used by hundreds of thousands of those displaced during 2009's conflict in North West Frontier Province (NWFP) and Swat exceeded temperatures within the tents. NRC looked at two main designs: flat or with a peaked (or central) ridge. After some testing, the flat roof proved to be the better design, providing more shading from the UV and light, meaning the tent underneath and the people in it stayed cooler.

Shade netting in Sheikh-Yaseen camp, Pakistan, provided relief for women and children.

a suffocating 50 degrees. The Norwegian Refugee Council (NRC) quickly responded by designing an innovative shade netting structure for the tents in the camps. In cooperation with UNHCR and the NWFP Emergency Response Unit, the new design was used widely across many of the camps and settlements.

NRC Peshawar Project Coordinator Roger Dean, who designed the shade nets, explains that: "With women and children in particular staying in the tents all day, dehydration, extreme fatigue and even loss of life were expected."

The design was simple but effective. The shade netting structure deflected the heat and glare of the sun, substantially lowering the temperatures within the tents. NRC

The peaked design would also have required a much taller structure with three extra poles, including a 3.5 metre pole in the centre. These small changes raised the cost and also made the structure more difficult for the displaced families to erect themselves. A central pole meant that the tent underneath would have been positioned within one half of the shelter rather than in the middle, resulting in less optimal shading of the tent as the sun moved during the day. The final important design feature was to ensure adequate spacing between the tents to encourage air flow.

Due to market availability, green agricultural netting was purchased locally. Whilst not the ideal material, it is still much more effective than plastic sheeting. The cost ranged from 4,800 PKR (US$61) to about 6,000 PKR ($76) per unit, including all materials and the full tool kit.

The response from those who received the netting was overwhelmingly positive. "My children could sleep during the day and did not need to take a bath five times a day," said Soheila Khattak, a resident of Sheikh-Yaseen camp in Mardan, where the project was started.

This simple design intervention is an effective example of the Shelter Cluster generating a solution across the shelter providers in an emergency. The design was taken up by the cluster and rolled out across NWFP, with the support of UNHCR and the national authorities. Demand for the netting was high and, with the support of the Norwegian Ministry of Foreign Affairs and the Swedish International Development Agency, NRC alone supplied enough netting for over 2,000 tents.

The camps where NRC supplied the netting have now closed and the displaced have returned, with the focus of the international community shifting to recovery and the ongoing crisis in Waziristan. Most of the IDPs took both their tent and the netting with them when they returned. Should a similar emergency occur in the future, however, there is no doubt that NRC will use shade netting again – and has in fact already looked at its use in its Somalia programme and the Dadaab IDP camp in Kenya, where sunlight and heat are a serious issue as well.

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Displacement in urban areas: implications for humanitarian action

Sara Pavanello and Marzia Montemurro

IDPs and refugees living in urban contexts are most often beyond the reach of humanitarian and development agencies and outside formal assistance structures.

In trying to develop and implement strategies that support displaced populations, humanitarian and development agencies are faced with a range of difficulties, including the displaced people's 'invisibility' among other urban poor and the consequent lack of available data on them. Humanitarian agencies have only recently started to develop or release policies and guidelines that take into account the specificity of the urban context for their work; and urban IDPs and refugees have begun to surface in the literature on forced migration and urbanisation only in recent years. Research has also been limited. Studies to date have analysed urban displacement from a livelihoods perspective and highlighted the various sources of vulnerability and the protection needs of urban IDPs. Furthermore, the role of humanitarian actors and the strategies and approaches that are best suited to addressing the assistance and protection needs of urban IDPs and refugees remain under-analysed.

The Humanitarian Policy Group at the Overseas Development Institute in partnership with the Internal Displacement Monitoring Centre and ICRC and in collaboration with the Feinstein International Center

at Tufts University, UN-HABITAT and UNHCR are currently working on a joint three-year research project exploring the phenomenon of displacement in the urban environment and the implications and challenges that it poses for humanitarian action. In particular, the project aims to explore the specific policy and operational constraints that humanitarian agencies are faced with when working with urban refugees and IDPs, and seeks to identify effective strategies for intervention in collaboration with development actors, national organisations and municipal and state authorities.[1]

The first case study of this research project has been recently undertaken in Nairobi, Kenya. The first phase of the study has focused only on refugees but will be followed by further research on the IDP population in Nairobi. Preliminary findings have pointed to a number of specific vulnerabilities of the thousands of Somali, Ethiopian, Sudanese, Rwandan, Congolese and Burundian refugees living in the city. For example, in Eastleigh, a neighbourhood where the majority of the population is of Somali and Ethiopian origin, refugees are stopped by the police on a daily basis for identity and documentation checks. Regardless of their legal status, refugees are systematically threatened with detention and targeted for extortion. They are often victims of verbal, physical and sexual violence. Compared to other areas of the city, neighbourhoods hosting high concentrations of refugees are home to significantly heightened levels of police activity and harassment.

Refugees who are more dispersed among Kenyan nationals also suffer from serious protection threats. For example, despite their apparent linguistic and cultural affinities, many refugees from the Great Lakes region who live in predominantly Kenyan neighbourhoods face discrimination, hostility and verbal abuse from the local community. Some prefer to keep their anonymity and conceal their refugee status in order to reduce these threats.

The harsh and precarious living conditions of Kenya's overcrowded Kakuma and Dadaab refugee camps and the protracted crises in Kenya's neighbours have contributed to sustaining the regular influx of refugees into Nairobi for the past decade and more. However, despite the acute assistance and protection needs of the rapidly growing urban refugee population, the humanitarian response has lagged behind. The relatively few organisations working with the urban displaced in Nairobi have overstretched resources and are unable to fully address the different needs of the different populations co-existing in the city, including new arrivals, protracted displaced populations, UNHCR-mandated refugees, refugees lacking legal status, and so on. Humanitarian actors are finding it difficult to shift from a predominantly camp-based mode of assistance to a response specifically tailored to addressing the risks and vulnerabilities that afflict urban refugee and displaced populations as well as host communities.

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1. Primary research will be done in selected urban centres in Latin America, Africa and Asia.

iDMC internal displacement monitoring centre

The blind spot of the Millennium Development Goals

Marlou den Hollander

Ten years after the Millennium Summit, and only five years before the deadline to achieve the Millennium Development Goals (MDGs), progress towards MDG 5 – a 75% reduction in global maternal mortality – is most behind schedule.

Worldwide, maternal mortality rates have hardly changed since 1990[1] and they are particularly high in countries recently affected by large-scale conflict. Access to reproductive health (RH) services, including family planning and emergency obstetric care (EmOC), is critical to reducing maternal and child mortality. Skilled providers, backed up by access to EmOC, can prevent up to 74% of maternal deaths. Moreover, making family planning available and accessible can prevent a significant number of the world's maternal deaths – many of which are the result of unsafe abortion – by up to 40%.[2] Family planning also reduces child deaths,[3] as maternal death is a significant risk factor for child health, and the health of the mother is an important protective factor in child survival. UNICEF estimates that a child is between three and ten times more likely to die if his or her mother dies.[4]

Yet it is access to these life-saving RH services that are most often lacking in crisis settings. Security and logistical challenges often pose serious obstacles to ensuring RH services for conflict-affected women and girls and it is easy to assume that an increase in maternal deaths is among the inevitable health outcomes of war and conflict. But is this assumption justified? Do maternal mortality rates in conflict settings have to be as high as they are today? Service delivery capacity may actually increase above the pre-conflict baseline as a result of the arrival of humanitarian actors. In conflict-affected northern Uganda, for example, 2006 data show that more children under the age of five are treated for diarrhoea or symptoms of fever than in the country as a whole, yet at the same time both the unmet need for family planning and the unsafe abortion rate are much higher in the north than the national average.[5] Likewise, the percentage of deliveries that occur in the presence of skilled birth attendants is also far lower in the north.[6]

Most conflict-affected countries rely heavily on international aid and humanitarian assistance for the provision of basic health services and the example of Uganda suggests that conflict does not automatically mean reduced access to health services. Why, then, are RH services not given equal attention as part of the humanitarian response?

Funding

Reliable information on aid disbursements in conflict-affected countries is key to efforts to improve aid effectiveness, yet little was known about aid disbursements for RH in conflict settings. To address this knowledge gap, researchers from the RAISE Initiative, the London School of Hygiene & Tropical Medicine and King's College London investigated disbursements of official development aid (ODA) for RH activities in 18 conflict-affected countries between 2003 and 2006.[7]

The study showed that during this period:

- of the annual average of US$20.8 billion total ODA disbursed to these countries, only $509.3 million, or 2.4%, was allocated to RH

- of this annual average of $509.3 million for RH, only 1.7% was spent on family planning activities

- a 77.9% increase in ODA for RH occurred from 2003 to 2006. This increase was largely due to a 119.4% increase of ODA disbursement for HIV/AIDS and sexually transmitted infection control. In contrast, funding for other main RH activities, including family planning and EmOC, dropped by 35.9%.

A comparison between conflict-affected countries qualifying as 'least developed countries' (LDCs)

Mother and baby from conflict-affected eastern Congo.

