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SUSTAINABLE REFUGEE RETURN:

Triggers, constraints, and lessons on addressing the development challenges of forced displacement

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addressing the development challenges of forced displacement

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Cover Photo:

Voluntary repatriation of Sierra Leonean refugees from Liberia, July 2004. (UNHCR/E Kanalstein)

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Acronyms

AREU	Afghanistan Research and Evaluation Unit
BMZ	German Federal Ministry for Economic Development Cooperation
CARERE	Cambodia Area Rehabilitation and Regeneration Project
CAS	Country Assistance Strategy
CCSA	Cross Cutting Solutions Area
CDC	Community Development Council (NSP, Afghanistan)
CDD	Community Driven Development
CEP	Community Empowerment Project (Liberia)
CPA	Comprehensive Peace Agreement (Sudan)
CPS	Country Partnership Strategy
CRPC	Commission on Real Property Claims (Bosnia-Herzegovina)
CSS	Comprehensive Solutions Strategy (Angola)
DACAAR	Danish Committee for Aid to Afghan Refugees
DANIDA	Danish International Development Agency
DFID	Department for International Development, UK
DPA	Dayton Peace Agreement (Bosnia-Herzegovina)
DRC	Democratic Republic of Congo
EPAU	Evaluation and Policy Unit (of UNHCR)
EU	European Union
FAS	Social Action Fund Project (Angola)
FCV	Fragility, Conflict and Violence
FY	World Bank Financial Year (July 1 to June 30)
GPFD	Global Program on Forced Displacement (in CCSA on FCV)
GoSS	Government of South Sudan
HPG	Humanitarian Policy Group (at Overseas Development Institute, London)
HRW	Human Rights Watch
IASC	Inter-Agency Standing Committee
ICR	Implementation Completion Report
IDA	International Development Association
IDMC	Internal Displacement Monitoring Centre (Geneva)
IDP(s)	Internally Displaced person(s)
IEG	Independent Evaluation Group
IFI	International Finance Institutions

IHSES	Iraq Household Socio-Economic Survey
IPRSP	Interim Poverty Reduction Strategy Paper
IRIN	Integrated Regional Information Network (UN)
ISN	Interim Strategy Note
ISR	Implementation Status & Results Report
KRG	Kurdish Regional Government
MDTF	Multi-Donor Trust Fund
MOU	Memorandum of Understanding
MoDM	Ministry of Displacement and Migration (Iraq)
MP	Micro-Project
LGSDP	Local Governance and Service Delivery Project (South Sudan)
NGO(s)	Non-governmental organizations
NSP	National Solidarity Program (Afghanistan)
NTTs	Newly Naturalized Tanzanians
OED	Operations Evaluations Department
PCF	Post Conflict Fund
QER	Quality Enhancement Review
QIP	Quick Impact Project
RFTF	Results-Focused Transitional Framework (Liberia)
SSDP	South Sudan Development Plan
TA	Technical Assistance
TANCOSS	Tanzania Comprehensive Solutions Strategy
TSS	Transitional Support Strategy
UN	United Nations
UNDAF	United Nations Development Assistance Framework (South Sudan)
UNDP	United Nations Development Programme
UNICEF	United Nations International Children's Emergency Fund
UNHCR	United Nations High Commissioner for Refugees
UNOCA	United Nations Operations Centre, Afghanistan
UNROCA	United Nations Regional Office for Central Africa
UNRWA	United Nations Relief and Works Agency
UNTAC	UN Transition Authority in Cambodia
UXO	Unexploded ordinance
VAR	Voluntary Assisted Return
VRI	Rural Integrated Villages (Burundi)
WFP	World Food Programme

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Executive Summary

By the end of 2014 the total worldwide displaced population of concern to UNHCR stood at an unprecedented 57.7 million persons, and of these 19.5 million were refugees and 38.2 million internally displaced persons (IDPs). Significant in the context of the present study is that the number of refugees under UNHCR's mandate had increased by 23 per cent on the previous year, 45 per cent of the refugees are in a protracted displacement situation, and 86 per cent of the world's refugees are hosted by developing regions. Moreover, in 2014 only 126,800 refugees returned to their country of origin, a thirty year low and significantly lower than even one year earlier.

Objective: The aim of this study to identify the conditions that influence the decisions by refugees in protracted displacement regarding return to their home country - when, why, and by whom are decisions on return or other coping strategies made, and how are these decisions affected both by life in exile and by the situation in the country of origin.

Audience: The primary purpose of the study is to inform the World Bank's country and regional strategies, as well as its operational approaches on ways to address forced displacement by showing that well thought out development actions that are responsive to the circumstances of specific displacement situations can contribute to the sustainable return and reintegration of the displaced people. In addition to the World Bank, the wider audience for this analysis is the community of development and humanitarian actors together with the governments of refugee origin and refugee hosting countries. All these actors need to better take into consideration the development dimension of displacement and return, as well as the concerns and coping strategies of the refugees themselves both while in displacement and upon return in order to promote sustainable solutions.

Methodology: Using a desk study method, the analysis has drawn on the existing literature on refugee decision-making regarding return together with examination of eight country return cases - Afghanistan, Angola, Bosnia-Herzegovina, Burundi, Cambodia, Iraq, Liberia, and South Sudan. Analysis of this evidence illustrates the widely varying situations under which refugee return has taken place as well as the varying approaches of the international community to assist the return and reintegration.

Methodologically, the study has examined the contexts that influence refugee decision making and identifies who returns first, who returns later, and who never returns, as well as the extent to which refugee decisions and return trends are affected by how they have been treated while in exile, and whether international assistance has facilitated lasting return.

Structure of the study: The study is divided into five chapters followed by two annexes and the eight country case studies.

- The first chapter on the search for durable solutions discusses the three so-called durable solutions to refugee situations - voluntary return, local integration in the host country, or

resettlement to a third country - envisaged by UNHCR and the international community, and assesses the conceptual and operational adequacy of this paradigm as a guide to address the realities of contemporary displacement situations and the coping strategies of refugees and returnees.

- The second chapter examines what can be learned from the available literature and the case studies about the when, who, and why of return, and the role of international assistance – including that provided by the World Bank in the eight case study countries - in facilitating refugee return and reintegration.
- Drawing on the analysis in the two preceding chapters, the third chapter discusses the way forward and suggests that innovative responses and strategies for sustainable 'development-led' return have to recognize that return is a process and not an event, that it is not to the status quo ante, that it needs to be based on both regional and local approaches, and that the increasing movement in both exile and return situations to urban locations constitutes an urgent development challenge. As described in the previous chapter, such innovative responses and strategies are increasingly becoming embedded in the World Bank's approach to dealing with fragile and conflict affected situations. They are also increasingly part of the broader international community's agenda as illustrated by the UN's *Policy Decision on Durable Solutions for Displaced People* of October 2011, and the Solutions Alliance launched in April 2014 with involvement of governments affected by forced displacement, civil society organizations, research institutions, the private sector, UN agencies, and the World Bank.
- Chapter four outlines the key policy and strategic lessons drawn from the analysis, while chapter five draws together a set of detailed general operational lessons from the case studies that are applicable to future development interventions aiming at supporting the lasting return and reintegration of refugees, whether supported by the World Bank, other development actors, and the governments of countries of refugee origin.
- Two subjects with a bearing on the theme of the study are dealt with in separate annexes, namely that of institutional and legal regimes for refugees and IDPs, and that of the relationship between the migration, forced migration and development.

Trends of return movements in protracted refugee situations: While formal peace agreements or other political arrangements expected to end conflicts in countries of origin have provided the over-all context for refugee return, the actual return has mostly taken place to areas that were far from being peaceful and stable, or in a trajectory of overall post-conflict recovery. This notwithstanding, in some displacement situations 'spontaneous' unassisted returns involving substantial numbers of people have taken place to such areas. Afghanistan, Angola, Liberia, South Sudan and to a lesser extent Iraq all provide examples of situations where early spontaneous returns preceded the establishment of assisted voluntary return schemes, and where the overall number of spontaneous returns at least initially exceeded those assisted through such return schemes.

At the same time, subsequent assisted voluntary return schemes - often to the same areas - have not always resulted in ending the displacement of refugees, even when accompanied by reintegration assistance. Moreover, such assisted voluntary return schemes have often partially or fully forfeited the 'voluntary' dimension of the return, and instead involved provision of logistical and other support to

refugees who were reluctant to return, but were subjected to an increasing range of measures 'pushing' them to leave the host country as was most noticeably the case with the Cambodian refugees, but also affected those from Bosnia-Herzegovina, some of the Burundian refugees in Tanzania, Liberian refugees in Ghana, and since the early nineties Afghan refugees in Pakistan and Iran.

Who return first and why? The access of refugee households to livelihood assets and opportunities in the country of origin together with the prospects for recovering these is a key factor that influences their decisions regarding return. For refugees from rural areas, the ability to reclaim their land or obtain access to land elsewhere is central to their prospects of reestablishing livelihoods, and appears to have been an incentive for both the substantial 'spontaneous' and assisted returns by Afghan refugees in the early nineties, by Angolan refugees from 2002 onwards, and by refugees returning after the Comprehensive Peace Agreement (CPA) in 2005 to what became South Sudan. At the same time, it is important to recognize, that the kind of overall country level trends that could be observed in Afghanistan and South Sudan obscure the influence that variations in local conditions such as ethnic discrimination and conflict may have on return. Where such processes unfold at the national level as in Iraq and also in Bosnia-Herzegovina through the confiscation of property as part of a process of spatial segregation along ethnic and sectarian lines, they have contributed to critically block return and successful reintegration.

In addition to reclaiming land, other assets in areas of origin, both financial resources and social networks play an important role for the ability of returnees to reintegrate and reestablish livelihoods. The extent to which life in exile provides space to pursue livelihoods and build up assets can therefore be critical for the ability to reintegrate and reestablish livelihoods upon return as illustrated by the Liberian refugees returning from Ghana and some of the Cambodian refugees returning from Thailand. Importantly for the latter, the process of capital accumulation was often rooted in the circumstances of flight and camp residency, well before repatriation took place.

Who return later and why? Return is an 'iterative' process, and 'staggered' or 'cyclical' return is widespread. Often displaced families or whole communities divide themselves up before return, sending some members of the family or community to explore conditions, establish entitlements, and forge or explore the basis for a permanent return for the family or community in the country or area of origin. One such adaptation, which is frequently pursued, involves some family members going back earlier to re-establish livelihoods and housing, while others remain in exile until these goals are accomplished. Another, pursued by both Afghans and South Sudanese, involves temporary or permanent geographical dispersal of family members between exile and return locations to maximize access to livelihoods, services, or other priorities for family wellbeing in different locations at the same time. Moreover, in many refugee situations mobility and ongoing and circular migration are key livelihood strategies that contribute to sustainable solutions and reconstruction, and that often draw on transnational networks which predate the conflicts that caused the displacement.

Poverty constrains the ability to return. Yet, it is important to note that in some cases poverty may also be a driver of return, a feature of Iraqi spontaneous return from Syria in the period 2007-2010.

Women may face particular challenges both during displacement and regarding return since they generally have fewer opportunities, fewer resources, lower status, and less power and influence than men. Returning often entails new hardships for women and girls, many of whom are not given a real choice about the decision to return. Once home, female-headed families face particular difficulties in securing livelihoods and accessing housing, land or property, education, and other essential services.

Who never returns and why? The case studies as well as the literature on return clearly indicate that the four key conditions that may encourage, but do not necessarily 'guarantee' that refugees return – including both the poorer and the well-established and more affluent – are security, access to adequate services, housing, and livelihood opportunities. Without these conditions in place in the countries of return, protracted displacement situations are unlikely to be resolved through voluntary repatriation as is the case with the large remaining refugee populations from Afghanistan, Iraq, South Sudan, and Somalia. The counterpoint are the Cambodian refugees in Thailand, many of the Burundian refugee in Tanzania, and the Liberian refugees in Ghana who did return, but only because they were not given the option to choose whether to stay based on their own assessment of conditions in the country of return.

How are return trends and refugee decisions affected by their treatment in host countries? The argument has been made that repatriation can be induced by a general deterioration of living conditions in countries of asylum, resulting from increased insecurity, reductions in the level of international assistance, and declining economic opportunities. The case studies reveal a more complex picture, where the decision to stay or return is informed by a comparison of conditions in exile and in the country of origin. This may result in refugees attempting to remain in exile despite an increasing 'push' from host countries to leave, and in developing the coping strategies described above.

Perhaps counter intuitively – and not definitively corroborated by the cases examined in this study - the study indicates that local integration does not necessarily work against the decision of refugees to repatriate, and that education, employment, and training in the country of asylum may help equip refugees to undertake sustainable return. What the case studies do suggest is that opportunities for integration in the host country strengthen the ability of refugees to make adaptations involving either a staggering of their return or a geographical dispersal of family members that maximize access to livelihoods, services, or other priorities, and which thereby contribute both to ensure family wellbeing in the medium term, and to undertake a return if and when they deem that conditions in the country of origin are conducive.

Increasing urbanization of displacement is a feature of contemporary forced displacement situations, and more than half the world's refugees and IDPs now live in urban areas. Examples of cities whose growth is significantly driven by the influx of refugees, returnees, and/or IDPs are Kabul in Afghanistan - where some 70 per cent of the population may be returnees and/or IDPs - Juba in South Sudan, Khartoum in Sudan, Monrovia in Liberia, Luanda in Angola, Nairobi in Kenya, Abidjan in Côte d'Ivoire, Johannesburg in South Africa, Bogotá in Colombia, Sana'a in Yemen, and Peshawar and Karachi in Pakistan

The case studies show that while some of those seeking refuge in urban areas also fled from cities and towns, most came from the countryside, and many of these do not – as expected in the planning for

assisted voluntary return schemes and reintegration – go back to the rural communities they hailed from. If they do return, it is largely to urban environments in the country of origin. The implication of this is that the high rates of displacement-related urbanization in both host countries and countries of origin are not temporary phenomena that subside when conflicts end, but represent protracted or permanent settlement.

What attracts increasing numbers of displaced/returnees to cities and towns is the expectation of better security along with access to services and economic opportunities, notwithstanding that these are generally severely scarce or lacking. While many of the problems that affect refugees, returnees, and IDPs also affect the general urban poor, additional challenges often confront those fleeing to or returning to urban environments. They can be further disadvantaged by virtue of the trauma of displacement, lack of required documentation, limited support networks, and restrictions on rights to work and enter markets. They also often face protection threats deriving from harassment or discrimination based on legal status or ethnicity, and weak rule of law.

Most of those displaced to or returning to urban areas live alongside other urban poor in slums and informal settlements where housing is frequently poor and tenure insecure, services inadequate and overstretched, livelihood opportunities few and marginal, and where the physical environment is often unfit for human habitation and vulnerable to natural hazards. The primary driver of vulnerability affecting the majority of the displaced/returnees as well as the non-displaced urban poor is the development crisis stemming from the failure to invest in basic services, urban infrastructure, housing, and livelihoods in the slums.

The reality of both the scale and the protracted nature of the move of displaced and returnees to urban areas underline the urgency of addressing this development crisis, while also recognizing that it will be difficult to bring about. National governments and urban authorities may be unwilling or may be overwhelmed and lack the capacity or means to embark on the development needed to improve the quality of life in the informal settlements and slums that most of the displaced and returnees share with other urban poor. To the extent that urban planning has attempted to engage in such development activities, the presence and particular vulnerabilities and needs of displaced and returnees have been overlooked. Moreover, authorities may, as has at least until recently been the case in Kabul, oppose the provision of any form of assistance which might attract displaced populations and encourage them to settle permanently in informal and illegal settlements, and for that reason restrict the assistance that international actors are allowed to provide

Is it 'integration or return' or 'integration and return'? The situation of displaced populations is not static. An important feature of protracted displacement situations is that the livelihood strategies pursued by the displaced often result in their integration, to a greater or lesser extent, into the economy of the host country. While this study concerns return and not integration, a review of the evidence on integration points to some significant conclusions about the prospects for return.

The research suggests that integration is achieved largely without assistance and often despite host country resistance, and overall results in a positive contribution to the host economy. At the same time,

the integration of refugees into the host economy is accompanied by economic diversification and inequality among the displaced. Somali refugees in Nairobi, Afghan refugees in Pakistan, and refugees from different African countries in Uganda provide illustrations of these dynamics.

Probably the most notable example of gradual change towards a durable solution is the Palestinian refugees in Jordan and, until the civil war started in 2011, in Syria, who - due to the generous conditions and favorable protection environment they found in both countries – have over two generations managed to integrate into the urban society and economy in both Amman and Damascus. A contrasting situation is provided by the Iraqi refugees in both these cities. Jordan has also received the Iraqi refugees under generous conditions and has granted them access to public health and education services regardless of their legal status or registration. However, they faced a crucial constraint compared to the earlier Palestinian refugees, since they are unable to legally access jobs in the formal economy in line with their skills and education. Similarly in Syria, until their subsequent 're-displacement' and return as a result of the civil war, Iraqi refugees were required a work permit and only a few managed to obtain these: thus, the majority including middle class urban professionals were compelled to find low-skilled work in the informal sector.

This evidence points to some clear implications for refugee return. Integration is contingent on two interacting sets of dynamics. It takes place because, as we have seen, the socio-economic conditions, and sometimes a supportive protection environment, in the host country favor this outcome. But, it also occurs for reasons related to the potential, or rather the lack of potential for return. The literature and case study evidence suggests that integration takes place (a) most obviously where return is impossible in the short or long term (e.g. Palestinians), or (b) where protracted exile diminishes the impetus for return (Somali refugees), or (c) where return is possible but less preferable than the socio-economic conditions in host countries (the case with many Afghan and South Sudanese refugees). In this sense the 'failure to return' can be the self–fulfilling, though usually unintended, outcome of integration.

There are two important caveats. By no means all refugees integrate even where the two sets of dynamics point to this outcome: thus while some Afghan and South Sudanese refugees integrated, many did not and returned. Second, even where large scale integration appears to have occurred, the vast majority of refugees may still return home if the conditions are right even after decades in exile. The Angolan refugees in Zambia the large numbers of Afghan refugees returning from Iran and Pakistan, and South Sudanese refugees returning from Sudan and Uganda are cases in point.

What the literature shows is central to the decision-making of refugees about return has been whether the four priorities of safety, livelihoods, services, and housing could be achieved upon return to the country of origin. However, since refugee decision-making regarding achievement of these four priorities may result in strategies that can include either returning, or staying in exile, or, indeed a temporary or permanent combination of the two, they should not merely be viewed as 'reintegration priorities', but as the overarching priorities for family wellbeing which refugees strive to optimize through different adaptations responding to the circumstances in which they find themselves. Both exile and return are therefore better understood as processes involving adaptations that represent the attempts by refugees to achieve their own versions of 'durable solutions'.

Development-led responses to displacement and return: The increasing significance of innovative, development-led responses to refugee and IDP crises, complementing the humanitarian assistance, is noted in the study. However, sustainable return is a challenge which also requires support for development and recovery activities at the macro- and micro- economic levels. These development-led challenges of return have not been systematically addressed to date: they require innovative approaches from the international community and hosting and return country governments that respond to the varying needs for development assistance to support refugee return.

Has international assistance facilitated lasting return? The record of assistance is very uneven – even within particular countries at different period or in different regions – and overall the case studies indicate limited application of important lessons learned from earlier return situations. Key issues that have affected international assistance for lasting refugee return concern the inability to address the thorny issue of land rights and property restitution, the politically driven focus on repatriation which has diverted attention and funding from the reintegration of returnees, and the need for planning that recognizes the reality that both refugees in exile and returnees increasingly settle in urban environments. Other important recurring issues have involved problems of coordination and donor alignment around reconstruction and reintegration strategies and the sometimes poor synchronization of these programs with the return process, short attention spans by the international community and governments that left support for reintegration incomplete, the problematical sustainability of some of the outputs of reconstruction and reintegration activities, and inadequate information to returnees on the conditions in areas of return and prospects for assistance.

Lessons from the World Bank's engagement on displacement: The World Bank's engagement in the eight case study countries support the following five main lessons, which highlight critical areas where the approach to address displacement needs to be reconsidered and strengthened:

1. There is a lack of consistency in the way country strategy documents address the issue of reintegration of IDPs and returning refugees, and this lack of consistency has been unrelated to the scale of displacement in particular countries.
2. Even when country strategy documents describe specific operations as aiming at promoting reintegration, their implementation approaches do not, mostly, include clear targeting arrangements to ensure that IDPs or returnees are included among the beneficiaries or consulted about options.
3. Across the eight country cases, there has been a near universal absence of attention at both the country strategy and project levels to the outcomes that World Bank supported activities may have had for IDPs and returning refugees, and to monitoring indicators that could capture these outcomes.
4. The case studies also illustrate a relatively short attention span to the development challenges of return and reintegration of displaced, something that may be a reflection of the absence of robust outcome monitoring on the extent to which World Bank activities did support sustainable reintegration of returning refugees and IDPs.

5. Finally, the case studies reveal the need to consistently incorporate disaggregated data on displaced and returnees in poverty assessments.

In addition to the five lessons above, another important finding from a review by the GPFD of the broader World Bank engagement from the 1980s till the end of FY09 is that of 84 World Bank supported operations addressing forced displacement within this period, more than 90 per cent involved support for return and reintegration, while less than 10 per cent addressed the development needs of IDPs or refugees in protracted displacement situations. Moreover, all of these activities were focused on particular countries. Over the past couple of years, the World Bank's approach to forced displacement has changed with regard to both of these characteristics. Interventions to address the development dimensions of displacement are now recognized as often requiring regional approaches that include IDPs and refugees in protracted displacement along with their hosts. This is evidenced by the recent initiatives in Africa regarding the Great Lakes region, the Sahel, the Horn of Africa, and lately also the Lake Chad Basin, as well as that regarding displacement from Syria and mitigation of impacts in the neighboring refugee hosting countries. Addressing the regional impacts of the Syrian displacement crisis is now, as a first for the World Bank Group, becoming a central theme in its new strategy and work program for the Middle East and North Africa Region.

Key policy and strategic lessons: Among the three so-called durable solutions to refugee displacement, return is considered the optimal solution by both hosting countries and the international community. The findings of this study show that return has mostly been only partial and reintegration in countries of origin beset with problems. At the same time, the findings also suggest that key characteristics and challenges of displacement can be addressed in ways that provide opportunities

- **Forced displacement situations are likely to be protracted, and responses to emergencies need to anticipate this.** These responses need to go beyond only addressing humanitarian and protection concerns, and also ensure that the development needs arising from the presence of displaced populations (whether refugees or IDPs) are factored in from the start, so that the burden on hosts is mitigated, and the longer term needs of the displaced and their host communities are addressed. This requires inter alia addressing issues of expanding service delivery and infrastructure to cope with the needs arising from refugee presence in host communities, along with support for local and national development plans and budgets.
- **Since most forced displacement situations are protracted, refugees manage better if they have opportunities to enhance self-reliance through participation in the economy of the host country.** Central to this is that displaced are provided the freedom (and for some the assistance) to participate in the labor market and economy of the host country in order to reduce their dependency on long-term aid and transition from being a burden to becoming contributors to the economy of their hosts as illustrated by research on refugees in Uganda, Jordan, and Syria. While the study finds that not all refugees who have been able to enhance self-reliance in exile go back when conditions permit, those with assets and skills who chose to return do so faster and reintegrate more sustainably than returnees who have lost or depleted their assets and have marginal or eroded capacities.

- **Both displacement and return is increasingly to urban areas.** More than half the world's refugees and IDPs now live in urban areas, and a high level of this displacement-related urbanization represents protracted or permanent settlement which also conditions the expectations of returning refugees. While urban displacement raises a number of significant humanitarian and protection needs, it is also a development challenge, which calls for a paradigm shift involving new ways of responding to vulnerabilities in urban areas, undertaken within a long-term development framework that addresses the needs of both displaced and the non-displaced urban poor. Likewise for returning populations, the majority of whom now chose urban locations irrespective of whether they originated from rural areas or cities, urban policies and programs that address their needs and aspirations are essential for achieving sustainable reintegration that alleviates poverty.
- **Forced displacement situations often have broader regional impacts**. Regional approaches are required that take into account the importance of tailored responses to the different impacts that refugees have on the wider society and economy of different host countries, as well as the different needs that refugees are likely to have in specific hosting situations. Such broader regional approaches should be paralleled by recognition of the importance of understanding the dynamics of displacement and return at the local or micro-level, since conditions within countries of origin may vary considerably between localities providing different opportunities and constraints for return.
- **Comprehensive and durable return require related repatriation, reintegration, rehabilitation, and reconstruction processes that take place within an overarching framework of institutional collaboration between humanitarian, development, government and private sector actors**. More than ten years after this fundamental strategic principle was articulated in UNHCR's *Framework for Durable Solutions for Refugees and Persons of Concern* from 2003, it has only been achieved to a limited extent, and a much stronger commitment and engagement is required by the three key actors to bring about the collaboration required to plan, fund, and implement comprehensive and durable refugee return and to involve the private sector centrally in this process.
- **Refugees are 'purposive actors' and the decision to return is typically made after comparing information about conditions and prospects in the host country with those in the country of origin**. The study finds that while large numbers of refugees do return, and many do so 'spontaneously' without assistance from repatriation schemes, return is not an event but an often long-drawn process, which is highly subject to the refugees' own decision making. Refugee strategies can include either returning, staying in exile, or a temporary or permanent combination of the two. Incentives for more comprehensive return are dependent on the extent to which international actors succeed in supporting authorities in return countries to bring about conditions that meet refugee priorities. Along with peace-building and safety, development activities that support livelihoods, services, and housing are central in achieving this. At the same time, there is a need to recognize that both in displacement and return situations, mobility and ongoing migration are key livelihood strategies that contribute to sustainable solutions, and in return situations they can yield incomes that contribute to recovery.

1. The search for durable solutions

1.1 Introduction: aims, objectives, and audience

Refugee return is one of the three so-called durable solutions to refugee displacement envisaged by UNHCR and the international community.[1] The objective of this study is to identify the conditions that influence the decisions by refugees in protracted displacement regarding return to their home country - when, why, and by whom are decisions on return or other coping strategies made, and how are they affected both by life in exile and by the situation in the country of origin. The focus on refugee decision-making constitutes an innovative approach to understanding the dynamics and probability of this durable solution.

The primary purpose of the study is to inform the World Bank's country and regional strategies, as well as its operational approaches on ways to address forced displacement by showing that well thought out development actions that are responsive to the circumstances of specific displacement situations can contribute to the sustainable return and reintegration for displaced. In addition to the World Bank, the wider audience for this analysis is the community of development and humanitarian actors together with the governments of refugee origin and refugee hosting countries, who all need to better take into consideration the development dimension of displacement and return as well as the concerns and coping strategies of the refugees themselves both while in displacement and upon return in order to promote sustainable solutions.

Using a desk study method, the analysis has drawn on the existing literature on refugee decision-making regarding return together with eight country return cases. The study assesses both the conditions of life in asylum and those in the country of origin including activities to support reconstruction and development by governments and development actors including the World Bank, that have influenced whether, and to which extent, refugees were able to return in a durable manner or have adapted in other ways to opportunities and constraints in places of exile and origin.[2] While the focus of the study is on refugees, many of its findings, including those of the case studies, also apply to internally displaced persons (IDPs).

Sustainable refugee return is viewed here as a process or set of processes that re-establish former refugees in the country of origin in either the place they fled from, or elsewhere, in a way that provides the returnees with adequate conditions regarding safety, housing, livelihoods and access to services that reduce the likelihood of secondary involuntary movement within the country of origin (i.e. as IDPs) or displacement back to asylum countries.

There is a general assumption that refugees fleeing from violent emergencies will mostly return voluntarily, be that spontaneously or in an organized manner, once the conditions precipitating their flight have ended. This assumption is grounded in frameworks that focus on conflict resolution, the interests of the international community as well as those of the governments of host countries and the country of

[1] The other two durable solutions are local integration in the host country, or resettlement to a third country (UNHCR 2013). For IDPs, the three durable solutions defined by the Inter-Agency Standing Committee (IASC) are sustainable reintegration in place of origin, sustainable local integration in areas where IDPs take refuge, and sustainable integration in another part of the country (IASC 2010).

[2] The eight case studies that form part of this paper were selected to cover diverse return situations and comprise Afghanistan, Angola, Bosnia-Herzegovina, Burundi, Cambodia, Iraq, Liberia, and South Sudan.

origin, and the mobilization of internationally organized programs of repatriation. The institutional and legal framework that specifically governs refugee return is elaborated in Annex 1.

However, these frameworks do not fully take into account the micro-level complexities of refugee decision-making regarding repatriation, the wider concerns that people may have for security or other needs upon their return, or the particular – and often changing - historical and cultural contexts in which their exile and possible return are embedded. The fact that many refugees do not return, or do so at different times of their choosing, is therefore a challenge to hosts aiming to end refugee situations on their territories and to internationally supported repatriation programs. It is also a challenge to protection since this process often involves pressure on refugees to return (or stay away) at times that they do not agree are safe or appropriate.[3] Notwithstanding the principle of non-refoulement, which protects refugees from being returned to places where their lives or freedoms could be threatened, such pressure can be exerted less overtly by host governments attempting to push refugees back by degrading their circumstances in exile. In addition, if it is deemed that the circumstances have ceased to exist under which refugees were recognized as such, UNHCR can invoke the cessation clause under international refugee law, which permits a hosting country to return the refugees against their will.[4]

Once the physical movement of return occurs, the challenge then is of supporting sustainable reintegration. This is a complex process. Return is conditioned by humanitarian precepts comprising protection, security, dignity of return, logistical support etc. This paper will make the case that to assist return to become sustainable, it is necessary to also address development challenges affecting both the returnees and those who remained, and these cannot be met alone through short-term humanitarian efforts alongside political, social, peace building, and security considerations. Moreover, in protracted displacement developmental responses are also required in the countries of asylum to address the needs of both the displaced and their hosts, and to better equip the refugees for lasting return or for local integration when that is an option.

While the specifics differ between situations, protracted displacement and sustainable return constitute a three-fold challenge of (i) political resistance to long term settlement in the host country (or third countries) due to increasing and ramifying social, political, economic and fiscal impacts, (ii) the often continuing insecurity and vulnerability in the country of origin, and (iii) the reconstruction and developmental needs in the country of origin that are a challenge to a lasting return. However, as argued below, some of the key characteristics and challenges of displacement can be addressed in ways that provide opportunities for both the displaced and those hosting them.

1.2 Overview of refugee return

By the end of 2014 the worldwide total displaced population of concern to UNHCR stood at an unprecedented 57.7 million persons, of whom 19.5 million were refugees (14.4 under UNHCR's

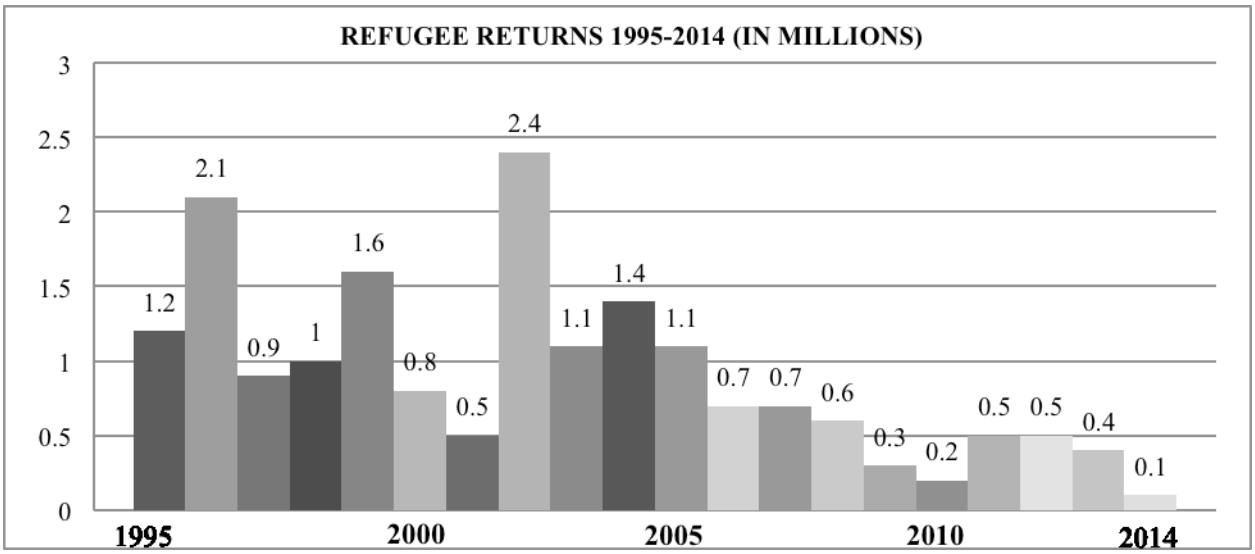
[3] Zimmermann 2012: 45. References in this summary paper are only on sources in the literature review that are not referenced in the attached case studies, unless specific documents are referred to, mentioned or quoted in the text.

[4] Most recently, the cessation clause was invoked for Rwandan refugees on June 30, 2013. Yet, many of the about 100,000 remaining Rwandan refugees are unwilling to return, citing fear of persecution by the government (IRIN 2013).

mandate, an increase of 23 per cent on the previous year) and 38.2 million were IDPs.[5] Significant in the context of the present study is that some 6.4 million refugees (45 per cent) were in a protracted situation of displacement by the end of 2014,[6] and protracted displacement is also rising in parallel with the overall displacement figures.

As the literature review and the case studies suggest, as the volume of forced displacement rises, so too there is an increasing gap between the aspirations of the refugees themselves and the capacity of the international community to deliver the three 'durable solutions': voluntary repatriation, local integration in the host country, or resettlement to a third country as the only possible solutions to the rising phenomenon of protracted displacement.

Firstly, voluntary repatriation is minute in comparison to the number of refugees, and highly episodic - as described in the case studies. In 2014 only 126,800 refugees returned to their country of origin,[7] a thirty year low and significantly lower than even one year earlier in 2013.[8] As the UNHCR notes '(i)n general, the immediate past decade has witnessed a significantly lower number of refugee returns (5.2 million) than the preceding decade (13.0 million)'.[9] As regards third-country resettlement, which is always a lower number than return, developing regions host 86 per cent of the world's refugees,[10] but resettlement in developed regions (the main resettlement option)is currently inaccessible for the vast majority of these.[11] That it offers a durable solution to only a small proportion of the refugee population is reflected in the resettlement statistics for 2014 when only 105,200 refugees were admitted for resettlement in 26



[5] UNHCR 2015: 8. This total includes refugees, IDPs displaced by conflict, Palestinian refugees under the UNWRA Mandate (5.1 million), and returnees. Using a slightly broader definition of forced displacement including, for example asylum seekers as well, the 2014 worldwide total was 59.5 million, the highest since World War II.

[6] UNHCR 2015:11. Note that the UNHCR uses a rather prescriptive definition of protracted refugee situations – at least 25,000 refugees in exile for five years or more.

[7] UNHCR 2015: 20

[8] Only in 1983 was a lower number recorded of 103,000 refugees returned during that year.

[9] UNHCR 2015: 20 which is also the source for the figure below on refugee returns between 1995 and 2014.

[10] UNHCR 2015:2.

[11] Omata 2013: 1294; Crisp 2003; Long and Crisp 2009; UNHCR EPAU 2000.

countries in the 'North' (this is barely 0.84 per cent of the refugees in the 'South' or 1.6 per cent of the 6.4 million refugees in protracted displacement).[12] For the 38.2 million who were estimated worldwide by the end of 2014 to be internally displaced by conflict and violence, the patterns and figures for return or other solutions are harder to establish as there is little or no reliable information to indicate the extent to which people may have achieved durable solutions.[13]

Secondly, to achieve the goal of durable return, the voluntary repatriation or 'home-coming' model is ideally supposed to comprise related repatriation, reintegration, rehabilitation and reconstruction processes that that take place within an overarching framework of institutional collaboration between humanitarian, development, and government actors in the planning and implementation of return and reintegration operations.[14] However, as documented in the case studies, in the actual political-economy contexts of return, the commitment to and ownership of these processes and the principle of collaboration by the different actors involved or supposed to be involved have often been inadequate to yield the intended outcome of comprehensive and durable return.

Thirdly, each of the three solutions is based on the idea that durable solutions are found when movements stop – they are in other words a finite event. However, both in displacement and return situations, mobility and ongoing migration are key livelihood strategies that contribute to sustainable solutions for displaced, and in return situations they can also yield incomes that contribute to recovery.[15]

Fourthly, the voluntary repatriation model also underplays the fact that refugees are 'purposive actors', and gives very little scope for independent, rational decision-making about their future and for their new opportunities, values and visions fostered during exile.[16] There is a practical operational need to recognize that the refugees' own notions of return, or indeed of the other two durable solutions, may contrast with policy driven perspectives, and these concepts must be taken into account when planning assisted return. Such evidence may be used to help achieve more durable and satisfactory solutions, since it highlights what kinds of conditions may be needed to assist and encourage refugee returns and to respond to their needs and interests both while in exile and upon return.[17]

Finally, just as there is a strong and well-established inter-linkage between voluntary migration and development – migration can drive development and vice versa – so too there is increasing appreciation that there are close links between forced migration and development. Annex 2 explores these linkages in more detail. Although the scope of these links and the potential they offer in situations of refugee and IDP displacement and return have yet to be fully realized, the study emphasizes the importance of development-led strategies that can support sustainable return.

The eight case studies suggest that in the complex realities of return situations, the overarching framework for institutional collaboration envisaged by UNHCR (elaborated in Annex 1), and other actors

[12] UNHCR 2015:21.
[13] IDMC 2015 7
[14] UNHCR 2003a: 18.
[15] Monsutti2005; IFRC 2012: 224-228; Long and Crisp 2010.
[16] Turton2003: 12; Omata 2013.
[17] Zimmermann 2012.

to facilitate comprehensive and durable return has usually only been incompletely realized for a variety of reasons deriving from the larger political-economy context and largely outside the control of UNHCR itself. In response, refugees have developed their own strategies to optimize their living conditions and safety, and these often do not conform to the underlying assumption that repatriation is primarily a single course of action in one direction where refugees leave exile, cross a border, return to their homes, and reach a basic level of reintegration.

Methodologically, this study has attempted to examine the contexts that influence refugee decision making and identify who returns first, who returns later, and who never returns, as well as the extent to which refugee decisions and return trends are affected by how refugees have been treated while in exile, and whether international assistance comprising peace building, reconstruction, and development has facilitated lasting return. Research on refugee perspectives along with the findings of the case studies suggest that what is central to their decision-making about return has been whether the four priorities of safety, livelihoods, services, and housing could be achieved upon return to the country of origin.[18] However, since the decision-making by refugees regarding achievement of these four priorities may result in strategies that can include either returning, staying in exile, or a temporary or permanent combination of the two, they should not merely be viewed as 'reintegration priorities', but as the overarching priorities for family wellbeing which refugees strive to optimize through different adaptations responding to the circumstances in which they find themselves. Both exile and return are therefore better understood as processes involving adaptations that represent the attempts by refugees to achieve their own versions of 'durable solutions'.

Host and return governments as well as the international aid community needs to recognize this complexity and fluidity and to realize that their relatively narrow conceptualizations of durable solutions as sequential, mutually exclusive and permanent have been too inflexible and rigid to capture what has been happening on the ground.

2. Findings from case studies and literature review – What can be learned about return: when, who, why, and the effectiveness of international assistance

Both the literature on refugee decision-making[19]and the eight case studies bear out that the refugees – unless the return is coerced - are the main actors and decision makers concerning spontaneous/voluntary repatriation, and that decisions regarding return can take place individually, at the household or community levels, or be made by political entities. Accurate and timely information is critical to decisions about return and the notions of voluntariness. The decision to return is typically made after comparing information about conditions and prospects in the host country with those in the country of origin, as well

[18]E.g. DACAAR, IRC, Madera 2002 and UNHCR 2012 regarding Afghanistan; Bennett et.al.2010 regarding South Sudan; Grayson, Epstein, & Coles 2012 regarding Somalia; and Black, Koser, &Munk2004 regarding refugees in Britain.
[19]Stein & Cluny 1994: 174; Black et.al.2004; Omata 2013: 1292.

as information about policy interventions that constitute extra incentives or disincentives to stay or return.[20]

2.1 Trends of return movements in long lasting refugee situations

While formal peace agreements or other political arrangements expected to end conflicts in countries of origin have provided the over-all context for refugee return, the actual return has mostly taken place to areas that were a long way from being peaceful and stable, or from being in a trajectory of overall post-conflict recovery. This notwithstanding, in some displacement situations 'spontaneous' unassisted returns involving substantial numbers of people have taken place to such areas. At the same time, subsequent assisted voluntary return schemes - often to the same areas - have not always resulted in ending the refugee situations, even when accompanied by reintegration assistance. Moreover, such assisted voluntary return schemes have often partially or fully forfeited the 'voluntary' dimension of the return, and instead involved provision of logistical and other support to refugees who were reluctant to return, but were subjected to an increasing range of measures 'pushing' them to leave the host country.

