

Understanding the Challenge of Protracted Refugee Situations

JAMES MILNER

Department of Political Science, Carleton University¹

International interest in refugees and asylum issues has, in recent years, been largely focused on populations on the move – either on the arrival of individuals in Western states claiming asylum or on refugee emergencies and the challenge of delivering humanitarian assistance. Some two-thirds of refugees in the world today, however, are trapped in protracted refugee situations. Such situations – often characterized by long periods of exile, approaching decades for some groups – occur on most continents in a range of environments including camps, rural settlements, and urban centres. The overwhelming majority of these situations are to be found in some of the world's poorest and most unstable regions and are proving difficult to resolve.²

Refugees trapped in these forgotten situations often face significant restrictions on a wide range of rights, and the continuation of chronic refugee problems frequently gives rise to a number of political and security concerns for host states and other states in the region. As argued by the United Nations High Commissioner for Refugees (UNHCR 2004b: 2), "the consequences of having so many human beings in a static state include wasted lives, squandered resources and increased threats to security." Taken independently, each of these challenges are of

mounting concern. Taken together, the full significance of protracted refugee situations becomes more apparent.

Notwithstanding the growing significance of the problem, protracted refugee situations have only recently gained prominence on the international refugee agenda. Humanitarian agencies, like UNHCR, have been left both to cope with caring for these forgotten populations and to attempt to mitigate the negative implications of prolonged exile. While essential, these actions do not constitute a solution for protracted refugee situations. History has shown that chronic and recurring refugee populations have been resolved through comprehensive plans of action involving not only humanitarian actors but also a range of political, security and development actors. I would argue that such an integrated and comprehensive approach is needed to effectively resolve the protracted refugee situations that persist today.

An understanding of such an approach is important for both international and domestic debates on refugee protection. Internationally, policy-makers and advocates are preparing for a number of key meetings that relate to protracted refugee situations, including the High Commissioner's Dialogue on Protection Challenges in Geneva, in December 2008, while additional opportunities have emerged to engage in more holistic and sustained discussions linking refugees, peacebuilding, migration and development. At the same time, domestic policy-makers have become increasingly aware of the changing dynamics of the global refugee population, especially as they affect planning for resettlement programmes. To this end, this article discusses the nature and scope of the problem of protracted refugee situations, their causes and their consequences before outlining the elements of a possible solution.

1 The author is also Co-Director of The PRS Project: Towards Solutions for Protracted Refugee Situations, based at the Refugee Studies Centre, University of Oxford. The objectives of The PRS Project are to provide a clear analysis of the problem of protracted refugee situations; develop a policy framework for decision-makers and advocacy organizations; integrate the resolution of chronic refugee problems with issues of sustainable development, human rights and governance, and security; and contribute to the resolution of particular protracted refugee situations in Africa and Asia. For more details of the work of The PRS Project, visit <www.prsproject.org>.

2 Elements of this article have previously been published in Loescher et al. 2008, Loescher and Milner 2006: 105-128, and Loescher and Milner 2005.

Nature and scope of the problem

Protracted refugee situations are refugee situations that have moved beyond the emergency phase but for which solutions in the foreseeable future do not exist. They are not always static populations and often involve periods of increase and decrease in the total population as well as changes within the population. More significantly, protracted refugee situations now account for the vast majority of the world's refugee population, demonstrating the importance, scale and global significance of the problem.

In the early 1990s, a number of long-standing refugee populations who had been displaced as a result of Cold War conflicts in the global South went home. While these conflicts were being resolved, new intra-state conflicts emerged and resulted in massive new flows during the 1990s in the Balkans, the Horn of Africa, Central Africa, West Africa, Southwest Asia, and elsewhere. The global refugee population mushroomed in the early 1990s and the pressing need was to respond to the challenges of simultaneous mass influx situations in many regions of the world. More than a decade later, many of these conflicts and refugee situations remain unresolved.

Some statistics shed important light on the changing nature of the problem. Using the crude measure of populations of 25,000 or more refugees in exile for five or more years (UNHCR 2004b), there were 27 protracted refugee situations in 1993 with a total population of 7.9 million refugees. By 2003, there were 38 protracted refugee situations with a total refugee population of 6.2 million. While there are fewer refugees in protracted situations today, the number of situations has greatly increased. With a global refugee population of over 16.3 million at the end of 1993, 48% of the world's refugees were in protracted situations. Ten years later, with a global refugee population of 9.6 million at the end of 2003, over 64% of the world's refugees were in protracted refugee situations. In addition, refugees are spending longer periods of time in exile. It is estimated that "the average of major refugee situations, protracted or not, has increased from nine years in 1993 to 17 years at the end of 2003" (UNHCR 2004b: 2) In other words, the average duration of a refugee situation has essentially doubled in the past 15 years.