RAISE/Jessica Scranton/2007

and non-conflict-affected LDCs showed that less ODA is disbursed for RH in conflict-affected LDCs, despite generally worse RH-related indicators in these countries. In fact, an annual average of 4.4% of all ODA disbursed to sampled conflict-affected LDCs was allocated to RH activities, compared to 8.9% in sampled non-conflict-affected LDCs. This suggests that funding for RH in conflict is far from sufficient.

Policy

A review of policies and technical guidelines on RH in emergencies, adopted between 1994 and 2008 by policymakers, donors and technical agencies, complements the RAISE funding study. This review pointed to similar trends in the policy environment.[8]

Of 146 policies[9] identified that included some reference to RH, the majority of policies referred to HIV/AIDS and GBV, or a combination of both (51% in total). Only 15% referred to 'comprehensive' RH (i.e. all components of RH, including family planning, safe motherhood, GBV and HIV), and only 1% included specific reference to family planning.

In 95 technical guidelines, GBV and HIV/AIDS comprised more than half the total. One technical guideline referenced family planning in the context of HIV/AIDS, and one technical guideline on emergency contraception was identified. Only four technical guidelines mentioned EmOC.

A positive development, however, is the recent inclusion of comprehensive RH among the standards and indicators of the 2009 Health Cluster Guide, a document intended to guide the humanitarian Health Cluster response at national levels.[10]

Conclusion

Overall, the combined review of funding and policies suggests that, to date, there has been inadequate attention to the RH needs of conflict-affected populations and, in particular, a lack of attention to activities directly related to family planning and EmOC. Moreover, it confirms the need for better integration of RH services into emergency health response.

Access to RH services is at the heart of reducing maternal mortality and thus to achieving MDG5 on maternal health. Furthermore, RH is recognised as underpinning all other MDGs – the health MDGs in particular.[11] Yet we find that substantive action to ensure access to RH services is most lacking where the needs are greatest: that is, in crisis settings.

Despite our collective knowledge of effective interventions, the humanitarian community has yet to recognise and support comprehensive RH as a priority and a life-saving intervention. At the same time, the RH needs of crisis-affected populations have received little attention from the development community in their efforts to achieve MDG5.

Despite increasing recognition that developmental and humanitarian challenges are interrelated and interdependent and should be considered simultaneously throughout the recovery process, humanitarian and developmental needs are still too often kept compartmentalised rather than being addressed in a coordinated, integrated manner.

RH needs do not stop or start at the doorstep of a crisis. They present an ongoing challenge and are therefore the responsibility of both the humanitarian and development world. The forthcoming MDG Summit in September 2010 provides a unique opportunity for the international community to acknowledge this reality and to make a real difference by focusing on the RH needs of crisis-affected populations as integral to attaining MDG5 on maternal health.

Recommendations

Humanitarian relief agencies should include the goal of universal access to RH as an integral aspect of its own goals and commitments by its inclusion in policies, needs assessments, action plans and funding, and also through increased investment in supplies, training and capacity building to

ensure the provision of life-saving RH services on the ground.

Development and humanitarian agencies should call upon governments and policymakers to recognise and address the RH needs of women and girls in crisis settings as a necessary component of achieving MDG5.

Development and humanitarian donors should do more to recognise the complexity of crisis situations by ensuring flexible and sustained funding flows through a mix of streams, from various stages of relief through development.

Increased collaboration between the humanitarian and the development communities on MDG5 will be critical both to helping to move the MDG agenda forward and to ensuring the reproductive rights of women and girls everywhere, including those who have been displaced by conflict or natural disaster.

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7. The analysis was published in the online medical journal *PLoS Medicine.* http://tinyurl.com/PLoSODA2009

8. RAISE. 'Reproductive health in Emergencies: A review of the Policy Environment for Reproductive Health' http://www.raiseinitiative.org/library/factsheets.php

9. Policies and guidelines adopted between 1994 and 2008 were examined, including those adopted by the US, Canada, nine EU member states, Norway, Australia and New Zealand. In addition, the policies of three EU institutions, the African Union, nine UN agencies, the World Bank, the Global Fund for AIDS, Tuberculosis and Malaria, and 19 private foundations were also reviewed.

10. World Health Organization (2009), *Health Cluster Guide* (Provisional version). http://www.who.int/hac/network/global_health_cluster/guide/en/

11. *The Millennium Development Goals Report 2008* http://tinyurl.com/MDG2008En

RAISE

Reproductive Health Access, Information and Services in Emergencies

Cross-border mobility of Iraqi refugees

Géraldine Chatelard

Far more attention needs to be paid to the circulation of Iraqi refugees across the borders between Iraq and Syria or Jordan. Lack of analysis of this cross-border mobility will be to the detriment of policy planning and the search for durable solutions.

High mobility of refugees out of camps – to look for economic opportunities in urban areas – has often been seen by organisations as a challenge to maintaining accurate data about populations and the delivery of services. However, mobility has also been shown to reduce dependency on assistance especially when regulations in host countries allow refugees to be mobile between different areas and when they can access the labour market, formally or informally.

Another important dimension remains more challenging to take into account. 'Cross-border' mobility is not the one-time crossing of a border from the home country to escape persecution or conflict but the possibility of circulating between country of refuge and country of origin. The difficulty of conceptualising this type of mobility as potentially essential to refugees' security, livelihoods and future stems from the legal ruling that refugees cease to be refugees if they return to their home country, except for short exceptional visits motivated by, for example, family circumstances. However, as has become apparent in a vast number of protracted conflict situations, levels of human insecurity in a conflict-affected country are rarely constant over time and over geographical areas. The result is that some areas of a country in conflict might be temporarily safe enough for refugees in nearby countries to attempt regular visits or re-engage in economic or social activities while maintaining residence in a host country. By circulating across borders, refugees may aim to pursue or diversify livelihoods, to maintain family and other social ties, to check on properties or even to evaluate the possibility of return.

Case study: Iraqi refugees

The vast majority of Iraqi refugees currently in Jordan and Syria have settled in cities, both because they come from urban areas and because this is where they can access social networks, housing and services. Although it is the middle class with, on the whole, a high level of education and expectations in terms of services, livelihoods and futures that has left Iraq, there are sharp economic discrepancies between various categories of middle-class Iraqi refugees, and these impact directly on their access to security, livelihoods and mobility in their host countries. In both countries, those who lack social connections and are denied residence have pressing needs particularly in terms of livelihoods. This is because, as their displacement has continued, the difficulty of obtaining regular and sufficient income in the host country has impoverished many. Many of them survive on remittances sent from Iraq or distant countries of asylum or emigration.

Neither Syria nor Jordan is signatory to the 1951 Refugee Convention and its Protocols, nor do they have a domestic asylum regime. Iraqis are considered as migrants who can access residence rights either as holders of capital (by investing or buying properties) or by securing an employment contract. But a large number of refugees have not been able to claim residency through these channels because the level of investment required is high, and because formal work markets are limited. Provided that they have entered the country legally, these refugees are not viewed as illegal migrants but as 'temporary guests' with no legal residence rights, nor the right to work. This regime of toleration (not unlike the situation of undocumented migrants in a number of liberal countries in the West) provides access to a number of basic health and educational services and offers a relative degree of safety. Only in serious security cases have Syria and Jordan been reported to expel Iraqis back to Iraq. Although this de facto discretionary toleration is not legally binding, inter-Arab politics make it extremely unlikely that it would be revoked unilaterally.

UNHCR undertakes registration and status determination but as Jordan and Syria do not allow local integration, those recognised as refugees are referred for resettlement to third countries, mostly the US. There are currently 230,000 Iraqis registered with UNHCR in Syria and 47,000 in Jordan. The overall number of Iraqis who have sought security in these countries is higher but numbers are difficult to ascertain, in large part due to the mixed nature of Iraqi migration and to the constant circulation of many refugees between Iraq and Syria or Jordan, despite regulations put in place by states to control the cross-border movements of people.

The absence of a clear status does not impede refugee mobility
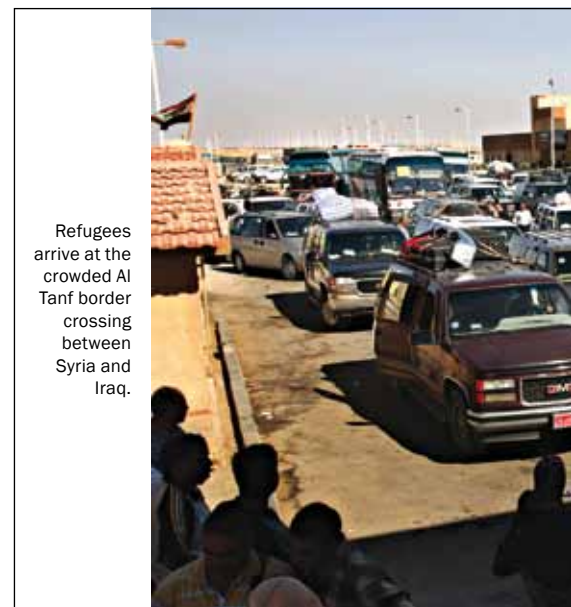
Refugees arrive at the crowded Al Tanf border crossing between Syria and Iraq.

inside the host country. Assistance providers have noted, particularly in the case of Syria, a very high level of residential mobility among Iraqis, mainly moving from rural to urban areas but also from the city of Damascus to smaller towns on the periphery of the capital and, in large towns, between neighbourhoods. Those who move inside Syria have three main motivations: access to employment and services, cheaper rents for accommodation, and living among relatives, friends or members of the same religious community.