Another significant feature of protracted refugee situations is that refugees are increasingly drawn to urban centers both in exile and in the country of return. In exile, urban areas often provide spaces with more opportunities (e.g. regarding livelihoods/jobs and services) than camp or rural environments. During asylum, the exposure to urban life often changes the aspirations of refugees who originally hail from rural areas, and as a result the preferred option becomes return to urban areas. In addition, going back to rural areas of origin may be constrained by various adverse conditions such as insecurity or inability to reclaim property which render the move to urban areas the only feasible option.

'Spontaneous' returns: Afghanistan, Angola, Liberia, South Sudan and to a lesser extent Iraq all provide examples of situations where early spontaneous returns preceded the establishment of assisted voluntary return schemes, and where the overall number of spontaneous returns at least initially exceeded those assisted through such return schemes. The spontaneous returns to Afghanistan, Angola, South Sudan and Iraq resemble each other insofar as they took place against the background of conditions that could not have been less conducive to return. Long drawn out military conflicts had left the countries economically and socially devastated, with the infrastructure destroyed, and with governance structures and rule of law almost totally absent. Yet significant numbers of refugees returned spontaneously, leaving behind conditions of peace, security, and – particularly in the case of returnees to Angola, but also applicable those returning to Afghanistan and South Sudan - some measure of socio-economic stability.

Large scale spontaneous return to Afghanistan took place following the withdrawal of Soviet troops from the country in early 1989. UNHCR estimates that by the end of 1991 at least 550,000 refugees had returned, all from Pakistan and mostly to the largely devastated rural areas under opposition control, and of these more than 55 per cent were spontaneous returnees. A later wave of spontaneous returns comprising an estimated 300,000 refugees took place following the fall of the Taliban and the establishment of the Afghanistan Interim Authority in late 2001. Similarly in Angola, the Luena Accords of April 2002, which brought an end to nearly 30 years of devastating civil war, were followed by rapid

[20]Black et.al.2004: 12; Dolan 1999;Koser1997.

and large scale refugee return. Within three years of the end of the civil war, almost 335,000 Angolan refugees had returned, constituting about three quarters of the documented total of 470,600 refugees, and over two-thirds of the returnees had repatriated spontaneously. In Liberia too, the majority of the refugees in Ghana returned on their own despite the repatriation programs when the civil war ended in 2003. Return to southern Sudan (now South Sudan) following the Comprehensive Peace Agreement (CPA) in 2005, is estimated to have comprised more than 2 million refugees during the CPA period, with the vast majority being spontaneous and having arranged their own transport and resources. While the Dayton Peace Agreement (DPA) in November 1995 anticipated large scale return to Bosnia-Herzegovina, less than 10% of the displaced population had gone back one year after the DPA and of those who returned the majority did so spontaneously without logistical and financial assistance from UNHCR.[21] Subsequently a large number of refugees and IDPs benefitted from massive international and government assistance for return through housing reconstruction and protection. For Iraqi refugees, spontaneous return from Syria has been less marked, given the continuing turbulence within Iraq, but still it was a feature prior to the outbreak of the civil war in Syria in 2011, and a distinctive characteristic of the return process up until this point was its incremental and cyclical nature.

It is important to recognize, that such overall country level trends obscure the influence that variations in local conditions may have on return. For example in Afghanistan, ethnic discrimination in otherwise politically relatively stable areas in the north of the country prevented the return, whether spontaneous or assisted, of large groups of refugees to these areas. In contrast, despite the fighting that erupted from 1992 over Kabul and areas to the north of the capital, returns continued to the comparatively stable rural areas in the east and south of the country. Notwithstanding the large scale return to what is now South Sudan, tribal and ethnic conflict has continued to displace large numbers of people. By 2010 an estimated 10 per cent of those returning to rural communities have suffered secondary displacement since returning, due to a combination of factors ranging from difficulties in accessing land to lack of livelihoods, infrastructure, water, schools and health services, or local conflict.

Assisted voluntary return schemes comprising transport, food or cash, and sometimes other assistance to facilitate the return have been implemented by UNHCR and partners, often under very challenging conditions, in all of the eight return cases examined. Notwithstanding the logistical proficiency with which these return schemes were managed, two features stand out which weaken the extent to which they were able to contribute to the lasting return of those who were assisted.

(i) Politically driven return planning: In all the return cases examined, except for Iraq, the establishment of assisted voluntary return schemes came on the heels of political agreements expected to end the conflicts. Together with other politically determined arrangements such as an election or population census, or the desire by host countries to see refugees leave, this gave emphasis to the solution of return over other options, and imposed an urgency on the return process that did not leave enough time, and also often insufficient resources, to properly plan and implement reconstruction and reintegration activities in the countries of return. Thus, in facilitating the mass return of refugees through the assisted voluntary return schemes, UNHCR was responding more to the political interests of its donors and host

[21] Phoung 2000.

governments, than it was to the actual interests of the majority of its 'persons of concern'. Notable examples are Cambodia, South Sudan, and Bosnia-Herzegovina.

The return to Cambodia of refugees in Thailand was governed by agreements that called for the voluntary return of all Cambodians in time for them to participate in the national elections scheduled for May 1993.[22] This political agenda of rapid return to support the democratic process in Cambodia took little account of the concerns of those returning, which had more to do with securing a livelihood.

In southern Sudan, involvement of the international community started with the Joint Assessment Mission (JAM) process in 2004-05, which emphasized community based reintegration programs and urban planning in Juba. However, political pressures to launch a major organized and logistically challenging return process obscured the focus on reintegration. For the government the priority was return, driven by the political incentive to ensure that as many as possible of the displaced would be back in time for the census in 2008. The result of this shift in focus from reintegration to assisted return was a piecemeal approach to assistance with different agencies emphasizing different interventions (e.g. service provision versus protection), and with few developing a longer-term and more holistic approach towards reinforcing the absorption capacity of communities.[23]

In the case of Bosnia-Herzegovina, the Peace Accords were fundamental to the return process, although not immediately successful in delivering that objective. However, also instrumental was the political agenda of European countries such as the UK and Germany, who had provided temporary protection to hundreds of thousands of refugees from Bosnia-Herzegovina, and who were anxious to precipitate the return of the refugees. In Angola, the dynamics were rather different. Here, the return process took place spontaneously but alongside the Peace Accords, rather than levered by the political interests that promoted the Peace Accord.

(ii) Voluntary assisted return is not always 'voluntary': The political context, and the urgency this imposed on the return process, has also contributed to put limitations on the 'voluntary' dimension of the return, though more so in some cases than in others. The return of Cambodian refugees from Thailand, of many Burundian refugees from Tanzania, of Liberian refugees from Ghana, and Bosnian refugees all illustrate situations where the refugees did not have the option of choosing whether to return or stay based on their own assessment of conditions in the country of return. While the Afghan refugees in Pakistan were not subjected to the same kind of direct push, the support they received up until the collapse of the Communist regime in Kabul 1992 was gradually phased out and replaced by increasing restrictions culminating in 2001 with eviction from camps, but not from Pakistan itself. In Iran restrictions on access to services and freedom of movement were also imposed after 1992 culminating in outright deportation of about 490,000 Afghans in 2007-08.[24]

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[22] Ballard 2002.
[23] Pantuliano et.al.2008: 2.
[24] The first forced repatriation of Afghan refugees (not migrant laborers) from Iran took place in the summer of 1993 despite protests from UNHCR (UNHCR 1994: 2).

In the case of the Angolan refugees, the politics surrounding their return played out differently. While there is no evidence to suggest that they were pressured to return, donor attention and funding had almost dried up within four years of the start of the assisted voluntary return scheme leaving about 131,000 refugees, among whom 55,000 wanted to return, in limbo. In 2012, UNHCR invoked the cessation clauses to the Angolan refugees, and while some host countries – Namibia, South Africa and Zambia – have provided temporary residence arrangements to the remaining Angolan refugees, others such as Botswana cancelled their refugee status in 2013 and gave them three months to return home.

As noted above, in the case of Bosnian refugees, political pressure was exerted, alongside the DPA, to encourage return. While in the case of Iraqi refugees low level political pressure in Jordan and in Syria (before the civil war) did not produce significant return movement.

Increasing urbanization of displacement is a feature of contemporary forced displacement situations, and more than half the world's refugees and IDPs now live in urban areas.[25] Examples of cities whose growth is significantly driven by the influx of refugees, returnees, and/or IDPs are Kabul in Afghanistan - where some 70 per cent of the population may be returnees and/or IDPs - Juba in South Sudan, Khartoum in Sudan, Monrovia in Liberia, Luanda in Angola, Nairobi in Kenya, Abidjan in Côte d'Ivoire, Johannesburg in South Africa, Bogotá in Colombia, Sana'a in Yemen, and Peshawar and Karachi in Pakistan.[26]

The case studies show that while some of those seeking refuge in urban areas also fled from cities and towns, most came from the countryside, and many of these do not – as expected in the planning for assisted voluntary return schemes and reintegration – go back to the rural communities they hailed from. If they do return, it is to urban environments in the country of origin. The implication of this is that the high rates of displacement-related urbanization in both host countries and countries of origin are not temporary phenomena that subside when conflicts end, but represent protracted or permanent settlement.[27]

Thus, when the Liberian refugees returned from Ghana, most did not go back to their original villages and hometowns. Instead, the majority of returnees settled in Monrovia, in order to access economic and educational opportunities in the capital. During the civil war in southern Sudan between 1983 and 2005, more than two million people predominantly from rural areas fled to Khartoum. While half have remained in Khartoum, many of those that returned (along with IDPs) have moved to Juba and other towns in what is now South Sudan rather than to their rural areas of origin, since security, services, and economic opportunities, even if marginal, are viewed as better there. As a result, the population of Juba had by 2011 more than doubled since the signing of the CPA.[28] While most of the Afghan refugees returning from Pakistan during the nineties came from and returned to the rural areas, this was not the case with a large proportion of the returnees after the fall of the Taliban in 2001. UNHCR reports that an

[25] Of 9 million refugees for whom location data are available, 56% resided in urban areas (UNHCR 2014: 37). Across 22 of the countries IDMC monitored in 2013, more than 60 per cent of IDPs were living outside camps, some in rural and others in urban areas. I n 13 countries, the IDPs living outside of camps made up 95 to 100 per cent of the displaced population (IDMC 2014: 13).
[26] Crisp et. al. 2012; Mosel & Jackson 2013
[27] Crisp et. al. 2012: 25; MoF (Denmark) 2013: 8.
[28] Pantuliano, S. et.al. 2011.

estimated 75 per cent of the returns from Pakistan after 2002 were from urban locations, and that 42 per cent of those returning including both refugees originating from urban and rural areas moved to urban locations in Afghanistan,[29] where they joined large numbers of IDPs from rural areas.

What attracts increasing numbers of displaced/returnees to cities and towns is the expectation of better security along with access to services and economic opportunities, notwithstanding that these are generally severely scarce or lacking. While many of the problems that affect refugees, returnees, and IDPs also affect the general urban poor, additional challenges often confront those fleeing to or returning to urban environments.[30] They can be further disadvantaged by virtue of the trauma of displacement, lack of required documentation, limited support networks, and restrictions on rights to work and enter markets.[31] They also often face protection threats deriving from harassment or discrimination based on legal status or ethnicity, and weak rule of law.[32] Most of those displaced to or returning to urban areas live alongside other urban poor in slums and informal settlements where housing is frequently poor and tenure insecure, services inadequate and overstretched, livelihood opportunities few and marginal, and where the physical environment is often unfit for human habitation and vulnerable to natural hazards.[33]

Research indicates that urban settings may provide better livelihood opportunities, even if this is often only marginally so, than the rural areas people were displaced from. Thus, IDPs in Nairobi reported that unlike the rural areas they fled from, they were generally able to find sufficient work to feed themselves and their families in the city, and for IDPs in Afghanistan's major cities longer periods of settlement were usually found to be linked with an improvement in economic conditions – though both groups were still living in abject poverty.[34] In both situations, the primary driver of vulnerability affecting the majority of the displaced as well as the non-displaced urban poor was found to be the development crisis stemming from the failure to invest in basic services, urban infrastructure, housing, and livelihoods in the slums.[35]

2.2 Who returns first and why?

The access of refugee households to livelihood assets and opportunities in the country of origin together with the prospects for recovering these is a key factor that influences refugee decisions regarding return, which appear to have triggered substantial 'spontaneous' returns. In addition to land, both financial resources and social networks play an important role for the ability of returnees to reintegrate and reestablish livelihoods. The extent to which life in exile provides space to pursue livelihoods and build up assets can therefore be critical for the ability to reintegrate and reestablish livelihoods upon return.

Access to land and property: For refugees from rural areas, the ability to reclaim their land or obtain access to land elsewhere is central to their prospects of reestablishing livelihoods. The socio-cultural and political contexts where these processes have played out vary profoundly: agricultural land held as private

[29] UNHCR 2004.
[30] A detailed comparison of the conditions and vulnerabilities of displaced and urban poor in three cities of Afghanistan is provided in World Bank & UNHCR 2011.
[31] Crisp et. al. 2012: 24.
[32] MoF (Denmark) 2013: 4.
[33] Crisp and Refstie 2011; Pantuliano et.al. 2012.
[34] Metcalfe et.al. 2011: 17-18;World Bank & UNHCR 2011: 7.
[35] Metcalfe et.al. 2011: 33; Metcalfe et.al. 2012: 36.

property together with increasingly pronounced land scarcity due to population growth along with land grabbing in a context of weak or corrupt local governance in Afghanistan; land scarcity in Burundi along with laws that gave precedence to long-term encroachers when former users returned from exile; dependence on local patronage networks in Cambodia where increasing land scarcity combined with the introduction of a private property regime had put an end to the ancient right to land through cultivation; the revival of customary rights providing fairly open access for returnees to relatively abundant fertile land for agriculture and foraging in Angola; and the confiscation of property as part of a process of spatial segregation along ethnic and sectarian lines blocking return in Iraq.

These variations have provided for very different circumstances when refugees with either rural or urban backgrounds returned and intended to resume their previous lives. However, the planning of and support for return and reintegration have generally not taken much account of how such variations would impact the return process and its outcomes. Where attempts have been made by governments and international actors to address the constraints to accessing land or housing by returnees, whether previously owned or in new locations, they have generally not been very successful as illustrated by experiences from Cambodia, Burundi, and Afghanistan. The result has been that returnees have mostly been left to fend for themselves when trying to reclaim their previous property or find alternative land, something that becomes increasingly difficult particularly in situations where population pressure on land that precedes the conflict has become more pronounced during the protracted displacement as in Afghanistan and Burundi, or where de facto ethnic and sectarian separation has been established as in Iraq, parts of Afghanistan, and in Bosnia-Herzegovina.[36]

Thus, in rural Afghanistan land ownership is both central to livelihoods and to identity and status. A key incentive for decisions underlying both the spontaneous and assisted returns from Pakistan in the early nineties–which were usually made by the elders of villages and tribal groups - was to regain possession of the land the refugees had left. This overshadowed the fact that the return was to areas where political rivalry was pronounced, security marginal, and infrastructure, housing, and services largely absent. What informed this incentive and gave it its urgency was the threat of land grabbing that has impacted individual households, whole villages, or as in northern Afghanistan an entire ethnic group, and forced most of those affected to remain in exile or return to urban areas without prospects of being able to restore their property upon return.

In Burundi, where land is scarce and also significant to social identity, it has long been a source of inter-group tensions. The refugees who fled from Burundi to Tanzania comprise two groups, of which the first comprising around 300,000 fled in 1972, while another group estimated to comprise 340,000 was displaced to Tanzania from 1993 onwards. Following the Arusha Peace and Reconciliation Agreements in August 2000, refugee return to Burundi began. Studies of the return and reintegration of the 1993 cohort have found that their reintegration had been successfully achieved to the extent that the returnees had the same livelihood conditions and health status as those who had stayed in the country. However, another study which included the 1972 cohort found that among the many challenges they faced upon

[36] The case of Bosnian return is complex: initial return was slow and, although it picked up and was 'successful' in terms of numbers, in reality many returnees have not reoccupied their property but sold or let it, preferring not to live in ethnically mixed neighborhoods.

return, the most critical was accessing ancestral land. Under Burundian law, the 1972 returnees no longer had legal rights to their ancestral land since they had been outside the country for over 30 years, which is the cut-off for court claims against encroachers. The inability to resolve land disputes between the returnees and those who now occupy their land through either formal or informal mechanisms is viewed as a danger for sustainable peace as long as it is not appropriately addressed within the framework of reparations.[37]

In the case of Angola, the repatriation should be understood in the context of broader historical processes of population mobility and adaptive settlement which predates colonial boundaries and contemporary post-colonial states. Communities have been moving between what are modern day Angola and Zambia, motivated by the relative productivity of the land for agriculture and hunting, escape from local wars, or from colonial rule.[38] When people fled the Angolan civil war, they followed the patterns of migration set out by former generations and many came into Zambia and joined their kin who had arrived in earlier times. At the end of the conflict, the refugees determined when it was safe to return largely based on their own information networks and sorties into Angola. As in Afghanistan, the Angolan refugees returned to a devastated country where, in contrast to Burundi, their reintegration appears to have depended primarily on informal structures of authority and association. Examples are traditional local mediators (*sobas*) who played a role in re-distributing land to returnees, resolving neighbor and community-level conflicts, or presiding over traditional ceremonies, and churches which provided space for the returned and stayee communities to come together, socialize and share their experiences of the recent traumatic past.

A different scenario was evident in the very much more limited return of Iraqi refugees. Cyclical return was evident between 2007 and 2010, with refugees ascertaining whether they could return to their property and whether longer-term local security in Iraq had improved given the episodic nature of the civil war. Other refugees returned less because of conditions in Iraq but because they had exhausted their resources in exile.

Financial resources and social networks: For Liberian refugees those who were more 'proactive', and those from higher socio-economic groups could more easily and successfully repatriate compared with those from poorer socio-economic backgrounds. The former group had normally maintained a foothold in Liberia which facilitated return if other options, such as resettlement to third countries or integration in Ghana, did not work out. For the latter group, and/or those whose family unit was broken up before and during displacement, repatriation was less attractive or feasible. For returning Angolans, local social networks and the ability to access land were significant factors in easing the return process.

In the Cambodian context where the capacity of the government to provide services was weak, and where there were gaps in the scope and scale of services provided by UNHCR and its collaborating partners, the most successful returnees were those who had access to alternative sources of assets with which to invest in agricultural production and small business start-ups.[39] Importantly, the process of capital accumulation was often rooted in the circumstances of flight and camp residency, well before repatriation took place.

[37]Binder and Murithi 2013: 8, 13.
[38]The then British colony of Northern Rhodesia.
[39] Ballard 2002.

Moreover, those returnees who had more extensive domestic and overseas connections with family and clan members who provided cash remittances and outlets for handicraft sales tended to do better than those who lacked such connections. However, the majority of the returnees were rice farmers who had acquired few new skills in the camps. In many cases they were not able to regain land in their villages of origin, they did not have the resources to obtain land elsewhere, and they had difficulties in accessing the social networks of patronage which governed access to land. While not conclusive, research suggests that three out of four returnee families ended up being landless, and returnees from the first assisted return operation in 1992-93 represent a substantial proportion of the rural landless who migrate both internally and across neighboring borders in search of land and/or employment.[40]

2.3 Who returns later and why?

Return is an 'iterative' process, and 'staggered' or 'cyclical' return is widespread.[41] Often displaced families or whole communities divide themselves up before return, sending some members of the family or community to explore conditions, establish entitlements, and forge or explore the basis for a permanent return for the family or community in the country or area of origin. One such adaptation, which is frequently pursued, involves some family members going back earlier to re-establish livelihoods and housing, while others remain in exile until these goals are accomplished. Another, pursued by both Afghans and South Sudanese, involves temporary or permanent geographical dispersal of family members between exile and return locations to maximize access to livelihoods, services, or other priorities for family wellbeing in different locations at the same time. Moreover, in many refugee situations mobility and ongoing and circular migration are key livelihood strategies that contribute to sustainable solutions and reconstruction, and that often draw on transnational networks which predate the conflicts that caused the displacement. Finally, for a range of reasons when return takes place, it is often not to the former home in the country of origin. Increasingly refugees including those from rural areas seek sanctuary in urban environments, and during exile many with a rural background change their preferences and no longer want to return to their villages of origin, for reasons that may include lack of job opportunities, absent or inadequate services, inability to reclaim their property, or insecurity in their place of origin due to changes in local power relations.

Staggered return: The Afghan farming communities returning during the nineties would often first dispatch armed men to secure their land, after which more men followed to reestablish agriculture and rebuild houses before the rest of the household returned from the refugee camps. Staggered return has also been common in South Sudan, where households often split up temporarily with the male household head returning first in order to find a place to live and establish a livelihood before bringing the rest of the household back. Both Afghans and South Sudanese also apply strategies to maximize livelihood and other opportunities in which households split on a long-term or permanent basis between exile and the country of origin. Although not one of the case studies, cyclical return is well documented in the case of Somali refugees.[42] A similar picture of staggered or cyclical return was noted in the case of Iraq. However, here the incentive for return was security considerations as much as livelihood needs.

[40] Eastmond 2002.
[41] Marsden 1999; Stepputat 2004: 2; Lindley 2011: 2-22.
[42] Lindley 2013.

The pursuit of educational opportunities and the completion of education while in exile acts as a strong incentive to stagger or not consider return at all. For South Sudanese displaced to Khartoum and even more so for those exiled to Uganda the pursuit of educational opportunities has influenced decisions to postpone their return or remain in exile.

Poverty constrains the ability to return, and among the returnees to Liberia, the households in the poorer economic categories tended to remain longer in exile in Ghana, and those who returned with a meager asset profile struggled most to secure the minimum needs for survival. Their vulnerability was exacerbated as a consequence of their repatriation. To some extent, the same applies to Afghan refugees in Pakistan, where an estimated 70 per cent of the returnees since 2002 have been landless.[43] Yet, it is important to note that in some cases poverty may also be a driver of return, a feature of Iraqi spontaneous return from Syria in the period 2007-2010.

Women may face particular challenges both during displacement and regarding return since they generally have fewer opportunities, fewer resources, lower status, and less power and influence than men.[44] The conflicts that displace people often exacerbate these inequalities, and even when it becomes possible to return, women and adolescent girls have fewer opportunities than men to participate in peace and reconstruction processes.[45] Experience has shown that, although war changes the roles of women and men, many of these changes are subject to reversals in the aftermath of the conflict. Men often seek to re-establish themselves as the decision-makers in the public arena and as the main providers and ultimate authority within the home while women return to the domestic sphere.[46]

Returning often entails new hardships for women and girls, many of whom are not given a real choice about the decision to return. Once home, female-headed families face particular difficulties in securing livelihoods and accessing housing, land or property, education, and other essential services.[47] This has been the case with returnee widows in Afghanistan and South Sudan. Similar constraints have been described for female headed households returning to Mozambique at the end of the civil war in the 1990s.[48]

Because of their status in society and their gender, women are exposed to sexual and gender-based violence, which is one of the defining characteristics of contemporary armed conflict. For both Liberian and Bosnian female refugees, a significant factor inhibiting return was the perception of potential insecurity after repatriation related to their experiences during the conflicts. Moreover, while in exile they are often forced to resort to transactional sex as a coping strategy.[49]

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[43]UNHCR 2004.
[44] Women and girls made up 49 per cent, and children under 18 years of age (both girls and boys) constituted 50per cent of the world's refugees in 2013 (UNHCR 2014: 36)
[45] UNHCR 2008a: 6-7
[46] Ibid. 12
[47] Ibid. 151
[48]Dolan 1999
[49]Crisp et.al 2012: 30.

Migrant labor straddles the category of those who return later and those who never return. Evidence regarding Somali refugees in Europe indicates the complex and ambiguous role that remittances may play in return processes – on the one hand underpinning and sustaining longer term household development opportunities in the country of origin or places of exile, but at the same time creating dependency and perpetuating the need for the remitting refugees to remain displaced to sustain the remittance flows.[50] Both in the case of Liberia and Afghanistan, remittances from family members abroad have served as an important cushion for reducing the transition costs of repatriation and provided an initial capital for new income-generating activities. In Afghanistan, moreover, migrant labor to both Iran and Pakistan predates the conflict, and even before the war Afghan migrant workers in Iran were estimated to number between 500,000 and one million. Migration has continued throughout the conflict and also involved male members of families who had returned from exile. In South Sudan, however, only very few appear to receive remittances from family members abroad despite the livelihood strategy of splitting households on a long-term or permanent basis between exile and the country of origin.

2.3 Who never returns and why?

The case studies as well as the literature on return clearly indicate that the four key conditions that may encourage refugees to return – including both the poorer and the well-established and more affluent – are security, access to adequate services, housing, and livelihood opportunities. Without these conditions in place in the countries of return, protracted displacement situations are unlikely to be resolved through voluntary repatriation, as documented by a number of assessments of refugee opinions on return as summarized below.

In 2011, UNHCR conducted a large-scale population profiling comprising 135,452 Afghan refugee households (corresponding to a population of 974,961 persons) in camps and urban settings in Pakistan.[51] It found that only 16 per cent of the households expressed an intention to return to Afghanistan, while 84 per cent did not, and these households had no time frame in mind regarding an eventual return. Factors that would encourage return were improved security (37 per cent), employment opportunities (34 per cent), and access to housing (23 per cent), none of which have emerged to an extent that encourages return as indicated by the extremely low return during 2013 and 2014.[52]

A multi-donor evaluation of assistance to South Sudan from December 2010 found that there was a remarkable consistency in how both returnees and local residents perceived the priorities for return and reintegration.[53] The top priority was security, with services a close second to cope with a rapidly expanded population and very limited infrastructure. The third priority was economic and other support to livelihoods. Since little has been delivered till now on these three priorities, it is not surprising that of the more than 2 million who fled to Khartoum during the civil war, only half were estimated to have gone back by the end of 2010 despite the marginal existence most face in Khartoum, and despite the attempts by the government of South Sudan to encourage return.

[50] Hammond 2010; Lindley 2010; Zimmermann & Zetter 2011
[51] UNHCR 2012.
[52] During 2013 only 33,000 refugees had returned by September.
[53] Bennett et.al.2010; Pantuliano et.al. 2008.

Interviews in 2012 with several hundred Somali refugees in camps in Kenya and Ethiopia revealed that given the choice, nearly half of the refugees would prefer to move to a third country, a third would return to Somalia, and small numbers would prefer to integrate locally. Yet, if conditions of lasting stability and security emerged in Somalia, more than half would consider returning, and it was suggested that at that time, aid agencies could help communities prepare for sustainable repatriation by contributing to improve quality and access to basic services, building infrastructure, enhance food security, support livelihoods and skills training, and initiate activities aimed at restoring and consolidating peace and security.[54]

Finally, Iraq presents a case in which the scope and modalities of return remain in as high a state of flux and uncertainty as they have since the start of the crisis. From the beginning of the US-led invasion in 2003 through to the current period, Iraqi refugee movement – both exile and return - has defied conventional wisdom, predictions and expectations. The invasion did not create the anticipated mass exodus of refugees, for which the international community had made preparations.[55] Instead, the Iraqi refugees began arriving in large numbers three years later as a result of a civil war –a consequence of the invasion - dominated by extreme ethnic and sectarian violence. Likewise return has not, in the main, been predicated on the conventional drivers and characteristics. Instead, to the extent that return has taken place it has been overwhelming spontaneous. A 2008 UNHCR study found that almost 90 per cent of the respondents were not planning to return: over 60 per cent feared return under the direct threat to life in Iraq, almost 30 per cent did not want to return because of the generalized insecurity in the country, and almost 10 per cent could not return because their house had been destroyed or occupied in Iraq.[56] A study from 2011 of the prospects of unlocking the protracted exile of Iraqi refugees found that a main constraint was the confiscation of property and segregation of neighborhoods along sectarian and ethnic lines.[57] The internal displacement that this has generated dominates contemporary Iraq underscoring the failure of both spontaneous and assisted voluntary return movements and constituting the main indicator of the volatile and complex sectarian and ethnic divisions that are now seemingly ingrained in the country. The spatial separation of previously mixed sectarian and ethnic populations has rendered internal displacement a semi-permanent feature within Iraq, while those refugees who have returned to Iraq, encounter homes which are destroyed or occupied by others. Perversely, it is another violent regional war – in Syria where the majority of Iraqi refugees fled - which has precipitated, even forced, a significant Iraqi refugee return home as the least worst option.

2.4 How are return trends and refugee decisions affected by how the refugees have been treated in host countries?

The argument has been made that repatriation can be induced by a general deterioration of living conditions in countries of asylum, resulting from increased insecurity, reductions in the level of international assistance, and declining economic opportunities.[58] The case studies reveal a more complex picture, where the decision to stay or return is informed by a comparison of conditions in exile and in the country of origin. This may result in refugees attempting to remain in exile despite an increasing 'push'

[54] Grayson et.al.2012: 5, UNHCR 2015.
[55] Including, ironically a 2003 UNHCR Plan - Preliminary Repatriation and Reintegration Plan for Iraq - for the return of Iraqi refugees who had left Iraq in the years preceding the invasion (UNHCR 2003).
[56] UNHCR 2008b.
[57] Chatty and Mansour 2011.
[58] Crisp 2003: 172.

from host countries to leave. Perhaps counter intuitively – and not definitively corroborated by the cases examined here -the literature on return indicates that local integration does not necessarily work against the decision of refugees to repatriate, and that education, employment and training in the country of asylum may help equip refugees to undertake sustainable return.[59] What the case studies do suggest is that opportunities for integration in the host country strengthen the ability of refugees to make adaptations involving either a staggering of their return or a geographical dispersal of family members that maximize access to livelihoods, services, or other priorities, and which thereby contribute both to ensure family wellbeing in the medium term, and to undertake a return if and when they deem that conditions in the country of origin are conducive.

As described above, the return of Liberian refugees from Ghana and of Cambodian refugees from Thailand took place under conditions where they did not have the option of choosing whether to return or stay based on their own assessment of conditions in the country of return. In contrast, the Afghan, Angolan, Bosnia-Herzegovina and South Sudanese refugees represent cases where they were able to exercise choices regarding whether to return or stay, even though these took place under increasing constraints imposed by the host countries. While a majority of the Angolan refugees chose to voluntarily return, the other cases represent more complex situations where the circumstances in exile and the prospects in the country of origin prompted some to return while others chose to remain in exile. The Burundian refugees in Tanzania represent a unique case insofar as those who had arrived from 1993 onwards were pushed to leave, whereas those who had arrived in 1972 were given the option to become citizens of the host country. The only other comparable case is Zambia, which has committed to integrate some 10,000 long-staying Angolan refugees on its territory.

The large majority of the refugees fleeing to Tanzania in 1972 - around 220,000 out of 300,000 - were settled in three planned villages, often called the 'Old Settlements', in the sparsely populated western part of the country, where each family was allocated about five and some up to ten hectares of land. Initially the refugees received financial assistance from UNHCR, and core infrastructure was established with assistance from the international community. Material assistance by UNHCR and its partners ended in 1985 by which time the refugee settlements had become agriculturally independent and were returning significant taxes to the host districts, which in turn continued to provide basic services such as health care and education. Assisted repatriation of the refugees who had arrived from 1993 onwards had started in 2002, but only in 2007 was the Tanzania Comprehensive Solutions Strategy (TANCOSS) developed to deal with the originally 162,000 refugees in the 'Old Settlements'. They were given the choice to either return home or apply for citizenship, but the naturalization process was halted in 2010, and only resumed in 2014. UNHCR estimates that around 200,000 Burundian refugees and their children will benefit from this exercise, which is '… the first time in UNHCR's history that naturalization has been offered to such a large group of refugees in a first country of asylum.'[60]

Since the fall of the Communist regime in 1992, Afghan refugees in both Iran and Pakistan have been exposed to pressure to leave. Despite these increasing restrictions, a UNHCR assessment from 2004 of

[59] Dolan 1999; Black et.al.2004: 41; Stepputat 2004: 7.

[60] UNHCR 2015: 22. But not the first time in history, as illustrated by majority of the Palestinian refugees in Jordan, who have since long been granted Jordanian nationality.

challenges to return found a clear link between motivation to return and the length of exile, with far fewer long-staying and well-established refugee communities choosing to repatriate. During their long period of exile, those continuing to reside in the refugee camps/villages had adapted to a new way of life and to living conditions which they viewed as difficult or impossible to replicate in Afghanistan.[61]

A comparable situation applies to South Sudanese in Khartoum. Of the two million South Sudanese exiled to the city during the civil war, about half have chosen not to return, despite the hardships they face there. Most depend upon a range of marginal activities in the informal sector, including daily labor and petty trade, and live in informal settlements, where half are estimated to have been forced to move by the authorities at least once since they arrived in the city.

Most persuasive is the evidence from Angolan refugee return from Zambia. Challenging all the assumptions that local integration and generally benign treatment by the host country would limit the propensity to return, well over 300,000 refugees returned spontaneously when peace was restored in Angola. These findings are significant. They indicate that development–led responses to protracted refugee displacement, which are desirable to support refugee self-sufficiency, their potential contribution to the host economy and to sustain dignity, may not reduce the wish of refugees to return home if the conditions are right for them. As noted above, their return and 'reintegration' was facilitated by the fact that they had retained links with their home country and local authority and social structures.

2.5 Is it 'integration or return' or 'integration and return'?

The situation of displaced populations in Nairobi and Afghanistan's major cities indicates that their situation is not static, something that also applies to the displaced in rural settings. An important feature of protracted displacement situations is that the livelihood strategies pursued by the displaced often result in their integration, to a greater or lesser extent, into the economy of the host country. Thus the counterpoint to the trends in the patterns and processes of return discussed above is that increasing numbers of refugees remain in their countries of asylum for protracted periods and may eventually integrate – one of the three durable solutions – even if it is usually de facto and not de jure integration. Whilst this paper concerns return not integration, a review of the evidence on integration points to some significant conclusions about the prospects for return.

The research suggests that integration is achieved largely without assistance and often despite host country resistance, and overall result in a positive contribution to the host economy.[62] At the same time, the integration of refugees into the host economy is accompanied by economic diversification and inequality among the displaced.[63] Depending on the opportunities and constraints they encounter in exile, and the skills and assets they may have brought with them, some displaced are able to improve their economic situation, and in some cases to the extent where they manage to achieve their own durable solutions.

[61]UNHCR 2004.
[62]Zetter. 2014: 5-6.
[63]Metcalfe et.al. 2011: 1; Betts et.al. 2014: 5.

Somali refugees in Nairobi, Afghan refugees in Peshawar, and refugees from different African countries in Uganda provide illustrations of these dynamics. Despite an adverse protection environment, Somali refugees in Nairobi have transformed a Nairobi suburb – Eastleigh – from a primarily residential area in the 1990s into a vibrant commercial and business centre drawing on regional trade networks. However, not all refugees in Nairobi have managed equally well, and other refugees from Ethiopia, Congo, Sudan, Uganda, and Rwanda rely mostly on casual labor, petty trade, overseas remittances, and social support networks, as is also the case with many of the Somali refugees. Moreover, the commercial success of the Somali refugees came at a cost insofar as their expansion pushed out many Asian businesses.[64] Afghan refugees in Peshawar have become an integral part of the urban economy, and have contributed significantly to the host economy.[65] Among the Afghan refugees a fairly small well-off segment is engaged in skilled professions or larger businesses (notably transport and large-scale import–export businesses between Afghanistan and Pakistan), while the majority along with most IDPs and the non-displaced urban poor derive their livelihoods from unskilled and irregular wage labor. An important factor in generating the pronounced economic diversity appears to have been the assets some refugees were able to bring with them, as well as their links to social networks in the city.[66] In Uganda, research comprising Congolese, Somali, Rwandan, and South Sudanese refugees in both Kampala and rural refugee settlements (Nakivale and Kyangwali) found that they are economically integrated both at the local, national, and trans-national levels. While many refugees in the rural refugee settlements receive humanitarian assistance, most are more dependent on other social relationships, and in many cases create sustainable livelihood opportunities for themselves and others including Ugandan employees. Their contribution to the host state economy is exemplified by this creation of employment opportunities for Ugandan nationals and the significant volume of trade between refugees and Ugandan nationals. As is the case with the refugees in both Nairobi and Peshawar, those in Uganda are economically diverse and have significant levels of internal inequality.[67]

Probably the most notable example of gradual change towards a durable solution is the Palestinian refugees in Jordan and Syria, who - due to the generous conditions and favorable protection environment they found in both countries – have over two generations managed to integrate into the urban society and economy in both Amman and Damascus.[68] Until the civil war, Palestinian refugees in Syria, three-quarters of whom lived in Damascus, had long been treated as de facto citizens, and were allowed to work, use public services, own businesses and property, and access public sector jobs. When displaced in 1948, the refugees were accommodated in seven refugee camps across Damascus. Since then these have grown into informal settlements serviced with water and electricity, and by 2002 only 28 per cent of registered UNRWA (United Nations Relief and Works Agency) refugees in Syria were still residing in camps. As the Palestinian refugees moved out of the camps, migrant workers, other refugees, IDPs, and low- and middle-class Syrians have moved in. In Jordan, where the majority of the Palestinian refugees have since long been granted Jordanian nationality, they now dominate the private sector and, according to some estimates, account for half of Jordan's middle class.

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[64]Pavanello, S et.al.2010: 21-23.
[65] UNHCR 2012: 13. Investments in Pakistan by refugee businesses are estimated to range between 18 to 25 billion Pakistani Rupees.
[66]Mosel & Jackson 2013.
[67] Betts et. al. 2014.
[68]Haysom and Pavanello 2011; Pavanello and Haysom 2012.

A contrasting situation is provided by the Iraqi refugees in both Amman and Damascus. Jordan has also received the Iraqi refugees under generous conditions and has granted them access to public health and education services regardless of their legal status or registration. However, they face a crucial constraint compared to the earlier Palestinian refugees, since they are unable to legally access jobs in the formal economy in line with their skills and education.[69] A third of the registered adult Iraqi refugees in Jordan have a university degree, and 38 per cent were in professional occupations in Iraq (while only 13 per cent had been manual laborers), but as a result of the employment restrictions only few have been able to find jobs in the formal economy corresponding to their professional background. Instead, between 40 and 60 per cent of the Iraqi refugees have been forced to find work in the informal sector, and this is poorly paid, irregular, and exploitative.[70] Similarly in Syria, where Iraqi refugees require a work permit and only few have managed to obtain these, the majority including middle class urban professionals have been forced to find low-skilled work in the informal sector. While many of the first wave of Iraqi refugees who came in 2003 arrived with savings, a survey conducted in 2007 indicated that as a result of these restrictions, 37 per cent of Iraqi refugees in Syria were living primarily off their gradually depleting savings, and 24 per cent were relying on remittances.[71] The situation of the Iraqi refugees in Jordan and Syria suggests that restrictions on the ability of refugees to access the labor market in host countries critically affects their prospects for using their skills to achieve viable livelihoods, and by implication also reduces the contribution they would likely be able to make to the economy in the hosting countries.

This evidence points to some clear implications for refugee return. Integration is contingent on two interacting sets of dynamics. It takes place because, as we have seen, the socio-economic conditions, and sometimes a supportive protection environment, in the host country favor this outcome. But, it also occurs for reasons related to the potential, or rather the lack of potential for return. The case study evidence suggests that integration takes place (a) most obviously where return is impossible in the short or long term (for example Palestinians), or (b) where protracted exile diminishes the impetus for return (Somali refugees), or (c) where return is possible but less preferable than the socio-economic conditions in host countries (the case with some Afghan refugees). In this sense the 'failure to return' can be the self–fulfilling, though usually unintended, outcome of integration.