As illustrated by Table 1, major protracted refugee situations are to be found in most regions of the world.

Causes of protracted refugee situations

Protracted refugee populations, as can be seen in Table 1, originate from the very states whose instability lie at the heart of chronic insecurity in many regions of the world and at the heart of debates on engagement with so-called "fragile states." The bulk of refugees in these regions come from countries where conflict and persecution have persisted for years. More generally, UNHCR (2004b: 1)

Table 1
Major protracted refugee situations, January 1, 2005

COUNTRY OF ASYLUM	ORIGIN	END 2004
Algeria	Western Sahara	165,000
Armenia	Azerbaijan	235,000
Burundi	Democratic Republic of the Congo	48,000
Cameroon	Chad	39,000
China	Viet Nam	299,000
Congo	Democratic Republic of the Congo	59,000
Côte d'Ivoire	Liberia	70,000
Democratic Republic of the Congo	Angola	98,000
Democratic Republic of the Congo	Sudan	45,000
Egypt	Occupied Palestinian Territory	70,000
Ethiopia	Sudan	90,000
Guinea	Liberia	127,000
India	China	94,000
India	Sri Lanka	57,000
Islamic Republic of Iran	Afghanistan	953,000
Islamic Republic of Iran	Iraq	93,000
Kenya	Somalia	154,000
Kenya	Sudan	68,000
Nepal	Bhutan	105,000
Pakistan	Afghanistan (UNHCR estimate)	960,000
Rwanda	Democratic Republic of the Congo	45,000
Saudi Arabia	Occupied Palestinian Territory	240,000
Serbia and Montenegro	Bosnia and Herzegovina	95,000
Serbia and Montenegro	Croatia	180,000
Sudan	Eritrea	111,000
Thailand	Myanmar	121,000
Uganda	Sudan	215,000
United Republic of Tanzania	Burundi	444,000
United Republic of Tanzania	Democratic Republic of the Congo	153,000
Uzbekistan	Tajikistan	39,000
Yemen	Somalia	64,000
Zambia	Angola	89,000
Zambia	Democratic Republic of the Congo	66,000

Source: Data from UNHCR 2006: 107.

Note: This table refers to refugee situations where the number of refugees of a certain origin within a particular country of asylum has been 25,000 or more for at least five consecutive years. Industrialized countries are not included. Data does not include Palestinian refugees under the mandate of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

argues that "protracted refugee situations stem from political impasses. They are not inevitable, but are rather the result of political action and inaction, both in the country of origin (the persecution and violence that led to flight) and in the country of asylum. They endure because of ongoing problems in the country of origin, and stagnate and become protracted as a result of responses to refugee inflows, typically involving restrictions on refugee movement and employment possibilities, and confinement to camps."

In fact, protracted refugee situations are the combined result of the prevailing situations in the country of origin, the policy responses of the country of asylum, and the lack of sufficient engagement in these situations by a range of other actors. Failure to address the situation in the country of origin means that the refugee cannot return home. Failure to engage with the host country reinforces the perception of refugees as a burden and a security concern which leads to encampment and a lack of local solutions. As a result of these failures, humanitarian agencies, such as UNHCR, are left to compensate for the inaction or failures of those actors responsible for maintaining international peace and security.

Consequences

Arguably, the greatest impact of protracted refugee situations is on the human rights of refugees. Many host governments in the global South now require refugees to live in designated camps. This trend has significant human rights and economic implications. Levels of sexual and physical violence in refugee camps remain a cause of significant concern. More generally, the prolonged encampment of refugee populations has led to the violation of a number of rights contained in the 1951 Convention relating to the Status of Refugees, including freedom of movement and the right to seek wage-earning employment. Faced with these restrictions, refugees become dependent on subsistence-level assistance, or less, and lead lives of poverty, frustration and unrealized potential. Prolonged containment of refugees in camps limits their ability to contribute to regional development and state-building (see, for example, Jacobsen 2002). In cases where refugees have been allowed to engage in the local economy, it has been found that refugees can "have a positive impact on the [local] economy by contributing to agricultural production, providing cheap labour and increasing local vendors' income from the sale of essential foodstuffs" (UNHCR 2004a: 3). When prohibited from working outside the camps, refugees cannot make such contributions.

Unresolved refugee situations also represent a significant political phenomenon as well as a humanitarian problem.³ Protracted refugee situations often lead to a number of political and security concerns for host countries, the countries of origin, regional actors, and the international community. The long-term presence of large refugee populations have been a source of international – mainly regional – conflict through causing instability in neighbouring countries, triggering intervention, and sometimes giving a basis to armed elements within camps that can form a source of insurgency, resistance, and

terrorist movements. The militarization of refugee camps creates a security problem for the country of origin, the host country and the international community. Security concerns such as arms trafficking, drug smuggling, the trafficking in women and children, and the recruitment of child soldiers and mercenaries can and do occur in some of the camps hosting protracted refugee situations.