Several surveys show that – in 2009 in particular – a considerable number of Iraqis who had taken refuge in Syria have returned to Iraq on visits to check on relatives or properties. Another phenomenon is of breadwinners leaving their dependants in Syria and commuting to Iraq where they work or trade. Despite officially requiring a visa for Iraqis, Syria in fact grants most of them entry and re-entry on payment of a US$50 fee. For those in Jordan, only the 25,000 who have right of residence or those who have the financial or institutional guarantees to back their visa application – the criteria for which are highly selective – are allowed to cross back and forth across the border with Iraq. The result is that those with most difficulty in sustaining their livelihood, most unable to reunite with scattered family members and less able to prepare for return, are those refugees in Jordan without residency rights.

UNHCR/M Bernard

Cross-border mobility is important for many Iraqi refugees for several reasons:

- to reunite with family members scattered between Iraq and host countries (with a large number of female-headed households and also children and the elderly on their own)

- to combine personal or family security in a safe host country with access to resources in areas of Iraq where stability has been restored. Breadwinners are ready to take some degree of risk or find accommodation close to their workplace but access to schools, universities, markets and health services may still be too risky for other household members.

- to prepare for return. The process of return entails several steps, including preliminary return visits that may involve only some members of a household, while others stay in Jordan or Syria or settle elsewhere.

Conversely, impeding cross-border mobility creates more split households, limited or no access to assets and resources, and feelings of uncertainty about the future. As a result, many who would rather stay in a country close to Iraq turn to UNHCR not in search of protection but of possible resettlement to third countries.

In a context where there is very little prospect for large-scale integration in Arab countries through either an asylum or labour migration regime, where Iraq is far from stable in terms of security and economic opportunities, and where human security is unevenly distributed within Iraq, there is a dire need to explore creative solutions for the future of those displaced inside and outside Iraq. Durable regional solutions need to take into account the plight of a large number of Iraqis not only as refugees but also as undocumented migrants. An additional dimension to be addressed is the high level of circulation of refugees and other Iraqi migrants back and forth across the borders between Iraq and Syria or Jordan. So far, institutional stakeholders seem to have largely ignored

these two aspects, while their failure to assess the importance of cross-border circulation has potentially serious consequences in terms of policy planning and the search for durable solutions.

Syria represents an example of good practice where the cross-border mobility of Iraqis is facilitated. There are no 'overstay' fees for those with guest status who want to leave the country, and so far their re-entry is almost always granted.

Recommendations

Recognising the legitimate concerns of host states for the protection of their domestic labour markets and their national security, the governments of Jordan and Syria should, nevertheless, regularise those Iraqis who currently have guest status. A legal status such as 'temporary resident' would be appropriate; this would not need to be tied to the right to work but would secure the right of re-entry, whether from Iraq or any other country. Jordan has recently waived overstay fees; however, conditions for re-entry remain difficult to meet for those with 'guest' status.

Concerned institutional actors, including the Jordanian and Iraqi governments, should support those refugees who want to make individual assessments prior to making decisions regarding return or other forms of physical re-engagement with Iraq. It is critical that those who are displaced be provided with the means to inform themselves about the legal, institutional and security contexts relevant for their return to Iraq or for the resumption of cross-border social and economic ties – which are all ways of contributing to the reconstruction of Iraq.

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Non-nationals displaced in South Africa

Jean-Pierre Misago and Tamlyn Monson

The internal displacement of non-nationals in South Africa raises some questions about the ability of international law to protect this particularly vulnerable group.

In the space of a few weeks in 2008, a vast number of primarily African non-nationals were violently displaced from their communities of 'urban integration' in South African townships. Large numbers of asylum seekers and refugees became IDPs – an anomaly in terms of the international frameworks on displacement and refuge. Their plight reflected a number of misconceptions about the impact of international migration on poor urban communities and the security risks these misconceptions represent in areas of weak state penetration, plus an important possible blind spot in current debates on internal displacement.

Xenophobic violence is not new to post-apartheid South Africa. However, the violent attacks against foreign nationals that shocked the country in May and June 2008 were unprecedented in their ferocity, intensity and rapid geographic spread. In less than a month, there were 135 separate violent incidents that left 62 people dead, at least 670 wounded, dozens raped, more than 100,000 displaced and millions of rands worth of property looted or destroyed.

In the wake of the attacks – which subsided only after the South African army intervened – those foreign nationals who were not 'voluntarily' repatriated or deported (many of them asylum seekers or refugees) were sheltered in makeshift camps outside police stations until temporary displacement camps were set up to accommodate approximately 20,000 displaced persons in the Gauteng and Western Cape provinces. It appears that most of the displaced chose to resettle in alternative urban neighbourhoods or to return to the communities that mobilised against them but there has been very little action taken to mitigate the possibility of a repeat of the attacks, and no visible government tracking or profiling of these IDPs.

Triggers of violence

Between August and November 2008, the Forced Migration Studies Programme (FMSP) conducted research to ascertain the causes of the displacement and to understand why, despite high levels of anti-foreigner sentiment throughout South Africa, xenophobic attitudes sparked violent displacement in only a limited number of areas. Researchers visited nine sites where xenophobic violence occurred between January 2007 and June 2008, and two sites where there had been no significant violence despite the presence of non-nationals. In each site, the team interviewed South African residents, non-nationals, government officials, community leaders and representatives of civil society organisations. Over 400 people (including youth, women and the elderly) participated in the study.

Popular explanations of the causes for the attacks on non-nationals blamed the negative impact of the urban integration of refugees, asylum seekers and other categories of African cross-border migrants in poor urban communities. The 'problem' of non-nationals was seen as one of urban poverty, crime and unemployment; and the competition of non-nationals for resources, jobs and opportunities in deprived and under-serviced areas. Rural to urban displacement occurs in the same context but the perception that these migrants were outsiders to both the nation and the state functioned as a convenient rationale for their victimisation.

The research found that although these perceptions of the impacts of international migration on poor urban areas did indeed form part of the climate for the attacks, the direct trigger was not the real or perceived

Zimbabwean refugees queue early in the morning outside the Musina Refugee Reception Centre, South Africa.

UNHCR/James Oatway

impacts of urban integration but the nature of authority structures in affected areas. The same tensions surrounding crime and competition existed where displacement did not take place, suggesting that negative perceptions are a necessary but not sufficient condition for the violent displacement of non-nationals. The research found no evidence to support popular perceptions that the displacements were caused by:

■ a mass influx of foreigners due to a breakdown in border control: where the non-national population had significantly increased, it was due to continuous settlement rather than a sudden in-flow. In addition, newcomers were not the only targets for violence: most of the displaced had lived in their communities for years.

■ rising food and commodity prices and the resultant economic hardship: most respondents understood that the economic challenges were a result of a global economic crisis rather than the presence of non-nationals.

■ poor service delivery: service delivery problems are common across impoverished areas in South Africa. Also, the study showed that service delivery was sometimes worse in areas where violence did not break out.

The research established that violence broke out in areas of weak state presence and of unofficial, non-state or partially privatised authority structures. Thus, the nature of authority appeared to be the factor that allowed negative perceptions to transform into violent displacement. Authority structures had the following characteristics in areas where violent displacement took place:

■ institutionalised xenophobia in police and other government structures: this is often based on limited knowledge of and respect for the country's legal and policy framework regarding non-nationals.

■ inadequate or inappropriate conflict resolution mechanisms: the failure of existing government and civil society structures to address

residents' concerns (however ill-founded) about non-nationals led to disillusionment with official structures, encouraging vigilantism and mob 'justice'.

■ political vacuums or competition in community leadership: this encouraged the emergence of unofficial, illegitimate and often violent forms of local leadership which – in order to enhance their authority and power – fostered and exploited communities' unresolved resentment toward outsiders.

■ a culture of impunity: this eliminated an important disincentive to the victimisation of non-nationals and other outsiders for personal and/or political gain.

Recommendations for South Africa

Non-nationals displaced by the 2008 attacks have been problematically 'reintegrated' into the communities that displaced them, or into other poor urban communities where non-nationals are also stigmatised and excluded, and where local government structures are equally fragile or vulnerable to co-optation by private interest groups. Yet the government has not developed any means of tracking or profiling non-national IDPs in order to monitor their whereabouts and conditions, meaning that their impact on areas of resettlement or 'reintegration' remains hidden, impeding risk management around the possibility of further displacement. In this context, the security concerns around resettlement of internally displaced non-nationals remain grave.

It may not be possible to eliminate social tensions such as those between locals and 'outsiders' in poor urban South Africa. However, their manifestation as violent displacement can be discouraged by trusted, accountable and competent leadership structures committed to universal justice and the rule of law. Three important steps in promoting this kind of authority are:

■ promoting universal access to the justice system and local governance structures such as community committees and policing forums

■ enhancing community-based conflict resolution mechanisms that

respect the constitutional principles of universal rights and due process

■ countering existing cultures of impunity with regard to public and/or xenophobic violence.