There are two important caveats. By no means all refugees integrate even where the two sets of dynamics point to this outcome: thus while some Afghan refugees integrated, many did not and returned. Second, even where large scale integration appears to have occurred, the vast majority of refugees may still return home if the conditions are right even after decades in exile. The Angolan refugees in Zambia are a case in point.

2.6 Has international assistance facilitated lasting return?

The record of assistance is very uneven – even within particular countries at different period or in different regions – and overall the case studies indicate limited application of important lessons learned from earlier return situations. Key issues that have affected international assistance for lasting refugee

[69] Pavanello and Haysom 2012: 12.
[70] As a result, many Iraqi refugee families do not have the economic means to make use of their formal access to health and education services. Ibid: 14, 15.
[71] Haysom and Pavanello 2011: 11-12.

return concerns the inability to address the thorny issue of land rights and property restitution, the politically driven focus on repatriation which has diverted attention and funding from the reintegration of returnees, and the need for planning that recognizes the reality that both refugees in exile and returnees increasingly settle in urban environments, all of which have been described above. Other important recurring issues have involved problems of coordination and donor alignment around reconstruction and reintegration strategies and the poor synchronization of these programs with the return process, short attention spans by the international community and governments that left support for reintegration incomplete, the problematical sustainability of some of the outputs of reconstruction and reintegration activities, and inadequate information to returnees on the conditions in areas of return and prospects for assistance.

Problems of coordination and alignment of reintegration assistance characterize some of the return situations examined including two of the largest that have ever taken place, namely Afghanistan and South Sudan.

To prepare for relief and reconstruction activities after the Soviet withdrawal from Afghanistan in early 1989, a coordinator was appointed, and a special office (UNOCA) created to bring together the efforts of the different UN agencies, NGOs, and involved donor countries.[72] However, the specialized UN agencies found it difficult to accept the coordinating role of UNOCA, and since donors allocated a considerable part of their pledged funds directly to specialized UN agencies like UNHCR, UNDP and UNICEF, and not to UNOCA, this also limited its ability to back its attempts to coordinate with real authority.

In South Sudan, a multi-donor evaluation from 2010 found that despite the establishment of donor coordination mechanisms, these tended to be limited to sharing information rather than promoting a joint donor approach based on shared analysis and consensus.[73] As a consequence, geographical coverage had been inconsistent. Moreover, while aid efficiency was expected to be enhanced by the extensive use of pooled funds and multilateral programs (including the World Bank administered MDTF), shortcomings on delivery and flexibility led many donors to bypass them, channeling increasing amounts of resources bilaterally. The World Bank's own assessment of the MDTF, which it administered, concluded that 'The Bank failed to fully internalize the scale of task it had taken on, resource it adequately in the early years, or manage the expectations that had followed. Donor alignment and coordination became dysfunctional and discordant, thus defeating a major purpose of multi-donor trust funds – harmonization.'[74]

Lack of coordination has also affected NGO activities. Thus, while the international NGOs involved in the reconstruction and reintegration effort in Afghanistan from the early nineties onwards formed a coordination agency, they were never able to able to agree on the distribution of the available assistance in relation to needs in the areas that could be reached within the country, nor regarding matters of aid policy and approach. A similar lack of coordination characterized Bosnia-Herzegovina where international shelter NGOs were involved in providing housing for returnees, a central element in the strategy of ethnic re-mixing in areas of return. Here the criteria used to determine whether to rebuild war-

[72]UNOCA comprised the United Nations Humanitarian and Economic Assistance Programs relating to Afghanistan.
[73]Bennett et.al. 2010.
[74]World Bank 2013a.

damaged property and what building components would be funded were inconsistent between the different NGOs, the NGOs competed with each other and the volume and location of housing construction was uncoordinated; moreover, housing construction took place with little regard to wider spatial planning requirements. The coordination of the overall reconstruction and development effort was also problematic. The World Bank's Progress Report for the Country Assistance Strategy (CAS) for FY00-01 noted that '… donor coordination needs strengthening' since 'conflicting messages in some donor programs have been a source of frustration, confusion, and, sometimes, an excuse for inaction'.[75] Yet, despite revised donor coordination structures,[76] the CAS for FY05-07 reported that donor coordination continued to be a challenge since '… the authorities have yet to assume full leadership of the process of reconciling donor interests and managing competing development agendas.'[77]

Short attention spans and inadequate assistance have both affected support for return and reintegration operations by reducing available funding for what are inherently long-term processes of recovery and reintegration. The return to Angola provides one example described above of the often short attention span by international aid agencies to reintegration assistance to returnees, alongside the lack of a coordinated program for recovery. Another example is the failure to provide continued support to Liberian returnees after their repatriation and to support the different phases of return, not just when the majority went back. The level of support for the returnees was already being phased out when the 2008 and 2009 repatriates arrived in Liberia.

In the early nineties, the UN established the CARERE (Cambodia Area Rehabilitation and Regeneration Project) project to provide quick impact projects to communities to which refugees and IDPs were returning. The program largely bypassed local government structures to deliver benefits to the local population. This changed in 1996, when CARERE 2 was established as a support project to a set of government development activities, themselves organized through the Seila ('Foundation Stone') program. What also changed was the provision of emergency relief and infrastructure delivery for returnees, which was replaced with experimentation in decentralized local development and reconciliation. With the transition from CARERE 1 to CARERE 2 and the shift in focus away from reintegration of returnees, it is also unclear to which extent the Seila program has benefitted this group, which as described earlier appear to have been a long way from successful reintegration when targeted assistance ended.

The composition of the assistance committed has also impeded the potential efficiency of some of the return and reintegration operations. This was the case with the reconstruction and reintegration effort in Afghanistan in the early nineties, since major donors withheld their pledged funding pending clearer evidence of significant refugee return. In addition, most of the pledges were for aid in kind primarily for the WFP, and only limited non-earmarked cash contributions were available. Both of these issues seriously impaired the ability of the UN to react with the necessary flexibility to the needs in Afghanistan. Moreover, from the mid-nineties, UN's annual consolidated appeals were less successful in raising the necessary funds.

Quick Impacts Projects (QIPs) have been a central element in the effort by the UN to support the reintegration of refugees after their return to their home country, in part to address the failure of

[75] World Bank 2002: 10
[76] Ibid. 18
[77] World Bank 2004: 29

development agencies to ensure that community-based rehabilitation and longer term development were provided early on to support the return process.[78] QIPs have comprised rehabilitation of access roads, construction of schools along with teacher training and distribution of school kits and uniforms, primary and preventive health services, drinking water supply, and support for resumption of agriculture.

An assessment of the QIPs in Cambodia found that while they contributed to provide local infrastructure and services, their very nature as interim bridging measures meant that the sustainability of the facilities created was not covered by UN funding, but depended to a large extent on the ability of the implementing partners (mostly NGOs) to mobilize funding to continue the operations in the absence of timely programs to address this by development agencies.[79]

The conclusions by both a multi-donor evaluation and the UN itself regarding QIPs in South Sudan were along the same lines.[80] It was found that there were sustainability risks of health and education facilities since UNHCR do not cover recurrent costs, and in the absence of other partners willing to take this on or capacity on the part of the Government of South Sudan to play an effective role, basic services had a tenuous future. Moreover, insufficient attention had been paid to livelihoods, in particular for young people. To address this, an assessment of the lessons from the UNDAF program cycle from 2009 to 2011 recommended that UN should focus on only a handful of transformative programs that could be done at scale in order to have impact and durability.[81]

The importance of information for refugee decision making on return: Unfortunately, the information provided to returnees and sometimes also to stayees about the assistance that would be provided to support reintegration or about conditions in the country of return has often been misleading. Unfounded expectations were a problem in the encounter between returnees and stayees in Burundi. Returnees were expecting to receive their ancestral land upon return, whereas stayees were expecting that returnees would be accommodated on government land. Moreover, when the repatriation began, the stayees had no information that returnees would be coming.

The significance of information networks to the return process is widely noted and the case of return to Bosnia-Herzegovina is no different, especially for those receiving temporary protection outside the country. Whereas official sources in the countries of temporary protection (governments, UNHCR, NGOs) promoted a positive picture of possibility of return, the main sources that the refugees relied on were information from friends and relatives in Bosnia. That official sources underplayed the knowledge which refugees had of the fragility of both the amnesty and the protection of human rights in Bosnia-Herzegovina, meant that these sources were treated with suspicion and limited the scale of return in the early post-war period.[82]

For Afghanistan, the case has been made, that while the refugees returning after the fall of the Taliban in 2002 knew about conditions in their home areas, they had misplaced expectations about the level of

[78]Personal communication, Ann Davies, UNDP, 2 June 2014.
[79]Eastmond 2002
[80]Bennett et.al 2010; Duffield 2008
[81]UN 2012
[82] Walsh et al. (1999)

assistance they would receive upon their return, since they had been '… bombarded with … encouraging messages, relayed by the BBC's Pashto and Dari services and by the Iranian and Pakistani press, T.V. and radio ... about huge amounts of aid that would soon be flooding into Afghanistan'.[83]

Conversely, the case studies demonstrate that refugees use their own informal information networks to assist their decision making. These tend to provide more up to date and, for the refugees, more reliable information on the security conditions and other factors that mediate their return, as opposed to the 'official' channels. For example Iraqi refugees in Syria used their local sources to guide decisions about return – whether permanent or circular, whether to return the whole household or not. Likewise for Angolan refugees, amongst other factors it was reliance on their local information that helped to precipitate their rapid, spontaneous return.

Operational lessons suggest that two important steps to support lasting refugee return to countries of origin involve (i) demand driven community or area based projects that engage both returnees and stayees in participatory planning, and (ii) transformative programs that can be delivered at scale in order to have impact and durability as recommended by the assessment of lessons from UNDAF programs in South Sudan. Conversely, the absence of these initiatives in the case of Angola retarded the speed of recovery, though not the return process itself.

(i) Demand driven community or area based rehabilitation projects: NGO projects undertaken in Afghanistan in the early nineties provide an example of an approach that proved effective in assisting lasting return of rural communities through demand from refugee or return communities, along with their involvement in planning. It assisted whole communities comprising both returnees and stayees with a package of sequentially implemented activities which responded to their specific recovery (and development) needs. The approach allowed a staggered return process, where men from the refugee communities left the camps to repair irrigation systems, plant crops, rebuild houses, and rehabilitate local roads and schools in their villages before the rest of their households returned. The activities involved labor intensive public works providing an income that could help sustain the households during the rehabilitation phase.

(ii) Transformative large scale programs: Three such programs in which the World Bank was involved, and which potentially could serve both to align the government in the return country along with donors and involved NGO implementing partners in a common community driven development type (CDD) approach to support recovery in a post-conflict situation, and to support the reintegration of displaced have been the Seila program in Cambodia, the National Solidarity Program (NSP) in Afghanistan, and the Local Government and Service Delivery Program (LGSDP) in South Sudan. While the Seila program did not pay attention to reintegration of returnees, and the NSP did so in its targeting and implementation arrangements but not in its results monitoring,[84] the LGSDP, which became active in February 2014, is designed to do so by targeting whole communities, and requiring specific efforts to ensure benefits to

[83] Turton & Marsden 2002

[84] World Bank 2003.An assessment of the impact of NSP on the reintegration of refugees and IDPs found that NSP's 'whole-community approach' helped facilitate reintegration and general development within communities which benefited returnees and IDPs, but that there was too little flexibility to assimilate an influx of returnees or IDPs once the block grant project cycle was initiated (Barakat et.al. 2012).

frequently marginalized groups such as women, ethnic minorities, ex-combatants, and displaced persons and returnees. Like the NSP in Afghanistan, the LGSDP provides recurrent block grants for local development and supports an inclusive planning process regarding the use of these grants at the local level facilitated by contracted NGOs. Unlike the NSP, the LGSDP innovatively links this process with activities to build and strengthen the capacity of local governments (and not just communities) in the planning, implementation and oversight of local development activities, and by establishing a financing instrument that aims to align aid to the local level through the government transfer system.[85]

Neither the Seila program nor the NSP have had significant poverty reduction impacts, and it is still too early to assess whether the LGSDP would achieve such outcomes on its own. However, experiences suggest that support for access to services and livelihoods are likely best done through distinct but mutually reinforcing operations. While participatory community based processes are well suited to planning and provision of public goods (e.g. community infrastructure for health and education services) and some club goods (e.g. hand pumps or irrigation repair), support for livelihoods (other than labor intensive public works programs) involve private goods which require different delivery arrangements (e.g. training, access to credit, saving and self-help groups), and the efficacy of such support may be enhanced if backed by broader development interventions that inter alia promote transport, communications, trade, and banking. To help provide livelihood support in South Sudan, a complementary Safety Nets and Skills Development Project, that became effective in November 2014, will provide access to income opportunities and temporary employment for the poor and vulnerable through the participatory arrangements at the local level that are also used by the LGSDP.[86]

By contrast, in Iraq, despite the scale of the international donor-driven reconstruction program this has not had a transformative impact on the return process, neither regarding the scale of return nor its sustainability. Continuing conflict has undermined the potential for such transformation to take place. This example, like the case of Bosnia-Herzegovina, highlights how the political context determines the feasibility and potential scope of these two operational priorities -demand driven projects and transformative programs. In the case of Bosnia-Herzegovina, the international community's determination to reintegrate previously warring ethnic/religious groups was certainly not 'demand' driven although the interventions were aimed to be 'transformative' in the sense of encouraging the two groups to transcend the conflict dynamics that had divided the society. The limited success of these priorities here, and in many of the other case studies, indicates the scale of the political challenge to achieve sustainable return, and why much more creative operational thinking is needed in each return situation to address them.

2.7 Lessons from the World Bank's engagement on displacement

In addition to the lessons suggested by the three large scale programs described above, the World Bank's engagement in the eight case study countries support the following five main lessons, which highlight critical areas where the approach to address displacement needs to be reconsidered and strengthened:

[85] World Bank 2013a
[86] World Bank 2013b

There is a lack of consistency in the way country strategy documents address the issue of reintegration of IDPs and returning refugees, and this lack of consistency has been unrelated to the scale of displacement in particular countries. Even in the initial phases of reengagement some country strategy documents have fully or largely ignored the development challenges of reintegration (Cambodia, Iraq, South Sudan), and even those that do recognize this as a critical issue (Angola, Liberia, Burundi, Bosnia-Herzegovina, Afghanistan) are characterized by a disconnect between this recognition and the scarcity of operations that explicitly aim at promoting reintegration. Significantly, the consultations to inform the drafting of country strategy documents mostly appear not to have involved IDPs or returning refugees.

Even when country strategy documents describe specific operations as aiming at promoting reintegration, their implementation approaches do mostly not include clear targeting arrangements to ensure that IDPs or returnees are included among the beneficiaries or consulted about options. An example is the Social Action Fund Project (FAS-I) in Angola which became effective in March 1996 and aimed to '… assist Angola in its transition from war to peace, targeting in particular the people impoverished by the military and economic crisis.'[87] This notwithstanding, the implementation arrangements simply stated that '…FAS focuses its interventions in established communities. Internally displaced persons and refugees are not targeted specifically by FAS. However, if they live within a stable community, they will benefit from FAS financed activities,'[88] an approach or rather lack thereof to targeting and engaging returning IDPs and refugees that was followed in the two succeeding FAS projects. The same absence of clear targeting and consultation arrangements can be found in the projects undertaken at the municipal and community level in Bosnia-Herzegovina to create employment, improve service delivery, and engage communities in decision making on budgeting and prioritization of development activities. Exceptions to this general state of affairs are the Community Empowerment Project in Liberia which considered the needs of returning refugees, IDPs, and ex-combatants in the selection of beneficiary communities, the NSP in Afghanistan, which used the scale of displacement as a criterion for the initial selection of districts and which also defined mechanisms for inclusion of returnees in decision making on the use of block grants, and the LGSDP in South Sudan which focuses on vulnerable groups including IDPs and returnees.

Across the eight country cases, there has been a near universal absence of attention at both the country strategy and project levels to the outcomes that World Bank supported activities may have had for IDPs and returning refugees, and to monitoring indicators that could capture these outcomes. None of the project performance indicators for specific projects that aimed at or could potentially benefit reintegration of IDPs and refugees define disaggregated data on displaced (as done with regard to gender), and where beneficiary assessments have been undertaken, they do in most cases not consider whether activities benefitted returning refugees and IDPs.[89] This absence of project

[87] World Bank 1995: 9

[88] Ibid. 11. FAS developed a Social Vulnerability Guide intended to furnish a methodology for vulnerability assessments to support targeting, but it did not consider returnees.

[89] While the Local Initiatives (Microfinance) Project II in Bosnia-Herzegovina did not include key performance indicators on the social composition of beneficiaries, an impact assessment was undertaken which did consider outcomes for IDPs and returning refugees, but the ICR for the project omitted to report on the findings of this assessment (which indicated that a long-term engagement was required to help returnees reach the rates of income growth and business development enjoyed by non-displaced beneficiaries).

performance indicators on the involvement of and outcomes for displaced also apply to the projects that set out to target returnees: the Community Empowerment Project in Liberia, the NSP in Afghanistan, and the LGSDP in South Sudan.[90]

The case studies also illustrate a relatively short attention span to the development challenges of return and reintegration of displaced, something that may be a reflection of the absence of robust outcome monitoring on the extent to which World Bank activities did support sustainable reintegration of returning IDPs and refugees. Typically, attention to displacement and reintegration disappear after the first two or three country strategy cycles, and typically, return figures appear to be taken as indication of reintegration in the absence of data on the reintegration outcomes of the activities supported by the World Bank and other development actors, while disaggregated poverty data on IDPs and returning refugees are either not available or not used to determine whether there is a need for continued assistance for reintegration. An exception is Afghanistan, where notice of displacement had disappeared after the first two country strategy documents, but where the country strategy for FY12-14 stated that the poverty and conditions of IDPs in urban slum settlements '…is one of the reasons that we propose to remain engaged in the urban sector.'[91]

Finally, the case studies reveal the need to consistently incorporate disaggregated data on displaced and returnees in poverty assessments. Since the poverty assessments provide key data to inform poverty reduction strategy papers and country strategy documents it is critical that they are designed to provide disaggregated poverty data on displaced and returnees that can highlight their specific vulnerabilities compared to other poor groups, so that operations that target vulnerable groups can be designed to take their specific needs into consideration. In Afghanistan the Poverty Assessment 2007-08 did not include disaggregated data on IDPs and returnees. In order to address this gap, a follow-up study was undertaken by the World Bank and UNHCR on IDPs in Urban Settings (2011) to assess the specific vulnerabilities of displaced compared with non-displaced urban poor, and it is this study that subsequently highlighted the need for a continued engagement in the urban sector.

In addition to the five lessons above, another important finding on the broader World Bank engagement from the 1980s till the end of FY09 is that of 84 World Bank supported operations addressing forced displacement within this period, more than 90 per cent involved support for return and reintegration, while less than 10 per cent addressed the development needs of IDPs or refugees in protracted displacement situations.[92] Moreover, all of these activities were focused on particular countries. Over the past couple of years, the World Bank's approach to forced displacement has changed with regard to both of these characteristics. Interventions to address the development dimensions of displacement are now recognized as often requiring regional approaches that include IDPs and refugees in protracted displacement along with their hosts. This is evidenced in the recent initiatives in Africa regarding the Great Lakes region, the Sahel, the Horn of Africa, and lately also the Lake Chad Basin, as well as that regarding displacement from Syria and mitigation of impacts in the neighboring refugee hosting

[90] The complementary Safety Nets and Skills Development Project also does not include disaggregated monitoring indicators on inclusion of IDPs and returning refugees as beneficiaries (World Bank 2013b: 5, 23)
[91] World Bank 2012: 11, 25.
[92] Gomez, Christensen, and Harild 2009: 5

countries. Addressing the regional impacts of the Syrian displacement crisis is now becoming a central theme in the new World Bank strategy and work program for the Middle East and North Africa Region.

2.8 The challenge to addressing displacement by political economy contexts

Refugee return and reintegration, however, does not occur in a political vacuum. Neither do the development activities supported by the World Bank and other international actors that have been discussed above. They are significantly influenced by political interests (local, national, and international), and the lack of effective state institutions and policies is also likely to influence the content and efficacy of strategies and operations, and consequently also the sustainability of return in fragile countries emerging from or still subject to conflict. Moreover, often local authorities are less motivated by notions of state building, reconstruction, and sustainable refugee reintegration than by promoting their own power and the particular interests of their political networks. Such political rivalry between the constituent political entities of Bosnia-Herzegovina constituted a binding constraint on the efforts by the international community to support recovery, and in both post-2001 Afghanistan and post-CPA South Sudan, returning refugees did not represent a political issue or a constituency to which the governments devoted significant political attention or resources. Thus, in Afghanistan, the Ministry of Refugees & Repatriation has been consistently underfunded and unable to spend most of its operational budget,[93] and at the same time it was too weak to exert any leverage on the bigger and better funded ministries for coordinated support to a return and reintegration program. In South Sudan, the government's initial expectation was that returnees would be welcomed back by their relatives, on whom the responsibility for resettling them would fall,[94] and the subsequent South Sudan Development Plan2011-13 did not consider return and reintegration among the plan's crosscutting issues.[95] For very different reasons such macro-micro inter-linkage did not take place in the case of Angolan refugee return and has not taken place in the case of Iraqi refugee return. In the former case, the speed and enthusiasm for return by the refugees outflanked institutional capacity to manage the process in a comprehensive way. In the case of Iraq, the failure to provide security, effective governance and sustainable development program delivery has undermined the potential of any return program both for refugees and the increasing number of IDPs (which initially were not even recognized as an issue by the government).

Without an understanding of such political economy contexts accompanied by a willingness of international development organizations to engage governments in return countries to address the constraints arising from these contexts, there is a high risk that both the scale and alignment of the complex and multi-layered activities required to support sustainable reintegration are likely to fall short. Moreover, even if international development organizations do initiate such an engagement, it will often require a long-term sustained and coordinated effort, since it may be confronted by local interests within governments and among their political allies which view the measures needed to reintegrate displaced as a threat to their power base and capture of resources.

[93] In the *Refugees, Returnees & IDPs Sector Strategy* under the *Afghanistan National Development Strategy 2007/8-2012/13*, the Ministry of Refugees & Repatriation only has funding for 7% of its budget requirement (p 19).
[94] Pantuliano et.al. 2008: 2
[95] Government of South Sudan 2011: 47, 83

3. The way forward –addressing refugee return as a development issue

From different perspectives, the governments of host countries and countries of origin along with humanitarian and development actors all have a key role in developing new ways of understanding and addressing both the presence of refugees and their return.

3.1 Return is a process not an event

Finding durable solutions to displacement is by its nature a long term endeavor, and central to the understanding of return is to recognize, as described above, that it is indeed a process and not an event with an 'end-state'. Moreover, this process is incremental and in some cases cyclical since return/resettlement may not initially be permanent and mobility may often continue. While many refugees will likely return spontaneously to their places of origin when they can and may want to do so with little or no assistance, evidence from Afghanistan show that development and reconstruction assistance that has been planned in consultation with specific refugee groups and responds to their needs can support and accelerate return and contribute to ensure that it is lasting. At the same time, all the case studies show that support for solutions requires the recognition that often returnees chose not to return to their place of origin, but increasingly move to cities and towns. It also needs to be recognized that return often does not result in the end of movement. For both returnees and non-displaced, mobility and ongoing migration within the country of return and across its borders will in many situations be key strategies that contribute to sustainable livelihood and reconstruction.

3.2 Return is not the status quo ante

All the case studies underline that 'home' is not what it was when the refugees left since the country of origin will have changed socially, politically, and developmentally. In addition to the challenges to return caused by physical destruction of homes and infrastructure, increasing urbanization unaccompanied by development, and the decline in services and governance capacity, the presence of non-state political entities, and political and ethnic conflict may have permanently altered the socio-political landscape, so that return to places or origin has become impossible for some groups. In cases of protracted displacement, and as illustrated most dramatically by Afghanistan, the demographic realities will have changed as a result of population increases among both refugees and stayees. Returnees to both rural and urban areas will experience increased pressure on scarce land, and access to the property they left is often disputed. The role of women may have changed, either enhancing or restricting their freedom of movement and ability to engage in activities different from those in their pre-displacement situation.

To deal with both the reality that return is a long-term process and that reconstruction is seldom if ever about re-creating the status quo ante, new approaches and creative alternatives to the traditional concepts of durable solutions are required. One such alternative would be to consider a more comprehensive approach to sustainable return and reintegration that besides peace-building and reconciliation efforts, and in addition to ongoing humanitarian and protection assistance, inextricably links the support for return with (a) reconstruction and development activities at the national and local levels in countries of origin, (b) cultivation of the ability of refugees to undertake a successful return during their displacement by support to maintain and enhance their human capital and self-reliance, and (c) recognition of the role of transnational networks and ongoing migration

for refugee and returnee livelihoods. Moreover, peace building, reconciliation, stabilization, and reconstruction are unlikely to occur in this logical sequence – all these activities may to a greater or lesser extent take place simultaneously, and are likely to evolve in different ways in different parts of the country of return.

3.3 Need for both regional and local approaches

It is essential to take into account broader regional issues, but this requirement has too often been ignored because of the pressure to expedite the return of refugees and a programmatic focus only on the modalities of such return. Although challenging, broader regional approaches, such as those now pursued by the World Bank in Africa (Great Lakes and the Horn of Africa) and in the countries bordering Syria, are needed that address the need for tailored responses to the different impacts that refugees have on the wider society and economy of different host countries, as well as the different needs that refugees are likely to have in specific hosting situations. Such broader regional approaches need to be paralleled by recognition of the importance of understanding the dynamics of displacement and return at the local or micro-level, since conditions within countries of origin may vary considerably between localities providing different opportunities and constraints for return.

The broader regional approaches will need to understand the impacts of displacement regionally and nationally on hosts, and the implications this has for assistance to address these impacts through local and national development plans and budgets. Associated with this, there is in each hosting country a need to understand the current coping mechanisms of the displaced and local hosting communities, what the displaced can contribute to the local economy, what gaps exist in skills and capacity that can be addressed, and what constraints exist in legal frameworks curtailing the ability of the displaced to make use of their skills and capacity.

Similarly, planning and support for return requires a close understanding of conditions at the local or micro-level in the country of origin, along with an understanding of the characteristics, needs and aspirations of displaced people with regard to both their ongoing situation and the possibilities for durable solutions. The planning of reconstruction and development assistance to support lasting return need to include populations in return localities who did not leave, so that the risk of conflict between these and the returnees is addressed.

3.4 Developing the response – international initiatives

Lasting return to countries of origins a challenge of development at two levels. While support for recovery and development will require activities at the macro level (security, transport, power, communication, urban planning and development, key services such as health, education and social safety nets, and strengthening of national capacities), the initial reintegration of refugees is likely to be crucially dependent on activities at the area and community level which address the specific constraints to return for particular refugee groups.

In order to respond to these challenges, together with the governments and hosting and return countries, the international community will need to take on an essential role in facilitating and supporting both the broader regional approaches that address the humanitarian, protection, the development needs of refugees

and the countries that host them, and innovative approaches that respond to the varying needs for development assistance to support refugee return to their country of origin. The research context for development-led approaches to situations of forced migration and return and the wider links between migration and development is explored in Annex 2.

These challenges are recognized in the UN Secretary General's *Policy Decision on Durable Solutions for Displaced People* of October 2011 which endorses a framework on *Ending Displacement in the Aftermath of Conflict*. The framework notes that: "The search for durable solutions … must address human rights, humanitarian, development, reconstruction and peace-building challenges. As such, it requires the coordinated and timely engagement of a wide range of national and international actors in all of these fields." It is recognized that such coordination has not always been achieved, particularly regarding the transition from humanitarian to development assistance, and that "(c)oordination is further challenging as the context develops beyond the humanitarian phase and into a long-term recovery and development phase. A smooth transition into development type coordination mechanisms is essential for durable solutions." There have, however, in the past '…been limited partnerships, joint programming or strategies with non-UN development partners including the IFIs and World Bank, regional bodies and civil society amongst others'. The UN framework on *Ending Displacement* advocates that responses "should address the rights, needs and interests of refugee returnees, IDPs and other affected populations and allow them to participate in the planning and management of durable solutions." As suggested above, it is also proposed that this is best achieved through "… comprehensive area based programmes to include both the specific needs of displaced persons returning to their place of origin and the potential needs of the receiving communities, ensuring … links between communities and subnational governance entities to provide space for voice and accountability in planning, implementation, and monitoring of interventions to promote durable solutions."

In line with the UN Secretary General's *Policy Decision*, a roundtable was hosted in April 2014 by the Danish government to operationalize a Solutions Alliance as an inclusive partnership to pursue a global advocacy strategy to (i) support strategic planning by affected states and others with respect to displacement, including advocacy on specific legal, economic, social and political matters relevant to achieving solutions, (ii) ensure that displacement is on the global development agenda and included in national and local development planning, and (iii) facilitate the cooperation of all relevant actors operating in selected thematic areas.[96] The Solutions Alliance is chaired by UNHCR, UNDP, the International Rescue Committee (IRC), and the Colombian and Danish Governments.

Agreed key themes for the advocacy by the Solutions Alliance are that finding solutions to displacement is a shared responsibility of host governments, donors, UN agencies and NGOs/civil society organizations, and that achieving solutions require long-term responses which in turn call for flexible and long term funding commitments. Moreover, similar to the findings of this paper, the two other key advocacy themes agreed by the Roundtable were that whenever possible, the aim should be to turn

[96] Solutions Alliance 2014a: 1-2. In addition to the Secretary General's Policy Committee Decision on Durable Solutions, the initiative also builds upon the Amsterdam Roundtable on Solutions held in April 2013 and lessons learned via initiatives such as Refugee Aid and Development (RAD), the International Conference on Assistance to Refugees in Africa (ICARA), the International Conference on Central American Refugees (IREFCA), the Brookings Process, and the Transitional Solutions Initiative. Around 120 participants attended the roundtable, representing host governments, civil society organizations, research institutions, the private sector, UN agencies, and the World Bank.

displacement challenges into sustainable development opportunities, and that solutions should recognize displaced persons as rights holders and economic actors, and build on their own capacities.[97]

Whilst these international efforts seek to address critical political, rights based and planning/organization facets of return, what is also required is recognition of the role of the private sector and how this must be engaged in delivering sustainable return. The creation of livelihoods and self-reliance for returnees and stayees in the short term, and economic stability and development in the medium and long term depends on the private sector. International efforts have largely neglected this sector and critical new thinking and policy is needed to remedy this significant gap in supporting sustainable return.

3.5 Core operational principles for development-led return

The following core operational principles need to be considered in development-led approaches to provide an enabling setting for return:

- Planning of return should be based on analysis that links wider conflict dynamics to those specific to the area of operation, and be clear about which drivers of conflict reintegration operations can credibly address in order to support peace building, reconciliation, and social cohesion;
- Planning of return should be demand-driven in response to the choice by refugee groups wanting to embark on assisted voluntary return, and involve consultative needs assessments comprising both the returnees and populations in return localities who did not leave as well as IDPs who may have fled to these localities from elsewhere;
- Assistance for reconstruction and development to support return should be viewed as area development, and must include and target both the returnees and populations in return (or resettlement) areas who stayed behind;
- The reconstruction and development assistance need to be multi-sectoral and comprehensive and consider:
    - rights to land, housing and other property (as evidenced by the case studies, land claims, repossession and restitution are major challenges when refugees repatriate),
    - livelihoods (through different mechanisms such as labor intensive public works and broader activities to support economic recovery and employment opportunities especially for youth);
    - service delivery (e.g. education, health, justice/rule of law to establish security);
    - private sector engagement: engaging and stimulating the resources and capacities of the private/corporate sector at the micro and macro scale are underestimated yet critical components of development-led return;
    - participatory local governance that involves returnees along with those that may have stayed behind in the planning of activities, along with support to build governance capacity;

[97] Turton 2003: 12, Omata 2013; Zetter 2014

- addressing all of these issues and particularly those of rights to property and inclusive governance will require measures to support reconciliation between stayees, returnees and IDPs, who may be deeply divided by material interests, political allegiance, and identities.

- Vulnerable and groups with specific needs may require particular targeted assistance – transportation, documentation, reclaiming land and finding/rebuilding homes, livelihoods, employment.

In terms of developmental interventions, sustainable reintegration and recovery therefore require both a bottom up (community/local) and a top down (central) approach working in parallel from the start. Ideally, simple interventions at the local level that build on consultations with returnees and stayees need to be accompanied by macro-level development that considers how the sequencing and prioritization of these programs underpin national stability.

3.6 Urban displacement and return: an urgent development challenge

At a conference on the '*Sanctuary in the city*' research project on displaced in urban environments hosted by the Danish Ministry of Foreign Affairs in February 2013,[98] the main conclusion drawn from the research was that "while urban displacement raises a number of significant humanitarian needs, it should also be recognized as a development challenge, .. [and this] ..calls for a paradigm shift involving new ways of responding to vulnerabilities in urban areas, undertaken within a long-term development framework, but without losing sight of humanitarian principles."[99]

The reality of both the scale and the protracted nature of the move of displaced and returnees to urban areas underline the urgency of such a paradigm shift. However, it is difficult to bring about. National governments and urban authorities may be unwilling or may be overwhelmed and lack the capacity or means to embark on the development needed to improve the quality of life in the informal settlements and slums that most of the displaced and returnees share with other urban poor.[100] To the extent that urban planning has attempted to engage in such development activities, the presence and particular vulnerabilities and needs of displaced and returnees have been overlooked.[101] Moreover, authorities may, as has at least until recently been the case in Kabul, oppose the provision of any form of assistance which might attract displaced populations and encourage them to settle permanently in informal and illegal settlements, and for that reason restrict the assistance that international actors are allowed to provide.[102]

Thus, achievement of a paradigm shift in urban development planning that addresses the needs and vulnerabilities of displaced and returnees along with those of other urban poor is likely to be incremental. The existing research suggests that it needs to build on two key elements:

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[98] The research comprised studies of IDPs, refugees, and returnees in Nairobi, Kabul, Peshawar, Amman, Damascus, and Yei conducted by the Overseas Development Institute's Humanitarian Policy Group (HPG) with long-term support from DANIDA (Danish International Development Agency).

[99] Introduction by the Under-Secretary for Global Development and Cooperation (Ministry of Foreign Affairs (Denmark) 2013: 2).

[100] For example in Nairobi (Metcalfe et. al 2011: 2) and Yei in South Sudan (Martin & Sluga 2011: 5, 33).

[101] IFRC 2012: 112-143.

[102] Metcalfe et. al. 2012: 36, 40.

Knowledge of the political economy setting, of the needs, vulnerabilities, and capabilities of displaced and returnees compared with those of other urban poor, of their economic adaptations to the larger economy, and of the organizational set-up, capacity, and resources of the governance structures involved in urban development and service delivery. Such analysis is usually lacking and at the same time challenging due to insecurity, the desire of many displaced to remain anonymous, and resistance from authorities.[103] When undertaken, the relevant stakeholders – government, UN agencies, NGOs, development agencies, academia – should be engaged in order to ensure broad ownership of the analysis, so that it can be used to open political space for dialogue on responses that address the analytical findings on the potential benefits of including displaced and returnees in urban development activities, and of allowing them to pursue opportunities to improve livelihoods.

Partnerships and coordination: Both affected governments and the international community have largely neglected urban displaced and returnees, and there has been little collaboration between humanitarian and development actors in this regard. Protection, material assistance, and livelihood interventions have often been left to NGOs. Using the type of analysis outlined above, development agencies already engaged in urban development need to partner and coordinate with a range of relevant entities including central and municipal authorities, UN agencies,[104] bilaterals, and NGOs, as well as the communities where the urban displaced and returnees live to develop interventions that include these along with other urban poor. The use of development cooperation as a form of burden sharing may serve as an incentive for governments and local authorities to recognize that the displaced in their cities have the potential of contributing to the economy at par with other urban inhabitants, and to view them as an opportunity rather than just a problem. Engagement with private sector actors and corporate interests is also an essential component of the partnership approach to programs for urban displaced and returnees to urban areas.

Knowledge and coordination provide the basis for engagement and support by international actors to governments and urban authorities on planning and implementing investments in basic services, urban infrastructure, housing, and livelihoods that benefits both displaced, returnees, and the general urban poor. Among these activities livelihoods pose a particular challenge in three respects. The first is operational. Many refugees or IDPs from rural areas arrive in towns and cities without suitable skills, and the provision of education and training opportunities along with access to credit (and possibly linkages with private sector entities) are important measures to help them on the path to self-reliance. The second challenge concerns policy. As described earlier, even refugees with professional skills may be unable to use these since they are often barred from employment in the formal sector, and policy dialogue that advocates the freedom of displaced to participate in the labor market and economy is critical.

The third challenge concerns the role and engagement of the private sector. Except in command economies, and employment for its own purposes, the public sector cannot 'provide' livelihoods, only create the conditions that support livelihoods – e.g. land supply, infrastructure, skills training, credit

[103] Pantuliano et.al. 2012: 12; Crisp et.al. 2012: 27-28.

[104] In September 2009UNHCR issued new operational guidance: 'UNHCR Policy on Refugee Protection and Solutions in Urban Areas'. The policy emphasizes that UNHCR's mandated responsibilities to refugees are not affected by their location and cities are legitimate places for refugees to reside.

regulation, licensing policies, fiscal management. It is the private sector that provides the majority of livelihoods (i.e. employment and thus self-reliance), from the individual to larger scale enterprise whether in the formal or informal sectors of the economy. Governments of countries of return and the international development and humanitarian actors who assist the return process have largely failed to engage the private sector (inter alia entrepreneurs, banks and other credit agencies, business organizations, trade unions ,landowners) in creating the economic and material conditions that support livelihood formation.

4. Key policy and strategic lessons

Among the three so-called durable solutions to refugee displacement envisaged by UNHCR and the international community, return is considered the optimal solution by both hosting countries and the international community. The findings of this study show that return has mostly been only partial and reintegration in countries of origin beset with problems. At the same time, the findings also suggest that key characteristics and challenges of displacement can be addressed in ways that provide opportunities.

Forced displacement situations are likely to be protracted, and responses to emergencies need to anticipate this. These responses need to go beyond only addressing humanitarian and protection concerns, and also ensure that the development needs arising from the presence of displaced (whether refugees or IDPs) are factored in from the start, so that the burden on hosts is mitigated and the longer term needs of the displaced and their host communities are addressed. This requires inter alia addressing issues of expanding service delivery and infrastructure to cope with the needs arising from refugee presence in host communities, along with support for local and national development plans and budgets.

Since most forced displacement situations are protracted, refugees manage better if they have opportunities to enhance self-reliance through participation in the economy of the host country. Central to this is that displaced are provided the freedom (and for some the assistance) to participate in the labor market and economy of the host country in order to reduce their dependency on long-term aid and transition from being a burden to becoming contributors to the economy of their hosts as illustrated by research on refugees in Uganda, Jordan, and Syria. While the study finds that not all refugees who have been able to enhance self-reliance in exile go back when conditions permit, those with assets and skills who chose to return do so faster and reintegrate more sustainably than returnees who have lost or depleted their assets and have marginal or eroded capacities.

Both displacement and return is increasingly to urban areas. More than half the world's refugees and IDPs now live in urban areas, and a high level of this displacement related urbanization represents protracted or permanent settlement which also conditions the expectations of returning refugees. While urban displacement raises a number of significant humanitarian and protection needs, it is also a development challenge, which calls for a paradigm shift involving new ways of responding to vulnerabilities in urban areas, undertaken within a long-term development framework that addresses the needs of both displaced and the non-displaced urban poor. Likewise for returning populations, the majority of whom chose urban locations irrespective of whether they originated from rural areas or cities,

urban policies and programs that address their needs and aspirations are essential for achieving sustainable reintegration that alleviates poverty.

Forced displacement situations often have broader regional impacts. Regional approaches are required that take into account the importance of tailored responses to the different impacts that refugees have on the wider society and economy of different host countries, as well as the different needs that refugees are likely to have in specific hosting situations. Such broader regional approaches should be paralleled by recognition of the importance of understanding the dynamics of displacement and return at the local or micro-level, since conditions within countries of origin may vary considerably between localities providing different opportunities and constraints for return.