Some two-thirds of refugees in the world today are trapped in protracted refugee situations, often characterized by long periods of exile, approaching decades for some groups. The overwhelming majority of these situations are to be found in some of the world's poorest and most unstable regions and are proving difficult to resolve.

The prolongation of refugee crises may not only cause such direct security concerns but also have indirect security implications. Tensions between refugees and the local population often arise as refugees are perceived to receive preferential treatment, especially as access to local social services such as health and education becomes increasingly difficult for local populations while such services are widely available in the refugee camps. As donor government engagement for camp-based refugee population decreases over time, competition between refugees and the host population over scarce resources becomes an increasing source of insecurity. In the same way, reductions in assistance in the camps may lead some refugees to pursue coping strategies such as banditry, prostitution and petty theft, which create additional local security concerns.

Towards solutions

The contemporary response to protracted refugee situations stands in stark contrast with the international response to long-standing refugee populations during the Cold War when the geo-political interests of the West led to large-scale engagement with prolonged refugee crises. This engagement resulted in the formulation and implementation of comprehensive solutions drawing on the three durable solutions of repatriation, local integration and third country resettlement. These initiatives were not only supported by humanitarian agencies, such as UNHCR, but by a range of development, and peace and security actors,

³ For a more detailed consideration of the political and security implications of protracted refugee situations, see Loescher and Milner 2005.

especially within the UN system. By drawing on the full range of solutions for refugees and by ensuring the sustained engagement of a wide range of actors, the international community was able to resolve refugee situations as complex as the situation of displaced people remaining in Europe long after World War II, of millions of Indo-Chinese refugees, and of the Central American refugee situation in the 1980s. In approaching the protracted refugee situations of today, it is important to remember that by understanding the particular character of each refugee situation, by considering the needs of refugees themselves, and by considering the needs, concerns and capacities of the countries of first asylum, the countries of origin, and the resettlement and donor countries, the international community has successfully resolved the plight of numerous refugee populations in the past 50 years.

Despite the need for a multifaceted approach to contemporary protracted refugee situations, the overall response of policy-makers remains compartmentalized as security, development and humanitarian issues are mostly discussed in separate forums. There exists little or no strategic integration of approaches and little effective coordination in the field. Neither the UN nor donor governments have adequately integrated the resolution of recurring regional refugee problems with the promotion of economic and political development, conflict resolution, and sustainable peace and security.

Meaningful comprehensive solutions for protracted refugee situations must overcome these divisions and adopt a new approach that incorporates recent policy initiatives by a wide range of actors. For solutions to be truly comprehensive, and therefore effective, they must involve coordinated engagement from a range of peace and security, development and humanitarian actors. Recent developments within the UN system, namely the establishment of the UN Peacebuilding Commission, may provide additional opportunities for such integrated and sustained responses.

Important innovations are also taking place in individual donor countries, largely motivated by recent thinking on the importance of "joined-up" and "whole of government" responses to peacebuilding in fragile states. For example, Canada has established an Interdepartmental Working Group on Protracted Refugee Situations, drawing together the full range of government ministries and departments engaged in refugee affairs with the goal of developing a government-wide response to the issue. The Metropolis Project has also played an important role by hosting round-table discussions on particular protracted refugee situations that bring together not only policy-makers from different government departments, but also practitioners and researchers. Canada has also played an important role

in ensuring that the issue of protracted refugee situations remains prominent on the agenda of UNHCR's Executive Committee. Similar initiatives in other states will make important contributions to the formulation and implementation of a more effective response to protracted refugee situations.

The success of such an approach will, however, depend entirely on the commitment of the international community to see it succeed. Acting independently, humanitarian actors can only be expected to manage protracted refugee situations, not resolve them. Solutions to protracted refugee situations can only be found through comprehensive solutions that involve the sustained engagement of a wide range of actors. While such responses are challenging, they are also essential. Comprehensive solutions to protracted refugee situations are also the best way to address the concerns of Western states, meet the protection needs of refugees, and respond to the concerns of countries of first asylum. As such, concerted effort to resolve these situations is in the interest of all actors in the international system.

Two-thirds of refugees in the world today are trapped in protracted refugee situations. The average duration of these situations is now approaching 20 years. These are situations that are not resolving themselves. Concerted international action is required to engage with these situations and resolve them. They represent a challenge that can no longer be overlooked.

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