This suggests that to mitigate the impact of internal displacement, promoting respect for the law is more important than further developing law and policy. This applies not only to international instruments but to the letter of state law in general, since the non-state actors that achieve power in areas of weak state presence are not usually amenable to human or constitutional rights arguments.[1] In many countries, there are significant gaps between policies and practice with regard to IDPs.[2] The role of non-state authorities and the partial privatisation of local government functions through networks that subvert the intentions of national and provincial policy may play a role in creating these gaps.

In South Africa, being a foreigner compounds the vulnerabilities generally associated with internal displacement in a number of ways. Poor non-nationals in South Africa – including refugees and asylum seekers – are far less likely than citizens to satisfy the documentation requirements necessary (officially or unofficially) for accessing employment, housing or services. Many have limited, if any, recourse to police in the event of a crime, due to fear of deportation or institutional xenophobia. Due to stigmatisation, non-nationals are more likely to be excluded from the mechanisms of popular justice in place in areas of shallow or compromised government penetration. Thus, non-nationals are relatively invisible to the state – a fact that links them to the problem of untraceable crimes in the public imagination. On the other hand, due to language, dress and cultural practices, non-national IDPs are very visible to and easily targeted by South African residents of the communities in which they live. This adds up to a protection risk that is difficult to manage.

Gaps in the Guiding Principles?

Displaced non-nationals in South Africa were generally not referred to as IDPs, and the UN Guiding Principles on Internal Displacement

were clearly not applied.[3] This in itself poses the question of whether non-nationals can be considered IDPs under international law. The experience also poses some other questions to the Principles.

The Principles aim to free IDPs from discrimination and make them equal before the law. How do we protect those whose immigration status creates prejudice against them?

How do we realise Principles 5 and 6 (which emphasise authorities' legal obligations to protect against arbitrary displacement) and Principle 29 (protecting the right to full and equal service access and participation in public affairs) when displacement tends to occur in areas of limited state penetration? To what extent is protection hampered by the assumption that states and international actors are the primary actors in preventing and addressing displacement?

Principle 9 obliges states to protect groups with a "special dependency … on their lands". What of refugees, who have a special dependency on the country of refuge? Their vulnerability is all the greater because they live at the pleasure of a nation state whose territory is not theirs.

What are the limitations of a focus on IDP vulnerabilities in contexts in which non-IDPs are also highly vulnerable? IDPs often compete among the urban non-IDP poor and, for non-national IDPs in South Africa, their position of receiving – as it is perceived – preferential treatment in impoverished, underserviced and overburdened areas has become a crucial security risk in the past.

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The full report of the findings with additional recommendations is online at http://tinyurl.com/IOMza09

1. http://www.fmreview.org/FMRpdfs/GP10/8-9.pdf
2. http://www.fmreview.org/FMRpdfs/GP10/15-16.pdf
3. http://www.brookings.edu/projects/idp/gp_page.aspx

Social mobilisation in IDP camps in Pakistan

Shingha Bahadur Khadka

Community mobilisation and capacity building, where IDPs have been treated as actors rather than recipients, have contributed to improving the delivery and management of services.

Military operations in August 2008 in Pakistan's Federally Administered Tribal Areas (FATA) led to significant displacement of people. By late March 2009 over 13,000 families (more than 86,000 individuals) had been registered in eleven camps while some 70,000 families (420,000 individuals) were living with host families.

Kacha Gari, on the outskirts of Peshawar in the North West Frontier Province (NWFP), was established as a camp for IDPs in October 2008, having previously been an Afghan refugee camp, and by March 2009 was housing some 2,600 families (over 15,500 individuals).

The NWFP Commissionerate for Afghan Refugees (CAR), supported by UNHCR, was responsible for camp management and administration. The Camp Coordination and Camp Management Cluster composed of UN agencies and implementing partners – both NGOs and government counterparts – ensured that basic services such as health, food, water, shelter, non-food items (NFIs) and protection were provided in the camps. UNHCR provided funds and technical support for camp coordination and social mobilisation and, as cluster lead agency, coordinated all service providers.

The *jirga* (council) system is fundamental to the Pashtun culture of the tribal people and was used effectively in the form of sectoral committees for social mobilisation in the camp. A Grand *Shura* was responsible for coordination of all sectoral committees in the camps. According to the local culture, mixed committees of men and women are not permitted, so separate men's and women's committees were formed for each sector. Kacha Gari camp had six different sectoral committees – including water management

(86 men's committees/92 women's committees), education (3/63), health (3/89), protection (2/30), food (3/0) and security (3/0) – plus two grand *shuras* (men only). The participation of men is higher in those committees where men's interests are highest and similarly for the committees for issues where women's role is more significant, such as in education, health and awareness raising for protection of IDPs themselves, especially for women and children.

UNHCR and its partners focused on a community-based approach and a commitment to age, gender and diversity mainstreaming. Initially, this required capacity building and training for implementing partners, plus regular monitoring and provision of feedback. Capacity-building activities included training for sectoral committees and holding regular inter-sectoral committee meetings; a weekly camp coordination meeting and a monthly coordination meeting with all partners; a fortnightly meeting with sectoral committees; and a monthly meeting with the Grand *Shura*. Community participation has been instrumental in ensuring IDPs' ownership of the services and assistance.

Main challenges

The main challenges and potential obstacles to social mobilisation in the camps were:

- the diversity of the IDPs, in terms of factors such as their place of origin and their social, economic and political situation which was manifested in their levels of general awareness and interaction with outsiders and their willingness to be involved in groups and to work together

- previous friction among IDPs in their place of origin, which

emerged as a major trigger for breakdown in social mobilisation and harmony in the camp

■ restrictions on women: for cultural reasons, women's participation in groups and group meetings, interaction with men as well as male staff and even interaction of women with female staff without the permission of a male member of the family was at times not possible

■ cultural aversion to the very idea of participation in such groups

■ a sense among many IDPs that NGOs do not respect their culture, norms and customs

■ difficulty in ensuring proper representation of the whole community in groups

■ equity in the distribution of relief items: initially, more vulnerable persons could not easily access food and non-food items

■ inadequate understanding among implementing partners of, and expertise in, IDP dynamics, aspects of social mobilisation and coordination with other actors

■ the reluctance of IDPs to use communal facilities (especially kitchens, toilets and wash rooms) due to unfamiliarity with modern enclosed toilets and washrooms. IDPs were used to living in 'self-sufficient' family compounds. Women in particular were not permitted or willing to leave the privacy of their homes which would risk exposure to strangers, men as well as women

■ shortcomings in site planning: toilets and washrooms for men and women were constructed adjacent to each other which was not user-friendly or culturally acceptable; construction of a partition/purdah wall for privacy only aggravated the problem. Women are not permitted to have contact with men outside the home and while purdah walls around family blocks of houses provided some measure of privacy and protection to women, the toilets were located outside these areas and considered culturally

out of bounds for women. Contraints on using washrooms and latrines created health issues, anxiety and security concerns.

We adopted a number of strategies to meet these challenges. For example, in order to build a rapport between service providers and IDPs and to improve socialisation and interaction, we began to address them all, even children, by their name. And there was a sustained effort to interact with community elders – especially men – to promote the importance of the group approach and the role of NGOs.

A system was set up for conveying decisions taken by the Grand *Shura* to the women and for reflecting back to them the women's viewpoints, so as to help them to understand each others' perspectives and decisions. Finally the groups were involved in the distribution of relief items; the Grand *Shura* was encouraged to be involved in distribution of relief materials and to establish a fair distribution system. Scarce items were distributed tent by tent by *shura* members.

Results and lessons

These strategies have, broadly speaking, borne fruit. Overall, there is a much stronger understanding of the importance of community participation. Relief materials are now distributed fairly, with priority given to the most vulnerable. We have seen improvements in security, in girls' enrolment in schools and in camp residents' awareness of and attitude towards hygiene and sanitation. IDPs are sharing problems and are actively involved in registration and in the management of services and in addressing gaps in, for example, water, sanitation and health services as they arise.

From our experience in Kacha Gari camp, we have concluded that it is essential to:

■ undertake proper capacity building for implementing partners and to ensure the commitment and accountability of all staff

■ foster good relations with children and women as they play a vital role in social mobilisation

IDP children playing in Kacha Gari Camp, Peshawar, NWFP, December 2008.

■ maintain an appropriate distance from the community because it helps to push the community to use and adopt new ideas relevant to their new situation. Without some distance between the community and staff who are providing the services in the camps, the community will not accept the new ideas or information shared or disseminated by the staff

■ ensure that the concept and process of social mobilisation in camps are understood by the IDPs and the operational agencies

■ ensure that the concept of the Cluster Approach is fully understood by partners

■ hold regular meetings with all actors and community groups in order to share progress, to plan and to debate issues arising. Coordination among all actors – government, service agencies, implementing partners and community groups – and involving the community in identifying needs and designing services were key to effective service delivery and management

■ respect the diversity of cultures and the practices of beneficiaries.