Comprehensive and durable return require related repatriation, reintegration, rehabilitation, and reconstruction processes that take place within an overarching framework of institutional collaboration between humanitarian, development, government and private sector actors. More than ten years after this fundamental strategic principle was articulated in UNHCR's *Framework for Durable Solutions for Refugees and Persons of Concern* from 2003, it has only been achieved to a limited extent, and a much stronger commitment and engagement is required by the three key actors to bring about the collaboration required to plan, fund, and implement comprehensive and durable refugee return and to involve the private sector centrally in this process.

Refugees are 'purposive actors' and the decision to return is typically made after comparing information about conditions and prospects in the host country with those in the country of origin. The study finds that while large numbers of refugees do return, and many do so 'spontaneously' without assistance from repatriation schemes, return is not an event but an often long-drawn process, which is subject to the refugees' own decision making. Refugee strategies can include either returning, staying in exile, or a temporary or permanent combination of the two. Incentives for more comprehensive return are dependent on the extent to which international actors succeed in supporting authorities in return countries to bring about conditions that meet refugee priorities. Along with peace-building and safety, development activities that support livelihoods, services, and housing are central in achieving this. At the same time, there is a need to recognize that both in displacement and return situations, mobility and ongoing migration are key livelihood strategies that contribute to sustainable solutions, and in return situations they can yield incomes that contribute to recovery.

5. Operational lessons

In addition to the broader policy and strategic lessons outlined above and the specific lessons on World Bank engagement in the eight case study countries, the following general operational lessons can be drawn from the case studies regarding previous international support to facilitate the return of refugees to their countries of origin as well as the return and reintegration of IDPs.[105]

[105] Specific lessons pertaining to each of the country return cases examined are in the case studies.

5.1 Strategic and operational planning informed by analysis

1. The international response to assist the recovery of countries emerging from conflict needs to build on a broad 'political economy' analysis of fragility and drivers of conflict that includes forced displacement and issues related to the return and reintegration of the displaced in order to open political space for dialogue between the international community and affected governments on responses that address the analytical findings.[106]
2. Such analysis needs to provide an understanding of the links between the broader fragility and conflict dynamics and those that are specific to particular areas of operation in order to inform the selection of operations, and to furnish realistic expectations regarding the conflict mitigation impacts these operations may have in terms of addressing specific drivers of conflict.
3. The design of operations also need to be informed by analysis of informal structures of authority and social relations among the displaced (including gender relations), and of the strategies they pursue to optimize their living conditions and safety, which may involve returning, staying in exile, or a temporary or permanent combination of the two, and which often draw on historically rooted regional processes of population mobility.
4. Particular attention needs to be given to the role of the private sector in return programs -the resources it has available, how the sector can be engaged and stimulated, and the overall contribution to economic recovery and development.
5. Attention also needs to be given to monitoring indicators that furnish disaggregated data on the inclusion of and benefits to returning IDPs and refugees in operations that target communities and/or vulnerable sections of the population (at par with the attention given to disaggregated monitoring data on gender). Without such data there is no robust basis for assessing the efficacy of operations regarding the reintegration of displaced, and consequently for adjusting approaches and implementation arrangements to achieve this. In addition, poverty assessments need to systematically include disaggregated data on displaced and returnees.

5.2 Programming, assistance, livelihoods and participation

1. International responses to assist return and reintegration need to recognize and address the constraints that have affected earlier efforts, and which comprised (i) inadequate and delayed funding, (ii) too much in-kind rather than cash funding which constrained response flexibility, and (iii) lack of coordination regarding regional aid allocations, aid policy and approach.
2. The planning of return programs needs to anticipate the possibility of early and large scale spontaneous returns, and that not all refugees/IDPs will opt for return but likely also seek other solutions, which require support as well (e.g. continued trans-border migration).
3. Drawing on such understandings, assistance should focus on a few transformative programs that can be delivered at scale in order to have impact and durability, and agencies should be prepared to change course and adopt new strategies while minimizing bureaucratic procedures and programming processes.

[106] Methodologies for such analysis regarding displacement situations are described in Jennings et.al. (2014) and Crawford et.al. (2015 forthcoming)

4. In addition to repatriation assistance including livelihood support during a transition period, development assistance in return areas comprising livelihoods, services, infrastructure, and measures to address issues regarding the recovery of property is a necessary complement to repatriation assistance in order to ensure lasting return.
5. Experience suggests that rehabilitation and development assistance to support reintegration at the local/area level, that is undertaken in response to refugee demand with the involvement in planning by both the returnees and populations that remained in the return areas, can successfully support comprehensive and lasting return provided returnees view local security conditions as conducive and can access their property. Men and women should be equally involved (and where appropriate, youth) from both returnees and stayees in participating in such planning processes.
6. Large scale regional or national programs (such as the Seila in Cambodia, NSP in Afghanistan, and the LGSDP in South Sudan) can, if designed with a clear focus on reintegration of the displaced (and receive adequate funding), be a vehicle for such area development assisting reintegration, and at the same time provide a common approach for donors and involved NGO implementing partners.
7. To support return after protracted displacement, broader development activities beyond community level reconstruction and reintegration are critical (e.g. rehabilitating/developing critical infrastructure, services, and governance capacity),and must as a priority activity include development of non-farm employment opportunities to address the widespread under- and un-employment (particularly among youth) which is an important contributor to fragility in countries such as Afghanistan, Burundi, Cambodia, and South Sudan.
8. Support for access to services and livelihoods are likely best done through distinct but mutually reinforcing operations. While participatory community based processes are well suited to planning and provision of public goods (e.g. health and education services) and some club goods (e.g. hand pumps or irrigation repair), support for livelihoods (other than labor intensive public works programs) involve private goods which require different delivery arrangements (e.g. training, access to credit, saving and self-help groups), and which are preferably supported by broader development interventions that inter alia promote transport, communications, trade, and banking.
9. As illustrated by Afghanistan between 1989 and 1992, there have been circumstances where the international community decided to support refugee return and reconstruction in areas that remained outside the control of the internationally recognized central government represented in the UN General Assembly, and without its formal approval.

5.3 Housing and urban development

1. More than half the world's refugees and IDPs now live in urban areas, and the majority of returnees head for urban areas. This reality of displacement and return– which is usually not very well studied and understood –needs to be recognized, and in addition to humanitarian and protection needs, it requires development interventions which address the needs of the displaced and returning populations regarding housing/land, services, and livelihoods. Such interventions should also integrate displacement and return considerations into national development, urban

development and disaster risk management policies and plans in ways that mitigate tensions between the displaced people and their urban hosts or the stayee population.

2. A key lesson from Bosnia-Herzegovina is that a large scale housing program needs to integrate different program levels from local construction, infrastructure provision and planning to wider urban and regional levels, and to provide coordinating mechanisms for the different actors including those dealing with property ownership and titles, as well as those funding the reconstruction effort.

Annex 1: Legal and institutional dimensions of refugee and IDP return

Perhaps surprisingly, the principle international legal instrument dealing with refugees, the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol, does not directly address the question of refugee return. Nevertheless, the right of refugees to return to their country of origin is fully recognized in international law and enshrined in various binding international human rights instruments. For example, the 1948 Universal Declaration of Human Rights establishes that 'Everyone has the right to leave any country, including his own, and to *return* to his country [emphasis added]' (Art. 13 (2)), whilst the International Covenant on Civil and Political Rights (Art. 12 (4)) and the International Convention on the Elimination of all Forms of Racial Discrimination (Art. 5 (d) (ii)), as well as a number of regional human rights instruments and the various national legislative instruments also fully recognise the right of return. Both the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, and the 1984 Cartagena Declaration on Refugees, for example, elaborate principles of voluntary repatriation.

Although the issue of refugee return is not addressed in the 1951 Refugee Convention, nevertheless, it does contain several important provisions that are implicitly relevant to repatriation. For example, the principle of *non-refoulement* establishes that a refugee cannot be compelled to repatriate since the involuntary return of a refugee would in practice amount to *refoulement*. Other forms of 'Complementary protection' also prevent refoulement: for example, Article 3 of the 1984 Convention against Torture, expressly prohibits countries from removing an individual where there are substantial grounds for believing that this would expose her or him to the likelihood of being subjected to torture. In other words, by default, while refugee return is not ruled out, it cannot be achieved compulsorily. Conversely, the Refugee Convention makes clear that refugee status is not permanent and ceases once a refugee re-avails her/himself of national protection in the country of origin. Article 1 C of the Convention also defines the kinds of situations that constitute the Cessation of Refugee Status and thus the scope for repatriation. As we shall see, Cessation clauses have been invoked in some of the case studies reviewed in this report. Although the tests for Cessation are extensive and refer to fundamental circumstances, almost without exception the Cessation of Status is a matter of controversy.

Under the 1950 Statute of the Office of the UNHCR,[107] the Office is mandated with a central role in 'providing international protection' and 'seeking [i.e. the three durable] permanent solutions' (emphasis added) to the problem of refugees of which voluntary repatriation is the one of concern here. The Statute reinforces this role by calling on governments to cooperate with the High Commissioner inter alia by 'assisting the High Commissioner in (her/his) efforts to promote the voluntary repatriation of refugees'.[108]

However it was not until thirty years later, in 1980, that the UNHCR's special competence for refugee return was elaborated and codified in any detail. This was the outcome of ExCom 1980.[109] Five years

[107]UN (1950). General Assembly Resolution, A/RES/428 (V)
[108]UN (1950).
[109]UNHCR (1980).Executive Committee.

later, ExCom 1985 significantly developed the doctrine of voluntary repatriation, reiterating and further detailing the basic principles.[110]

The terms 'refugee return' and 'voluntary repatriation' are often used interchangeably. Whilst refugee return is the term widely used to define the phenomenon – as used in this report for example - voluntary repatriation has a more specific meaning and requires explanation in two respects.

First, core to the principle of refugee return is the principle of voluntariness within the overarching framework of international protection for refugees: in this sense it is the corollary to the principle of *non-refoulement* discussed earlier in this annex. That is, within the aegis of international law, refugee repatriation is always conditional on the principle of the individual refugee voluntarily choosing to return to the country of origin. Voluntariness is tested against conditions in the country of origin to which the refugee is returning (ensuring an informed decision), and the situation in the country of asylum (ensuring a free choice and that the refugee is not being sent back unwillingly by a host country resistant to the presence of refugees). Implementing the complex logistics of voluntary return, the UNHCR must fully take into account the safety and dignity of the refugees.

Second, and a potential source of confusion, is the fact that voluntary repatriation is also a term of art used specifically to describe a process of return that is organized by and most usually comes within the mandate of the UNHCR and the ExCom Conclusions of 1980 and 1985, discussed above. In this sense *voluntary* repatriation (perhaps better termed organized or planned repatriation) is distinguished from *spontaneous* repatriation which, although it also almost certainly likely to be voluntary, takes place in an unprompted and unplanned fashion and usually on an individual basis. As we shall see, the case studies exemplify both modalities of repatriation. Often both processes may take place although not necessarily simultaneously. In the case of Angolan refugees returning from protracted exile in Zambia for example, three quarters of the refugees returned spontaneously, in advance of the voluntary repatriation process organized by UNHCR, which took time to mobilize.

In terms of the modalities of return, a key element enunciated in the Conclusions of ExCom 1985 was the role of UNHCR in establishing tripartite commissions between itself, the country of origin and the country of asylum. This mechanism is the main modus operandi of voluntary return under the auspices of the UNHCR. To this end the UNHCR was also encouraged to be fully involved operationally in both the planning and implementation of repatriation.[111] For example, the UNHCR has coordinated repatriation grants which provide of vital resources for returning refugees such as agricultural tools and seeds to enable rural households to re-establish their livelihoods. Likewise, UNHCR has been instrumental developing Quick Impact Projects (QIPs), for example reconstruction of vital infrastructure like water supply systems and school buildings to enable returning refugees to settle back in their places of residence. More recently, with more refugees coming from urban areas and increasing numbers of

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[110]UNHCR (1985).Executive Committee.

[111] Details of the UNHCR's role and modus operandi for repatriation are provided in UNHCR. (1996), 'pps.7–40, and UNHCR.(2003). pps.68–75.

returning refugees settling in urban areas – even those who originated from rural areas – it has been much more difficult to mobilize these assistance programs.

On the basis of the 1985 ExCom Conclusions on refugee return, the UNHCR together with other international actors and relevant states had some success in implementing voluntary repatriation. The most coherent example of coordinated voluntary return was, perhaps, the International Conference on Central American Refugees (CIREFCA). This process, which ran from 1987 until 1994, developed a wide ranging Plan of Action and included Tripartite Agreements for reintegration and political dialogue which facilitated the voluntary repatriation of almost 135,000 Salvadorian, Nicaraguan Guatemalan refugees.[112] Another example is the return of almost 1.7 million Mozambican refugees, mainly, from Malawi and Zimbabwe in the first half of the 1990s. Other examples are discussed in more detail in the eight case studies – e.g. Angolan returnees from Zambia, Bosnian returnees from various European countries, Afghan refugees from Pakistan.

Indeed the 1990s were the optimistic high point of voluntary repatriation – the 'decade of repatriation' as Mrs. Ogata the UN High Commissioner for Refugees during this decade termed it. Over 10 million refugees repatriated in this decade,[113] averaging over one million refugee returnees per year: this volume has never been achieved subsequently. Even in this decade it is important to point out that spontaneous returns outstripped voluntary repatriation, a process evident in all the case studies of this report.

Turning to provisions for the return of IDPs, the legal and institutional framework remains rudimentary compared with that for refugees. International law makes no explicit provisions that safeguard the principles and processes by which IDPs may return. However, the 1998 Guiding Principles on Internal Displacement[114] do provide 'soft law' for protecting IDPs, including their right of voluntary return. Section V (Principles 28-30), of the Guiding Principles sets out the Principles Relating to Return, Resettlement and Reintegration. Specifically, Principle 28(1) notes that 'Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to *return voluntarily*, in safety and with dignity, to their homes or places of habitual residence', [emphasis added]. Essentially, these Principles afford general conditions for the return of IDPs which are broadly similar to those for returning refugees. The critical differences, of course, are that the Principles are 'non-binding' without national legislation; and no international organisation is mandated to promote and implement return for IDPs; this responsibility lies within the competence of the state where internal displacement has taken place. And it is precisely because states are often unable or unwilling to accept this responsibility, and may even be perpetrators of displacement, that the Guiding Principles were first advocated.

A significant development in respect of IDPs is the African Union's 2009 'Kampala Convention' on the protection of IDPs.[115] The Convention develops and consolidates key normative standards governing internal displacement and crucially the Convention is binding on the signatory states, unlike the Guiding

[112] For more details see Betts, A. (2006).
[113] UNHCR (1999).p. 146.
[114] UN (1988).

[115] African Union (1999).

Principles. In the context of IDP return, Article 11 (1) obligates states to 'seek lasting solutions to the problem of displacement by promoting and *creating satisfactory conditions for voluntary return*' (emphasis added).

Annex 2: Voluntary migration, forced displacement and development

For many decades the displacement and the return of refugees and IDPs has been pre-eminently framed as a humanitarian and a human rights challenge. But the humanitarian paradigm has yielded little progress toward satisfactory interim or durable solutions – notably in relation to repatriation - to the increasingly protracted displacement of refugees and IDPs. Accordingly a profound shift is taking place in the response to these large-scale crises. Transcending the humanitarian paradigm there is gathering international momentum that reframes these conditions as developmental and economic challenges. Promoting development-led responses to situations of large scale and often protracted population displacement potentially offers a robust and sustainable strategy to support all those affected, displaced people as well as their hosts.[116]

The context to this emerging paradigm of development-led responses to refugee crises lies in the extensive research evidence demonstrating the strong macro and micro- economic links between migration and development.[117] Motivating engagement with this development-led paradigm in refugee situations is the contention that similar links might also exist between *forced* migration and economic development and thus, by extension, the potential for development-led responses to such crises.

On the relationship between international *voluntary* migration and development, there is an extensive academic literature in macro- and micro- economics,[118] and in sociology,[119] that points to the well-established and long-standing connection, both as an historical phenomenon and under contemporary conditions of global mobility. An excellent overview of the evolution of this relationship, tracing the theoretical polarization between 'neo-classical views on the one hand and historical-structuralist views (neo-Marxist, dependency, world systems) on the other is provided by de Hein.[120] He argues that the postmodernist discourse tends to reject this dichotomy in favor of '... increasing synergy between migration theorists from different disciplines and paradigmatic backgrounds' in the analysis of the interplay between development and migration[121].

Current analysis, in the context of globalization and broadly captured in the theoretical debate on the 'new economics of labor migration',[122] emphasizes the role of migrants and migrant communities as members of transnational societies, social networks and diasporas, as development actors – an emphasis the current study of refugee return strongly acknowledges. This paradigm complements the mainstream macro-economic analysis (whether neo-classical or historical-structuralist) of the formative role of migration in national economic development processes which dominated earlier academic discourse. At the same time some researchers have challenged the notion of migration as an 'exception' to sedentary life. Thus, emerging in the late 1990s partly in response to the increasing globalization of migration, a growing

[116] Zetter (2014) provides an extensive review of this emerging paradigm of development-led responses to large scale, protracted refugee crises. See also Ruiz and Vargas-Silva (2013).
[117] See e.g. Czaika and Vargas-Silva (2012) and Todaro and Smith (2014).
[118] See e.g. Ravenstein (1885); Lee (1966); Todaro and Smith (2014) especially chapters 3, 6, 7; Massey, (1989), Massey et al,.(2005); OECD (2000); Czaika and Vargas Silva (2012); van Hear and Nyberg Sørensen (2003); Keeley (2009)especially Chapter 6.
[119] See e.g. Castles et al (2013); Cohen (2006, 2012); Faist (2004); Portes (2010), Ports and de Wind (2007).
[120] de Hein (2007).
[121] de Hein (2007:10).
[122] Stark and Bloom (1985:173).

literature on transnationalism and diasporic societies promoted a so-called 'new mobilities paradigm'.[123] Further departing from the idea that migration is an anomaly, this dominant research strand, included, inter alia, investigation of the developmental role these linkages played both in receiving and origin countries. Turning to the relationship between *forced* migration and development, academic debate and analysis is at a much earlier stage of progress and so the literature remains both sparse and lacks a coherent theoretical paradigm. An earlier phase in promoting this relationship, under the label of linking relief and development, failed to gain effective traction either as an academic enterprise or in policy engagement.[124] However, more recently, the substantial growth in forced migration together with the recognition that the vast majority of refugees and IDPs remain in protracted displacement,[125] has spurred rapidly growing research and policy interest in the developmental impacts of forced migration and the scope for development-led interventions sitting alongside the humanitarian assistance model which dominates current theoretical and operational debate. Ruiz and Vargas-Silva[126] provide a valuable overview of the literature on economics of forced migration.

In terms of the theoretical discourse, Zetter[127] provides an extensive review of these debates, focusing on the macro-economic development and fiscal challenges that large scale and protracted refugee and IDP populations impose on affected countries. From a policy and operational perspective the relationship between forced migration and development is especially pertinent for development actors such as the World Bank. To this end the World Bank[128] has taken the lead in promoting both the development of analytical tools and operational expertise, for example in Lebanon in the context of the Syrian refugee crisis.[129] Another crucial strand of research focuses on the empirical analysis of micro-economic impacts of displaced people themselves and the role of households and communities as development actors.[130]

A notable gap in the emerging debate on the relationship between forced migration and development lies in the modalities of this connection in the context of refugee return, which this study attempts to throw some light on.

[123] Guárico (2003); Sheller and Urry (2006) and in the case of refugees Malkki (1992).
[124] See e.g. Buchanan-Smith and Maxwell (1994); UNDP, UNHCR and World Bank (2010).
[125] A forthcoming study by the Overseas Development Institute (ODI) predicts that by the end of 2017 the protracted displacement of refugees will return to historic highs of 91% in 2005 and 88% in 2010 and 2011. For IDPs the report notes that 50% have been displaced for more than three years, (Crawford et al., 2015 forthcoming).
[126] Ruiz and Vargas-Silva (2013).
[127] Zetter (2014).
[128] World Bank (2012b)
[129] World Bank (2013c)
[130] See e.g. Alix-Garcia and Saah (2008); Jacobsen (2005); Maystadt and Verwimp (2009), Government of Kenya. (and Danish and Norwegian Embassies in Nairobi). (2010): Kuhlman, T. (1991): and analysis on Afghan refugees by the Afghanistan Research and Evaluation Unit (AREU) referenced in the Afghanistan Case Study.

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Afghanistan Case Study

Background

In the wake of the Communist coup in April 1978 the increasing repression and the gradual growth of resistance and civil war from the summer of 1978 had driven about 3-400,000 Afghan refugees to Pakistan and 200,000 to Iran by the time of the Soviet invasion in December 1979.[131] The scorched earth tactics used by the Soviet and Afghan military forces in fighting the resistance (the *mujaheddin*) swelled the number of refugees, and when the last Soviet troops left Afghanistan in February 1989, there were an estimated 3.2 million Afghan refugees in Pakistan, possibly more than 2 million in Iran,[132] and about 100,000 in Europe, USA, Canada, and India. While the Afghan refugees in Pakistan and Iran were overwhelmingly from the countryside, those in other countries of asylum represented a significant part of the country's educated elite.[133]

The Geneva Accords from April 1988, which stipulated the withdrawal of Soviet troops from Afghanistan, created the expectation, that this would be followed by regime change and the emergence of peaceful conditions, and that this in turn would enable the return of the more than 5 million Afghan refugees in Pakistan and Iran. In response to this assessment, which history proved to be fundamentally flawed, the UN and a number of NGOs began to prepare to meet the enormous challenge of creating conditions within Afghanistan that would support the recovery of the country and prevent another tragedy when the refugees returned.

Throughout the war, the Soviet-supported regime in Kabul had retained its seat in the UN General Assembly. The UN normally only undertakes programs with the approval of the concerned government, and with only one exception (an immunization project)no UN projects were undertaken in *mujaheddin* controlled areas during the war. The signing of the Geneva Accords meant an end to this policy. A coordinator for relief and reconstruction was appointed, and a special office created for United Nations Humanitarian and Economic Assistance Programs relating to Afghanistan (UNOCA) to bring together the efforts of the different UN agencies, NGOs, and involved donor countries. The UN launched an international appeal, and at a subsequent donor conference in October 1988, close to 1billion dollars were pledged. However, major donors withheld their funding pending clearer evidence of significant refugee return. In addition, most of the pledges were for aid in kind primarily for the WFP, and only limited non-earmarked cash contributions were available.[134] This seriously impaired the ability of the UN to react with the necessary flexibility to the needs in Afghanistan.[135]

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[131] UNHCR 2001.

[132] The UN figures for Afghan refugees in Iran are those given by the Iranian authorities. The 1986 Census of Iran reported the number of Afghan refugees as 755,257, excluding the Afghan migrant workers although they were recognized by the UNHCR and Teheran as refugees *sur place*. Even before the war Afghan migrant workers in Iran were estimated to number between 500,000 and one million, and migration between the two countries continued throughout the war. In May 1992 Iran gave a figure of three million Afghan refugees. No reasons were given for this increase, but the figure was accepted by UNHCR although it did not tally with other figures on refugees within Iran (Glatzer 1992: 4).

[133] Van Royen 1990: 54.

[134] Knowles 1992:42.

[135] UNOCA 1989: 8.

International and Afghan NGOs were expected to be involved as implementing agencies.[136] However, delays in UN planning meant that the NGOs could not plan since they did not know when, if at all, they would receive funding for approved proposals. Such problems were in large measure a reflection of the limitations to which the UN offices in Pakistan were themselves subjected. Approval of plans, budgets, and expenditures had to be made at headquarters and took time to finalize. Funds once approved for specific projects could not be transferred to other projects or geographical areas if conditions changed. The problems were compounded by inter-agency rivalry. The specialized agencies found it difficult to accept the coordinating role of UNOCA. Moreover, since donors allocated a considerable part of the funds pledged for Afghanistan directly to specialized UN agencies like UNHCR, UNDP, and UNICEF, and not to UNOCA, this also limited its ability to back its attempts to coordinate with real authority.[137]

The 1990s – Refugee return and new displacement

Spontaneous refugee return from Pakistan had begun in anticipation of the Soviet withdrawal in early 1989, but only in July 1990 did the UN begin to provide a repatriation grant in exchange for the ration 'passbooks' of refugee families willing to return.[138] By the end of 1991, UNHCR estimated that at least 550,000 refugees had returned, all from Pakistan and mostly to areas under *mujaheddin* control. Of these, more than 300,000 were spontaneous returnees.[139] Those returning ignored the policy of the resistance parties, who held that repatriation should only take place after the fall of the communist regime in Kabul.

The UN forecast for 1992 was the return of 50,000 families.[140] Like earlier forecasts for Afghanistan, this too was proved wrong. The collapse in April 1992 of the communist regime triggered the rapid return of an estimated 1.27 million refugees from Pakistan and another 287,000 from Iran.[141] With the *mujaheddin* takeover of Kabul, refugee return from Pakistan was no longer only to the rural areas but also to the capital itself, which had suffered no damage during the war. However, over the summer of 1992 Kabul descended into lawlessness where looting became the order of the day, and frequent clashes took place between rival *mujaheddin* groups culminating in large-scale fighting in August. Instead of returning to Kabul people now started to flee the city in increasing numbers. Faced with a new influx of refugees, Pakistan sealed its border to new arrivals at the end of August, and while up to 100,000 refugees are estimated to have managed to cross the border, most of those fleeing from Kabul ended up as IDPs in and around Jalalabad and in northern Afghanistan, or as refugees in Russia.[142]

The fighting between the *mujaheddin* over Kabul, and the rise and rapid expansion by the *Taliban* from late 1994, did not disrupt refugee return, which continued albeit at a much lower scale than at its peak in 1992. The number dropped steadily throughout the nineties to 87,000 returnees in 1997, and then increased again. The great majority appear to have returned to what had become comparatively stable

[136] UNOCA 1988: 28.
[137] Lawrence 1990.
[138] The repatriation grant for a family consisted of Rs.3,300 (about US$100) as assistance towards their transport costs and 300 kg of wheat to sustain them for three months.
[139] UNHCR 2001.
[140] UNHCR 1994.
[141] While 97% of the returns from Iran were 'spontaneous' all those from Pakistan were 'assisted' (UNHCR 2001).
[142] Following the collapse of the Communist regime and the growing insecurity in Kabul, around 12,000 Afghan refugees fled to Russia in 1993, and by 2001 there were 100,000 refugees and asylum seekers there (UNHCR 2001).

Taliban controlled rural areas in the east and south.[143] By 2000, UNHCR estimated that more than 4.6 million refugees had returned to Afghanistan.[144] However, the fighting over Kabul among the *mujaheddin* and later between the predominantly Pashtun *Taliban* and the Tajik Northern Alliance had at the same time caused new displacement, which now included a large proportion of urban refugees. As a result there were still an estimated 2 million refugees in Pakistan and nearly 1.5 in Iran by the end of 2000.[145]

Assistance to facilitate sustainable refugee return

Following the Soviet military withdrawal and into the 1990s, a large number of international and Afghan NGOs became involved in assistance to facilitate a sustainable return of refugee both with funding from the UN and from other sources.[146] These agencies engaged in activities ranging from rehabilitation of agriculture, irrigation, and infrastructure, to health, education, and emergency relief.[147] In the second half of 1988, coordinating bodies had been formed in Peshawar and Quetta by the NGOs engaged in refugee and/or 'cross-border activities' to provide representation vis-a-vis the UN system, the donor community, and the Pakistani and later Afghan authorities, and to coordinate NGO activities. While the first of these tasks was accomplished, the NGOs did not manage to coordinate a balanced distribution of the available assistance in relation to needs to needs in the areas that could be reached relatively safely within Afghanistan, or regarding matters of aid policy and approach.

Approaches to support refugee return differed among the NGOs, and one example is that followed by the Danish Committee for Aid to Afghan Refugees (DACAAR), which since 1984 had been involved in refugee assistance in Pakistan.[148] The basis for DACAAR's rehabilitation program was its engineering experience from the refugee program comprising water supply and road construction.[149] A set of core activities to be implemented sequentially were identified which responded to the specific recovery (and development) needs of rural return communities:[150]

- Rehabilitation and improvement of irrigation (required for both the resumption of agriculture and the reconstruction of adobe houses) through labor intensive public works involving the farmers from the village or villages using an irrigation system.[151]
- Support for the resumption of agriculture through a seed and fertilizer package provided in collaboration with FAO, and supplemented by assistance for agricultural development.
- Local production of reinforced concrete roof beams provided at highly subsidized cost to enable returnees rebuild a two-room house, since villages were usually completely destroyed with timber burned or looted and the cost of timber for roof beams prohibitive.

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[143] UNHCR 1998.
[144] Of these, 1.9 million were estimated to have returned from Pakistan and 1.7 million from Iran (UNHCR 2001).
[145] Ibid.
[146] On the background and operations of these NGOs, see Baitenmann (1990) and Christensen (1995).
[147] From 1993 onwards the UN started calling such activities Quick Impact Projects (QIPs), a label that was more a marketing tool to address increasing donor fatigue than an actual operational innovation (Christensen 1995: 119).
[148] DACAAR is a consortium of the Danish Refugee Council and some of its member organizations (DACAAR.org).
[149] Initial funding of US$3 million came from Danida, with additional funding from UNDP, UNICEF, EU and others.
[150] Christensen 2005.
[151] This provided an income to support the families of the returnees, who mostly remained in the refugee camps until agriculture had been resumed and houses rebuilt.

- Road repair, usually preceded by demining undertaken by UN trained Afghan teams.
- Rebuilding of public buildings - primarily schools – to ensure that when women and children returned from the refugee camps after the resumption of agriculture and rebuilding of houses, education could continue uninterrupted.[152]
- Drinking water supply involving mainly hand pumps on improved dug wells (plus some pipe schemes) based on the principles of community skills and community payment for maintenance, together with community access to spare parts through shop keepers in local bazaars, who stocked and marketed hand pump spare parts as part of their business.[153]

The strategy for implementation of these activities involved:

- Political neutrality with regard to political affiliation and tribal or ethnic identity.
- Program identification based on demand from refugee or return communities, along with their involvement in planning.
- Program planning targeting not only returnees but whole communities including those who might have stayed behind in order to promote equity in access to assistance, accelerate the process of reconstruction, and prevent the animosity and conflicts which would result, if refugees and internally displaced alone were defined as the target group.
- Program implementation in defined and relatively small areas to ensure that the package of interventions would achieve tangible impacts in terms of local recovery.

Implementation experiences – return in a stateless society[154]

The two return situations described below illustrate the range of conditions under which this approach was implemented, and the extent to which it could be effective in facilitating a comprehensive return of refugees to particular locations.

Reconstruction and lasting return: After Khost in Eastern Afghanistan fell to the *mujaheddin* in April 1991, elders from two small Pashtun tribes, the Manduzai and Ishmailkhel, approached DACAAR requesting assistance to rebuild their villages. The two tribes comprised an estimated 25,000 persons, who since the early eighties had been in refugee camps in Pakistan's North Waziristan Agency bordering Khost. Immediately after the fall of Kost, armed tribesmen went back to take possession of their fertile lands in the Khost basin, and following a joint needs assessment and planning visit in May, the whole assistance package described above was implemented over the next two years. At the end of this period, the totally devastated villages were almost fully rebuilt, the bulk of the refugees had returned, and life had returned to something resembling pre-war normalcy. Since refugees from the same village or locality usually reside together in a particular camp, return often becomes a cumulative process where when a certain threshold is reached, those remaining often find life in the camp too insecure and follow those who have left. However, not everybody returned. Returnees told that labor migration to the Gulf states had

[152]This only involved schools built before the conflict, which would then be run by NGOs with education programs.
[153] From 1987, DACAAR operated a hand pump factory in Pakistan managed by Afghan refugees.
[154]Christensen 1995 and 2005.

begun during exile and continued providing remittances to returnees in Khost, and as a diversified livelihood strategy, part of some families remained in exile.

The ability to regain control over tribal lands together with relative security in the area were critical to the successful return of the Manduzai and Ishmailkhel, but land issues soon surfaced generating ongoing strife. One source of intra-village disputes was that the boundaries of fields had often disappeared during the protracted period of displacement. Another was that inheritance cases involving land had remained unresolved.[155] Adding to the frequency and seriousness of such land disputes was the population increase that had taken place among the refugees during their exile. Upon return, some villages were not large enough to accommodate all the returning families. New settlements were then established, usually on uncultivable land at a distance from the old village, and where such land was subject to rival claims from other villages, the result was often inter-village conflict.[156]

Reconstruction and partial return: While rehabilitation assistance may facilitate local recovery, no amount of assistance will ensure comprehensive return if the refugees do not consider the area safe or cannot regain control over their land. Government forces pulled out of the province of Kunar bordering Pakistan in October 1988 which triggered a spontaneous return of refugees. Since access to Kunar was comparatively easy compared with most other areas then under *mujaheddin* control, it became for the next couple of years one of the main areas for rehabilitation assistance from international agencies including DACAAR. Kunar had suffered extensive destruction during the war, and most of the original population was settled in refugee camps right across the border in the tribal agency of Bajaur in Pakistan. Yet, despite the extensive assistance and despite the proximity of its refugees, Kunar did not experience the same kind of repatriation witnessed in the Khost region.

One reason for this was the continuing political instability in the area, where rival resistance parties and commanders appeared to wield more political influence than was the case in Khost. This rivalry culminated when fighting broke out in the autumn of 1991 among the main contestants, the Wahabi supported *Salafi* and the *Hizb-e Islami*of Hekmatyar. The fighting, which was accompanied by looting, drove some returnees back across the border to Pakistan and made those in Pakistan hesitant to return to their home villages.

Another consequence of the political influence of *mujaheddin* commanders in Kunar which has restricted refugee return was the takeover of land belonging either to refugees in Pakistan or to people who had fled along with the Afghan government forces. Although repatriation to Kunar seems to have increased since local political conditions stabilized during 1994, there are still many refugees who have not returned since their land is controlled by others or they view conditions as too unsafe.[157]

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[155] During one month in the summer of 1992, more than 30 men were killed mainly due to land disputes among the few thousand members of the Manduzai tribe, who had by then returned to their home villages.

[156] During 1992 and 1993 a number of clashes over land rights involving heavy weapons like tanks and artillery (looted from the Khost garrison after the fall of the town) took place between villages in the region.

[157] As reported in a 2002 survey of expected repatriation patterns, most of the remaining refugees from Kunar settled in the tribal agency of Bajaur right across the border still considered conditions to be too unsafe to return (DACAAR, IRC, and Madera 2002: 11).

Refugee return and new displacement after 2001

Following the fall of the Taliban and the establishment of the Afghanistan Interim Authority in late 2001, spontaneous return began from both Pakistan and Iran comprising an estimated 300,000 refugees. This time the UN responded faster than after the Soviet withdrawal, and an assisted repatriation program began in the spring of 2002 with a planning target of 800,000 returnees. By the end of September, more than 1.5 million had returned from Pakistan and more than 220,000 from Iran.[158] At the same time a reverse flow comprising an additional 300,000 new refugees had arrived in Pakistan and 80,000 in Iran during the coalition intervention.[159] The UN figure for returnees records those that received assistance, but not lasting return, and does not capture the 'backflow' of returnees who reentered the country of asylum because of difficulties they encountered on reaching their home areas.[160]

In their study of the refugee return in 2002, Turton and Marsden makes the case that in assisting the mass return of refugees, UNHCR was responding more to the perceived political interests of its donors and host governments, than it was to the actual interests of the majority of its 'beneficiaries'.[161] What they also hold to be critical was that while returning refugees knew about conditions in their home areas, they had misplaced expectations about the level of assistance they would receive upon their return, since they had been '… bombarded with … encouraging messages, relayed by the BBC's Pashto and Dari services and by the Iranian and Pakistani press, T.V. and radio ... about huge amounts of aid that would soon be flooding into Afghanistan'.[162] Instead of encouraging the massive return, Turton and Marsden argues that more time, effort and funding should have been devoted to the rehabilitation of the areas of potential return.[163] While it is unlikely that all or most of the 1.5 million returnees from Pakistan were persuaded by over-optimistic media accounts, or that they could have been convinced to wait until basic reconstruction was completed in return areas, UNHCR does acknowledge that the return faced significant challenges. In its 2004 assessment of the challenges to return, UNHCR recognizes the limited reach and impact of reconstruction programs and the long term nature of the return and reintegration challenge, and recommends that greater emphasis should be placed on the strengthening of developmental approaches, programs, and resource mobilization.[164]

Refugee priorities for return and reintegration

A large-scale population profiling in camps and urban settings in Pakistan by UNHCR in 2011 comprising 135,452 Afghan refugee households (corresponding to a population of 974,961 persons) found that only 16 per cent of the households expressed an intention to return to Afghanistan, while 84 per cent did not, and these households had no time frame in mid regarding an eventual return. The factors listed by respondents that would encourage return were improved security (37per cent), employment opportunities (34 per cent), and access to housing (23 per cent).[165]

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[158] Turton& Marsden 2002: 1.
[159] UNHCR 2004: 8
[160] Turton& Marsden 2002: 22
[161] Ibid. 6
[162] Ibid. 2
[163] Ibid. 3
[164] UNHCR 2004: 3.
[165] UNHCR 2012: 15.

These numbers represent a marked decrease in the proportion of refugees intending to return compared with the findings of a survey of expected repatriation patterns from Pakistan undertaken in 2002 by NGOs working with UNHCR. Yet, what is noticeable is that even then, only 30 per cent of the families interviewed planned to return soon.[166] What is also noticeable is that among the 63 per cent who had no plans for an immediate return, the primary reasons include the same three concerns that were brought up in the 2011 UNHCR population profiling, although the weighing of these concerns were less pessimistic. Thus, lack of security in Afghanistan is given by 27 per cent, lack of livelihood opportunities by 19 per cent, and lack of housing by15 per cent. An additional explanation given by 21 per cent was lack of services comprising health and education, and the reason why this did not feature in the 2011 UNHCR population profiling might be, that the rural areas had by then received substantial assistance from the international community including from the World Bank. For Afghan refugees in Iran, the concerns regarding return also centered on security, livelihoods, and services.[167]

Prospects for return

Since the fall of the Communist regime in 1992, Afghan refugees in Iran have experienced increasing problems in gaining access to employment, education and health services, along with periodic campaigns to expel undocumented Afghans, which in 2007-08 involved the deportation of about 490,000 persons.[168] In Pakistan, refugees have all along had access to the labor market and to operate businesses. However, food aid for refugees was terminated in 1995, and in 2001 the government issued eviction orders to residents in camps in the Peshawar area. While some refugees opted to go back to Afghanistan, others simply moved to Peshawar. The 2002 NGO survey of expected repatriation patterns from Pakistan found that the '… general feeling among refugees appeared to be that no matter how bad things are in Pakistan, they are not bad enough to encourage them to leave and return to Afghanistan permanently.'[169]

Thus, notwithstanding the 'push' measures applied by host governments, returns dropped from the official UNHCR figure of 1.8 million in 2002 to around 500,000 a year in 2003 to 2005,[170] and as insecurity increased from 2006, it continued to drop. In 2013 there were 31,000 returns from Pakistan,[171] and the figure for 2014 was a mere 17,800 returns.[172] Even so, between 2001 and 2015 an estimated 5.7 million refugees had returned, leaving around 2.7 million in exile in Iran and Pakistan.[173]

So, despite 13 years of involvement by the international community with billions of dollars spent to stabilize and reconstruct Afghanistan the three core issues of security, employment, and housing have not been addressed to an extent that persuades the remaining refugees to return. A significant factor affecting Afghanistan's ability to absorb its returning refugees is the rapid growth of its population which has doubled since 1978, and which has resulted in increasing population pressure on scarce agricultural land, something that was already pronounced in many areas before the conflict. Together with the limited

[166] DACAAR, IRC, Madera 2002: 17
[167] Abbasi-Shavazi et.al. 2005: 65
[168] In Iran, the authorities began forced repatriation of Afghan refugees (not migrant laborers) in the summer of 1993 despite protests from UNHCR (UNHCR 1994: 2).
[169] DACAAR, IRC, Madera 2002: 2
[170] UNHCR 2013a and 2013b.
[171] IRIN 2014
[172] UNHCR 2015a
[173] UNHCR 2015b. There are 1.7 million registered Afghan refugees in Pakistan and 1 million in Iran.

development of non-farm employment opportunities this pose critical constraints to a return for those still in exile, even in a situation where the authorities in both Pakistan and Iran have hardened their attitude towards the refugees they host. Regarding the immediate future, the extremely low return figures for 2013 and 2014 reflect a growing uncertainty among the Afghan refugees who remain in exile as to whether the transition in 2014 will bring about conditions that help address these issues.

Changing refugee composition: Both the successive waves of displacement and the protracted period of displacement have resulted in social and economic changes among the refugees. While most of the returnees from Pakistan during the nineties came from and returned to the rural areas, and had resided in refugee camps (which early on developed into refugee villages) during their exile, this was not the case with a large proportion of the returnees after 2001. The UNHCR assessment from 2004 of challenges to return found that an estimated 75 per cent of the returns from Pakistan since 2002 were from urban locations,[174] as had all along been the case with the bulk of the returns from Iran, since here most Afghans lived in the poorer neighborhoods of the major cities.[175] Unlike the return from Pakistan during the nineties, which largely involved farming communities returning to resume life in their villages, an estimated 70 per cent of the returnees since 2002 were landless, and of the returnees from both Pakistan and Iran 80 per cent had little education, were asset poor, and were predominantly employed as day laborers while in exile. Of those returning, 42 per cent moved to urban locations in Afghanistan.[176]

The UNHCR assessment of 2004 also found a clear link between the motivation to return and the length of exile, with far fewer long-staying and well-established communities choosing to repatriate.[177] During their long period of exile, those continuing to reside in the refugee camps/villages have adapted to a new way of life and to living conditions which they would find difficult or impossible to replicate in Afghanistan. At the same time, they also include many who have no land or cannot access the land they held before such as Pashtuns from northern Afghanistan, who since the early nineties and particularly so after the defeat of the Taliban have faced ethnic discrimination in their home areas. In contrast, 58 per cent of those returning during 2002 had left Afghanistan within the preceding five years, i.e. after the Taliban took control of Kabul.

Adaptations to displacement and return

As in other displacement situations (e.g. South Sudan) Afghan refugees have found ways of adapting to both exile and return that differ from the finite transition from exile to 'home' envisaged in the managed repatriation processes. These adaptations which may be temporary or permanent involve choices based on assessments of what remaining in exile or returning can accomplish regarding achievement of the overarching priorities for household wellbeing involving security, livelihoods, housing, and access to services. As such, they represent the refugees' own versions of 'durable solutions'.

A central feature of how Afghan refugee households have adapted not only to their return, but to the displacement situation as well, has been through transnational networks that straddle the boundaries

[174] UNHCR 2004: 8.
[175] By 2001, less than 2.5 per cent of the refugees were estimated to live in camps (Ibid. 10)
[176] Ibid. 10-11.
[177] Ibid. 12. The same was found to be the case in the 2002 survey of expected repatriation patterns (DACAAR, IRC, & Madera 2002: 14).

between Afghanistan and its neighbors and reach even further afield. Such transnational networks can be based on kinship, ethnicity, economic relations, faith, or party politics.[178] One strategy drawing on transnational networks involves spreading household members geographically to make use of livelihood and other opportunities in different locations at the same time, a strategy that refugee households have in common with many households who did not flee the country and with returnees as well.[179] Another strategy involves cross-border economic activities – both legal and illegal. In Pakistan trade markets in and around Peshawar dominate the commercial sector of the city. These are all based upon cross-border trade and smuggling, and some Afghan traders and smugglers are involved in partnerships with Pakistani traders and officials.[180]

Most Afghan refugees in Pakistan are locked into low-wage activities in some of the most marginalized areas of work. They earn inadequate amounts to save for the cost of repatriation, and have little opportunity for upward economic mobility.[181] Sources of income are wage labor in the bazaar or building industry, collection of scrap metal or plastic (often through child labor), or male family members working as unskilled laborers in distant cities.[182] Only a minority among the refugees appear to have succeeded in establishing businesses, and among these only a miniscule fraction have grown their business to a point where they have needed to supplement the household labor force with employees.[183]

While most of the refugees living in urban locations in Pakistan are landless, some of those in the refugee camps (or villages) do have land. One strategy employed by refugees from the border provinces involves cultivation of the land they hold in Afghanistan while continuing to reside in Pakistan.[184] This may be a component of a life centered in Pakistan, or reflect adaptation to a situation where the growth in household size during exile had made their landholding economically unviable for the whole household to return. It may also be a step in the process of returning, or it may reflect a strategy in which some of the household members remain in Pakistan to ensure that the returnees have a place to return to should conditions deteriorate in Afghanistan.[185] Such adaptations to economic and political circumstances predate the conflict in Afghanistan and are referred to in Pashto as having 'two houses' (*dwa kora*).[186]

Labor migration too is a coping strategy that predates the conflict and that continues to be pursued by those who did not flee Afghanistan during the conflict, as well as by returnees to Afghanistan and refugees remaining in exile. Thus, refugees from Pakistan migrate to Afghanistan for seasonal labor particularly in Kabul and Nangarhar provinces, and have, when circumstances permitted, made use of repatriation assistance to facilitate this. During the large scale UNHCR assisted repatriation that started in 2002, these two provinces alone accounted for 60 per cent (more than 800,000 persons) of those reported

[178] Collective for Social Science Research 2006: 48
[179] Stigter & Monsutti 2005, and Monsutti 2006
[180] Collective for Social Science Research 2006: 50
[181] Ibid. 53
[182] DACAAR, IRC, Madera 2002: 19
[183] The 2011 Population Profiling found that of 44,000 Afghan refugees engaged in various forms of businesses, only 0.01 per cent had employees. However, the aggregate investments made during the period of exile by these businesses were quite substantial, and estimated to be in the range of 18-45 billion Pakistani Rupees (UNHCR 2012: 13, 54)
[184] DACAAR, IRC, Madera 2002: 5
[185] Ibid. 21
[186] Ahmed 1980: 39, 120)

to have repatriated between March and August, and it seems likely that this number included seasonal migrants who did not intend to remain in Afghanistan beyond the summer.[187]

The bulk of the labor migration is to Iran, involves people from Central and Western Afghanistan, and serves to provide remittances to families in Afghanistan to pay for daily needs, and to accumulate capital for investment in land, housing, marriages, and businesses.[188] Contemporary labor migration cuts across all socioeconomic classes and ethnic groups, and daily laborers, small traders, sharecroppers, tenants, and small landowners are all among those seeking work in Iran. Many families, including refugees who have returned, try to always have one of their men in Iran as a means of ongoing financial support.[189] Since the labor migration to Iran is long-standing, migrants can rely on existing transnational networks based on family connections, ethnic identity or acquaintances from the area of origin, which serve as sources of solidarity, credit, information on culture and practice in Iran, contacts with the labor market, and providers of initial accommodation. Afghan migrants to Iran are primarily employed as unskilled workers (mostly in construction and agriculture), and employing Afghan laborers has been illegal since the nineties.[190] Despite these restrictions and their low paying jobs, Afghan migrants are estimated to remit about 70-80 per cent of their income (about $500-1,200 per worker per year),[191] and with an estimated 500,000 migrant laborers[192] their annual aggregate contribution to the Afghan economy ranges from $250 to $600 million.

Like the migrant laborers, Afghan refugees in Iran participated actively in regional social networks that ranged from their neighborhoods to the West (mainly Europe, Canada and Australia). However, research has found that while it was common to engage in relations of mutual support involving borrowing and lending money in times of need to family and acquaintances within a neighborhood, most respondents claimed that they had never received financial assistance from their relatives living overseas. Moreover, like the Afghan migrant workers, the refugee households maintained links with relatives in Afghanistan, but research suggests that unlike the migrant workers they generally did not remit money to relatives in Afghanistan, since they viewed their economic situation to be too weak to do this.[193]

World Bank engagement

Over a 12 year period from 1984 onwards, the World Bank was engaged in support for a large scale income generation project for Afghan refugees in Pakistan, one of the few examples of World Bank assistance to refugees while in displacement.[194] Following this, the World Bank in 1998 initiated a Watching Brief as well as educational initiatives for refugees in Pakistan financed by the Post Conflict Fund (PCF). After September 11, 2001, PCF funded activities accelerated and included support for the design of a reconstruction strategy for Afghanistan, preparation of the Community Empowerment

[187] Turton& Marsden 2002: 22-23.
[188] Abbasi-Shavaziet. al 2005: 68, and Stigter&Monsutti 2005: 10
[189] Stigter&Monsutti 2005: 5
[190] Monsutti 2006: 13
[191] Ibid 10
[192] Monsutti 2006: 14
[193] Abbasi-Shavazi et.al 2005: 65, 67
[194] Independent Evaluations Group 1996. Financing through a multi-donor trust fund provided USD 81.2 million for a total of 295 sub-projects, which generated 24 million work days.

Program (which evolved into the NSP), and of the Priority Sector Support and Reconstruction Program.[195] Starting in November 2001, the World Bank together with the Asian Development Bank and UNDP conducted a preliminary needs assessment for Afghanistan's reconstruction which at a donor meeting in Tokyo in January 2002 generated pledges of USD 1.8 billion for the first year and USD 4.5 billion for the next 30 months.[196]

The World Bank's first country strategy document – the Transitional Support Strategy (TSS) of March 2002 – recognized the '… massive displacement of people (both within Afghanistan and as refugees in neighboring countries),' and saw this as one of the key development challenges based on the somewhat ominous rationale that '… the effective reintegration of refugees, displaced persons and former combatants will be urgently needed to minimize the potential for these groups to undermine the political settlement and security situation.'[197] This would be addressed through income generation for the 'poor and displaced' through public works programs and community driven development (CDD).[198] The next TSS of February 2003, however, took a step back from this by stating that '… the specific needs of returning refugees will not be treated as a separate area of focus but Bank interventions will take into account those areas most affected by refugee return.'[199]

Over the following country strategy cycles comprising the Interim Strategy Notes (ISN) for FY07-08 and FY09-11, no attention was paid to the reintegration of IDPs and returning refugees. But unlike what has been the case with the other country cases examined for this study, the World Bank in Afghanistan acknowledged that reintegration of displaced is a long-drawn process. Thus, the ISN for FY12-14 recognized that '… internally displaced people are an often overlooked subset of the poor,' and the poverty and conditions of IDPs in urban slum settlements '…is one of the reasons that we propose to remain engaged in the urban sector.'[200] This engagement would comprise a second phase of the Kabul Urban Reconstruction Project, a restructured or new Urban Water Project, and a scaling up of the ongoing Kabul Urban Roads Improvement Project.[201]

One of the operations initiated during the first TSS period, which would potentially assist the reintegration of returning IDPs and refugees, was the National Solidarity Program (NSP).[202] The NSP provides block grants to villages for local development identified, planned, and managed by elected Community Development Councils (CDCs), and its design also accommodated measures to facilitate the reintegration of returning refugees and IDPs.[203]One of the criteria for selection of the initial districts to be covered was the scale of displacement, and for CDCs that took steps to include refugees or IDPs

[195] World Bank 2003a: Annex 7
[196] World Bank 2002: 9
[197]Ibid. 1, 7
[198] Ibid. 17
[199] World Bank 2003a: 21
[200] World Bank 2012: 11. In Afghanistan the Poverty Assessment 2007-08 did not include disaggregated data on IDPs and returnees. In order to address this gap, a follow-up study was undertaken by the World Bank and UNHCR on 'IDPs in Urban Settings' (2011) to assess the specific vulnerabilities of displaced compared with non-displaced urban poor, and it is this study that subsequently highlighted the need for a continued engagement in the urban sector.
[201] Ibid. 25
[202] The other were public works activities initiated in late 2002, which became the National Emergency Employment Program, and later, when the focus shifted from income generation to rural accessibility, the National Emergency Rural Access Project. While these operations have generated millions of labor days and enhanced accessibility in rural areas, they too have not considered benefits to and impacts on returning IDPs and refugees in their monitoring indicators (World Bank 2014).
[203] World Bank 2003b: 8

considering return in the planning of development activities, the block grant would be adjusted in proportion to the number of returning families to accommodate additional activities facilitating their reintegration. Since the start of implementation in mid 2003, the NSP had by April 2014 established 34,000 CDCs across 387 of Afghanistan's 402 districts reaching all of the country's provinces and had financed nearly 86,000 development projects disbursing USD 1.53 billion as block grants.[204] However, neither the original performance indicators, nor those introduced in later generations of the program have provided for collection of disaggregated data on the involvement of and benefits to returning IDPs and refugees.

A large scale impact evaluation of NSP from 2013, did also not consider impacts regarding reintegration, but concluded that the program had no durable, robust impacts on income levels, income regularity, consumption levels, consumption allocations, assets, or food insecurity. The impacts of NSP on economic welfare appear to be driven more by the infusion of block grant resources than by broader impacts of completed projects on economic activity.[205] However, another recent assessment did consider the impact of NSP on the reintegration of refugees and IDPs and found that NSP's 'whole-community approach' helped facilitate reintegration and general development within communities which benefited returnees and IDPs. At the same time, the study found that there was too little flexibility to assimilate an influx of returnees or IDPs once the block grant project cycle was initiated. Nevertheless, an overwhelming majority of the returning refugees and IDPs interviewed considered that both the infrastructure development, and the resulting short-term employment from these projects, was having a positive impact on their reintegration into their communities.[206] The assessment recommends that NSP should become the cornerstone of a more coherent whole-of-government strategy to address the issues of mobility and integration, and that this needs to inter alia involve coordination with the Ministry of Refugees and Repatriation.[207]

Operational lessons regarding assistance to facilitate sustainable return

1. Among the case studies, Afghanistan represents a unique example, where the UN and international donors for a period (1989-92) supported return and reconstruction in areas outside the control of the central government represented in the in the UN General Assembly.
2. The international response to return was constrained by (i) inadequate and delayed funding, and (ii) too much in-kind rather than cash funding which constrained response flexibility.
3. UN planning and response was constrained by centralized planning, delays in funding, lack of flexibility to changing circumstances, and inter-agency rivalry.
4. Effective NGO responses were constrained by delayed funding, and lack of coordination regarding regional aid allocations, and aid policy and approach.
5. A significant proportion of the return was spontaneous and not dependent on UN repatriation grants. The planning of reintegration assistance needs to be able to recognize, adapt to and address the needs of such returnees with regard to reintegration assistance, e.g. through demand

[204] World Bank 2015
[205] Beath et.al2013: ix and 92.
[206] Barakat et.al. 2012: x-xi. Unfortunately, the evaluation does not have quantitative data on reintegration.
[207] Ibid. 77.

driven responses to requests for reintegration assistance from refugees planning return. For lasting return, rehabilitation in return areas is likely to be more important than repatriation grants.

6. Rehabilitation and development assistance which is undertaken as area development, reflecting the needs in return areas, and undertaken in response to refugee demand with the involvement in planning by both the returnees and populations that remained in the return areas, can successfully support comprehensive and lasting return provided returnees view local security conditions as conducive and can access their property.
7. Large scale regional or national programs (such as the NSP) can, if designed with a clear focus on reintegration of displaced (and adequately funded), be a vehicle for such area development assisting reintegration, and at the same time provide a common approach for the government, donors and involved NGO implementing partners.
8. The NSP highlights the need for robust monitoring arrangements that enable measurement of the outcomes for returning refugees and IDPs.
9. To support return after protracted displacement broader development activities beyond community level reconstruction and reintegration are critical and must comprise (i) development of non-farm employment opportunities, and (ii) urban development including housing and services for returnees.
10. Aid Agencies need to understand, take into account, and operationally support the two central features of the strategies developed by refugee households to optimize wellbeing regarding safety, livelihoods, and services, namely that (i) repatriation is not as a one-off event, but as a staggered process that takes place over a considerable period of time, and that (ii) it may involve multiple locations involving both the country of exile and that of return.

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Angola Case Study

Background

Angola achieved independence from Portugal in 1975 amidst the turmoil of both a protracted but brutally suppressed war of independence which commenced in 1961, and the revolution in Portugal which overthrew an almost 50-year long dictatorship. The war was fought by, and sometimes between, three liberation movements, the MPLA, UNITA and the FLNA, each with different political and ethnic affiliations. Following independence, the country immediately descended into a violent civil war. This was fought at a national level – a power struggle for supremacy between the MPLA and the UNITA – and at an international level as a surrogate war between the Soviet Union and the US, western and South African interests, as part of the wider battle for geostrategic, Cold War advantage in Africa (Ethiopia and Mozambique were other battlegrounds).

The civil war lasted for almost thirty years, from 1975-2002, with several phases of intense fighting interspersed with fragile phases of peace. The MPLA achieved victory in 2002, but by that time the violent internal dynamics of the war, fomented by the enormous foreign intervention, had devastated the economic, political, and social and governance fabric of the country.[208]

The humanitarian consequences were catastrophic. Inevitably the figures are only estimates but warfare, insecurity and human rights violations during the independence and civil wars resulted in one million people killed,[209] possibly as many as four and quarter million people uprooted (about one-third of Angola's estimated population at the end of the war) of whom about 550,000-600,000 had become refugees in neighboring countries including Zambia, Namibia, Democratic Republic of the Congo (DRC), South Africa, the Republic of Congo and Botswana.[210] Nearly all Angolan refugees in the region were granted refugee status on a 'prima facie' basis under Article 1 (2) of the 1969 OAU Convention, having fled as a result of the conflicts that affected Angola between 1961 and 2002. [211]

Yet, after protracted exile, largely self-settled and against the background of strong evidence that they were speedily and well integrated in their host countries,[212] more than half the refugees had returned to Angola by the end of 2004, and the vast majority of the refugees – some 465,000, i.e. between 75-80%[213] - had returned by 2007. Only 131,300 Angolan refugees remained in exile. How and why did such a large majority of refugees, who had fled extreme violence and settled in exile, return to a devastated and unsafe country, where life expectancy was 38 years, adult literacy less than 70%, approximately 70% of the population was below the poverty line, and UNDP ranked Angola 161st out of 173 countries in the

[208] For background on the war of independence and the post-independence civil war, see e.g. Birmingham 1992, Martin 1992/2011, Hodges 2004.

[209] Estimates cited in a Women's Commission Report 2003:1, suggests 1 million Angolans died of war-related causes – evidence cited from ICG 2003 Report, *Angola's Choice: Reform or Regress*. Africa Report No. 61.,USCR, (United States Committee for Refugees), 2003, *World Refugee Survey 2002 Country Report*.

[210] UNHCR 2012. These estimates include unregistered refugees. The official UNHCR figures indicate that about suggest 470,600 refugees were formally registered (HRW 2003: 6).

[211] UNHCR 2012

[212] Bakewell 1999, 2000; Hansen 1979, 1982, 1990; Freund and Kalumba 1986.

[213] Percentage varies in relation to the upper or lower estimate of the number of refugees.

Human Development Indicators (UNDP 2006: 286) This case study explores this seemingly paradoxical outcome of large scale repatriation when many indicators would suggest the contrary.

Return and Cessation

Following the peace agreement enacted by the signing of the Luena Accords in April 2002, the government of Angola, the UNHCR and the two countries hosting the majority of Angolan refugees, Zambia and the DRC, signed tripartite agreements for the repatriation of the refugees a year later in March 2003. These aimed to facilitate the return process but there were no reception centres to assist the returning refugees. As regards IDPs, Angola was the only state in the world at that time to have incorporated the 1998 Guiding Principles on Internal Displacement into domestic law (Norms for the Resettlement of Internally Displaced Populations), which it had done in April 2001.[214]

Yet notwithstanding the tripartite agreements and the Guiding Principles, refugees and IDPs did not wait for these formal procedures to be implemented, but started to return both spontaneously and rapidly. An Human Rights Watch (HRW) report of August 2003 [215] noted that more than two million, of an estimated 3.8 million IDPs, had already returned to their areas of origin, whilst approximately 130,000 refugees in exile in the Democratic Republic of Congo, Zambia and Namibia had also returned. That is, more than 50% of IDPs and about 20-25% of refugees did not wait for the formal repatriation process and returned without any support, assistance with identification, health and humanitarian assistance, and transportation and other support for the return to their places of origin. Yet return in these conditions put the refugees at considerable risk - lack of security, extortion and police harassment at crossing points and where refugees had actually returned to their places of origin, violence against women and girls, danger from mines and unexploded munitions, and the failure to provide identity documents for Angolan refugee children born in exile. Moreover although the Angolan Government's Standard Operational Procedures (SOPs) for the enforcement of the Norms for the Resettlement of Internally Displaced Populations sets the provisions to be applied during the return of refugees, including those who return spontaneously, HRW found that authorities have failed to implement these procedures.[216]

By the end of 2004, 281,000 refugees had repatriated to Angola, including 94,000 in the UNHCR Voluntary Repatriation Programme.[217] A year later, at the end of 2005, UNHCR had implemented further repatriations with the return of some 53,000 refugees in camps and settlements in DRC, Zambia and Namibia. Thus, within three years of the end of the civil war, almost 335,000 documented Angolan refugees had returned, some three quarters of the documented total of 470,600. Of this total, over two-thirds of the refugees had returned spontaneously.[218] At the end of 2007, some 465,000 refugees had repatriated.[219]

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[214] HRW 2003:7
[215] HRW 2003 cited in HRW 2005: 1-2
[216] HRW 2003:18.
[217] HRW 2005:2
[218] Citing a slightly different UNHCR time series of 2007, Kaun (2008:10) indicates that 123,000 of the 410,000 returnees, took part in official repatriation, another 89,000 returned spontaneously but received UNHCR assistance upon arrival, and 150,000 repatriated without any assistance.
[219] UHNCR 2012:2.

By this time, the repatriation program was stalling on many fronts. The donor community had already been winding down assistance: organized voluntary return reduced to a trickle – some 4000 between July 2011 and January 2012.[220] Decreased funding prompted UNHCR to reduce protection officer staff and reduce its monitoring of refugee returns. And so, by the end of 2011, there were still some 131,300 Angolan refugees – registered and unregistered - in exile in the region[221] of whom the UNHCR noted that 55,000 had expressed the wish to return home but had been unable to do so.[222] The same report also observed that a significant number of Angolan refugees still remained in exile – and, implicitly, were likely to remain so. Having settled and developed strong ties with their host communities they were, effectively, integrated in their countries of asylum and reluctant to return to Angola, or were uncertain about their reintegration in Angola.[223] Nevertheless, voluntary repatriation to Angola continued to be promoted, and, although many of the host countries – e.g. Namibia, South Africa and Zambia – implemented the grant of temporary residence systems to remaining Angolans, many refugees were left in limbo.[224] Progress was also made in securing local integration for Angolan refugees in countries of asylum. Most significantly, the Government of Zambia committed to locally integrating some 10,000 long-staying Angolan refugees on its territory.[225]

Seven years after the Peace Accords and consonant with winding down the repatriation program since the vast majority of refugees had already returned, a Comprehensive Solutions Strategy (CSS) for the Angolan refugees was agreed under the auspices of UNHCR and adopted in October 2009. It was brought into force in 2010. In some senses this was a post- Voluntary Repatriation Programme mopping up stage, effectively closing a chapter in what at that time was one of Africa's oldest refugee situations. Whereas some countries provided, as we have seen, for continuing protection or integration others such as Botswana, finally withdrew refugee status in August 2013, giving the remaining Angolan refugees three months to return home.

The CSS was the prelude to the formal cessation, with a few exceptions, of all aspects regarding refugee status on 30 June 2012 when the UNHCR invoked the "Ceased Circumstances" Cessation Clauses to Refugees from Angola who had fled their country as a result of the conflicts between 1961 and 2002.[226] This meant that there was no longer a prima facie case for international protection.

The conditions for return

Was repatriation voluntary? What precipitated such a large scale and predominantly spontaneous return? What factors facilitated return to places of origin in conditions which appeared so unfavourable?

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[220] UNHCR 2012:1.

[221] UNHCR 2012:2 , inter alia, approximately Democratic Republic of Congo (DRC), 78,087, Zambia 23,160, Namibia 5,950, South Africa 5,800, the Republic Congo 830, Botswana 500 and others.

74,500 in DRC, 23,000 in Zambia, 5,700 in South Africa and 1700 in Namibia.

[222] UNHCR 2012:12.

[223] Mail & Guardian 2013; IRIN News 2013; Aljazeera 2014;Business Day Live (2013)

[224]IRIN News 2013; Aljazeera 2014.

[225] UNHCR 2012:3 and 2014:1.

[226] UNHCR 2012:5, cessation as per paragraphs 6(A)(e) and (f) of the UNHCR Statute, Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees (the "1951 Convention"), and Article I(4)(e) of the 1969 Organization of African Unity Refugee Convention (the "1969 OAU Convention").

Voluntary return: Evidence from other repatriation programs indicates that a variety of explicit or implicit pressures are, or may be, placed on refugees – withdrawal of food rations, pressure from UNHCR and the host country by invoking cessation clauses or other means of reducing protection for refugees, pressure from the country of origin with deadlines to reclaim property or other rights, political rhetoric against refugees and poor refugee-host relations. Alternatively, repatriation is accompanied with small financial grants, tools and seeds as incentives to return alongside QIPs in areas of origin of the refugees. For Mozambican refugees, both incentives and pressures were used to precipitate repatriation a decade earlier and it is more than likely that Angolan refugees would have been aware of this.

Against this background, what was the situation for repatriating Angolan refugees?

The situation for Angolan IDP return did not presage well. It was certainly spontaneous, in the sense that it was not planned or enacted within the SOPs as the governance and development capacity of the country was extremely fragile. However, the 2003 HRW report notes that much of the IDP return was either explicitly or implicitly coerced, running completely counter to the provisions of the country's own Guiding Principles.[227] Both the 2003 and the 2005 HRW Reports paint a damning picture of IDP return with severe human rights abuses, widespread physical violence, and even the basic processes of registration and rule of law absent.

Turning to the situation of the refugees, once they returned to Angola, they faced many of the same conditions and levels of hardship and deprivation as the returning IDPs and indeed those who had not been displaced - returning to locations with minimal social services, such as health care and education, and few economic opportunities. Sharing this adversity with IDPs and stayees, the UNHCR, even so, noted that 'returnees have reintegrated reasonably well into their home communities' [228] but offered a somewhat contradictory claim when it stated that the Government of Angola had instituted measures to create reception and reintegration capacity in the country. [229] To the extent that such provision was made, it was fragmentary and rudimentary at best. And, as noted above, the refugees' return journeys were fraught with security and logistical complications. In this sense the Angolan refugees were hardly repatriated under the normative conditions of 'safety and dignity'. [230]

But on the key question of voluntariness, then no research evidence has been found to suggest that repatriation was governed by the coercion that drove the return of IDPs or the pressures for example on Mozambican refugees to return to their country in the early 1990s. Indeed both the HRW Reports of 2003 and 2005 contrast the coercion of IDP return with the voluntariness of refugee repatriation, observing that the spontaneous refugee returnees 'revealed their desire to return to Angola right away. They did not want to wait for the formal organized repatriation process.'[231] For example, HRW go to some lengths to state that, from their field evidence and interviewing refugees, the

[227] HRW 2003:8-17.
[228] UNHCR 2012:11.
[229] UNHCR 2012:11
230 Agreement on the Establishment of a Tripartite Commission for the Voluntary Repatriation of Angolan Refugees between the Government of the Republic of Angola, the Government of the Republic of Zambia and UNHCR, November 28, 2003. See also Agreement on the Establishment of a Tripartite Commission for the Voluntary Repatriation of Angolan Refugees between the Government of the Republic of Angola, the Government of the Democratic Republic of Congo and UNHCR, December 11, 2002.
[231] HRW 2003:8.

> 'repatriation of Angolan refugees from DRC and Zambia appears to be voluntary. The large number of spontaneous returns before and during the UNHCR program demonstrates Angolans' strong desire to return home. [There are] Long waiting lists for voluntary repatriation returnees in the Luau and Cazombo reception centers in Moxico province who revealed they had been eager to return since the war ended in 2002, despite the difficulties they expected to face. As Joao N., a father of six returning from DRC, told Human Rights Watch: 'UNHCR explained that there would be no food, houses or schools, and they also told us there would be a lot of mines. But even if we don't have houses, we don't have food, we don't have schools, we wanted to return to our country because it's our country.' [232]

Moreover, since the substantial majority of refugees had been self-settled and well integrated, coercive acts such as withdrawal of food rations – these were not available outside camps - or alienation from their hosts would not have applied either.

At the same time, conditions in Angola were not at all conducive to return as we have seen. In the absence of evidence on overt 'push factors' such as physical, psychological, or material pressure, to leave the country of asylum, or 'incentives' to return, we are left with the conclusion that the return was, indeed, voluntary. But we are also left with the paradox that, after protracted exile, settlement and integration, the refugees still felt powerfully motivated to return.

What triggered return? Structural explanations that challenge normative assumptions: Beyond this motivation, the research evidence points to two structural explanations of why Angolan refugees returned so readily; these explanations provide evidence which is of wider relevance to an understanding of what triggers return. On the one hand we need to scrutinize more carefully what is meant by settlement and integration in exile; and, on the other hand, we must look at the 'not-so-obvious' local social and structural factors that support people when they return in the absence of effective governance, rights protection, and development/humanitarian assistance.

On settlement and integration in exile, and thus the paradox of why the refugees repatriated so rapidly and readily, Bakewell, in a detailed study of Angolan refugees in north-western Zambia, does not dispute this evidence but argues that it must be interpreted from a very different perspective. He explains that it is essential to understand repatriation and 'the whole process of movement to Angola, *set in the context of the historical, social and economic change in the area*, rather than necessarily as a special event to occur once the war ends…[and]…the wider impact of the improving situation in Angola on cross border movement from Zambia'.[233] His argument is that terms such as 'repatriation', are loaded with connotations of return and resumption of normality which are taken outside this historical context. He demonstrates that in this region of the upper Zambezi, as in most parts of Africa, population mobility and

[232] HRW 2003:12-13, emphasis added.
[233] Bakewell 2000:358.

fluid processes of settlement have been the norm which long predates colonial boundaries and the post-colonial contemporary states governed by concepts of sovereign territory, borders and nationality. This long history of communities moving between what are modern day Angola and Zambia, was motivated by the relative productivity of the land for agriculture and hunting, escape from local wars, fleeing from Angola to escape the repressive Portuguese rule and vice versa from Zambia [234] to escape British colonial land taxation. Migration and mobility has been an enduring part of the socio-economic fabric of the region. Kinship and shared ethnicity transcend European-imposed national boundaries providing the basis for, and further reinforcing these fluid processes and patterns of settlement. In addition to community mobility, individual migration was also an historically and culturally rooted phenomenon in these matrilineal societies where the wife would move to her husband's locality.

Thus the speed and scale of the refugee movement from the Angolan civil war may have been unique, but the pattern and process of migration was a familiar phenomenon. The people followed the patterns of migration set out by former generations and many came into Zambia and joined their kin who had arrived in earlier times. In these circumstances, who was a refugee within UNHCR designation contrasted with indigenous perceptions, since local people made no clear distinction between who was a 'refugee' and who was a 'local' and, at the local level, the traditional norms of settlement and mobility still trumped norms of nationality because the Angolans and Zambians living near the border had a tenuous relationship with the 'state'.

Crucially, two points emerge from this analysis for our understanding of return:

First, the seeming rapidity of settlement and the 'integration' of the Angolan 'refugees' in Zambia was to misinterpret this as a permanent outcome of the forced displacement, not a temporary sojourn in anticipation of new opportunities or needs that might enable the population to move on – as in the past. Against this background, as Bakewell says it should not be presupposed that it is possible to differentiate a 'refugee' from others and that they would have a special interest in moving (i.e. repatriating), compared to others, who may fall outside the refugee category.[235] Largely based on their own information networks and sorties into Angola, the refugees determined when it was safe to return.

Second, the social and historical practice of migration that enabled refugees who fled from Angola to make new homes and become completely integrated among the Zambian villagers, was exactly the same practice that enabled and encouraged the 'refugees' to move back to Angola when peace was established. Bakewell offers a much more nuanced explanation for this than the HRW account that the refugees 'just wanted to go home'. His evidence indicates that the main reason for 'return' was the abundance of natural resources in the relatively, under-populated Angola, for hunting, fishing and foraging which all had greater cash value than the staple crops. In his study, less than a third of people who wanted to move to Angola expressed their reasons in terms of 'going home', although it was nevertheless a very significant motivation. No one in his study cited the receipt of aid – if it were to be provided - as a likely factor in any decision to move or its timing,

[234] The then British colony of Northern Rhodesia
[235] Bakewell 2000: 362

Turning, now, to the second structural factor that helps to explain repatriation to Angola, as we have noted this was largely spontaneous – bearing out Bakewell's analysis of the impermanence of integration - and took place against the background of conditions that could not have been less conducive to return. Twenty-seven years of civil war left the country economically and socially devastated, the infrastructure was destroyed, governance structures and rule of law were almost totally absent, the repatriation program was grossly inadequate and thus ignored by the majority, there was virtually no assistance to return and food insecurity widespread, international development assistance to rebuild the country had not yet been mobilized – and when it did it was limited in scope and impact. Yet the refugees returned spontaneously, leaving behind conditions of peace, security and socio-economic stability. How might we account for return?

Bakewell has provided insights into the local economic factors and the prospects of improving household livelihoods and incomes which induced the Angolans to return. But beyond this evidence, another research study highlights the significance of local structural factors, in the absence of all the material and other conditions that are normally deemed important to the repatriation process, also supported people when they returned. In parallel with Bakewell's research which questions accepted practices and assumptions about settlement, integration and thus the propensity of refugees to return from exile, so too, Kaun's study[236] also questions the extent to which conventional assumptions about the necessary pre-conditions in areas of return, actually play out in practice.

Kaun endorses Bakewell's findings about the economic prospects located in areas of origin, and discusses in some detail other factors such as linguistic and cultural affiliations, attachment to land and place and so on. And she cites a familiar litany of failed components in the return and reintegration program.[237] In a sense, repatriated refugees cope with or take these factors for granted. But her analysis transcends both the conventional markers of return and the badly flawed formal programs for repatriation and resettlement, to emphasize the way returning refugees locate themselves in informal structures of authority and social relations that have gained influence during exile and return. These informal structures, she argues, are especially important where more formal governance structures – '…any mix of foreign officials, NGO representatives, refugee camp heads, rebels, soldiers, or police,' [238] - have fought for dominance and confusingly shaped the local population's 'conceptions of governance and authority at one point in time'.[239]

Kaun suggest that there are other manifestations of spaces and places which have helped to promote reintegration but which humanitarian and development agencies and governments usually overlook. She identifies a number of nodes [240] that define the 'informal structures of authority'.

A prominent example has been the churches which have: played an historic role in Angola as a space for rural social integration during colonialism: provided a place of security during the civil war; been a

[236]Kaun 2008
[237]Kaun 2008: 12-23 – economic, food, health, political, personal, environmental insecurity.
[238]Kaun 2008:27
[239] Ibid.
[240] Ibid: 31

resource for supporting community identity in exile; and then provided the space for the returned and stayee communities to come together, socialize and share their experiences of the recent, traumatic past.

Local schools have been another 'node' of reintegration. These have been equally important as informal social instruments in rebuilding the war-torn social fabric and sense of security of the communities, and as formal instruments for education to promote longer term economic security. In a country where standards of literacy and numeracy have been exceptionally low, these twin tasks have been an important instrument of embedding the return process.

Kaun's study also found that *sobas*- traditional local mediators at the intersection of traditional and state authority –played an important role in the reintegration process. She suggests that the importance may have increased in the return era on both institutional and individual levels, in re-distributing land to returnees, resolving neighbor and community-level conflicts, or presiding over traditional ceremonies.

NGOs, which have had a long term presence in a locality, especially those that were indigenous and were embedded in and trusted by local communities, have been another node. These provided spaces for both formal and informal learning about community development and conflict resolution.

Kaun also extended the concept of these informal structures of authority and social relations to the realm of economic security and local development, questioning again the ways in which donors and governments helped to promote them.[241] She exemplifies informal economic nodes such as local markets, informal credit groups, as well as refugees and former IDPs who have returned with new skills and knowledge that could be engaged in new businesses in the local community. Understanding theses nodes has been a major step forward in re-integration and thus promoting economic development.

Kaun emphasizes that it was not just the presence of these 'nodes' that was important, but the 'soft power' of what they did and how the community members and leaders developed and promoted their programs and activities to encourage community reintegration. She identifies the particular challenge for external agencies in locating these structures and being sensitive to the kind of support that may be valuable for their members which facilitated reintegration and longer term development.

It is worth quoting Kaun's reflection in full [242]

> 'In sum, nodes of reintegration offer an innovative way to support reintegration by supporting existing structures within a community. This is not to suggest that massive amounts of money be inserted into any of these nodes, but rather that learning about them, their roles and needs would likely uncover small, innovative ways to support them. War-affected persons are resilient and creative, and understanding local coping mechanisms would not only lead to improved assistance, but it would also reaffirm the value and dignity of people themselves.'

[241] Ibid:32.
[242] Ibid:32.

Conclusions

This case study of Angola and, in particular, the two studies of Angolan refugees by Bakewell and Kaun, located as they are at either end of the displacement-return continuum, challenge many of the commonly held assumptions and myths about refugees and returnees. In exile, the refugees were integrated yet they went home quickly; and they repatriated spontaneously, largely neglecting the repatriation program and with virtually no support to reintegrate in their areas of origin.

This is not to say that settlement and integration, under conditions of protracted exile, will always turn out to be ephemeral and that refugees will inevitably 'go home' - the case of the Angolan refugees in Zambia. Nor is to suggest that refugees will always spontaneously return without external assistance and 'development', and to areas of origin that have been devastated by war – a basic respect for human dignity, security and rights rejects such a scenario. Rather, these studies indicate that we need to understand a great deal more about the local histories, socio-economic and cultural circumstances that condition exile and return. The failure to understand these characteristics, manifestations and challenges is both severely detrimental to the refugees themselves and to the modalities and instruments which humanitarian and development actors prepare in order to manage the movement of forcibly displaced people.

World Bank engagement

The World Bank's engagement with Angola began after the Bicesse Accords in 1991, but was intermittent due to the partial implementation of the accords and resumption of conflict. Even so, a total of 11 projects were initiated between 1991 and 2000 including projects to rehabilitate infrastructure, transport, and the power sector, as well as a project to support the reintegration of demobilized combatants and two successive Social Action Fund projects.[243]

The first Social Action Fund Project (FAS-I) which became effective in March 1996 aimed to "assist Angola in its transition from war to peace, targeting in particular the people impoverished by the military and economic crisis." Among the specific objectives of the project were (i) improvement of access to basic services through the provision or rehabilitation of community infrastructure, (ii) improvement of the capacity of communities and NGOs to plan, appraise, manage, and maintain investment activities, and (iii) provision of a better understanding of the main causes of poverty in order to help formulate effective poverty alleviation strategies through the project's poverty monitoring component.[244]

The World Bank's Transitional Support Strategy from March 2003, describes the purpose of FAS-I as providing "support to the then expected return of IDPs to their communities."[245] However, to the extent that the project design actually accommodated this (and it likely did), it was not through any specific targeting measures, and its monitoring arrangements and indicators did not provide any information on the extent to which the project may have facilitated the reintegration of returning IDPs (and refugees). The Staff Appraisal Document for FAS-I states that "FAS focuses its interventions in established

[243] World Bank 2003: 16-17
[244] World Bank 1995: 9
[245] World Bank 2003: 16

communities. Internally displaced persons and refugees are not targeted specifically by FAS. However, if they live within a stable community, they will benefit from FAS financed activities."[246] This approach or rather lack thereof to targeting and engaging returning IDPs and refugees was followed in the two succeeding FAS projects,[247] neither of which had any indicators that provided information on reintegration of IDPs and refugees, or any information on their inclusion in the community organizations that made decisions on the sub-projects to be implemented.