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Flexible mandate for protection

Andreas Kamm

The Danish Refugee Council has had to adjust its mandate more than once in order to live up to its vision that no displaced person should be denied protection and a durable solution.

When the Danish Refugee Council (DRC) was established in 1956, the task of the organisation was limited to receiving and integrating the 1,400 Hungarian refugees who had fled to Denmark following the Soviet invasion of their country. At the time nobody expected that more refugees would come to Denmark and DRC was to be dissolved after the Hungarians had found their way into Danish society.

Today, more than 50 years later, DRC still exists. Initially, it was the arrival of new groups of refugees in Denmark that gave the organisation more work. Later, the knowledge and lessons learned from assisting refugees in Denmark were used to assist people in need of protection in other countries. Today, DRC works in more than 30 countries.

In contrast with the world of 1956, it is now increasingly difficult to distinguish between migrants,

regular or irregular, due to the mixed motivations for migrating and due to the frequent phenomenon of changing status en route. For instance, someone who is first displaced within his or her own country – an IDP – may then cross the border to a neighbouring country – thereby becoming a refugee – only to move on to other countries as a migrant in search of improved livelihood opportunities.

Whatever its causes, displacement inevitably leads to pressure on people's rights. And people without rights need protection – not necessarily against persecution (like refugees) but against the loss of rights to a dignified life. In that sense, the concept of protection has developed from protection against persecution to protection of rights in general. Because DRC is a rights-based organisation it has been able to add new groups to the list of its beneficiaries and

to modify its mandate more than once by adapting and extending the original understanding of the concept of protection.

National focus on integration

Since the first group of Hungarian refugees came to Denmark, DRC's national focus has been on integration. One aspect of this is about enabling refugees to exercise an equal right to, for example, housing, education and work. The other main aspect of integration is promoting tolerance and a welcoming attitude within the receiving society towards new citizens, who often have different habits and customs.

Over the past years, the challenges have been exacerbated by increased migration flows in the globalised world and in Denmark. Migrants from developing countries often have the same needs for integration support as refugees do. Furthermore, the receiving society often views the two groups – migrants and refugees – as the same, with the result that integration and acceptance of refugees in particular depend on the integration of all new citizens. Therefore, it soon became obvious to DRC that its work towards successful integration in Denmark necessarily had to include integration of other migrant groups as well as refugees.

Some of the services provided by DRC – such as language training, social and cultural sensitisation, assistance to vulnerable families and interpretation services – are now made available to workers from other European Union countries too, and DRC's mandate is being adapted to include irregular migrants, au pairs and other persons in need of help and counselling in relation to their legal status and options in Denmark.

Refugees, IDPs and irregular migrants

As the majority of the world's displaced people today are internally displaced persons (IDPs), refugee organisations like DRC have had to extend their mandate to include IDPs. This adjustment of the mandate has not been the last, as

Detention centre for refugees and migrants on Italy's Lampedusa Island.

UNHCR/A Di Loreto

displacement today has many causes other than persecution. Poverty and miserable living conditions are forcing a growing number of people to move. And since it is not always possible for these people to obtain visas or even travel documents that will make the journey to a new country easy, most of them end up as so-called irregular migrants.

Irregular migrants worldwide are trapped in a grey area. They might be accepted in society as cheap labour but they work illegally and have no access to education, health care or other services. Being without legal rights, they are vulnerable to violations of their human rights and risk becoming victims of trafficking, human smuggling and inhuman treatment, or even losing their life. Reports of such abuses and suffering are regularly found in documentation of migratory flows between, for example, West Africa and the Canary Islands, the Horn of Africa and the Gulf States, and across Central and Eastern Europe.

The loss of rights associated with the status of irregular migrant establishes the need for protection of individual fundamental rights. DRC is already working with groups of people who are considered irregular, such as rejected asylum seekers who are not living legally in Denmark.

Dilemmas and challenges

Although it has been an obvious and appropriate decision for DRC to extend its mandate and include new target groups, assisting the new groups of beneficiaries has raised new challenges for the organisation. For example, offering assistance to IDPs has required the organisation to become adept at humanitarian diplomacy. DRC tries to meet the many challenges by focusing on transparency in its work, by ensuring involvement of displaced people and by always staying in close contact with authorities and governments with regard to DRC's humanitarian mission.

Recent complex trends in migration have contributed to increasing xenophobia in receiving countries. Over the next 50 years, climate change will increasingly undermine livelihood opportunities for many people in the developing world; for many people a natural response is likely to be to migrate in search of alternative opportunities elsewhere. There may well be other triggers of displacement and DRC will need to continue to exercise flexibility in its interpretation of rights and of its mandate.

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IDP camp closure and gender inequality in Timor-Leste

Phyllis Ferguson

The goal of humanitarian assistance in Timor-Leste during a series of crises from 2006 to 2008 became increasingly focused on IDP camp closure, with the assisted return of IDPs to their communities or to alternative living situations.

From 2006 to 2008, over 150,000 people were displaced into over 65 IDP camps and transitional shelters. During this time, there was a rise in the number of cases of domestic violence and sexual and gender-based violence (SGBV) for reasons intrinsically related to changing social relations, family breakdown, a destruction of trust and economic hardship. IDPs suffered loss of property and housing, separation, insecurity, the threat of violence and ill health. The last camps and transitional shelters were due to close at the end of 2009 but a recent World Bank Study on Dili, Timor-Leste's capital city, reported constant levels of violence, with up to 40% of returning IDPs in one city ward stating that they continue to experience conflict. Camp closure is not a panacea.

IDP camp closure, gender inequality and violence

Cases of forced sex, sexual assault and rape were reported in the early months of IDP life in 2006, as were instances of 'unwanted' pregnancies from these incidents. Some of these were expressions of male frustration over loss, dislocation and uncertainty, often exacerbated by increased alcohol abuse. These were characteristically domestic violence cases, sometimes including incest. IDP women's concerns over contributory physical factors such as the lack of electricity at night and camp insecurity – combined with a lack of security generally – were taken up. Attempts were made to rectify these problems, although little could be done to redress the lack of privacy in two-family tents.

Women's Committees formed in some of the camps – supported by Rede Feto[1] – did much to change reactive to proactive policies and planning. Subsequent media campaigns on domestic and SGB violence and on trafficking used posters, theatre performances and radio programmes in the camps. These played an important role in reducing violent incidents. Local NGOs, international NGOs, civil society organisations, UNDP and the government all promoted these strategies.

However, de facto family breakdown often occurred as a result of camp life, with mothers and their very young children having to live in one camp while late primary, pre-secondary or secondary school children lived in another, close to their schools. Often the father was in yet another camp or in rural areas outside the capital, often moving between the family's former damaged or destroyed house and the other members of his family in their

respective IDP locales. Polygamy was also reported to be rising.

This separation of family members, combined with the closure of many schools in Dili for long periods of time in 2006 and 2007, resulted in a breakdown of domestic life and a rupture in the established routines

is too young to marry and cannot assume responsibility for the young woman and her child/children. Some deny paternity. The young woman and her family have stark choices. The Judicial System Monitoring Programme (JSMP), an East Timorese NGO, can provide legal advice and support to take the issue to court

Government payments to returning IDPs

As the IDP camps closed, kiosk owners called in debts for payment. Many women IDPs had asked for credit for the small necessities of life. In some cases, having been incurred over a period of more than three years, the amount owed was considerable. Women had every reason to fear as the kiosk owners reported the magnitude of these debts to unknowing husbands or partners. What women assumed and hoped was that part of the 'return' packet provided by the government could be used to settle such debts.

This situation on top of all the other uncertainties of IDP camp closure heightened the feelings of frustration and powerlessness of IDP men. The dependency culture of IDP camp life fed into a destructive dynamic of gendered family mistrust that remains unresolved. These resentments have accompanied family members as they resettle. On the whole, women have not been the ones to receive the returnee payments, either to use for debt repayment or to assist themselves and their children to resettle after leaving the camps.

Returnees leave their IDP camp in Dili.

IRIN/Jesse Wright

and patterns of school and work. Even when schools re-opened, often there was no possibility of resuming schooling; it was too expensive.

Some 'unwanted' pregnancies in the IDP camps came from 'boyfriend-girlfriend' relationships in the unusual and exceptional circumstances of camp life. Such relationships were previously uncommon because of the traditional pressures and values exerted by parents, neighbours and community in 'normal' times. These new friendships naturally formed in the IDP camps as old neighbourhood attachments and pastoral support were interrupted. This presented a particular challenge to the mothers and fathers of adolescent and young adult daughters. Pregnancies occurred, with some young women now with one child and a second unwanted pregnancy as they left the IDP camps.

This has several social outcomes for all concerned. In many cases, the boyfriend and his family say he

but the judicial process is slow, due to the backlog of cases, and the potential outcome is uncertain, so this prospect is daunting. Often, it is also logistically and financially impossible. The family of the young women suffers a loss, in the sense that the prospect of *barlake* (bride-price dowry) traditionally paid to the bride's family, has now been foreclosed unless the young man and his family agree through traditional forms of mediation to make payment.