This lack of attention to reintegration of returning IDPs and refugees, was not commented on in the first two Implementation Completion Reports for FASI and II, and only noted in that for FAS-III,[248] since it had been raised by a Quality Enhancement Review (QER) undertaken in January 2006 of the design and implementation of FAS-III. The QER had recommended that the sub-project window (the community development component) should be expanded and targeting improved "to better include vulnerable groups such as internally displaced persons and unemployed ex-combatants".[249] As evidenced by the Results Framework Analysis in the 2010 ICR of FAS-III, this did not happen. Nor did the beneficiary assessments undertaken for a sample of sub-projects consider returning IDPs and refugees, and the Social Vulnerability Guide intended to furnish a methodology for vulnerability assessments to support targeting also did not consider returnees.[250] This missed opportunity across the three FAS projects to target returning IDPs and refugees as particularly vulnerable sub-groups and to adequately monitor their inclusion in decision making and as beneficiaries is all the more critical, since the beneficiary assessments found that by 2003 "participation of beneficiaries in decision making [was] still limited to a small group of people in the communities, namely the leaders and members of the Community Nuclei."[251]

There is a disconnect between the lack of focus on reintegration of returning IDPs and refugees in the FAS projects, and the stated strategic aims of the first two country strategies. Thus, one of the three pillars defining the overall objectives in the Transitional Support Strategy of March 2003 was to expand service delivery to war-affected and other vulnerable groups (which included an estimated 1.3 million returning IDPs and refugees), and the succeeding Interim Strategy Note (ISN) of January 2005 likewise included provision of basic services, especially for returnees, ex-combatants, and other vulnerable groups as one of its pillars.[252] The next ISN of April 2007 had support for the rebuilding of critical infrastructure and the improvement of service delivery for poverty reduction as a pillar, but did not link this to refugees and IDPs, although the government's main priorities included creation of "safe and hospitable conditions for the return of displaced people to their regions of origin".[253] The 2007 ISN was succeeded by a Country Partnership Strategy in 2013, which noted that social protection had evolved following country needs since after focusing on supporting the displaced population as well as households and individuals affected by the civil war, the government had now shifted its social protection priorities to address food insecurity, gender, poverty and vulnerability.[254] Noteworthy are both the relatively short attention span in

[246] World Bank 1995: 11
[247] FAS-I became effective in March 1996 and closed in June 2001; FAS-II became effective in October 2000 and closed in February 2004, and FAS-III became effective in March 2004 and closed in June 2009 (World Bank 1995; 2004; 2010)
[248] World Bank 2001; 2004; 2010
[249] World Bank 2010: 10. The QER review is included in the ICR for FAS-III as Annex 6.
[250] Ibid. Annex 6 describes the Beneficiary Survey Results and Annex 7 the Social Vulnerability Guide Angola.
[251] Ibid. 58
[252] World Bank 2003: v, 26; World Bank 2005: i
[253] World Bank 2007: ii; 9
[254] World Bank 2013: 19, 27

the country strategies regarding the issue of return and reintegration of displaced, and the absence of any attempt to assess the extent to which returning IDPs and refugees had actually been able to reintegrate. Also noteworthy is that the disconnect described above between the strategic aims of the first two country strategies and the approach of the FAS projects appear to have gone entirely unnoticed by country and sector management.

Operational lessons regarding assistance to facilitate return

1. A key lesson from the Angola study is that rather than perceiving refugee settlement and integration in exile as a permanent outcome, humanitarian and development actors should locate these phenomena in an historical, cultural and regional understanding of patterns and processes of population mobility.
2. A second key lesson is that, similarly, without improved awareness of these phenomena international humanitarian and development actors will be ill-prepared for the likely propensity, speed and scale of return: Planned Repatriation Programs may be pre-empted or made redundant without this knowledge.
3. Greater credence and awareness should be given to informal information channels and local sources of information within the refugee networks. These, rather than official channels, largely precipitated return.
4. Development assistance played little role in the return process. Whilst the refugees returned largely spontaneously and in advance of development assistance, more rapid mobilization of this assistance would have greatly improved the experience of return and the process of reintegration. When assistance did kick in, as in other case studies, it was characterized by limited capacity and poor coordination.
5. Humanitarian and development actors can support return and reintegration by increasing their awareness of, and better engaging with, informal structures of authority and social relations and the 'soft power' these institutions represent in returning communities.
6. Far greater attention must be paid to effective implementation of the Standard Operational Procedures of the Government of the country of origin and International Actors. Despite the existence of SOPs in the case of Angolan return, these were largely ignored with appalling consequences for the dignity, rights and security of the returning populations, especially IDPs but also refugees.
7. In this regard, the Angola case reinforces the needs for far greater attention to be paid to the conditions and modalities of return for IDPs. Whereas the protection needs, repatriation modalities and institutional capacity for refugees are well established internationally, the same is not the case for IDPs. The Guiding Principles were insufficient, in this case, to afford even the most minimal level of protection and rights for Angolan IDPs.
8. The Angola case also highlights the need for (a) clear targeting criteria that include returning refugees and IDPs in community level projects that focus on assisting the poor and vulnerable, and (b) robust monitoring arrangements that enable measurement of the outcomes for these groups.

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Bosnia-Herzegovina Case Study

Context and Background

Yugoslavia was convulsed with ethno-nationalistic conflicts between 1992 and 1995 which led to the progressive break-up of the former Socialist Federal Republic into seven independent republics. Violent ethnic cleansing, involving the systematic forced expulsion of millions of citizens, was the principal instrument by which the conflicts were enacted and through which the independence of Bosnia-Herzegovina (and, to a lesser extent, other new states created out of former Yugoslavia) was advanced. Despite a politically and technically complex process to facilitate the return and reintegration of displaced populations to their former territories through property return and restitution as the main pillar of international peace efforts, this policy has achieved only limited success. This case study explains why this limited outcome arose in the most intractable case of the new republics - Bosnia-Herzegovina - and the lessons that may be learned from this experience for other situations where inter-ethnic conflict and property restitution lie at the core of returning forcibly displaced populations.

Yugoslavia was already susceptible to ethno-nationalistic tendencies during the period of the longtime president, Tito. After his death in 1980, these conditions precipitated increasing instability, on the one hand underpinned by the contradictory politico-nationalist tendencies demanding a more decentralized federation – mainly led by Slovenia and Croatia – and the more conservative centralist-nationalist interests promoted by Serbia which represented the country's largest and most widely distributed ethnic group. On the other hand, economic inequality between the different regions of the Federation and widening economic disparity increasingly consolidated these political and ethnic tensions, further undermining the complex federalist structure of the country.

Although Yugoslavia was both politically and economically somewhat independent of the communist regime of the Soviet Union and Eastern Europe, rising populist protests and dissidence associated with ethno-nationalistic interests coincided with, and were stimulated by, the collapse of communism in Eastern Europe. This further weakened the country's state-centric ideological foundations, and encouraged the Western-European oriented republics of Yugoslavia, such as Slovenia and Croatia, to increase their economic and nationalist demands for independence.

The break-up of the Federal Republic and ethnic cleansing: Inter-republic negotiations to agree some way of transforming the Federation collapsed and this was quickly followed by the succession and declaration of independence by Slovenia and Croatia in 1991, a process which then precipitated the final breakup of the country. Whilst Slovenia, economically the most developed of the former republics, achieved its independence with minimal bloodshed (as did Macedonia and Montenegro later on), violent and protracted conflict, with large scale population displacement, accompanied the independence movements in the more ethnically mixed former republics of Croatia, Bosnia-Herzegovina and, later on, Kosovo.

Amongst these independence wars, the most brutal and intense also began in 1991 when the tri-ethnic structure of Bosnia-Herzegovina (ethnic Serbs, Croats and Muslims) become increasingly convulsed by political claim and counter claim for independence of the whole republic, breakaway independence of its ethnic constituent parts, or division between Serbia and Croatia (proposed by the respective constituent communities), and finally a conflict in which all three ethnic groups fought each other at one time or another. Estimates of the number of people displaced inevitably vary, but of a pre-war population of about 4.6 million, almost half were displaced along ethnic lines by the war– over one million were internally displaced and a further 1.2 million fled to other countries, the majority to Western Europe and the remainder to former republics of Yugoslavia. Ethnic cleansing by expulsion or the murder of the unwelcome minority ethnic group in localities across Bosnia-Herzegovina, extreme human rights abuse and civil rights violations, together with the destruction of property, cultural artefacts and symbols were the main instruments of the war as each of the three ethnic communities sought to establish territorial and political hegemony over mono-ethnic regions. The most prominent instance of many violent atrocities was the Srebrenica massacre of over 8000 Bosnian Muslim men and boys in 1995 which was ruled a genocide by the International Criminal Court.

Operating under extremely difficult security, humanitarian and political conditions, the international community found it exceptionally difficult to broker peace between the three warring ethnic groups or even to agree amongst itself how to end the conflict. Accordingly, the international community mainly focused on a large-scale humanitarian relief operation led by UNHCR and with the protection of UNPROFOR.

Involving fundamental breaches of humanitarian principles, constant obstruction, manipulation and politicization of humanitarian operations (notably with respect to the UNHCR and ICRC), and severe failures of peace keeping operations, of which Sebrenica was the most appalling example, the war in Bosnia-Herzegovina was also a traumatic experience for humanitarian actors.[255] Although many lives were saved by the huge humanitarian assistance program, the extent to which it may have helped to reduce population displacement and mitigate the severity of some of the atrocities and ethnic cleansing is open to debate.

Numerous extremely complex negotiations and actions over several years by a range of international and intergovernmental organization and stakeholders gradually brought the conflict to an end in two stages.[256] In March 1994, the Muslim-Croat conflict came to an official end with the Washington Agreement which established the creation of the Muslim-Croat Federation. In November 1995, The General Framework Agreement on Peace(the so-called 'Dayton Peace Agreement'(DPA) established two entities, the Federation of Bosnia- Herzegovina (the erstwhile Muslim-Croat Federation) and the Serb Republic (Republika Srpska) together forming the Republic of Bosnia-Herzegovina.

[255]See for example Young , K (2001)
[256]See Cutts, M 1999 for more details

Bosnia-Herzegovina and the policy of return and reintegration

This lengthy introduction is essential background to understanding why return of displaced persons specifically to their 'home of origin' and enacted primarily through property restitution, became the central pillar of the DPA, and also why, given the violent dynamics of population expulsion, it failed.

The centrality of return is highlighted in Annexe VII (Agreement on Refugees and Displaced Persons) of the DPA which declared that 'The early return of refugees and displaced persons is an important objective of the settlement of the conflict in Bosnia- Herzegovina'.[257] In elaborating this objective, the Annexe stated that '(a)ll refugees and displaced persons have the right freely to return to their homes of origin. They shall have the right to have restored to them their property of which they were deprived … and to be compensated for any property that cannot be restored to them.' Return was to be voluntary and displaced people could chose compensation over restitution[258] but the main impetus of the DPA was to prioritize return.

In short, the interlinked objectives of the international community were to: i) reverse ethnic cleansing; ii) promote the policy of 'minority' return; and iii) explicitly declare that all those who had been expelled could return to their home of origin. This combination of objectives, to reconstruct, as far as possible, the *status quo ante* of Bosnia-Herzegovina in terms of its ethnic composition and distribution through a policy of return and reintegration, was novel in many normative and policy and practical respects.

The principles of return and reintegration: Four aspects are critical to this analysis of the potential for sustainable return.

First, the fundamental principle of reversing ethnic cleansing was integral to the DPA.[259] Promoting return and reintegration was the instrument by which the international community sought to ensure that genocide and systematic forced expulsion, as a means of gaining territorial control, were not rewarded. To this end, the DPA aimed at the remarkably ambitious return of over two million people.

The DPA principle was also intended to lay down a marker to deter potential future perpetrators of ethnic cleaning. As Cox points out, it is somewhat paradoxical that the DPA institutionalized ethnic division by creating two entities, yet promoted return to reconstruct a multi-ethnic state.[260]

Second, and in order to prevent de facto partition, the policy of return and reintegration was not just returning displaced populations to localities where they would make up an ethnic majority and be in power, but returning them to areas where they would be a minority. In other words, the aim was the full remixing of people -the primary objective of DPA in line with the determination to reverse ethnic cleansing. The UNHCR was mandated to assist the new government of Bosnia- Herzegovina to implement the 'early return of refugees and displaced persons'. This was the first time that the UNHCR

[257] Article I(1) of Annex VII of the General Framework Agreement for Peace, 14 Dec. 1995.
[258] Brubaker 2013:2
[259] See for example UNHCR 1999, para 1.4 'the underlying rationale [for the DPA] [is] reversing the effects of ethnic cleansing...'
[260] Cox 1998:204

had been mandated to undertake 'minority return'.[261] Before this unique occurrence, neither the concept nor the practice of the post-conflict remixing of populations were normative objectives of the international community.[262] Although a precedent was set in order to underpin the principal objective of reversing ethnic cleaning, in practice this has not been achieved.

Third, and more specifically, the DPA explicitly stated that return was to *home* of origin. Normally, UNHCR repatriation programs were to the country of origin, not necessarily returning people to the exact location of their previous home.[263] Apart from the complex and often contradictory notions of the meaning of home on which this policy is founded,[264] the far more significant challenge was that although the UNHCR was mandated to implement this unprecedented policy of ethnic remixing and minority return to place of origin, the DPA 'did not specify how such a feat should be carried out, nor who would enforce it'.[265]

Fourth, it is important to note that the policy of return was not just motivated by the primary objective to reverse forced expulsion. It also took place against the backcloth of pressure by European states, notably Germany, who had provided temporary protection to Bosnians fleeing the 1991-5 war, and wanted to expedite return to relieve them of the refugee burden.

Whatever the aspirations might have been, based as they were on normative principles and international law, in the end neither the concept nor the policy effectively passed the test of implementation. Arguably the 'option' to return became an 'obligation' to return within the parameters of the international community's specific intentions.[266]

Modalities of return

Vast financial, logistical and human resources were devoted to support the return and reintegration policy. A number of innovative strategies and instruments were developed and deployed. International diplomatic, financial and political pressure was put on the two constituent parts of the Republic, through the Office of the High Representative (OHR) of Bosnia-Herzegovina to enact return.

One year after the DPA less than 10% of the displaced population had returned – about 250,000 – the majority of whom had returned spontaneously, in other words, out with the procedures, logistical and financial assistance of the UNHCR.

Higher levels of return occurred in 1996-7 as the program picked up, but by 1999, about 50% of the population expelled in the war (350,000 refugees and 800,000 IDPs) still remained displaced.[267] Minority returns peaked in 2002 at just over 102,000.[268] By 2004, just over one million people had returned of

[261] Brubaker
[262] E.g. Greece-Turkey population exchange, 1922-4, Israel-Palestine 1948-, India-Pakistan partition 1947, Cyprus 1974-.
[263] Phuong 2000:167
[264] See e.g. Warner 1994
[265] Brubaker 2013:2
[266] Kleck 2006:109
[267] UNHCR 1999:4
[268] Belloni 2007:139

which, 440,000 were refugees who had been afforded temporary protection in other countries and 560,000 IDPs in Bosnia-Herzegovina.[269]

Despite the concentration of efforts by the hundred or more international organizations involved in the return process,[270] on the more challenging task of 'remixing' – i.e. enabling minorities to return to majority population areas - the vast majority of the returning population located in areas dominated by their religious and ethnic affiliation, i.e. where their ethnic group was in the local majority and occupied key positions of political and civil authority.[271] The pressure to expedite return of Bosnians from European countries, reinforced still further the creation of mono-ethnic communities, rather than the 're-mixed', multi-ethnic Republic of Bosnia-Herzegovina envisaged in Annex VII of DPA. Return, at least in the early stages therefore, further enforced the un-mixing of the population, undermining one of the cardinal principles of the DPA.

The scale of minority return increased from about 2000 as a result of 'vigorous advocacy for the right to return, coupled with concerted international, national and local efforts to facilitate' freedom of movement, improving the security situation and enhancing the mechanisms for property restitution.[272] Yet the pattern of ethnic un-mixing hardly altered.

Information and return: The significance of information networks to the return process is widely noted and the case of return to Bosnia-Herzegovina is no different, especially for those displaced and receiving temporary protection outside the country. Salient here is the different value accorded to official as opposed to unofficial sources and networks within the displaced communities themselves.[273] Whereas official sources in the countries of temporary protection (governments, UNHCR, NGOs) promoted a positive picture of possibility of return, the main sources that the refugees relied on were information from friends and relatives in Bosnia.[274] That official sources underplayed the knowledge, which refugees had of the fragility of both the amnesty and the protection of human rights in Bosnia-Herzegovina, meant that these sources were treated with suspicion and limited the scale of return in the early post-war period. Furthermore, the official information went alongside publicity that temporary protection was coming to end, adding to the refugees' scepticism. Finally, many returnees reported back to those still in exile that assistance, advice and conditions on the ground were chaotic – as opposed to the official Repatriation Information Reports (RIRs prepared at different times by UNHCR and the NATO-led Stabilisation Force SFOR). The 'misinformation' inevitably reduced the willingness to return.

Property return and restitution: The crux of the return process in Bosnia-Herzegovina, and thus the central feature of this case study, was the process of resolving property claims either by return and restitution (and, where necessary, reconstruction) or compensation for pre-war owners. In other words, property return was the instrument of ethnic re-mixing. On the one hand, the challenge was manifest in designing and implementing effective legal instruments, processes and institutions to implement the

[269] UNHCR 2004
[270] Phuong 2000:167
[271] Mooney and Hussain 2009, Brubaker 2013
[272] Mooney and Hussain 2009:22
[273] Walsh et al., 1999
[274] Walsh et al., 1999: 117

program - the Commission on Real Property Claims (CRPC) under the Office of the High Representative (OHC) was charged with extensive powers to undertake this task. On the other hand, the more complex challenges were to overcome the political stalemate and deliberate procedural and institutional obstructions erected by both main sides to frustrate the process. Underlying these operational demands was, of course, the deep-seated fear of the 'minority returnees' that they would be subject to renewed forced eviction and/or the deprivation of their human and civil rights. This fear was real since low-level ethnic cleaning continued alongside return.

The return process followed a number of loose phases, [275] as the international actors introduced different political and procedural mechanisms to facilitate return and unlock the political obstructions.

Inevitably the procedural requirements were complex. Cadastral and other property records had been deliberately destroyed making it difficult to establish proof of ownership. Putative returnees often found that their property had been occupied in their absence, often by members of the opposing ethnic group to consolidate majority ethnic territorial control. Claims had to be registered in person, creating potentially conflictual situations. Delay caused by the vast backlog of cases produced disillusionment and frustration. Claimants were encouraged to try to resolve disputes outside the CPRC, a process deliberately encouraged by the fact that the wide ranging and decisive powers of the CPRC meant that its decisions were final and could not be appealed. This left claimants between a rock and hard place – unable to resolve the disputed property claims independently, but running the risk of a final negative decision from the CRPC.

The rate of reclaims varied enormously between the two entities with the Federation of Bosnia-Herzegovina achieving a much higher rate of evictions (of temporary occupants) and property restoration than in Republika Srpska. This further accentuated the housing crisis. The Office of the High Representative therefore enforced the two entities to pass new property laws in an attempt to depoliticise the process and speed up procedures to consolidate the 'rule of law'. These interventions had some effect and repossession rates increased considerably.

Although many thousands of displaced people applied for the return of their property, the claims were often motivated, not by the intention to return in person, but principally to secure their right to their land and (often destroyed) dwellings, and their entitlement to financial assistance for repair and reconstruction. As Kleck saliently observes '(t)he number of property claims lodged therefore reveals little about the applicants' willingness to return; it reveals rather more about property rights'.[276]

Significantly, a closer look at the data reveals that whilst the volume of reclaimed property continued to rise significantly, the International Crisis Group reported in 1999, for example that only 3% of the 50,000 certificates issued by the CRPC resulted in the claimants *actually repossessing* their property. This outcome became more entrenched through time. Either they had not been able to secure eviction or, the majority, having exercised their right to repossession then sold, exchanged or rented their property to

[275] Kleck 2006: 109-111
[276] Kleck 2006:109

what has become the majority group, preferring not to return to locations where they would now be the minority ethnic population.[277] There was not a single municipality whose ethnic majority did not accord with the ethnic majority of the entity as a whole. In short minority return mobilized by property restoration - the arch principle of the DPA - had failed.

Additional components and constraints to return: Three other property related issues also undermined the possibility of sustainable return.

One major requirement underpinning this return process was the need both to reconstruct war-damaged housing for returnees once their entitlement had been established, and also to build new housing. There is extensive evidence that this process, dominated by many international shelter NGOs and intergovernmental bodies, was little short of disastrous. The criteria, used to determine whether to rebuild war-damaged property and what building components would be funded in reconstruction, were inconsistent between the different NGOs and open to widespread abuse and corruption, rather than based on need or a clear commitment to return. NGOs providing shelter competed with each other and so the volume and location of housing construction lacked co-ordination. New houses were built in undesirable locations with naïve assumptions about the potential for ethnic 're-mixing'. Rebuilt houses were erected side by side with derelict, war-damaged properties. Moreover housing construction took place with little regard to wider spatial planning requirements such as the rebuilding of schools, water supply systems, infrastructure and the provision of employment.[278] Women and female-headed households were discriminated against in the reconstruction process. Many reconstructed and new houses were built by absentee owners, who benefited from the funding available, but who had no intention of returning. Summing up, the reconstruction and planning process was, to quote Kleck, 'uncoordinated, chaotic and unjust. It was supposed to help re-establish the pre-war communities. Instead, in many places, it created inequalities, envy and ill-will. It encouraged corruption and discrimination in the distribution of reconstruction aid'.[279]

A second factor, perhaps unique to Yugoslavia, was that much of the pre-war housing stock, especially in urban areas, was publically owned – through social ownership, local municipalities, state employers, and the army. The impact of this situation on the return process was perverse. Pre-war tenants of public housing units were allowed to reclaim them and then purchase them from the state at highly discounted prices, under property laws enforced through the OHR, and promoted by the international community keen to advocate neo-liberal market principles in a former socialist state. Many of the new owners, especially if they were in a 'minority' area, then sold their property on the open market at a much higher price than they paid – given the shortage of housing. This further destabilized a housing market already volatile because of the complexity of the return process discussed above. Tenants who had only lived in these socially owned units during the war or who were no longer tenants but had paid for social housing through wage deductions before the war were excluded, compounding the sense of injustice and deprivation amongst many households that the flawed restitution process created.

[277] Brubaker 2013:4; Heimerl 2005; Kleck 2006; Mooney and Hussain 2009.
[278] Zetter,2005
[279] Kleck 2006:115

Finally, the remedy of last resort in the DPA was the provision for compensation for loss of property, if restitution and/or restoration were impossible. However, it is clear that, even ten years after DPA funds were not made available for this option.[280]

Living conditions for returnees: The primacy of the political, legal and operational limitations of property restitution as a tool of sustainable return should not detract from consideration of other factors which also explain the limited success of the return process, at least within the frame of its ambitious specific objectives. Psychological stress, human rights abuses threats to personal safety, routine harassment and discrimination, deliberate cultural insensitivity and prejudice by the different ethnic groups, complex and frustrating procedures to reclaim rights to property, and the dangers of mines and UXOs were widespread: these factors were problematic of themselves and, of course, evoked memories of the violence and trauma of expulsion only a few years earlier. Indeed the UNHCR noted the continued increase in security incidents experienced by returnees.[281]

These factors formed the constant background to the difficult day-to-day living environment in which the war-time destruction of industrial and commercial buildings left a legacy of high unemployment, little prospect, in the early years of return, of new economic opportunities, and ethnic discrimination in labor market access. Side by side with the expense of rebuilding their houses, the lack of sustainable incomes and wider development-led employment generation, compounded the marginalization and impoverishment of returnees.[282] As Keck notes, 'If the aim is to achieve a sustainable process of return, conditions must be created which enable returnee families to earn a living on a viable long-term basis.[283]

Taking stock, lessons learned

How might we sum up the significance of these outcomes for developing sustainable return?

First, and most obviously, the 'consequences of armed ethnic conflicts linger long after hostilities have 'ended'.[284] Reconciliation takes a long time. Thus the fast pace at which return and the attempted remixing was enacted, partly to prevent un-mixing becoming a protracted reality, partly to lay down a marker to deter other potential wars of ethnic expulsion, and partly to serve the immediate European interests to prevent protracted temporary protection of the refugees in their countries, was counter-productive. For return to be sustainable, the timing should be driven less by immediate imperatives and agendas of international actors and more by an awareness of how, or the extent to which, ethnic hatred can be mediated and reconciliation has taken place.

A second, related issue, here is the need to recognize that competing rights and norms of return can emerge and become very problematic. Return under the DTA was very specifically defined in this case, over other forms of return or even other possible sustainable solutions. In these circumstances, the UNHCR's role in seeking solutions was heavily circumscribed and, moreover, the agency found itself

[280]Kleck 2006: 115; Phuong 2000: 168
[281] UNHCR 2004a:2.
[282]World Bank 2003:38.
[283] Keck 2006: 118
[284]Toal and Dahlman 2011

with contradictory mandates. Charged with implementing minority return, it was destined to failure: either because it could not effectively protect the re-mixed minorities, or, if it went for safer return locations, because it appeared to condone ethnic cleansing.[285] These contradictions severely undermined the program. Thus an important lesson is to clarify the mandates of the main actors and the way these mandates play out as the return program is implemented.

Third, in light of the extreme violence by which the different ethnic-groups expelled each other, return was always going to be a profoundly complex and challenging process, even without the intractable problems of property restitution and compensation. That property return was deployed as the principal instrument to reverse the impact of ethnic un-mixing and, by so doing, aimed to relocate the former warring populations in direct physical proximity to each other was, in retrospect, both flawed as a stratagem of social engineering and probably doomed to political failure.

Fourth, in a physical, property–led dynamic of return and remixing, other crucially important 'soft' components of the return and peace building-process must command equally high priority and dedicated resources from all the actors. These program areas include community and social reconciliation and integration, attending to the legacy of war traumas, dealing with continuing human rights abuses, discrimination and impunity for suspected war criminals, improving governance and legal and administrative barriers, for example to health and social services. This is not to deny the very significant contribution of many NGOs and intergovernmental actors to peace and reconciliation in Bosnia-Herzegovina. Rather, in retrospect insufficient resources and capacity were dedicated to the process of social reconstruction.

Fifth, returning two million people to their houses is a formidable logistical objective, particularly as the return policy was contingent on housing restitution as the principal instrument. It requires exceptional strategic management capacity and effective agency and operational co-ordination. The failure to fully engage with these programmatic requirements, combined with the speed at which the peace agreement was translated into return and housing restitution/reconstruction, resulted in a housing program that was little short of chaotic.

The key lesson is that a housing program of this magnitude needs to be designed to scale. This demands a strategy that integrates program levels from local construction, infrastructure provision and planning through to wider locational needs and urban and regional planning; provides coordinating mechanisms for the diverse actors; ensures effective linkage with legal and institutional actors dealing with property ownership and titles, funding of reconstruction.

Two other findings link to this conclusion.

Thus a sixth point is that, rather than the essentially random reconstruction process that was implemented by competing shelter sector actors in Bosnia-Herzegovina, and a piecemeal approach to assistance by different agencies and interventions, a post-conflict housing-driven return and reconstruction program must be linked to a comprehensive and holistic rebuilding process of local communities. In other words,

[285] Brubaker 2013:9; Cutts 1999

this requires the planning and coordination of housing restitution and reconstruction, with physical infrastructure, social facilities (in particular schools), community services and psycho-social healing, and security needs at the village/locality level. The returning refugees and IDPs themselves must be proactively involved in reconstructing their communities – albeit a highly complex task given the extreme violence of expulsion - rather than having their communities 'reconstructed by outsiders'. Again the external political and 'normative' pressures to 're-mix' as quickly as possible, inevitably led to a reconstruction program driven by external interests with little local ownership or agency.

Seventh, and in addition, return must be underpinned by wider economic development strategies and investment. A persistent obstacle to sustainable return, in particular for minority returnees, was the lack of livelihoods opportunities. The economic development of post-war Bosnia suffered from two profound constraints which were not fully tackled in the peace process and the creation of Bosnia-Herzegovina. It had not been an independent economy before the war, and a substantial amount of its economic infrastructure had been destroyed in the war.

Yet, the potential to turn the disaster to development opportunity was not fully realized. For example, the possibility of a development-led approach deploying property restitution and large-scale housing and infrastructure reconstruction as the leading sector of economic recovery – as was the case in Cyprus after the Turkish invasion of 1974 for example [286] - was lost.

World Bank engagement

Together with the European Union, the European Bank for Reconstruction and Development, and the authorities of Bosnia-Herzegovina, the World Bank participated in the preparation of a three to four year Priority Reconstruction Program with a budget of USD 5.1 billion that was endorsed by the international donor community in December 1995. Ahead of the first Country Assistance Strategy (CAS) for Bosnia-Herzegovina, the World Bank provided "an across-the board support program in which highly front-loaded IDA resources were used as 'seed capital' to attract donor resources in support of emergency reconstruction projects in a wide range of sectors". Sixteen projects supported by grants and credits totaling USD 358 million were initiated to begin reconstruction and recovery across sectors including agriculture, health, education, housing, water, transport, heating, power, land mine clearing, employment creation, and credits for small businesses and entrepreneurs.[287]

The first World Bank CAS of July 1997 covering FY98-99 stated, that while the EU had the lead in designing and implementing activities to promote resettlement of displaced, the design of new investment operations by the World Bank would bear in mind UNHCR designated priority return areas and ensure the projects would be consistent with the resettlement programs undertaken by the EU and other agencies.[288] The primary challenge during this CAS period was seen as broadening, deepening, and making more sustainable the reconstruction effort through improving infrastructure and community service delivery, "particularly in view of the likely influx of returning refugees".[289] A focus area for

[286] Zetter 1992; 1995
[287] World Bank 1997: 3, 10
[288] Ibid. 5
[289] Ibid. 14

assistance would be support for policy reforms to establish a fiscally viable approach to social assistance for the most vulnerable along with programs to provide employment and targeted benefits.[290]

By the time the second CAS (FY00-02) was finalized in April 2000, implementation of the Priority Reconstruction Program was nearly complete, and it was viewed as having "brought successful reconstruction and recovery".[291] Together with improved security this had 'led to increasing numbers of minority returns (although slow refugee return remains a key social issue in BH)', and although the vast majority of returns were to 'same-ethnic areas'.[292]

Notwithstanding the near completion of the Priority Reconstruction Program, the CAS noted that reconstruction needs would remain for some time to come (particularly regarding housing and services in rural areas), that the war had resulted in exclusion of those living in areas where they constituted the ethnic minority (and also often the poorest), and that unemployment was very high and particularly affected the internally displaced.[293] On this background, the CAS for FY00-02 added a focus on poverty reduction and social sustainability (including a continued engagement on reform of social safety nets and social protection). At the same time, it stated the intention of disengaging from support to reconstruction, and of continuing to refrain from entering areas 'where others are taking a lead role, e.g. support for refugee return.'[294] This position, however, assumes that inter-agency coordination was working well, which does not appear to have been the case. The CAS Progress Report of 2002 noted that 'donor coordination needs strengthening' since 'conflicting messages in some donor programs have been a source of frustration, confusion, and, sometimes, an excuse for inaction'.[295] Yet, despite revised donor coordination structures,[296] the CAS for FY05-07 reported that donor coordination continued to be a challenge since 'the 'authorities have yet to assume full leadership of the process of reconciling donor interests and managing competing development agendas.'[297]

The third CAS (FY05-07) from August 2004 found - rather surprisingly given the analysis so far in this case study - that since the end of the war, Bosnia and Herzegovina had 'made tremendous progress in post-conflict reconstruction, social integration, and state building', and that the country should be 'considered a post-conflict success story'.[298] This assessment was reiterated in the Country Partnership Strategy (CPS) for FY08-11, which also noted that the assistance provided by the World Bank Group to Bosnia and Herzegovina was 'one of the largest per capita assistance programs provided to any post-conflict country'.[299] This notwithstanding, it is unclear to what extent the assistance contributed to promote the return and reintegration of displaced despite efforts to reform the social protection system, despite a number of projects aimed at reducing poverty and promoting social inclusion at the municipal

[290] Ibid. ii, 12, and Annex 2. While these programs included micro finance, public works and employment, only one project in the planned portfolio directly addressed reintegration of displaced, namely a Community Development Project scheduled to be launched in FY98 with the aim of assisting inter alia single and disabled-headed households and returnees, which appears never to have gotten off the ground.
[291] World Bank 2000a: 1. This CAS was subsequently extended with 18 months till the end of December 2003 (World Bank 2002:i).
[292] Ibid. 3-4
[293] Ibid. 4, 14
[294] Ibid. 20
[295] World Bank 2002: 10
[296] Ibid. 18
[297] World Bank 2004a: 29
[298] Ibid. i
[299] World Bank 2007: 1

and community levels, and despite poverty data which indicated a strong link between displacement and vulnerability to poverty.

The CAS Progress Report of 2001 noted that while there had been sustained improvements in return of refugees and IDPs since 1999, groups that were especially vulnerable to poverty included returning refugees, IDPs, and households with disabled members.[300] A CAS Progress Report the following year, which drew on more comprehensive poverty data, reported that around 20 per cent of the population fell below the poverty line, and most lived in semi-urban and rural areas affected by the conflict, which suffered from economic dislocation and social cleavages, and which often had a high concentration of returning refugees and IDPs.[301] It was also found that in addition to the 20 per cent below the poverty line, another 30 per cent lived close to the poverty line and were vulnerable to fall below this line if subject to even small declines in income.[302]

A central area for the World Bank's efforts to address poverty, which appeared in every country strategy document between 1997 and 2011, was reform of the social protection system to include better needs based targeting of the most vulnerable, who as documented by the poverty data included returning refugees and IDPs.[303] However, while overall poverty fell,[304] the CPS for FY08-11 reported that social welfare transfers were 'not targeted to need' and had 'limited impact on poverty alleviation'.[305] This was also the conclusion by a review by the Independent Evaluation Group (IEG) of the CPS for FY08-11, which concluded that targeting of social benefits showed 'no measurable results as yet' regarding success of the needs based approach advocated by the World Bank.[306]

Another central area for World Bank's efforts to address poverty, that potentially could benefit the reintegration of refugees and IDPs, were projects on the municipal and community level to create employment, improve service delivery, and engage communities in decision making on budgeting and prioritization of development activities. One such project was the Local Development Pilot Project (LDP), which aimed at strengthening the institutional and financial capacity of selected local governments and utilities to enable them to provide improved municipal infrastructure and services in response to citizen demand.[307] However, none of the project performance indicators in the Implementation Completion Report (ICR) provide any information on how communities were engaged, who participated in the decision making, and who – beyond the category of communities – benefitted, so the impacts on returning refugees and IDPs are impossible to assess. Since the criteria for selection of participating municipalities (creditworthiness, municipal management capacity, local development plans) excluded most of the poorer and conflict affected municipalities, a complementary Community Development Project (CDP) was later prepared to focus on 'municipalities with a high degree of damage and displacement, and where people started to return'.[308] The ICR for the CDP includes

[300] World Bank 2001: 3
[301] World Bank 2002: 3, 16
[302] World Bank 2004a: 14
[303] World Bank 1997:ii, 11; World Bank 2000a:25; World Bank 2002: 11; World Bank 2007: 16; World Bank 2009: 5; and World Bank 2011: i, 17,23
[304] The 2009 Poverty Update found that the overall poverty rate had been reduced to 14 per cent (World Bank 2011: 5).
[305] World Bank 2007: 16
[306] IEG 2011: 6
[307] The LDP became effective in September 1999 and closed in May 2005 with total financing of USD 16.9 million (World Bank 2005a)
[308] The CDP became effective in March 2002 and closed in August 2009 with total financing of USD 38.32 million (World Bank 2010)

performance indicators on the overall involvement of citizens in participatory community assessments and of survey findings regarding levels of satisfaction with improvements in living conditions, but despite the focus on areas of reintegration there are no disaggregated data on the involvement of returnees or their perception of project benefits.[309]

Among the projects aiming to address poverty at the community level were two successive microfinance projects implemented between March 1997 and June 2005. The objectives of the first of these, the Local Initiatives Project, included provision of access to credit for the economically disadvantaged and war affected, who had no access to credit from the commercial banking sector.[310] An assessment by the Operations Evaluations Department (OED) found that the project had successfully assisted economically disadvantaged and underserved groups resume economic activities while helping to establish a sustainable institutional framework for micro-credit.[311] While the OED assessment did not consider the extent to which the project had assisted IDPs and returnees, the project's ICR reported that among the beneficiaries of the around 20,000 micro-enterprises that received financing, 21 per cent were IDPs and 5 per cent were returnees.[312] However, neither the Local Initiatives Project nor its successor the Local Initiatives (Microfinance) Project II included assessment of the social composition of beneficiaries in their Key Performance Indicators, and although the second generation project did undertake an impact assessment, its ICR did not draw on this to convey the extent to which the project had benefitted IDPs and returnees.[313] Considering the aim of these projects and the significance of the findings of the impact assessment, this omission is noticeable. The study found that IDPs and returnees were successfully reached: about 35 per cent of the clients receiving loans had been displaced compared with 'only' 29 per cent of non-clients.[314] It also found that while access to microcredit for IDPs and returnees helped ease their economic recovery process, almost a decade after the end of the war many continued to struggle and only through longer term access to microcredit would IDP and returnee entrepreneurs be able to reach the rates of income growth and business development enjoyed by non-displaced beneficiaries.[315]

Overall, the World Bank's engagement in Bosnia Herzegovina exhibits a disconnect between the recognition of the scale and challenge of reintegration of IDPs and returnees, and the often absent targeting of these groups in operations that aimed at addressing poverty and vulnerability at the municipal and community levels. Even more striking is the near universal absence of attention at both the country strategy and project levels to the outcomes that World Bank supported activities may have had for IDPs and returnees, and to monitoring indicators that could capture these outcomes in specific operations. As a result of this lack of attention to outcomes for IDPs and returnees, the timeframe and effort needed to support the reintegration of displaced also seem to have been underestimated.

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[309] The ICR for the CDP (Ibid) records that a total of 66,000 citizens participated in community assessments in the 88 municipalities reached, and that 51.5 per cent of the survey respondents in the Federation of Bosnia and Herzegovina and 61.8 percent of those in the Republika Srpska considered their living conditions improved due to the delivery of municipal services.
[310] World Bank 2000b: 2
[311] World Bank 2004b: x
[312] World Bank 2000b: 4
[313] World Bank 2000b; World Bank 2005b
[314] Dunn 2005: 32
[315] Ibid. 36

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Burundi Case Study

Background

In 1972 inter-ethnic violence between Tutsis and Hutus displaced around 300,000 refugees with most fleeing to Tanzania, and others to Uganda and DRC.[316] In 1993 new inter-ethnic violence displaced an estimated 340,000 refugees to Tanzania.[317] This violence lasted for almost nine years and generated small waves of refugees after each outburst of violence. By the end of 2002, more than 570,000 Burundians resided in exile, with the majority in Tanzania.

Changing Tanzanian policies towards refugees

When the first wave of Burundian refugees arrived in Tanzania in 1972, the pan-African policies of President Nyerere provided an open and welcoming asylum climate. The end of Nyerere's presidency in 1985 marked a new phase in which Tanzania became less open towards refugees and also requested greater international burden sharing, and this was the situation encountered by the refugees arriving from Burundi in the early nineties. This influx resulted in further changes in 1995, which signaled the start of a third period of asylum climate and refugee policies. In 1996 Tanzania closed its border with Burundi. In 1998, restrictive refugee legislation was passed which ended Nyerere's 'Open Door Policy', and which prohibited refugees from working outside the camps or possessing farms within the camp areas.[318] Tanzania increasingly pressed for repatriation of the refugees, though not for the 1971 cohort which were largely forgotten as a political issue until 2005. This was not immediately agreed to by UNHCR because of unrest and insecurity in some parts of Burundi, but eventually UNHCR recommended voluntary repatriation. In 2003 Tanzania issued a National Refugee Policy, which restricted movements for refugees in camps and limited their economic activity. Since 2005, the government has pushed for the implementation of Tanzania as a refugee free zone.[319]

The impacts of changing host country policies

The changing attitudes and policies towards refugees in Tanzania have had profound impacts on the conditions of life for the refugees arriving in 1972 and those arriving from 1993 onwards.

The 1972 refugees: The large majority of the refugees fleeing to Tanzania in 1972 were settled in three planned locations, often called the 'Old Settlements', in the sparsely populated western part of the country. Together these settlements hosted around 220,000 refugees, and each family was allocated about five and some up to ten hectares of land. Initially the refugees received financial assistance from UNHCR, and with assistance from the international community core infrastructure such as roads, water points, school buildings, dispensaries, and administrative centers were established. The settlements were placed under full government administration in 1985, and material assistance by UNHCR and its partners was terminated.[320]

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[316] Fransen & Kuschminder: (2012: 6)
[317] Danida& UNHCR (2010: 21)
[318] Ongpin (2008: 13)
[319] Ibid: 22-23
[320] Ibid:19-20

While the 1972 refugees were subjected throughout to restrictions on movement outside the settlements, they had by 1985 become agriculturally independent and were returning significant taxes to the host districts, which in turn continued to provide basic services such as health care and education. The joint Danida/UNHCR evaluation quotes figures which show that in the district of Ulyankulu, the refugee settlement occupied 2 per cent of the land, but accounted for 34 per cent of the district's agricultural production, while in Katumba district the 4% of the land settled by refugees furnished 42 per cent of the district's agricultural production. Overall the situation was one of acceptance by the host populations in the regions of settlement, and ethnic affiliation together with low population densities and availability of land for agriculture have been important factors promoting local acceptance and integration.[321]

The 1993 refugees: The refugees fleeing to Tanzania from 1993 onwards were placed in nine different refugee camps in the north-western part of the country, which were managed by UNHCR and the Tanzanian Ministry of Home Affairs. Unlike the 'Old Settlements', the refugees were not allotted land for agriculture, but remained dependent on the financial and material support comprising food aid, health care, education, and legal advice that was provided to the camps for the full duration of their existence.[322]

An unknown number of refugees both among those who fled in 1972 and in 1993 and later did not settle in designated refugee areas but integrated into villages in north-western Tanzania or in urban areas.

Return from Tanzania

After the signing of the Arusha Peace and Reconciliation Agreements in August 2000, which ended the conflict in Burundi, many Burundian refugees began to return voluntarily from exile, and assisted repatriation facilitated by UNHCR in a joint initiative with the Burundian and Tanzanian government started in 2002. Around 500,000 refugees were estimated to have returned by 2011, and by 2012 only one of the nine camps hosting the refugees arriving from 1993 onwards was still operating.[323]

This remaining camp – Mtabila – which housed around 38,000 refugees had been subject to several closure deadlines, and among the 'push' factors applied were significant restrictions in income-generating opportunities, freedom of movement, and access to education facilities, sanitation, and water. However, this was not matched by 'pull' factors in Burundi, since the refugees were reluctant to return due to fear of insecurity and the prospect of not having access to land upon return.[324] Moreover, 60% of the Mtabila refugees had been born in exile, and many did not speak Kirundi, the language of Burundi. This notwithstanding, the refugee status for the Mtabila residents was cancelled,[325] and from late 2012 into 2013, UNHCR facilitated the return of these and other refugees to Burundi. Upon their arrival, UNHCR was only able to provide what it calls 'initial reintegration assistance' since the 'the concentration of

[321] Danida& UNHCR (2010: 20-21). However, at certain points in time relationships between the refugees and the local population were problematic. In the early 1990s the camps were accused of hosting Burundian military units and rebel groups, and as tensions rose in the late 2000s because of a slowdown of return to Burundi, the refugees were increasingly blamed for insecurity and criminal activity in the area (Fransen & Kuschminder: 2012: 7).
[322] Fransen & Kuschminder: Ibid.
[323] Ibid: 1, 11
[324] IRIN (2012a)
[325] IRIN (2012b)

returns during a very short period of time and inadequate funding prevented the implementation of comprehensive reintegration assistance programmes, particularly with regard to shelter …'.[326]

In July 2013, Tanzania began expelling 15,000 Burundian and 7,000 Rwandan nationals who were held to be illegal immigrants, though many had spent most of their life in Tanzania. Humanitarian conditions were reported to be deteriorating in the transit camps they were taken to, and upon return they faced a shortage of food and basic necessities.[327]

The 1972 refugees and the option of citizenship and local integration

To deal with the Burundian refugees that had arrived in 1972, the Tanzania Comprehensive Solutions Strategy (TANCOSS) was developed at the end of 2007 on the basis of a census, a registration exercise and a socioeconomic study conducted in the 'Old Settlements'. As part of the planning process, the refugees were asked about their future wishes and intentions. Approximately 20 per cent wished to repatriate and 80 per cent to be naturalized as Tanzanian citizens.[328]

TANCOSS involved the unprecedented step that the 218,000 Burundian refugees who had arrived in 1972 were given the choice in 2008 to either return home or apply for citizenship. Ultimately, 162,000 refugees opted to apply for citizenship.[329] Another 54,000 chose to return to Burundi, and their repatriation was assisted by UNHCR during 2008 and 2009.[330] By April 2010, the naturalization process had been completed for the 162,000 refugees – now referred to as newly naturalized Tanzanians (NNTs) – but they would only receive citizenship documentation after being relocated from the three 'Old Settlements' to other regions of the country. In August 2011 their relocation was suspended pending further consultations within the government on the formalization of their status,[331]and this issue has still not been resolved.[332]

As noted in the joint Danida/UNHCR evaluation, the rationale for forcing the NNTs to relocate as a condition for obtaining Tanzanian citizenship is unclear. Prior to the development of TANCOSS, it was recognized that the 1972 refugees were well integrated with viable livelihoods, housing, and interaction with Tanzanian society.[333] Linking citizenship with relocation is also inconsistent with the earlier position by the Tanzanian authorities regarding refugees in the country. When the NNTs were refugees, government officials argued that their encampment was necessary for security reasons. Yet, later they contended that allowing the naturalized refugees as Tanzanian citizens to remain in the camps would have security implications.[334]

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[326]UNHCR (2013). The initial reintegration assistance from UNHCR and other agencies comprised a cash grant, six months of food rations as well as health, education and (for some returnees) shelter support (IRIN:2012b).
[327] IRIN (2013)
[328]Danida& UNHCR (2010: 7)
[329] UNHCR (2011)
[330]Danida& UNHCR (2010: 23)
[331] UNHCR (2014)
[332] Government of Tanzania (2013: 52)
[333]Danida& UNHCR (2010: 11)
[334] Lomo (2012)

A possible underlying rationale for the pressure on the NNTs to relocate as a condition for obtaining Tanzanian citizenship may be that an agreement had been made with a US agro-business company regarding commercial agriculture on 800,000 acres of land which included two of the 'Old Settlements'.[335] While the future of the land concession deal appears uncertain, one reason for the postponement of the relocation of the NNTs given by government officials was that insufficient consultation had taken place within government, and especially with regional and district authorities in the proposed receiving regions.[336] Thus, local authorities at regional and district levels doubted the effectiveness and desirability of the relocation and local integration exercise, claiming that repatriation should be the only suitable solution to the situation of the 1972 refugees. They also stated that successful integration would be highly challenging given the lack of support for health, agricultural, education and social services in the receiving communities. Moreover, government officials criticized the position of donor countries who pushed for local reception of refugees and local (or regional) solutions for refugee problems but seemed to step back when asked to share the burden.[337] Finally, in 2014, the government of Tanzania resumed the granting of citizenship to the NTTs, and it is estimated that around 200,000 Burundian refugees and their children will benefit from this.[338]

Return to Burundi and reintegration:

The reintegration of former refugees in Burundi is challenging due to demographic pressure, poverty, unemployment, and lack of infrastructure.[339] With a population density close to 300 people per square kilometer - and double that in some places - scarcity of agricultural land to farm is an issue that confronts not only the returnees but all Burundians. The livelihoods of around 90% of the population are derived from farming, and few employment opportunities are available in the minimal private sector.

Three studies of the return and reintegration of the refugees who had left Burundi from 1993 and onwards found that their reintegration had been successfully achieved to the extent that the returnees had the same livelihood conditions and health status as those who had stayed in the country. [340] In addition, an evaluation of a reintegration program from 2003 to 2008 funded by the German Federal Ministry for Economic Development Cooperation (BMZ) in the Gitega and Ruyigi Provinces found that it contributed successfully to the peaceful co-existence of the population of returnees and stayees in their communities and to their ability to earn a meager but independent livelihood.[341] However, a study undertaken by a Burundian NGO – Rema Ministries – which unlike the three studies referred to above also included returnees from the 1972 cohort, found that returnees still experience challenges of discrimination, language barriers, employment barriers, and land issues.[342]

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[335] Danida& UNHCR (2010: 8); Lomo (2012).A feasibility study for the investment in the two 'Old Settlements' (Katumba and Mishamoin Rukwa region) is reported to have been commissioned and conducted on behalf of AgriSol USA in July 2008, shortly after the announcement of the government's plans to close down the camps (Oakland Institute 2011: 2).

[336] Government of Tanzania (2013: 52)

[337] Frans (2012: 30). By the time the research for this source was undertaken, only about 10 per cent of the needed funding local integration in new localities had actually been raised (Ibid: 31).

[338] UNHCR (2015: 22). UNHCR states that this is the first time in its history that naturalization has been offered as a solution to such a large group of refugees in a first country of asylum.

[339] Fransen & Kuschminder (2012: 1)

[340] The findings of these studies are summarized in Fransen & Kuschminder (2012: 10)

[341] KfW (2012: 1)

[342] Rema Ministries (2012).

The support provided to the reintegration process in Burundi underestimated the special conditions and needs of the 1972 group, who faced additional challenges compared to the refugees who fled the country in the early 1990s regarding social and economic integration.[343] A significant proportion of returnees found serious problems with access to employment opportunities upon return since potential employers and local authorities refused to recognize professional credentials gained while in exile. Integration into the Burundian education system was extremely challenging for many returnees from Tanzania, since students are taught in French and Kirundi, whereas many returnee children are more comfortable with or only know Kiswahili and English.[344]

Returnees from the 1972 cohort also faced serious challenges in accessing ancestral land. There are major differences between those who knew their place of origin, who could re-connect with extended family members and claim ancestral land when they returned, and the '*sans références*' who did not have any living links to Burundi and were faced with a completely new beginning.[345]A key aspect of the land problem is the issue of expectations. Returnees were expecting to receive their ancestral land upon return, whereas stayees were expecting that returnees would be accommodated on government land.[346] However, the 1972 returnees no longer had legal rights to their ancestral land since they had been outside the country for over 30 years, which is the cut-off for court claims against encroachers. Many returnees were extremely bitter about their treatment by land dispute resolution mechanisms, including those represented by the *Abashingantahe*, an institution of male elders, and the National Commission for Land and other Property.[347] The inability to resolve land disputes between the returnees and those who now occupy their land through either formal or informal mechanisms is viewed as a danger for sustainable peace as long as it is not appropriately addressed within the framework of reparations.[348]

One approach by the Burundian government and UN agencies to address the reintegration challenges was the accommodation of landless returnees such as returning 1972 refugees and other vulnerable people in Burundi's Rural Integrated Villages (VRIs). In addition to accommodate landless returnees, the VRIs were expected to foster coexistence between the returnees and residents and to stimulate development in general. Yet, by 2012 only nine VRIs accommodating around 250 households each had been established.[349] Rema Ministries reports that overall, 70% of respondents from both VRI and non-VRI villages reported a serious problem regarding access to land, and 77% of all respondents in the survey areas reported being food insecure. Those living in the VRIs were particularly likely to have negative perceptions of the reintegration process. These feelings were linked to lack of land, a sense of geographical remoteness from more established commercial or residential centers, and a broader feeling of being marginalized and forgotten about by the government.[350]

The evaluation of the BMZ supported reintegration project, which featured an inclusive and participatory planning process that engaged all categories of the population affected by the war, reported more positive,

[343]Danida& UNHCR (2010: 11); Fransen & Kuschminder (2012: 1)
[344]Rema Ministries (2012: 13)
[345] Ibid.
[346]Fransen & Kuschminder (2012: 14)
[347]Rema Ministries: Ibid
[348] Binder &Murithi 2013: 8, 13
[349]Fransen & Kuschminder (2012: 13)
[350]Rema Ministries (2012: 13-14)

though still modest, outcomes insofar as 60% of the beneficiaries confirmed their ability to satisfy basic needs on their own, 70% of the returned refugee households had adequate accommodation by the end of 2007, 50% of the population (returnees and residents in the returnee communities) confirmed that they had access to basic education and health services. Of note is the finding that 70% of social conflicts (it is unclear whether they included land disputes) were settled peacefully through program supported municipal conflict resolution mechanisms based on local traditions.[351]

World Bank engagement

Unlike the World Bank's early engagement in Burundi which in 2004 included a grant to support reintegration of returnees, the support over the last two CAS cycles has not involved analytical or operational activities that explicitly focused on the reintegration of returnees (in contrast to the continued support to demobilization and reintegration of ex-combatants).[352] However, both the CAS for FY09-12 and that for FY13-16 identified the return of refugees as a significant development challenge and risk to stability, and the CAS for FY09-12 also recognized that returning refugees, most of whose land is occupied by others, exacerbated the problem of land scarcity.[353]

While neither of the two CASs identify returnees as a particular sub-set of the beneficiaries that the operations supported by the World Bank would make particular efforts to include or target, they are likely to be among the beneficiaries of some operations. Examples from the FY09-12 CAS period are the Agriculture Rehabilitation and Sustainable Land Management Project, which focused on the domestic agricultural sector in order to increase crop and livestock production and productivity, diversify farm income, support farmers' organizations, and promote sustainable land use, the Road Sector Development Project which generated employment for the rural poor, the Community and Social Development Project which helped establish a transparent and participatory mechanism to finance community subprojects on a demand-driven basis, and a Second Public Works Project to generate local employment through labor-intensive infrastructure rehabilitation.[354]

Examples from the FY13-16 CAS period are the continued support to community-driven agriculture and labor-intensive public works, as part of the government's efforts to provide safety nets for the vulnerable, along with assistance to the government to develop its strategy for safety nets targeting the vulnerable to reduce livelihood volatility, including the high and growing numbers of urban unemployed. Among the planned analytical work in the CAS for FY13-16 is a Skills for Private Sector Development Study(to identify options for skills development, based on assessments of the challenges related to skills formation, and the needs relative to the job market) which would inform a planned Economic Management Support follow-on Project to address skills gaps in growth industries. The planned Poverty Assessment and Social Safety Nets Analysis would improve the poverty data and assist the Government in the design of effective

[351] KfW (2012: 3-5)

[352] The KfW evaluation of the MNZ funded reintegration program suggests compared to a broader inclusive approach addressing needs of all categories of a war-affected population, an approach that focus solely on a particular group such as reintegration of ex-combatants may provoke envy and risks fuelling conflict instead of contributing to peace (Ibid. 2)

[353] World Bank (2008: 13, 33); World Bank (2012: 1)

[354] World Bank (2008: 23-27)

pro-poor policies and programs and to better target social protection programs to help address vulnerability and to reduce poverty.[355]

Both the CAS for FY09-12 and that for FY13-16 identify the need to address youth unemployment in order to stimulate economic growth and to consolidate peace and security in the country.

Operational lessons regarding assistance to facilitate sustainable return

1. Rather than viewing the return of Burundian refugees from Tanzania in terms of a 'two country approach', a regional approach could have furnished a more realistic assessment of the absorption capacity and challenges in Burundi.[356]
2. An approach to return would also need to recognize that different groups of returnees will face different constraints to reintegration depending on factors such as their length of stay in exile, challenges to reclaim property, access or lack thereof to social networks in the country of return, and differences between the educational systems accessed in exile and that in the country of return.
3. Management of land issues was characterized by lack of coordination from the government and the complexity of too many involved actors with limited capacity and power.[357]
4. A key lesson from the Burundi repatriations is the importance of access to correct information. Much of the conflict between returnees and locals at the community level has been due to misleading promises made to each group, and when the repatriations began locals had no information that returnees were coming.[358]
5. To address this, resettlement and reintegration programs should have been based on more comprehensive consultation and participation, which involved returnees (and stayees) in the design, monitoring and evaluation of return and reintegration activities.[359]
6. Development assistance can address some of the structural causes of the conflict, by:[360]
   a. Actively promote inclusion by incorporating measurable objectives of equitable distribution of jobs, resources, and access to social services, across ethnic groups and regions (and across stayees, returnees, and ex-combatants) - at all levels of government;
   b. Place governance on top of the agenda, and encourage participant-based processes to counter the deeply ingrained elite-driven decision-making that, historically, has yielded the pattern of exclusion and inequities that have given rise to the Burundian conflict;
   c. Seek to reverse the pattern of state-centered economic concentration that favored a small sub-set population at the expense of most Tutsi and the majority Hutu. In particular, the creation of economic opportunities outside the state is essential to defuse the tension surrounding competition for control of the machinery of government, and systematic efforts must be made to overcome the social effects of the discriminatory and exclusionary policies that have disadvantaged the majority.

[355] World Bank (2012: 21-25)
[356] Danida& UNHCR (2010: 14)
[357] Fransen & Kuschminder (2012: 20)
[358] Ibid.
[359] Rema Ministries (2012: 14); KfW (2012)
[360] Brachet & Wolpe (2005: 18)

7. From a peace consolidation perspective, public works and employment generation projects targeting youth have particular merit.[361] Non-farm employment opportunities should be given particular attention.
8. Development assistance needs to be consistent and sustained.[362]
9. Ensure that Poverty Assessments include disaggregated data on the conditions and specific challenges faced by returnees, and that monitoring of operations includes disaggregated data on impacts on returnees.

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[361] Ibid: 21
[362] Ibid: 18

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Cambodia Case Study

Background

The Paris Peace Agreement of 1991 ended more than 20 years of conflict in Cambodia. One of its stipulations was that the United Nations would organize and implement the voluntary repatriation of Cambodians then residing in seven border camps in Thailand and from other countries of the region.[363] The agreement also established the UN Transition Authority in Cambodia (UNTAC) as the lead agency to oversee and coordinate the repatriation and reintegration process. A Memorandum of Understanding (MOU) between Thailand, Cambodia, and UNHCR from November 1992, governed the repatriation operation. Both the Paris Peace Agreement and the tri-partite MOU called for the voluntary return of all Cambodians in time for them to participate in the national elections scheduled for May 1993.[364] This political agenda of rapid return to support the democratic process in Cambodia seemed to take little account of the concerns of those returning, which had more to do with securing a livelihood.[365]

Over 360,000 refugees, most of who had fled during the Khmer Rouge regime and to a lesser extent in the wake of the Vietnamese invasion in 1978/79, returned in the 1992-93 operation (Repat 1).[366] A second operation in 1997-99 (Repat 2) involved approximately 46,000 people who had fled to Thailand as a result of conflicts among various Khmer Rouge factions and different parties in the Cambodian government. Following repatriation, UNHCR focused on promoting sustainable reintegration through protection monitoring and support for integrative services. Each operation took place under different international and regional circumstances and assumed a different set of dynamics with respect to internal socio-economic and political circumstances.[367]

The refugees returning during Repat 1 were more diverse than those in Repat 2.[368] The Repat 1 returnees represented different social strata from many areas of the country, and while most were farmers they also included people of urban backgrounds. Moreover, many had resided in the camps for long periods. In Repat 2, the majority of refugees were farmers and former soldiers and their families from the Khmer Rouge controlled areas, or petty traders, farmers, and soldiers and their families from the FUNCINPEC controlled area.[369] They had resided in the refugee camps for one and a half years at most. The refugees returning under both Repat 1 and Repat 2 resided in camps under the control and direction of various political factions.

Circumstances in exile

The circumstances of flight and camp residency conditioned the repatriation process and established a foundation for either weak or strong reintegration outcomes. Among the refugees returning under Repat1, many had learned

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[363] There were two kinds of camps on the border: refugee camps aided by UNHCR, and displaced persons camps aided by UN Border Relief Operation and administered by Cambodian resistance factions (Robinson 2006).
[364] Ballard (2002) which is the main source for the account that follows of the return of Cambodian refugees.
[365] Eastmond 2002: 6
[366] Prior to Repat 1, large scale spontaneous repatriation had taken place from Thailand and Vietnam during 1979-84 (Eastmond & Ojendal 1999: 52).
[367] Ballard 2002 2, 45
[368] Ibid: 45-46
[369] *FUNCINPEC* is the ***F**ront **U**niNational pour un **C**ambodge **I**ndépendant, **N**eutre, **P**acifique, **e**t **C**oopératif* (National United Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia), a Cambodian royalist party.

different vocational skills from various training programs, and children were able to attend Khmer language schools. The Repat 2 refugees did not have such opportunities, partly due to their relatively brief camp tenure. For both the Repat 1 and Repat 2 refugees, those in Khmer Rouge camps had fewer opportunities to engage in trade and/or employment than people in other camps, but even so, the degree to which people could engage in such activities in the Khmer Rouge camps varied according to local circumstances and the factional leadership. Moreover, of the refugees returning under Repat 1, around 22,000 camp residents were employed by the UN, while many others had opportunities to work for NGOs and international organizations. Others, meanwhile, provided services and engaged in trade with local Thai traders as well as other camp residents. Those who were employed by service organizations learned technical and organizational skills that they could use upon their return.[370]

In each of the camps, residents and their leaders possessed varying degrees of capital assets acquired prior to flight. While most had only been able to bring with them the possessions and cash that they could carry or otherwise transport, the Khmer Rouge leadership in some camps controlled trucks and agricultural machinery as well as livestock, oxcarts, and vehicles. While in the camp, many people sold their livestock to supplement food rations and purchase other items. They returned, however, with most of the original inventory (minus the livestock), which was used for reconstruction and agricultural production.[371]

Circumstances upon return

The approaches used to promote reintegration, varied from location to location according to the mode of repatriation, the time for planning, political dynamics, access, and agricultural resources.[372] The context of return also varied between Repat 1 and Repat 2. At the time of Repat 1, Cambodia was embarking on a series of social, economic and political reforms that included moving towards a market economy after years of centralized planning and cooperative agricultural production, and the beginning of formation of Cambodian NGOs. By Repat 2, the presence of international organizations and NGOs had increased as had that of Cambodian NGOs, and as a result the quality and quantity of specialized services to assist the reintegration process had expanded. However, in both Repat 1 and Repat 2, the Cambodian government's capacity to implement administrative and social services in support of reintegration was inhibited by scarcity of public resources and weak civil administration, particularly at the local level. This factor, together with the parallel growth in the number and diversity of international organizations and local NGOs, played a key role in shaping UNHCR's reintegration and phase-out strategies.[373]

Repatriation assistance: The returnees were transported from the camps to different reception centers where they declared their intended destinations and received assistance to support further transport and reintegration. The coordination of the logistical arrangements for this operation was one of UNHCR's greatest successes. Many returnees, however, did not proceed to their declared destination, or once there, migrated elsewhere, and as a result, many were lost to protection monitoring.[374]

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[370] Ballard 2002: 48, 68
[371] Ibid: 48
[372] Ibid: 50
[373] Ibid: 46
[374] Ibid: 47

The World Food Programme (WFP) provided a food component for UNHCR's repatriation assistance. In Repat 1 returnees received a 400-day rice ration, whereas in Repat 2 this was reduced to a 40-day rice ration. This may have retarded agricultural investment. In order to provide returnees with supplemental rations to cover possible food deficits, WFP also distributed additional rice through food-for-work projects, but returnees who participated in these may have had to divert labor away from agricultural production or other forms of employment to work on the projects.[375]

Other reintegration assistance: UNHCR and UNDP tried to bridge the transition from emergency services to development assistance through small-scale projects including Quick Impact Projects (QIPs) and Micro-Projects (MPs) implemented by NGOs. These projects comprised rehabilitation of access roads, construction of schools along with teacher training and distribution of school kits and uniforms, primary and preventive health services, drinking water supply, and support for resumption of agriculture. While UNHCR and its partners have made important contributions to provide social services, the sustainability of the services that were furnished within the framework of QIPs and MPs depended to a large extent on the ability of the implementing partners to mobilize funding to continue the operations. Moreover since project planning and implementation tended to focus on completing projects within a given time frame and budgeting cycle, planners may have overlooked or disregarded the interplay between conditions that inhibited and/or promoted sustainable and equitable outcomes over the long term. There was also the risk that they may have overlooked, or even avoided, certain projects that might otherwise have been useful for promoting capacities for self-sufficiency.[376]

Reception in return areas: One of the difficulties that returnees faced upon return was poor reception from local residents who had remained in Cambodia. A common perception was that people who had resided in the border camps had enjoyed privileges and opportunities that others had not. Returnees were also often viewed as competitors for scarce resources such as land and jobs. Their status as landless returnees with few resources made them especially vulnerable during the rapid socio-economic change that Cambodia was undergoing.[377]

Access to land has been a critical constraint to reintegration. A UNHCR survey of the refugees' choices for assistance upon return under Repat 1show that most were eager to obtain land for cultivation, not surprising for a population of farmers, and the preference was to settle in areas of fertile land, rather than returning to their village of origin.[378] It was initially assumed that land would be available for the returnees (2 ha per family).[379] However, after the start of repatriation, it soon became apparent that this was not the case since land was often either already occupied, located in areas where conflict continued, or unusable due to land mines.[380] Instead UNHCR therefore offered returnees the choice of three assistance options comprising either (i) farm land, a house plot, building materials, and food for 400 days, (ii) a house plot, building materials, and food for 400 days, or (iii) cash ($50 per adult, $25 per child

[375] Ibid: 49-50
[376] Ibid: 8
[377] Ibid: 47
[378] Eastmond 2002: 7
[379] With about 85,000 returning families this would have required access to 170,000 hectares of agricultural land (Robinson 2006:16)
[380] Eastmond & Ojendal 1999: 43

under 12), and food for 400 days. The overwhelming majority of returnees (87%) selected the cash assistance option.[381]

To address conflicts over land rights, UNHCR adopted a dual approach. In many cases, it was attempted to manage land rights disputes on a case-by-case basis in which UNHCR involved either local or provincial officials in resolving specific cases. As a result of this, a small number of families did obtain title to land after return, either in existing villages or as larger settlement sites for larger number of returnee and IDP households.[382] At another level, UNHCR also adopted a more comprehensive approach by contributing to the development of institutional mechanisms for governing land rights.[383] However, in the absence of formalized land titling procedures by the government, land rights were generally governed through local patronage. Since most returnee sites were extremely politicized, and local political leaders had retained control over important functions such as public security and policing, the access of returnees to administrative and social services were at least in part governed by the ethics and logic of patron-client relationships based on political or military affiliation.[384]

What influenced successful reintegration?

In the Cambodian context where the capacity of the government to provide services was weak, and where there were gaps in the scope and scale of services provided by UNHCR and its collaborating partners, the most successful returnees were those who had access to alternative sources of capital assets with which to invest in agricultural production and small business start-ups. Importantly, the process of capital accumulation was often rooted in the circumstances of flight and camp residency, well before repatriation took place. Moreover, those returnees who had more extensive domestic and overseas connections with family and clan members who provided cash remittances and outlets for handicraft sales tended to do better than those who lacked such connections.[385]

However, the majority of the returnees were rice farmers who had acquired few new skills in the camps. In many cases they were not able to regain land in their villages of origin, they did not have the resources to obtain land elsewhere, and they had difficulties in accessing the social networks of patronage which governed access to land. While not conclusive, research suggests that three out of four returnee families ended up being landless,[386] and Repat 1 returnees represents a substantial proportion of the rural landless who migrate both internally and across neighboring borders in search of land and/or employment.[387]

The CARERE and Seila programs

To support Repat 1, UNDP and UNHCR established the UNDP/OPS project CARERE (Cambodia Area Rehabilitation and Regeneration project) to provide quick impact projects to communities to which refugees and IDPs were returning. In CARERE 1, local government structures were largely bypassed to deliver benefits to the local population. This approach was altered in 1996, when CARERE 2 was

[381] Ballard 2002: 30
[382] Eastmond 2002: 7
[383] Ballard 2002: 51
[384] Ibid: 51, 59
[385] Ibid: 63-64
[386] Eastmond 2002: 12, 15
[387] Ibid: 47

established, as a support project to a set of government development activities, themselves organized through the Seila ('Foundation Stone') program. CARERE 2 meant the end of emergency relief and infrastructure delivery for returnees, and replaced this with experimentation in decentralized local development and reconciliation. The Seila half of the program entailed the establishment of planning and development mechanisms within government for the spending of funds allocated by donors. CARERE ended in 2001, while the Seila program continued as a program aimed at reforming local governance, and supported by a new multi-donor support program called the Partnership for Local Governance (PLG), established in 2001.[388] Seila has attracted funding and passionate commitment from a range of donors, including various UN agencies, the World Bank, and bilaterals.[389]

In the short term, Seila has clearly contributed to improved provincial and commune governance. It has trained thousands of civil servants and elected people's representatives to mechanisms for implementing development projects in a manner that is acceptable to donors and is likely to elicit further funds from them. It has offered opportunities for provincial governments to regain authority over development processes, following the free-for-all of the early 1990s. In addition, it has created opportunities for donors to coordinate with one another and for all development actors to coordinate with village-produced development plans and to align them with the National Poverty Reduction Strategy. Seila succeeded to a great extent by virtue of its flexibility and its ability to mainstream areas in which it has had the most impact, to make incremental shifts over time into new areas, and, in so doing, to continue to provide incentives for government to remain engaged.[390]

While the Seila program has delivered rural infrastructure such as bridges, roads, and wells where they did not exist, there is little quantifiable evidence to suggest that the program has had an impact on poverty.[391] With the transition from CARERE 1 to CARERE 2 and the shift in focus away from reintegration of returnees, it is also unclear to which extent the program has benefitted this group, many of whom appear to have been a long way from successful reintegration when targeted assistance ended.

Operational lessons regarding assistance to facilitate sustainable return

1. Planning of reintegration assistance needs to be informed by analysis of both current conditions in areas of return and the circumstances prior to and during flight and asylum.
2. The planning and provision of assistance for reintegration need to have a sufficiently long time horizon and be supported by robust outcome monitoring, so that the returnees are not abandoned based on empirically unfounded shifts in the focus of assistance (as appear to have been the case with the transition from CARERE 1 to CARERE 2 and the Seila program).
3. The time spent in countries of first asylum provides an important opportunity for camp residents to acquire new skills and accumulate savings that improve their ability to establish sustainable livelihoods following repatriation. Thus, sustainable reintegration outcomes can be promoted by guaranteeing safe and secure camp environments with adequate food rations and basic social

[388] Hughes 2007: 89-90
[389] The World Bank contributed 8.6% of the donor financing for the Seila program in the period 2001-2005 (Ibid: 109).
[390] Ibid: 115-116
[391] Ibid: 97

services, and providing adult literacy, vocational training as well as commercial and employment opportunities for camp residents.[392]

4. The amount of capital that returnees have to initially invest in productive activities following repatriation depends on employment opportunities while in exile, repatriation assistance, and alternative sources of capital. Those who lack employment opportunities while in exile, have fewer alternative resources, and/or receive less repatriation assistance, are more vulnerable and dependent on outside assistance from aid agencies, the administration in the return country, or social networks.[393]
5. The success of the Seila program suggests that flexibility and adaptation are as important as initial design, and experimentation and the ability to recognize, promote, and capitalize on successful experiments are critical, while intensive and proactive donor input is needed to keep all actors engaged.[394]
6. The Seila program's lack of poverty reduction impacts suggests that village level participatory planning of infrastructure projects and services (public goods) needs to be supplemented by support for livelihoods (private goods) both within and outside the agriculture sector involving different delivery arrangements (e.g. training, access to credit, saving and self-help groups), and preferably linked to broader development interventions that inter alia promote transport, communications, trade, and banking.
7. In rural areas, returnees require sufficient food rations to carry them through at least one full agricultural cycle. Cash grants for food procurement may also under certain circumstances be cost-efficient mechanisms for promoting food security.[395]
8. While land disputes involving returnees to some extent can be reduced (though not entirely avoided) by for example surveying and assessing land availability prior to repatriation, the resolution of land rights issues must ultimately involve a more systemic, comprehensive, and long-term approach to strengthen the governance of land rights.[396]
9. Vocational training and financial credit arrangements can play an especially important role in promoting sustainable reintegration outcomes in urban areas.[397]
10. Three important questions regarding QIPs and micro-projects concern (i) the management and oversight of the projects, (ii) efficiency in time and cost relative to the number of beneficiaries, and (ii) the sustainability of project outputs. The sustainability of project outputs after UNHCR phases out reintegration operations depends on the capacity of NGOs, international organizations, and/or the government to operate services for returnees. Project planning needs to integrate phase-out plans, and where the government is unable to operate and maintain services, actively assist partner organizations, especially international and local NGOs, to develop alternative funding sources.

[392] Ballard 2002: 69
[393] Ibid: 73
[394] Hughes 2007: 118
[395] Ballard 2002: 71
[396] Ibid: 74
[397] Ibid: 75

11. Where women are less educated, enjoy less social mobility, and have fewer resources, the planning of reintegration assistance needs to consider existing structural impediments to equal achievement of reintegration outcomes by female returnees.[398]

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[398] Ibid: 79

Iraq Case Study[399]

Background

The actual and potential return of refugees from Iraq remains one of the most complex and unpredictable movements of forcibly displaced people in the contemporary era. At the time of preparing this case study, the scope and modalities of return remain in a high state of flux and uncertainty, as they have since the start of the crisis in 2006.

Even from the beginning of the US-led invasion in 2003 through to the current period, Iraqi refugee movement – both exile and return - has defied conventional wisdom, predictions and expectations, and has confounded international actors and humanitarian agencies.

The invasion did not create the anticipated mass exodus of refugees, for which the international community had made preparations. [400] Six months after the invasion the empty camps and pre-positioned stocks for an anticipated one million refugees were dismantled. Instead, the Iraqi refugees began arriving in large numbers three years later as a result of a civil war – a consequence of the invasion - dominated by extreme ethnic and sectarian violence. Indeed it was four years after the invasion, in 2007, that Refugees International described the Iraqi refugee crisis as the world's fastest growing displacement crisis with, by then, over two million refugees mainly in neighboring countries, and well over one million IDPs. This coincided with the peaking of violence and conflict.[401]

Likewise return has not, in the main, been predicated on the conventional drivers and characteristics – voluntary repatriation upon cessation of violence, major peace building efforts, reconciliation or warring parties, or a large scale coordinated international humanitarian response to rebuild the country's destroyed infrastructure: most of these initiatives have been attempted with little or no success. Instead, to the extent that return has taken place it has been overwhelming spontaneous. Perversely, it is another violent regional war – in Syria where the majority of Iraqi refugees fled - which has precipitated, even 'forced', a significant Iraqi refugees to return home as the least worse option.

The conditions for return and the return process

Refugee return to Iraq must be seen in the context of a very complex and chaotic picture of population movement in the region - people forcibly displaced within and outside Iraq by the enduring crisis in that country and the wider context of severe regional instability.[402]

- over 470,000n Iraqi refugees and asylum seekers still displaced *in* the region;
- over 3.6 million IDPs *within* Iraq, together with over 120,000 stateless persons of concern to UNHCR;

[399] There is a severe lack of recent research on Iraqi refugees in general and refugee return in particular on which to base a desk study. This study reflects the anecdotal and conjectural character of the sources.
[400] Including, ironically a 2003 UNHCR Plan - Preliminary Repatriation and Reintegration Plan for Iraq - for the return of Iraqi refugees who had left Iraq in the years preceding the invasion. UNHCR (2003).
[401] Refugees International (2007).See also UNHCR (2008)
[402] UNHCR Country Operations Profile 2015 Iraq. http://www.unhcr.org/pages/49e486426.html

- Iraqi refugees returning spontaneously *to* Iraq mainly from Syria as a result of the civil war in that country;
- Almost 500,000 refugees and asylum seekers *from* the region (principally from Syria[403] but also small numbers from other countries such as Turkey, the Islamic Republic of Iran and Palestinians) are now displaced *within* Iraq.[404]

This conjuncture of dynamics - of displacement and mobility - constitutes a situation in which refugee return is highly problematic. It is further exacerbated by conditions that are still polarizing the country and continue unabated: internal sectarian tensions and divisions created by a civil war; generalized violence and massive targeted violations of human rights; and large scale internal displacement. Return is thus dangerous and, more precisely, return 'home' and integration, impossible for most. Thus, discerning either a pattern of return or a meaningful policy and implementation process for return in these circumstances is challenging.

To the extent that a pattern and process of return can be described where so much is in flux, the following characteristics and observations can be made.

First, the **return process is predominantly spontaneous**, and is largely determined, on the one hand, by the local circumstances of households and their living conditions in exile and, on the other, by the episodic nature of the civil war in Iraq. Whilst these push and pull conditions have tended to counterbalance each other, limiting return, the consequences of the civil war in Syria have disturbed this balance by producing a powerful lever of large-scale return movement.

There is no clear or consistent pattern or process of return. For example, a typical mix of push and pull factors, and local, personal and wider security considerations was offered by UNHCR at the end of 2007.[405] Some refugees were returning because they believed that security in Iraq had improved at that time – specifically where they felt that longer-term security was supported because local security arrangements were in place. Other refugees had run out of resources, with their vulnerability aggravated by the onset of winter and the problems of coping when household needs and the cost of living escalated. Still other refugees were returning because their visas had expired, whilst still others were returning in order to ensure that their children were enrolled in school.

Yet, even give the predisposition to return, the fact remains that then, and now, large numbers were not contemplating return. A 2008 study found that almost 90% of the respondents were not planning to return: over 60% feared return under the direct threat to life in Iraq, almost 30% did not want to return because of the generalized insecurity in the country and almost 10% could not return because their house had been destroyed or occupied in Iraq.[406]

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[403] 225,000 Syrian (mainly Kurdish) refugees of concern to UNHCR – data from UNHCR 2014

[404] Although Iraq is not a signatory to the 1951 Refugee Convention and its 1967 Protocol, the country has long been a host to refugees. A new refugee law has been drafted, and is pending with the Iraq Parliament and the Shura Council.

405 UNHCR 2007

[406] UNHCR 2008a

The strong, overall disinclination to return has periodically been endorsed by other studies. The International Crisis Group in 2008 asserted that 'There is no indication that large numbers of refugees have returned because of positive reassessment of security conditions.'[407] Rather it was intolerable conditions in exile that determined most returns, a situation that has, of course, dramatically intensified since the onset of the Syrian civil war. A small scale study of Iraqi refugees in Lebanon, Jordan and Syria in 2009, by the International Catholic Migration Commission and the UNHCR found that none of the interviewed refugees expressed a desire or tentative plan to return to Iraq, but neither did they wish for local integration, whereas about a quarter wanted to be resettled.[408] Two years later, in 2011, Chatty and Mansour's extensive study of the prospects of unlocking the protracted exile of Iraqi refugees reinforced the impasse in return in their extensive account of the persistent barriers to return.[409] [410] They record that the main constraints were: the Iraqi government's then lukewarm approach to services and assistance post-return – a disposition that has gradually changed; the segregation of neighborhoods along sectarian and ethnic lines along with changes in the demographics and social fabric of the neighborhoods; and confiscation of property.

Thus, over a five year period, a consistent picture emerges of the limited scope for the spontaneous return of Iraqi refugees. Sustained sectarian violence in Iraq suggests that this reluctance will continue, counterbalanced by the pressure to escape the Syrian conflict and return to Iraq. Symptomatic of the very low level of return are data from 2014 when just under 11,000 Iraq refugees returned.[411]

Reflecting the reason that spontaneous return (although limited) predominates, is that **voluntary assisted return**(VAR), a second element in this analysis of Iraqi refugee return, has been even less successful. For obvious reasons, the UNHCR has not actively promoted voluntary return.[412] On the other hand, it does offer the incentive of minimal return packages including transport costs to support refugees and IDPs who have voluntarily returned to their places of origin. Assistance to ensure that sustainability of return is provided through its 18 Return, Integration and Community Centres (RICCs).[413] Underpinning its efforts to support returning populations, the UNHCR provides coordination on protection issues, capacity-building for national counterparts and NGOs, as well as enhanced monitoring and assessment of the protection environment. In Iraq, returnees also receive assistance from the Ministry of Displacement and Migration (MoDM).

The Government of Iraq has also been active in encouraging Iraqis to return. Financial incentives have included one-off payments, free airline tickets and compensation for damaged property[414] and resettlement and shelter projects for the displaced. At the same time as the Government and the UNHCR facilitate the pull factors of refugee return, the Government has periodically called on the international community to drop resettlement plans which it claims undermine its efforts to attract back refugees to rebuild the country.