Additionally – partly due to the crisis – in many cases these young women have not completed their education and have no skills. Their prospects for further education and training are complicated by the responsibility they have for their infants. They return to their birth families with their dependent children and thus constitute an additional burden on their families in the context of ever-scarcer resources with IDP camp closure. Where are they to go, and what can they do to support themselves? Some have turned to sex working.

The settlement offered by the government to returning IDPs upon re-verification of the level of destruction of their former homes was paid to the male heads of households. The incidence of polygamy has increased with men's access to cash, leading to poor family relations, loss of trust, men refusing family responsibilities, and sometimes the abandonment of women and children. As there was nothing to stop them, the numbers of cases of men disappearing with these funds have risen. This has also created a burden on state services.

The sharp rise in the purchasing power of men was reflected in the recent acquisition of large numbers of cars used as taxis and motorbikes. Tailbacks and traffic jams in Dili were evidence of this. Cock-fighting, gambling, the consumption of alcohol and other gendered leisure pursuits also markedly increased, as did the incidence of domestic violence. Quarrels over access to money and its use continue to be reported by women in many of these cases of

violence. As the funds were not being used for shelter, homelessness could result, creating more gender tension and further hardship, particularly for women and children.

In the Eastern Districts, the resettlement payments were paid into banks but there was no possibility of women being joint account holders, or sole account holders in the cases of female-headed households. This presented a particularly gendered inequity for women as wives, women who are heads of households and women as grandmothers who have responsibility for dependent daughters with children or unwanted pregnancies. The need for gender parity in these resettlement payments was discussed but did not become part of the planning and policy decision making by government.

Domestic and SGB violence cases continue to increase in Timor-Leste due to physical and economic insecurities – unemployment, family breakdown and continuing cycles of residential upheaval due to migration and forced migration. Service providers and advocacy groups struggle to provide support to women and children who experience domestic and SGB violence but human and financial resources and continuity of staff, service provision and effective advocacy are lacking.

While funding was already in place for the transition from IDP camps, the global financial crisis has seriously impacted donor capacity to continue aid support. It is a constant challenge to secure guaranteed long-term funding to make outreach sustainable and especially to expand and to monitor these badly needed services both in the capital and in all 13 districts. Funding by donors continues to dwindle but is still greatly needed.

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1. Rede Feto (Women's Network) is an umbrella network of 17 national organisations, established in 2001 as a direct result of deliberations at the First National Women's Congress in 2000 to promote gender equality and women's rights and to support women in development.

Family breakdown in Bogotá

Ofelia Restrepo Vélez and Amparo Hernández Bello

Forced displacement not only disperses and uproots families but also fractures their framework of beliefs, identities, daily routines, relationships and social fabric, and causes physical, emotional and psychological breakdown.

A study of displaced populations in Bogotá shows how forced displacement due to political violence has had a profound impact on the family unit in Colombia.[1] When forced displacement occurs, some family members – mainly adults and young men – are killed or 'disappear,' are forced to flee or recruited to fight. Some 47% of families living in Bogotá following such displacement break down as a result, with the average family size of 6.2 people prior to displacement reduced to 5.2 people afterwards.

Approximately 77% of those displaced originated in rural areas where the patriarchal traditional Colombian family was the predominant model. Family breakdown reinforces certain family structures while it weakens or eliminates others. New forms of arrangement have appeared such as: single female heads of household with children under 18 years of age; restructured families made up of people from previous unions; and homes with children living with relations other than their parents or with non-blood relations. In our study we found that 50% of displaced families had an intact nuclear structure, compared with 60% of families amongst the non-displaced population in the same residential or host areas; there were 37% female heads of household amongst the displaced, compared with 30% in the host population; the percentage of families with children cared for by their father was 9.2% in displaced families, compared with 6.5% in host families; and single female heads of household with children numbered 17% and 10% respectively.

Families experience abrupt change and new challenges. The weakened social fabric of their new, urban environment leads to precarious situations – most live in overcrowded conditions – and

the schisms and difficulties they face as displaced people force some couples to separate and leave their children. In the traditional family the woman's role is focused on reproduction and the socialisation, education and care of children, while the man is the producer and provider. Following displacement, many women have to assume the role of provider, due to the change in context, lack of opportunities for the partner if still present, or the absence of the father due to abandonment, death or disappearance. These women take on outside domestic work consistent with traditional female roles: caring for children, cleaning, producing food. Most of the men are poorly educated small-scale farmers who only know how to work the land – a skill the city does not need.

Women see their opportunities for daily interaction with their children and husbands greatly reduced, and their absence from home causes problems with partners and impacts negatively on child development. For the women, their absence from home creates a responsibility overload, a loss of self-esteem and authority, and a feeling of guilt for failing to fulfil their family obligations and duties:

"A woman suffers more when her husband is gone and she has to play the role of father, mother and everything… Yes, most of us are left carrying the load." (Displaced family workshop, Bogotá, October 2005)

Many of the adult and adolescent women who find themselves on their own suffer from depression:

"If you had a partner beside you, then you would have someone to help you get on, but on your own…it is all down to you, whether you want it or not. You often feel there is no one to help you, to give you a hug. … everything makes you want to cry, you become very sensitive

and sad, bad tempered, not wanting to do anything... Then the problems really start – they get bored of you and leave." (Workshop for displaced women, Nueva Esperanza neighbourhood, Rafael Uribe, Bogotá, September 2005)

When men lose their role as provider, they believe they lose their status as father and husband. This can provoke an identity crisis, a loss of self-esteem, and often leads them to abandon or respond violently to their family:

"After displacement, many men up and off because they can't see any other way out, they can't find work, they have nothing to do and the children are crying because they are hungry. They take the easiest way out, which is to leave, and who is left with all the work? The poor old mum – because when you're a mother, it breaks your heart to up and dump your children." (Workshop for displaced women, Ciudad Bolívar, Bogotá, October 2005)

Before displacement, rural children played an active part in the family.

In the city, many abandon their responsibilities, opting instead for a form of independence that denies kinship bonds and family authority in favour of relationships within their peer group. Some believe they will achieve social inclusion in the new context by joining armed groups or urban criminal fraternities:

"When the conflict began, the children started to change how they acted, and that was reflected in their games and the way they behaved with us, their parents. They are more aggressive, they don't respect us." (Workshop for displaced women, Bogotá, Ciudad Bolívar, July 2005)

These changes are compounded by factors including: reduced protection from the family due to abandonment by one or both parents; unprocessed grief for the loss of a loved one; lack of opportunities; invisibility as a 'lost' generation; and peer group influence. All of these increase levels of vulnerability and generate problems that were rare or simply not there before, such

as prostitution, drug addiction, alcoholism, unwanted pregnancy and sexually transmitted diseases.

The schisms and living conditions generated by forced displacement change family dynamics and structure. As nuclear families reduce in number and there are more broken families, as single women are left to bring up children alone and as new family structures are created, women and children experience increased vulnerability and displaced families face an impoverished quality of life.

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1. This article is based on the results of a 2005 study into social protection, health and forced displacement in Bogotá by the Universidad Javeriana, the Bogotá District Health Office and the Foundation for Attention to Migrants, funded by IDRC Canada.

Living death: separation in the UK

Roda Madziva

Research with Zimbabwean migrants in the UK highlights the suffering caused by an immigration regime that prioritises immigration control over its humanitarian obligations.

With unprecedented levels of political repression and the meltdown of their country's economy, many Zimbabwean women and men have come to view migration as the only way to ensure family survival and to escape persecution and torture. Opportunities for legal, speedy, safe and affordable migration are limited, so many parents make the difficult decision to migrate alone in the first instance, with the intention of arranging for their children to join them as soon afterwards as possible. However, immigration policies in the countries they escape to usually mean that the period of separation from their children is far, far longer than they initially imagined, and sometimes even permanent.

Living in limbo

Interviews with 18 Zimbabwean parents forced to live apart from their children reflect the reasons

for flight and the pain caused by separation. In some cases, the asylum seekers had received death threats and/or suffered serious violence, and their first priority was to save their own lives by getting to the UK and claiming asylum. In other cases, they either did not think it would be safe to travel with their children, or they could not afford to bring their children with them in the first instance.

Once in the UK, however, they all found themselves caught in a cumbersome and inhospitable asylum and immigration system, and their hopes of being quickly reunited with their children slipped away. Only those who win refugee status are granted the right to family reunion – but winning asylum on human rights grounds is an extremely long and difficult process.

"My asylum claim was turned down – it lacked credibility, they told me. I appealed and ... was turned down again. [I] have just made a fresh application. This is now my eighth year in the UK. Here I am, still a refused asylum seeker who cannot go to Zimbabwe to visit my children or bring them over," said one widower who had left his two daughters behind.

A mother of three children explained, "My first application for asylum was refused… the reasons were that I should have applied for asylum on arrival, yet I did not know about this… Also, I did not attach enough evidence that I supported the opposition party… I was not a member of the opposition party but my being a teacher in Zimbabwe made me to suffer intimidations and threats of abuse… I made my second application immediately after my husband was killed by a petrol bomb in Zimbabwe. I thought they were going to treat this with all urgency as I had indicated that

there is now no one to look after my children… but was told 'You left your children willingly' and was asked to produce more evidence regarding my husband's death. Up to now I am still waiting for a decision to be made."

Rudo, a 37-year-old woman who had been a teacher at a rural school in Zimbabwe and had frequently been harassed and intimidated by war veterans, as well as witnessing other women being raped by them, said that despite all the evidence she had to support her asylum claim it was turned down. "I have recently re-submitted another claim", she continued, "but my lawyer told me that such applications can take three to four years to be assessed because the Home Office has a huge backlog. This situation has ruined my daughter's life… Since my husband died … I have never been able to go to be with my daughter … [my husband] is no more and my daughter is struggling alone."

Things fall apart

When they moved from Zimbabwe, the migrants left their children in the care of family members and friends in keeping with the traditional African practice of child fostering. And yet in the current economic climate of Zimbabwe, such arrangements are often unstable or unsatisfactory. A recurring theme in the interviews is the breakdown of trust between the parent and the substitute care-givers as the period of separation gets prolonged. This often leads to children being moved from one carer to another, sometimes without the consent of the absent parent(s).

One interviewee described how she originally left her daughter with her sister but after two years the arrangement broke down and "my mother had to take her... Then my ex-husband phoned me one day ...He said my mother was not looking after the child well… He said he was taking the child away. What can you do when you are far away? How can you stop him when you cannot look after the child yourself?"

In other cases, it is the death of the substitute care-giver that triggers children's movement. Tendai described an agonising chain of bereavements over the seven years

of her separation from her children: "My husband died a year after I had left... My children stayed in the family house with a maid who was a close relative [but] she also died six months later. My children then moved to my mother's place... but my mother died after only six months. They continued to live with my father... but he also died a year later. One of my sisters took them... after four months she died. My relatives decided to stay away from my children... my two boys, 15 and 17 by then, started living on their own."

The interviewees were powerless to intervene, even when they believed that their children were suffering serious neglect or abuse at the hands of their carers. Mary, a 37-year-old single mother who fears that her daughter may have been raped and may be involved in prostitution, says: "What I definitely know is that my daughter has no one to love her. I got so scared when she said to me three months ago 'Mama, I am thinking of killing myself'… She is not getting the support she needs as a teenager. She is not getting emotional support at all … she needs a hug, she is not getting it. Instead, people who live with her are always calling her names."

Forced migrants who are separated from their children live daily with fears for their children's physical safety and well-being in a context where food and medicine are scarce and disease and political violence are rife. For one interviewee, what all of them most dread became a reality: "My son passed away in 2007… I received a message that my son was vomiting and few hours later I got the message that he was dead. The world just crumbled on me…" (Sukai, a female failed asylum seeker, aged 39)

The parents suffer greatly from guilt and anguish: "I feel so crushed – I feel so sorry for my daughter. If I were to see her one day, I don't even know what I will say to her but what I know is that I owe her a big apology. I cry my heart out after calling home most of the times. I don't know what to do." (Rudo, whose husband died while she was in the UK trying to get her asylum claim settled)

"My children have had these eight years of loneliness... Frequently I hear my young daughter's last words

echoing in my ears: 'Bye dad, I know you are not coming back for us'. I don't know how she knew this would happen but these words haunt me day and night. Forced migratory separation is a mental torture … your mind is always contemplating: what do my children think about me? what is going on in their lives?" (Tafara)

If children reach the age of 18 while their parents wait for their asylum claim to be settled, they lose the right to reunion.

Faceless system

The UK Foreign Office publicly condemns Zimbabwe as an exceptionally unsafe country, and the UK government has ruled that failed asylum seekers cannot be deported to face potential victimisation and torture. And yet the Home Office expects failed asylum seekers to prove that they would face reprisals and torture if they returned (which is, of course, difficult to do) and in practice it treats Zimbabwean failed asylum seekers as though they were 'voluntary' migrants who could safely return home, and refuses them even the meagre support that is offered to other failed asylum seekers who cannot return to their country of origin. Forced migrants from Zimbabwe are living in poverty in the UK, some in a condition of complete destitution, and are helpless in the face of the knowledge that their children are suffering and at risk of grave harm at home.

"If the Home Office were a person, I could have demanded to see him or her. I would have wanted to go to where he lives and cry out all my anger. Unfortunately, they always say the Home Office is a system… You cannot get to sit down with this thing called the system and have a one-on-one talk explaining exactly what you are going through, asking him or her 'Can you please do something about it?'… From the outside the system appears democratic and caring, yet it is cruel, oppressive and discriminatory from inside… It leaves you dead from the inside." (Sukai)

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Voluntary repatriation and the participation of Mauritanian refugees

Leonora MacEwen

The conditions put forward by Mauritanian refugees for a successful voluntary repatriation included "a full and real inclusion of their interests in each step of the process."

Popularly known as "the events", the 1989 violence between Mauritania and Senegal was triggered by a dispute over grazing rights in the Senegal River valley which forms the border. In Senegal, where many shopkeepers were Mauritanian, shops were looted and most Mauritanians were expelled to Mauritania. Retaliation and riots targeting black Mauritanians in the river valley and white Moors in Dakar ensued throughout the following month.

Mauritania's south is heavily populated by black African Fula/Toucouleur, Wolof, Soninké and Bambara peoples, while the northern Moorish (Arabo-Berber) population had long dominated the politics of the country.

To stamp out this violence, the Mauritanian and Senegalese governments organised flights to repatriate their respective citizens, which ended in the forced exile of about 70,000 Mauritanian southerners to Senegal, despite most of them having no links to the country. These Mauritanian refugees would slowly trickle back into the country during the following years but some 20–30,000 remained in Senegalese refugee camps.

The voluntary repatriation programme

In March 2007, the newly-elected Mauritanian president demonstrated his government's political will to repatriate and "rehabilitate the rights of the black Mauritanians who suffered from acts of violence". In collaboration with the Mauritanian and Senegalese governments, UNHCR launched an appeal for funding to repatriate and reintegrate 24,000 refugees between August 2007 and December 2008.

In June 2007, a Mauritanian inter-ministerial committee visited the River Valley to sensitise and listen to the population's views on the repatriation programme. A refugee committee was created in order to facilitate government and UN

A Mauritanian refugee looks across from the Senegalese bank to his original home village. October 2005.

access to the population and so that the refugees could speak with a single, unified voice.

With its members elected by 167 of the 284 heads of refugee sites in the River Valley, the committee's diverging opinions reflected the differences that exist between the refugee groups. Some refugees felt that it would be harder to respect the interests of the refugees if there were divergences among the group's leaders – and therefore more difficult to ensure a return under good conditions. There were even accusations of possible corruption among the refugee leaders who would potentially be able to take advantage of their position as mediators between the refugee population and the international community.

Some representatives of the refugee community were present at the signing of the tripartite agreement[1] in November 2007 between Senegal, Mauritania and UNHCR. This agreement set out the signatories' responsibilities for implementation of the voluntary repatriation programme. While it was understood that the governments of Senegal and Mauritania, together with UNHCR, would manage the programme and thus be responsible for its financial aspects, several refugees expressed regret over the lack of refugee participation in drawing up the agreement and indicated that the refugees should also have responsibilities to uphold with regard to the repatriation programme. As the chairman of the committee said: "There should be four parties involved. The refugees should have some responsibilities. [Under this agreement] they are not responsible for anything…"

Other representatives, although they had been invited to attend the signing, refused to attend as they had not received the agreement and its contents prior to the signing.

Refugee conditions for repatriation

At first glance, the Mauritanian refugee population seems to have played an active role in the organisation of their return home. It appears, however, that refugee participation took place only in the actual implementation, not at the decision-making stage.

The refugee community stipulated eleven conditions for their return, two of which were "full involvement in all stages of the process of repatriation" and a complete census of the refugees. Their full list of conditions was accepted after lengthy discussion during the national 'Consultation on the voluntary return' which took place in November 2007. However, meeting these conditions proved to be another matter.

In autumn 2007, UNHCR organised a 'profiling' of the refugee population in the River Valley. This census of the refugee population – one of the conditions stipulated by the refugees – enabled UNHCR to determine the number of individuals who wanted to return and established their preferred return location. Mauritanian authorities were firstly aiming to repatriate those individuals returning to regions with better infrastructure and more capacity to receive the returnees. The census thus allowed UNHCR to sort the population into categories so as to facilitate the management of the repatriation programme. The information collected during the census also enabled Mauritanian authorities to verify the nationality of those individuals who wished to return; the tripartite agreement indicated that the census would serve as an identity document until "the returnees receive state documents which should be delivered by the national authorities within three months of their return" (Article 16).

It is evident, therefore, that this census would play an important role. However in December 2007 two refugee representatives claimed that the profiling did not take place consistently throughout the population and that some families were omitted from the census. When several refugee heads of villages pressed UNHCR officials on the matter, the officials merely played down the importance of the census.

In addition to the short time allowed for the census and the fact that only one month was allotted to the processing of the documents, the Chairman of the refugee committee suggested that UNHCR's objective – promoted by the government – of repatriating 7,000 people before the end of 2007 was unrealistic particularly given the nature of the conditions stipulated by the refugee community for a successful return. However, as voluntary repatriation often occurs in a highly politically charged atmosphere, the refugee community does not necessarily have much leverage in making choices for its own future. As a former Mauritanian military official suggested, a full and real involvement may have entailed bringing all parties together: "…before doing this census, one should have the Mauritanians, the refugees together with UNHCR and human rights officials, sit around a table and develop the census questionnaire."

Meetings organised by UNHCR and local NGO OFADEC[2] involved the refugee heads of villages in decisions over logistical aspects of their return. As part of their efforts to ensure that the repatriation took place 'with dignity', an OFADEC officer explained to the refugee population during preliminary meetings that those families returning home would come together the night prior to the departure to eat, sleep and be together. The refugee heads of villages were asked to decide upon a location and build an appropriate shelter for this evening. In this way, concrete tasks were delegated to the refugee community.

Over the course of the preparation meetings, several refugee heads of villages expressed concern and a reluctance to participate in the repatriation programme due to the lack of information that they had received on the repatriation conditions and their reintegration into Mauritanian society. The attempt to include the refugee population therefore appeared superficial and insufficient. Given this lack of information, delegating the responsibility of building regrouping centres was perhaps more token participation than the real participation that the refugees

These Mauritanian refugee children knew no other home but Senegal. October 2005.

had stipulated in their conditions for a successful repatriation.

Consultation days

A series of 'national consultation days' was organised in order to examine practical aspects of the implementation of the voluntary repatriation programme. These took place in November 2007 and were attended by 724 members of the Mauritanian government, representatives from UNHCR and, according to the chairman of the Committee who was present at the consultation days, only 17 refugee representatives. The strong government representation and the weak refugee representation did not go unnoticed by the refugee community.

The attendees of these consultation days were divided into groups to discuss the repatriation conditions, their integration upon return, the possible sanctions for the perpetrators of the 1989 events and the rights of returnees. However, the chairman of the Committee pointed out that the 17 refugees in attendance had only received the 15-page report the night before the opening of the consultation days, making their full participation difficult.

The 'Summary report of preliminary consultations', written by the inter-ministerial committee for the return of refugees, presented the results of

preliminary consultations between political parties, NGOs, refugee associations and resource people, including senior political figures. It laid out the different structures and logistics for managing and facilitating the repatriation, and stipulated the need to create at least five committees for this purpose. For the chairman of the committee, it was clear that refugees should be included in these committees to ensure that conditions they put forward were respected. However, the committee that was finally created in January 2008, ten days before the repatriation of the first group of refugees, was a tripartite commission consisting of representatives of the Senegalese and Mauritanian governments and UNHCR. This effectively eliminated the refugee community from participation.

According to UNHCR, by the end of April 2009 approximately 10,000 of the 24,000 refugees had been repatriated. However, although clearly expressed as an objective by all implementing partners, the full and real involvement of the refugee community in this voluntary repatriation programme has not been realised. Leaders have been appointed to facilitate the management of the programme, yet their participation remained superficial and symbolic throughout the process, leaving the community ambivalent about the voluntary

repatriation programme. In March 2008, after the return of several hundred refugees, the refugee community expressed its discontent with the programme in a press release criticising UNHCR and the Mauritanian government's decision to repatriate groups of refugees before they had been sufficiently informed of the conditions they would find upon their return.

Conclusion

In any repatriation programme, it is essential to fully involve the concerned population from the outset of programme planning. Although this is a time-consuming task, full inclusion of and consultation with the refugee population from the early stages of organisation are vital for providing important information on the community's needs and desires. An in-depth assessment of the Mauritanian refugee community's perceptions of the voluntary repatriation programme would have shed much light on the feasibility and usefulness of the programme and may have provided indications on how to implement it more effectively.

Symbolic or token participation of the concerned community is insufficient. Community participation should take place at the decision-making level; it should not just entail implementing decisions made by others. While some may argue that the symbolic participation of the refugee community in the voluntary repatriation programme was beneficial, many of the refugees expressed their view that this kind of involvement created a feeling of ambiguity and disillusionment. This risks discouraging the population from adhering to the voluntary repatriation programme – and could indeed explain the limited number of returnees to date.

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1. http://www.unhcr.org/47397ea115.html

2. Office Africain pour le Développement et la Coopération (OFADEC), a local NGO which helps UNHCR in its work http://www.ofadec.org/ (French)

Faith-based humanitarianism conference
21-23 September 2010, Oxford

The RSC and the Las Casas Institute on Ethics, Governance and Social Justice are organising an international conference on 'Faith-based humanitarianism: the response of faith communities and faith-based organisations to people affected by conflict, crisis and forced migration'. The conference will convene academics, humanitarian practitioners, policymakers, theologians and inter-faith representatives. It aims to consider the motives, role and impact of faith-based organisations in their responses to people affected by conflict, crisis and forced migration and how faith-based approaches differ from the responses of secular humanitarian organisations. The conference will discuss the role faith plays in the lives of forced migrants. It will touch on the occasional culpability of faith-based institutions in generating conflicts leading to forced displacement while also considering the role of faith communities and faith-based organisations in conflict mediation and resolution.

Call for papers and Expression of Interest form now available online at: http://www.rsc.ox.ac.uk/conf_conferences_210910.html

International Summer School in Forced Migration
5–23 July 2010, Oxford

Now in its 21st year, the RSC's International Summer School offers an intensive, interdisciplinary and participative approach to the study of forced migration. Designed for practitioners involved with assistance and policymaking for forced migrants, and graduate researchers specialising in the study of forced migration, the course enables people working with refugees and other forced migrants to reflect critically on the forces and institutions that dominate the world of the displaced. Fee: £3,025. Early-bird fee (apply and pay by 31 March): £2,850. Apply by 1 March (for bursary applicants) or 1 May (for self-/employer-funded applicants).

For more information, see http://www.rsc.ox.ac.uk/teaching_summer.html, email summer.school@qeh.ox.ac.uk or contact Outreach Programme Manager, Refugee Studies Centre, University of Oxford, 3 Mansfield Road, Oxford, OX1 3TB, UK. Tel: +44 (0)1865 281728/9. Fax: +44 (0)1865 281730.

Statelessness and international law short course
16-18 April 2010, Oxford

The issue of statelessness is rising steadily on the agenda of the UN, regional institutions, governments and civil society in many parts of the world. There is also an increasing and more thorough body of both theoretical and empirical research looking at citizenship and lack thereof from various perspectives. The RSC's participative and interactive short course will cover various thematic areas, including an overview of the problem of statelessness in today's world; the international legal framework for the prevention and reduction of statelessness, and the status of stateless persons; international relations and political aspects of state formation, national identity and citizenship; distinctions between *de facto* and *de jure* statelessness; and specific causes of statelessness such as state succession and gender inequality in nationality laws. Case studies will be drawn from Europe, Africa, the Middle East and Southeast Asia.

Course devised in cooperation with UNHCR's Statelessness Unit and coordinated by Dr Alice Edwards, RSC Lecturer in International Refugee and Human Rights Law. The course will be led by Professor Guy Goodwin-Gill, Senior Research Fellow, All Soul's College, University of Oxford and other leading experts in the field.

For more information, email rsc-outreach@qeh.ox.ac.uk

Policy Briefing: Iraq's refugees

The RSC's fourth policy briefing, 'Iraq's refugees – beyond tolerance', considers the situation of displaced populations within Iraq and of communities of Iraqis living in neighbouring Middle Eastern states. The paper suggests that despite military and policy discourses of renewed stability in Iraq, the crisis is far from over and mass return is unlikely as long as security remains a key concern. It presents some key principles for consideration by policymakers in government, migration agencies and humanitarian networks and recommends that further research be conducted on the scale, circumstances and patterns of movement of Iraqis within and beyond the Middle East. Written by Dr Philip Marfleet, University of East London, and Dr Dawn Chatty, RSC.

Online at http://www.rsc.ox.ac.uk/pub_policy.html An Arabic version will also shortly be available.

Updates

If you would like to receive the RSC's termly newsletter by email, please email wouter.tekloeze@qeh.ox.ac.uk

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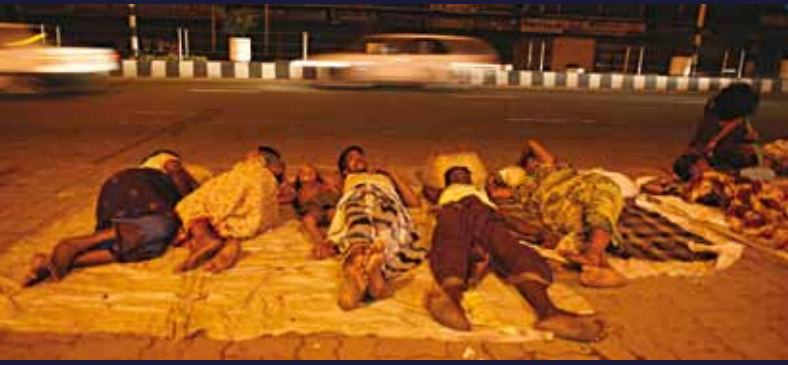
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The earth at night seen from space shows dramatically how many towns and cities there are.
At ground level the reality is often not as pretty.