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[407] International Crisis Group 2008
[408] ICMC/UNHCR 2009
[409] Chatty and Mansour 2011
[410] See also Marfleet and Chatty 2009
[411] UNHCR 2015
[412] Significantly, the UNHCR uses the word 'return' in all is documentation, not the more technical term 'repatriation'.
[413] UNHCR 2014a
[414] IRIN2008

Another reason for the limitation in VAR is that it has been unsystematic, incoherent and irregular. For example, by the end of 2007, the UNHCR reported that 128,000 refugees had left Syria for Iraq. Yet only at the end of the year did the UNHCR and the Iraqi government launch a Rapid Response Plan aimed at providing immediate assistance – including supplies such as household items, stoves, blankets and mattresses – and then to only 5,000 Iraqi families who had returned. Even more perplexing, in the same week, UNHCR also announced that it was not promoting returns to Iraq. It considered that many areas were unsafe and that from many perspectives, conditions were not conducive for return - lack of access to material, legal and physical safety and services, such as drinking water, sanitation, food, shelter, health services, education, access to land, recovery of property and employment opportunities.[415]

Thus, over the years, very few Iraqis have accepted the offer of voluntary repatriation packages. NGOs operating similar schemes have also faced little traction from the refugees in return. Clearly, until the dangerous security situation is substantially reduced and service and infrastructure provision more fully reconstructed, large scale voluntary return seems unlikely.

From the perspective of numbers of returnees VAR is a failure. In the present circumstances it is certainly not a durable solution. Yet, it could also be seen as strategic, longer term instrument, even under the enduring conditions of conflict, for the gradual rebuilding the country by encouraging the return of its population. Albeit very modest, it is a proactive policy to try and unlock the protracted displacement of the Iraqi refugees rather than waiting for a sustained reduction in violence. The key issue is the extent to which returnees are put at risk and thus the viability of the policy is contingent on ensuring that robust and resilient protection machinery is in place to guarantee the security of returnees: this does not seem to be the case at present. As yet, refugees do not have confidence to return and, of those that do, the majority cannot actually return home, only to another episode of displacement.

Probably the most effective instrument of Iraqi refugee return – whether voluntary or spontaneous – has been entirely unforeseen and unplanned: the war in Syria. Whilst it is impossible to validate exact cause and effect or indeed the numbers involved, the UNHCR indicated that between June 2012 and June 2013, the conflict prompted 50,000 Iraqi refugees to return [416]

A form of **temporary return** is a third, potentially significant finding of the 2009 ICMC/UNHCR report. [417] One third of the refugee respondents had visited Iraq up to four times in the preceding 12 months. This phenomenon, although usually discouraged by host states and the UNHCR, seems to be an increasingly significant characteristic of protracted, but still turbulent, refugee situations where refugees seek out information and test the prospects for their return. Similar findings pertain to Somali refugees for example.[418] These patterns of movement in some ways reflect the processes of population mobility among Iraqis (and indeed many other populations) in the Middle East which long pre-date the invasion and the civil war. However it would be a mistake, then and now, to see this as translating into more sustained or permanent repatriation even in periods where there is a relative reduction in violence. Rather, as Chatty

[415] Although, conversely, it is interesting to observe that 97,000 Iraqi refugees had entered Syria from Iraq during this period
[416] UNHCR 2013
[417] ICMC/UNHCR 2009
[418] *See for example Lindley 2011*

and Mansour point out,[419] the increased movement of Iraqis is essentially a process of 'circular migration', usually undertaken for specific reasons such as to check on relatives (many families are split between those remaining and those who went into exile), sell assets, collect pensions, and assess the security situation, first hand. As a pull factor, these visits do not imply that Iraqi refugees feel safe to return.

Fourth, the vast scale of **internal displacement** is the most significant deterrent to return -the outcome of escalating and sustained armed conflict across the central governorates of Iraq and the Kurdistan Region which precipitates new and secondary movements. Internal displacement dominates contemporary Iraq, underscoring the failure of both spontaneous and voluntary return movements and constituting the main indicator of the volatile and complex sectarian and ethnic divisions that are now seemingly ingrained in the country. The spatial separation of previously mixed sectarian and ethnic populations has rendered internal displacement a semi-permanent feature within Iraq, whilst those refugees who have returned to Iraq, encounter homes which are destroyed or occupied by others. These conditions lead to new secondary displacement inside Iraq, adding to the numbers of those who are forced into internal displacement**.**

Data on the number of IDPs vary according to the source. Officially the Ministry of Displacement and Migration (MoDM) and the Bureau of Displacement and Migration (BDM) estimate that there are now over 954,000 IDPs in Iraq, many of whom have been displaced from the earliest phase of the civil war in 2006. [420]

A 2013 UNHCR report claimed that more than 1.130 million IDPs inside Iraq had fled their homes from 2006-2008: this higher figure is the total volume of displacement not allowing for some return.[421] IOM data from 2010 indicate that the IDP total was even higher at 1.9million Iraqis.[422] There have been subsequent and repeated waves of displacement, sometimes totalling as many as 10,000 people. The 2014 conflict in Anbar Governorate is estimated to have displaced another 400,000 people, the majority of whom still remain in the governorate. The latest data from UNHCR now estimate internal displacement to have reached 3.596 million by 2015,[423] whilst IDMC puts the figure at 'at least 4 million'.[424] UNHCR is responsible for 467,000 internally displaced people and returnees who reside in over 380 settlements

Until long term security and protection is ensured, internal displacement is likely to continue. Even with the cessation of violence the prospects for the IDPs to return to their homes seem remote. Together these conditions act as continuing deterrent to refugee return. At a program level, UNHCR in coordination with the government and implementing partners provides assistance to IDPs - food, core relief items, education and adequate accommodation are provided; identity and residency cards are also distributed. At a strategic level the UNHCR, the government and a IDPs working group are preparing a comprehensive

[419]Chatty and Mansour 2011
[420]UNHCR 2014a
[421] UNHCR 2013a
[422] IOM 2013
[423]UNHCR 2015, this figure includes those protected by UNHCR and others in IDP like situations.
[424] IDMC 2015

plan to end internal displacement. This includes development policies to promote livelihood and employment opportunities, shelter programs and integration programs. However, the extent to which there will be substantial IDP return, as opposed to resettlement remains uncertain.

The lack of a reliable **data base** constitutes a fifth dimension of the analysis of Iraqi refugee return. Underlying the difficulty in assessing the return process, what works and why, is the fact that there are no accurate data bases or time series data sets on the number of refugees and their movements. UNHCR and Government data differ and the data are inevitably disputed. These factors make it impossible to know with reasonable accuracy how many have returned.

There are several reasons for the data deficit. First, many Iraqi refugees did not register with UNHCR or the government authorities: stigma of being a refugee, reluctance to be identified for security reasons, fear of repatriation, reliance on local hospitality rather than UNHCR assistance, distinguishing between refugees and migrants with pre-existing residency rights in the countries of asylum, predominantly urban locations making tracking and registration difficult, are some of the explanations. Second, there are no definitive data on return. Third UNHCR tended to deactivate files – for example in 2009 - in Syria and Jordan if the refugees do not claim assistance over a period of for six months or a year respectively. This was an attempt to assess numbers of returnees or onward-migrants. Clearly this is a very crude technique to make such an assessment of the dynamics of informal movement since, as noted, many refugees did not register in the first place and may have 'deregistered' for many reasons other than returning.

With these substantial caveats in mind, and to the extent that it is possible to provide an estimate of return, then the following assessments provide a generalized picture. Host governments at one time estimated that more than 2.5 million Iraqis had fled to their countries, although UNHCR and international agencies always recorded significantly lower numbers. Using UNHCR data, there has been a progressive reduction in the number of Iraqi refugees registered, or of concern, from 1,428,000 million in 2011[425] to 746,000 refugees in 2012,[426] further reducing to just over 409,000 by mid-June 2013.[427] UNHCR data for 2015 record a further diminution to 370,000 refugees and 104,000 asylum seekers a figure that seems inconstant with the claim that 'the number of Iraqis seeking refuge in other countries is rising considerably'.[428] The reduction, such as it is, mainly results from the downward revision of estimates of Iraqi refugees in the Syria. What cannot be deduced from the dramatic reduction of over one million refugees since 2011, is how many returned to Iraq, moved elsewhere, or simply deregistered.

An estimate of those returning is provided by the Ministry of Displacement and Migration (MoDM) which recorded 124,150 Iraqi refugee and IDP returnees in 2013. Not available is a breakdown of refugee/IDP aggregate, but MoDM data indicate that 45,840 Iraqi refugees registered with MoDM as returnees between mid-2012 and the end of 2013, mainly returning because of the violence in Syria.[429] Given that there are no accurate data for the number of extant refugees and that some refugees will have returned spontaneously, we might assume the overall figure for returnees is rather higher. Even so,

[425]UNHCR 2011
[426]UNHCR 2012
[427] UNHCR 2013b
[428]UNHCR 2015
[429]UNHCR2014a

spontaneous returns are unlikely to account for the dramatic reduction in registered refugees from 2011-2013 of over one million. Such a number could not have returned 'undetected'. It must be assumed that a substantial number have simply deregistered but remain in exile as the declining number of returnees recorded by UNHCR suggests.

As in all the case studies, the demographics and socio-economic characteristics of the refugees have a bearing on who returns. As concerns the Iraqi refugees, many came from educated and professional middle classes.[430] They were urban dwellers and mainly live in urban areas as refugees. Some managed to escape with savings. Many fled Iraq not just because of generalized violence but also because widespread impoverishment within Iraq – notably affecting middle class livelihoods –which was an important factor prompting out-migration.[431] Moreover, many of the Iraqi middle class - doctors, academics and professionals - chose exile because they were targeted, censored, and rendered unemployed.[432] The predisposition to return, or remain, is likely to be significantly influenced by all these characteristics - who has returned, who might return and when, who is more likely to resettle, or remain in exile, whether households or individuals, professional or non-professional classes, age range. Unfortunately is has not been possible to retrieve data on the demographics of the returnees. Such information would be useful to provide a better prognosis of return and the scope for encouraging under-represented groups to return.

World Bank engagement

The last World Bank loan to Iraq closed in 1979, and it entered non-accrual status in 1990. A Joint Needs Assessment initiated by the World Bank and the UN in June 2003 marked the resumption of engagement. The JNA became the basis for an international donors' conference in October 2003.

The World Bank's first Interim Strategy for Iraq of January 2004 was not developed in a context featuring large scale forced displacement,[433] but this was the case when the Second Interim Strategy Note for the period from FY06 - FY07 was drafted. However, while the strategy noted that violent insurgency impeded reconstruction and economic recovery,[434] and while one of the four pillars of the planned work program involved improvement of social safety nets, the document did not link this to work to the needs of the rapidly increasing numbers of IDPs.[435] The third Interim Strategy Note for the period from mid FY09 - FY11 observed that "violence and conflict have created an unparalleled movement of population in Iraq, the largest in the Middle East since 1948", and that this had resulted in an estimated 2.5 million IDPs and over 1.5 million refugees.[436] This notwithstanding, the consultations undertaken to inform the drafting of the strategy did not involve displaced, nor did the recommendations include any measures to address displacement.[437] While the proposed work program included Technical Assistance (TA) to

[430] International Crisis Group (2008) cited in Chatty and Mansour 2011
[431] Amnesty International (2008) and Forced Migration Review (2007) cited in Chatty and Mansour (2011)
[432] Marfleet P 2007
[433] World Bank 2004
[434] World Bank 2005: para i
[435] Ibid para 68
[436] World Bank 2009: para 23
[437] World Bank 2009: Annex 8: Interim Strategy Note Consultations with Stakeholders. Some of the consultation workshops took place in Amman and Beirut and could have engaged Iraqi refugees there, or assessments could have been (but were not) undertaken of their situation and views to inform the ISN.

support the Iraqi government develop targeted safety nets, it is unclear if this would include measures to assist IDPs as a sub-set of "the vulnerable".[438]

During the third Interim Strategy period, the first Iraq Poverty Assessment was conducted, but the basic survey instrument – the Iraq Household Socio-Economic Survey questionnaire – "did not directly inquire about or attempt to track internal displacement. However, because of its broad sampling of the population, IHSES was inclusive of many internally displaced persons. Some patterns on displacement can therefore be deducted."[439] The report's Section on Population Displacement states that 5 per cent of the population had been displaced since 2006, and that the IHSES data indicated that IDPs were "*less likely* to be poor than the average Iraqi".[440] A comparison between IHSES data and data on Iraqi refugees from UNHCR and other sources found that the level of education of the Iraqi refugees in both Jordan and Syria was substantially better than that of the Iraqi population remaining in Iraq, and that the refugees had skills that were critical for "enhancing human capacities within a society struggling with reconstruction."[441] The data from the poverty assessment informed Iraq's National Strategy for Poverty Reduction, which in turn would be used by the World Bank and other donors for setting priorities for assistance to Iraq.[442] However, the main findings and areas of the poverty reduction strategy's actions do not make any mention of displacement.[443]

Compared with earlier country strategy documents, the current Iraq Partnership Strategy from November 2012 which covers FY13-FY16 does represent a step forward with regard to recognition of displacement as an issue, insofar as it recognizes that "returnees and IDPs are a significantly marginalized group", and that "providing adequate social protection remains an important challenge, particularly for the most vulnerable, such as widows and IDPs". During the strategy period the engagement regarding social protection reforms will therefore continue, as will consideration of a potential expansion to the rest of Iraq of a community driven approach to basic service delivery piloted by the Kurdish Regional Government (KRG).[444] At the same time, the strategy document also seems somewhat unimaginative. While it notes that the exodus of Iraq's technical and professional cadre has negatively impacted the government's ability to implement the post-conflict reconstruction program,[445] the information in the poverty assessment on the educational characteristics of Iraqi refugees in Jordan and Syria is ignored, resulting in a missed opportunity to consider measures that might have attracted skilled refugees to return and support Iraq's recovery.

In response to the twin shocks of massive displacement caused by the military advances of the Islamic State into western Iraq and decreasing oil prices, the World Bank initiated an Iraq Crisis Response in April 2015 in order to (i) understand the poverty impacts of the two shocks, (ii) build capacity to measure poverty in a crisis situation, (iii) build capacity to use targeting tools for poverty reduction and social protection programs, and (iv) use all this to inform and support a development strategy and programs to

[438] Ibid para 57
[439] World Bank 2011: p.29
[440] The Poverty Assessment found that 16 percent of the IDPs were poor compared to 23 per cent of the non-displaced Iraqi population. Ibid p.30
[441] Ibid p.33
[442] Ibid p.82
[443] Ibid Table 10.1 on p82-84
[444] World Bank 2012: para 10, 44, 86
[445] Ibid para 49

respond to the crises.[446] Data on displacement and its impacts on the displaced, host communities, and (to the extent possible) stayees in ISIS controlled areas will be collected through an updated IHSES and a new simplified instrument - the Survey of Well-Being via Instant Frequent Tracking (SWIFT) - which will enable rapid poverty monitoring. While this represents a major advance in recognizing and addressing the impacts of displacement, it will at the same time be critical that data collection and analysis move beyond a poverty perspective alone, and in addition captures the complex social dimensions of the identity (ethnic, religious etc.) and socio-political organization of the displaced and their hosts in order to understand the diversity of displacement situations. Only then will it be possible to achieve the intended "implementation of a carefully designed and spatially disaggregated strategy that embeds the crisis response" initially in the KRG region and subsequently elsewhere in Iraq.[447]

Operational lessons regarding assistance to facilitate sustainable return

Both the countries embroiled in civil war in the region – Iraq and Syria - are major generators of refugees and IDPs but also major hosts to each other's refugees, a unique configuration in the recent history of refugee movement. Given this turmoil in region, the complex and changing dynamics of the population movements this provokes, continuing violence in Iraq, and the lack of accurate data and meaningful research, few if any obvious operational lessons on the refugee return emerge. Moreover the principal agency responsible for return – UNHCR – has resisted implementing explicit repatriation policies and programs because protection standards for returning refugees cannot be secured. [448]

1. Spontaneous refugee return is the main manner of return, even under conditions of continuing civil war and internal displacement. But it is impossible to quantify the scale, the extent to which this is permanent or not, and, most important, whether the refugees are returning and integrating into their places of origin or are secondarily displaced in Iraq.
2. Against the backcloth of continuing instability and episodic violence, the factors precipitating return vary through time:
    a. In general, the lack of security in Iraq has prevented return since the onset of sectarian and ethnic violence in 2004/5; but periods of relative stability have clearly encouraged return, whereas episodes of violence deter this process. Where windows of opportunity exist, these may present conditions to facilitate return with assistance and effective protection;
    b. Conditions in exile, access to humanitarian assistance and the personal situation of households – livelihoods, the extent to which households have resources and assets to support themselves – also play a part. In general, the preference seems to be to remain in exile where these conditions allow. That substantial numbers of Iraqi refugees have remained in exile for many years without registering for international assistance and thus survived on their own depleting assets, or assistance from hosts, yet have not returned to Iraq, suggests that survival and likely impoverishment are preferable to return. The demographics and socio-economic characteristics of the refugees are also likely to be relevant here;

[446] World Bank 2015a, 2015b
[447] World Bank 2015b: p14
[448] It is perhaps a moot point whether UNHCR is encouraging return or not. Whilst there are no explicit repatriation programmes, and UNHCR is on record as not promoting return, it is heavily involved, with other actors and the Government of Iraq in facilitating conditions in Iraq for returning refugees and IDPs.

c. More recently, the civil war in Syria – the country that hosted the biggest number of Iraqi refugees – has been the major factor precipitating large scale return. Such conditions are neither likely to be repeated in other refugee situations, nor would they be a desirable 'trigger' for return;

3. Taking these factors together, it seems probable that, irrespective of any kind of internationally conceived return strategy, it is the refugees' *own perceptions* of protection and security conditions in Iraq – notably the reduction and reversal of internal displacement - as well as their social and economic prospects that are, and will be, the main triggers for return. Without fundamental changes in all these matters, they are not likely to contemplate return.
4. In complex displacement situations, the data collection and analysis for poverty assessments need to move beyond a poverty perspective alone, and in addition captures the complex social dimensions of the identity (ethnic, religious etc.) and socio-political organization of the displaced and their hosts in order to understand the diversity of displacement situations, and the constraints and opportunities for tailored responses to address these.

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Liberia Case Study

Background

The Liberian civil war in 1989 propelled up to 750,000 refugees across the region and a significant number arrived in Ghana from 1990 onwards. Many were settled in Buduburam refugee settlement. The civil war ended in 2003 and Liberia returned to stability and long-term development.

The relative stability of protracted displacement has been punctuated by a repatriation process which has been mobilized in several phases.

Between 2004 and 2007, UNHCR organized a large-scale repatriation promotion program for residual Liberians in the sub-region yet only 7000 of over 42,000 returned. The limited success of this exercise encouraged the UNHCR to promote formal local integration in early 2008, given the protracted nature of the displacement. This was met by violent protests from the refugees, followed by deportations and the threat of invoking the cessation clause by the Ghanaian government. Thus, in 2008, UNHCR launched another one-year repatriation program with incentives for returnees from US$50 to US$100 (US$50 for those below the age of 18). About 10,000 refugees returned.

A third exercise was mounted at the beginning of 2011 with UNHCR logistical support and repatriation grants, reducing the total number of registered Liberian refugees in Ghana to about 11,000. At the same time, the Ghana Refugee Board, proposed closure of the Buduburam settlement where the majority of the refugees resided.

Key generic findings on repatriation

Repatriation is a fundamentally different decision making process for each household and caution is needed against homogenizing groups of refugees. Adoption of a 'people-centred approach' is essential but poses some practical challenges for UNHCR and other refugee-assisting agencies on the ground.

For 'proactive refugees' and those from higher socio-economic groups, repatriation was an easier option to accomplish in contrast to those from poorer socio-economic backgrounds. The former group normally maintained a foothold in Liberia which facilitated return if other options, such as resettlement or integration, did not work out. For the latter group, and/or those whose family unit was broken before and during displacement, repatriation was less attractive or feasible.

Despite the repatriation programs, the majority returned spontaneously.

Whether planned or spontaneous, return took place against the backcloth of socio-economic and political factors which together created powerful repatriation pressures.

Why did the refugees go home?

In terms of *socio-economic conditions*, deterioration in living conditions 'encouraged' return in three ways. First, de facto exclusion of refugees from gainful formal employment in the Ghana, constituted a long term constraint on the refugees' livelihood options. Second, sharply reduced assistance from the early 2000s (with humanitarian aid virtually cut off), increased the vulnerability of many refugee households. Third, with the diminishing refugee population and especially with the departure of remittance recipients, commercial activity also decreased; refugees with business interests thus relocated back to Liberia.

Persistent *political pressure* for repatriation from both the government and international refugee organizations – for example the closure of the Buduburam settlement and the proposed invocation of the cessation clause – constitute another driver for return. Resistance to *local integration* by both the refugees and the government of Ghana and local populations undermined the de facto socio-economic stability that had developed under conditions of protracted displacement.

In summary a combination of *push factors*, rather than improving conditions in the country of origin or organized repatriation programs, largely precipitated return.

Who stayed behind/ went later? What factors constrained return?

Particularly amongst women, a significant factor inhibiting return was the perception of potential (in)security after repatriation related to experiences during the conflict in Liberia. The formal peace treaty did not mean that Liberia was a safe country for return in the eyes of the refugees.

Among those unwilling to return to Liberia, lack of access to accommodation was a major obstacle to their repatriation.

Households in the poorer economic categories tended to remain longer in Ghana. There was a correlation between their poor socio-economic status, current livelihood strategies and concerns about establishing a new economic basis upon return.

The hope of third-country resettlement induced some refugees to remain in exile.

Refugees were sceptical of the information provided by UNHCR to support their return programs.

Repatriation – processes and outcomes

Most Liberian returnees from Ghana did not go back to their original hometown. The majority of repatriates resettled in Monrovia, in order to access economic and educational opportunities in the capital.

Socio-economic status and the quality of social connections in Liberia had a significant bearing in the relative success of repatriation. Those who returned with a meager asset profile struggled most to secure the minimum needs for survival. Their vulnerability was exacerbated as a consequence of their repatriation. Those from higher socio-economic groups, not only survived better in exile, but also

resettled more easily back in Liberia. Remittances from the diaspora population in the US or savings from Ghana served as an important cushion for reducing the transition costs of repatriation and provided an initial capital for new income-generating activities. A returnee's personal contacts also often played a crucial role in access to shelter, food, employment and financial assistance. Starting cost upon return, without personal connections, were much higher. Sharing resources between neighbors and friends, a common livelihood coping strategy for many refugee households, was not readily transferrable on return.

The failure to provide continued support after repatriation and to support the different phases of return, not just when the majority went back, was a significant shortcoming in the return programs. The level of support was already being phased out when the 2008 and 2009 repatriates arrived in Liberia. The Liberian government was also unable to provide any meaningful integration support for the repatriating nationals.

World Bank engagement

After a nearly 20 year hiatus since Liberia went into arrears in 1984, the World Bank resumed relations with the country through its participation in a multi-agency post conflict needs assessment in December 2003, followed by a Results-Focused Transitional Framework (RFTF) to guide the transition period, and a international reconstruction conference in February 2004.[449] A World Bank strategy for re-engagement was issued in March 2004.[450] This strategy covered the period until December 2005 and was aligned with the RFTF, which included assistance to refugees, returnees, and IDPs as one of its ten priority clusters.[451]

The World Bank strategy recognized that reintegration of an estimated 300,000 refugees and 500,000 IDPs would in addition to immediate humanitarian relief require addressing the "long-term development challenge of rebuilding shattered communities".[452] The main thrust of the strategy would be a focus on growth and economic recovery to provide viable employment and livelihoods, which were seen as "particularly critical for vulnerable groups such as ex-combatants and returnee populations."[453] The key instruments selected to achieve this were a community driven development program – the Community Empowerment Project (CEP) - along with support for a national structure to manage and implement the program, and labor intensive infrastructure rehabilitation.[454] Other instruments that would potentially benefit returnees comprised projects to revive health and education service delivery, and an Infrastructure Rehabilitation Project.

The rationale for the CEP was that conflict impacts were particularly acute in the rural areas where most if not all the economic and social infrastructure had been destroyed along with social cohesion at the community level. The project development objective was to assist war-affected communities restore infrastructure and social services, and build capacity for collective action.[455] While the project document

[449] World Bank 2005: 1
[450] World Bank 2004: *Liberia: Country Re-Engagement Note*.
[451] Effectively, the *Liberia: Country Re-Engagement Note* came to cover the period up till June 2007 when it was succeeded by the *Liberia: Joint Interim Strategy Note* (para 41).
[452] Ibid. para 14.
[453] World Bank 2004: para 26.
[454] Ibid. para 37-38. The agency established to manage the CDD program was the Liberian Agency for Community Empowerment (LACE) (World Bank 2007b: para 44).
[455] World Bank 2005: 1-3

states that targeting of beneficiary communities would consider the needs of returning refugees, IDPs, and ex-combatants, and that progress on achieving the project development objective would inter alia be measured by the establishment of inclusive community based organizations to undertake planning and implementation of sub-projects, none of the monitoring indicators in the project's Results Framework enabled either an assessment of whether the targeting succeeded in benefitting returnees and assisting their reintegration, or whether they were represented in the community based organizations.[456] Moreover, the Beneficiary Assessments undertaken semi-annually for a sample of sub-projects also did not consider these issues at all.[457] Thus, in view of both the overall country context and the rationale for the CEP, the lack of attention to the inclusion of returnees represents a missed opportunity to enable an assessment of the efficacy of a CDD operation to support the reintegration of returnees.

This lack of attention to the project's social impacts is also regrettable since return and reintegration in the rural areas appear to have been subject to significant constraints. An Updated Rapid Social Assessment conducted in 2006 had found persistent tensions regarding return and reintegration, which were expected to be addressed by the Community Empowerment Project through the building of social capital.[458] A key source of these tensions appear to have been land disputes arising when displaced returned to their communities of origin,[459] and a 2011 Country Assistance Strategy (CAS) progress report found that communities lacked social cohesion and that land issues remained volatile,[460] an issue that is not considered in either the CEP project document or in its Implementation Completion and Results Report.[461]

Despite the importance and centrality that the initial World Bank strategy accorded to the reintegration of refugees and IDPs - which constituted an estimated 24 per cent of Liberia's population - the attention to this issue as a strategic concern disappeared in subsequent country strategies. Thus, while comments by the World Bank in April 2007 on the government's Interim Poverty Reduction Strategy Paper (IPRSP) recommended that consultation should involve marginalized and conflict-affected groups including refugees and returnees,[462] the World Bank's own succeeding country strategies do not report on any consultations with displaced or returnees, and also do not retain the issue of reintegration as a theme, or reports on the extent to which the portfolio succeeded in addressing this issue.[463] This is all the more noticeable since return and reintegration of the bulk of the displaced were by then still pending as described above. In its review of the CAS for FY09-FY11, the Independent Evaluation Group (IEG) found the overall achievement of the goal of facilitating pro-poor growth across the World Bank portfolio as being "moderately unsatisfactory",[464] but it too did not consider the extent to which reintegration of refugees and IDPs had been affected by the World Bank's activities.

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[456] Ibid. Annex 2 Results Framework and Monitoring.
[457] World Bank 2014: Annex 5: Beneficiary Survey Results
[458] World Bank 2007b: 15
[459] Government of Liberia 2008: 171
[460] The World Bank's efforts to address this through a Policy Framework for Land Tenure Reform had lost momentum by 2011 (World Bank 2011: para 20), and was found to be "tentative" by IEG (IEG 2012: p39).
[461] World Bank 2005 and 2014
[462] World Bank 2007a: *Liberia: Joint Staff Advisory Note on IPRSP*.
[463] World Bank 2007b: *Liberia: Joint Interim Strategy Note;* and World Bank 2008: *Liberia: Joint Country Assistance Strategy for FY09-FY11*.
[464] IEG 2013: 5

Private sector development can potentially be a strong force for facilitating the reintegration of returnees through employment creation and revenues for the state that can finance development. In Liberia, the World Bank provided technical assistance to re-activate, reform and strengthen the regulatory and concession arrangements for natural resource extraction, starting with the forestry sector. By 2011, 30 concession agreements had been signed for the exploitation of iron ore, petroleum, palm oil, and forestry, which together would cover about 40 per cent of Liberia's territory and 30 per cent of the rural population. However, the expected outcomes were slow in materializing, and the CAS Progress Report for FY09-FY11 found that "concrete benefits from those concessions, with respect to tax revenues or employment have not been very impressive".[465] Moreover, the IEG review questioned the validity of the approach itself, when it noted that "the 'concession model', which has traditionally been applied in mining, forestry and plantations needs to be reassessed. A key question is to what extent such concessions are pro-poor when they often involve pitting local communities with limited capacity against far more sophisticated operators."[466]

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[466] IEG 2013: 2

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South Sudan Case Study

Background

After more than five decades of near continuous war ending with the Comprehensive Peace Agreement (CPA) in January 2005, and following the six-year interim CPA period, the Republic of South Sudan (RSS) was established in July 2011. More than two million refugees are estimated to have returned during the CPA period, and in the lead-up to independence an additional 300,000 Southerners who had been living in the north returned to the south.[467] Between late 2005 and May 2010 UNHCR supported the voluntary return of more than 330,000 refugees. Assisted voluntary returns have continued for around 155,000 returnees in 2012, and a further 50,000 arrived during the first six months of 2013.[468] However, the vast majority of the returns have been 'spontaneous' with the returnees arranging their own transport and resources.[469] When undertaking the return, it is common either to divide the family temporarily, with the male household head returning first in order to find a place to live and establish a livelihood before bringing the whole family back, or to divide the family on a long-term or permanent basis to optimize opportunities. Despite such strategies, only very few in South Sudan receive remittances from family members abroad.[470]

An estimated 10 per cent of those returning to rural communities have suffered secondary displacement since returning,[471,] due to a combination of factors ranging from difficulties in accessing land to lack of livelihoods, infrastructure, water, schools and health services, or local conflict. During the CPA period and even after South Sudan's independence, tribal and ethnic clashes, mainly driven by competition over access to natural resources, have continued to displace large numbers of people including returnees. In 2009, it was estimated that 390,000 persons had been newly displaced inside South Sudan, for 2010 the figure was 220,000, for 2011 in excess of 300,000, for 2012 around 193,000, and for 2013 the figure was 189,000 prior to the outbreak of civil war within South Sudan in December of that year.[472]

Reintegration priorities

A multi-donor evaluation from December 2010 of assistance to South Sudan found that there has been remarkable consistency in how both returnees and local residents perceived the priorities for reintegration. The top priority was security, with services a close second to cope with a rapidly expanded population and very limited infrastructure. The third priority was economic and other support to livelihoods.[473]

Refugee adaptations to displacement and return

Research shows that both those who fled the civil war in southern Sudan to neighboring countries such as Uganda and those who migrated north within Sudan - mostly to Khartoum - have based their decisions on

[467] UN 2012: 7.
[468] IDMC 2013: 6.
[469] Bennett et.al.2010: 82.
[470] Pantuliano et.al 2008: 10, 16.
[471] Ibid. xvii.
[472] IDMC 2014
[473] Bennett et.al.2010: 81.

whether, how, and when to return on comparisons between their situation and prospects in exile and those in their areas of origin or in South Sudan more broadly.[474] What seems to have been central to these decisions has been whether the three 'reintegration priorities' – safety, livelihoods, and services – which from a refugee perspective appear not only to be priorities for return but the overarching priorities for household wellbeing, could best be achieved by returning, staying in exile, or by a temporary or permanent combination of the two. The result has been a variety of responses and adaptations that mostly do not conform to the underlying assumption that repatriation is primarily a single course of action in one direction where refugees leave exile, cross a border, return to their homes, and reach a basic level of reintegration. Instead, the actual and unofficial process of repatriation has been one in which many of the either/or categories (refugee and returnee, home and exile, migrant and forced migrant) have been inadequate to deal with the multiple and multi-faceted realities. As argued by Kaiser, the consequence has been that the policy discourse regarding durable solutions for Sudanese refugees has been considerably less sophisticated than the refugees' own responses to the changing political and conflict environment that affected them. Consequently, narrow conceptualizations of durable solutions as sequential, mutually exclusive and permanent are too inflexible and rigid to capture what has been happening on the ground.[475]

Uganda hosted large numbers of Sudanese refugees during much of the 1960s, while in turn up to 80% of the Ugandan population was displaced to southern Sudan during Uganda's civil war in the early 1980s. During the second Sudanese civil war (1983-2005) both Ugandans and Sudanese fled to Uganda. While the Sudanese presence in Uganda in the 1960s was largely accommodated though informal means, with refugees self-settling among kin in the border area, later refugees were registered by the state and required to live in government-defined refugee camps and settlements, mainly in the underdeveloped northern part of Uganda.[476]

Most of the Sudanese refugees were accommodated in refugee settlements where they were allocated agricultural plots, and the expectation was that they would subsist by using this land. For a range of reasons this single income source proved inadequate to meet the needs of most refugee families who consequently diversified their activities, sometimes illegally, in a number of ways.[477] Although freedom of movement was not granted by the Ugandan legislative framework, refugees frequently relocated outside the settlements to places which they felt were more secure or better equipped to meet their needs and offered greater income generating opportunities.[478] At the same time, large numbers of refugees took advantage of conflict lulls or periods of relative security to move back and forth across the international border between Uganda and Sudan in continuation of strategies employed in Sudan in the pre-flight (or inter-flight) period.[479]

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[474] Hovil2010, Kaiser 2010,Macchiavello 2003, Pantuliano et.al. 2008, and Pantuliano et.al 2011)
[475] Kaiser 2010: 47, 56.
[476] Kaiser 2010: 45, Hovil 2010: 4
[477] Macchiavello (2003) makes the important point that for refugees with an urban background, who lack the skills to undertake agriculture, confinement to these agriculture based refugee settlements is an inappropriate solution, which deprives them from pursuing livelihood options outside the settlements that could make them self-sufficient and contribute to the host economy. While this only to a limited degree affected refugees from southern Sudan, who predominantly had a rural background, it has negatively affected refugees in Uganda who hailed from urban areas in other African countries.
[478] Kaiser 2010: 51
[479] Ibid. 52

By the time of the CPA agreement of January 2005, an estimated 170,000 officially registered Sudanese refugees were living in Uganda, but the figure including those who had opted to self-settle outside the official settlements is likely to have been considerably higher. Between May 2006 and May 2007 UNHCR assisted 13,000 Sudanese refugees in returning home from Uganda. Then, in May 2007, UNHCR reached another tripartite agreement with Sudan and Uganda to initiate efforts to repatriate an additional 120,000 refugees to the Eastern Equatoria state in South Sudan. By March 2010, only 20,301 registered Sudanese refugees remained in the camps, but return had slowed down. Those who remained and were registered in the settlements in Uganda continued to be recognized as refugees and had ongoing access to assistance, albeit at a reduced level due to funding constraints.[480]

The majority of refugees have found other ways of ending their exile than the official UNHCR managed repatriation process, which comprised registration of families for repatriation, transport back to South Sudan, and provision of rations for three months at the return location. Many of these refugees have chosen to forgo the free assistance in order to pursue a different approach to repatriation – or, in other cases, to go to great lengths to work around the system – in order to minimize loss of livelihoods, ensure ongoing access to education for their children, allow for healthcare and other basic needs to be met, and create a contingency should war once more break out in South Sudan. To this end, foregoing the assistance provided under the UNHCR repatriation process has also been a means to address the concern of returnees that the official process robbed them of their refugee status and, therefore, made them feel more vulnerable should circumstances deteriorate in Sudan.[481]

As in other displacement situations (e.g. Afghanistan) a key strategic element in this unofficial approach to repatriation has been the extent to which some refugee families spread themselves out geographically – either within Uganda or Sudan, between the two countries, or in some cases, further afield. Thus, refugee families strive to employ multiple livelihood and other strategies in numerous locations simultaneously. If one or more family members return to the home area, then others pursue opportunities in urban centers in Sudan and Uganda, while others still keep a foothold in the refugee settlement or elsewhere in Uganda in case of sudden reversals in the security situation in Sudan, or to oversee the continuing education of their children there. For some this mobility has merged with a process of return whereby the balance has shifted: rather than living primarily in Uganda with occasional visits to Sudan, people's centre of gravity has moved to Sudan. Another key feature linked to this geographical dispersal is the extent to which the refugees see repatriation as a process that takes place over time, and not as a one-off event. This gradual process of return allows people to plan ahead and minimize risk to their families: rather than the entire family getting on a truck in the camp and arriving in a new location *en masse*, it allows for a careful process of planning and gradual repatriation. Moreover, while some have physically returned to their land, others are living elsewhere – either temporarily or permanently. There are multiple reasons why repatriation does not necessarily involve returning to the same location people fled from – and, at times, for staying in Uganda. Often, this is for practical reasons – within South Sudan it might be because land has not been cleared of landmines, or because it is too far from trading centers in a context of chronically

[480] Hovil 2010: 10
[481] Ibid. 15.

poor infrastructure,[482] or because their land is now occupied by others.[483] Thus, what emerges is a set of responses which are each provisional and which remain flexible.[484]

However, pursuing most of these strategies requires an extended family network, and not every refugee family is part of such a network. Those who did not have family members outside of the settlements have had to repatriate within the configuration of the official UNHCR repatriation process and were struggling more than those who had been self-settled.[485] At the same time, some refugees have decided to stay on in the settlements, but repatriation from the settlements also to some extent appear to be a cumulative process where people feel pushed to leave by the gradual reduction of services and support, and worry that they will be at risk if abandoned plots are taken over by nationals or, worse still, become 'bushy' and sites of risk and insecurity.[486]

Strategic decision-making regarding potential return based on comparisons between the situation and prospects in exile and those in South Sudan has also influenced the process of urbanization in South Sudan. Many returnees and especially the young who have experienced urban living during their exile often do not want to return to rural life and agricultural work. In addition to refugee return, seasonal and economic migration as well as forced displacement within South Sudan has been a key driver of the rapid growth of Sudan's cities and towns.[487] Since the signing of the CPA, the population of Juba had by 2011 more than doubled with estimates ranging from a half to one million inhabitants. Both returnees and IDPs have decided to stay in Juba and other towns rather than return to their rural areas of origin since services, security, and economic opportunities, while marginal, are viewed as better than in their home areas.

During the civil war between 1983 and 2005 more than two million South Sudanese fled to Khartoum, but only half of that number was estimated to have gone back by the end of 2010 despite attempts by the government of South Sudan (GoSS) to encourage return. One reason for this may be that while increasing urbanization by returnees and IDPs is a reality in South Sudan, little has been done in terms of a broader response to the rapid and ongoing urbanization that would help the returnees integrate into Juba or other towns. Thus, for many of the potential returnees from Khartoum, urban life in South Sudan seems to appear even less attractive than their current situation. This is despite the hardships faced by most of those in exile in Khartoum, who depend upon a range of marginal activities in the informal sector,[488] including daily labor and petty trade, and who live in informal settlements, where half are estimated to have been forced to move by the authorities at least once since they arrived in the city.[489]

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[482] Ibid. 20
[483] Pantuliano et.al. 2008: 49-50
[484] Kaiser 2010: 55
[485] Hovil 2010: 15
[486] Kaiser 2010: 54
[487] Pantuliano et.al. 2008 and Pantuliano et.al 2011
[488] A similar situation of marginal livelihoods, limited access to services, and lack of rights is described for the long established Sudanese refugee community in Cairo, which comprises refugees from both Sudan and what is now South Sudan (Petrini 2014).
[489] In a report on a visit to Sudan and southern Sudan in October 2005, the Representative of the Secretary-General on the human rights of IDPs also reports that in Khartoum, IDPs from southern Sudan were subjected to forcible relocations which placed them in a '… desperate situation and appalling conditions of extreme poverty', while their former lodgings, as well as public facilities such as schools and health centers and sometimes private belongings, were destroyed by the police with bulldozers and fire during the relocations(Kälin 2006: 12).

Assistance during the CPA period 2005-11

The involvement of the international community started with the Joint Assessment Mission process in 2004-05, which emphasized community based reintegration programs and urban planning in Juba. However, political pressures to launch a major organized and logistically challenging return process obscured the focus on reintegration. For the government the priority since the signing of the CPA was return, driven by the political incentive to ensure that as many as possible of the displaced would return in time for the census in 2008.[490] It was the government's implicit expectation that returnees would be welcomed back by their relatives, on whom the responsibility for resettling them would fall. Thus, supporting reintegration at the community level was largely left to communities themselves.[491]

Lack of sustained focus on reintegration: The multi-donor evaluation in 2010 found that the shift in focus from reintegration to assisted return resulted in a piecemeal approach to assistance with different agencies emphasizing different interventions (e.g. service provision versus protection), and with few developing a longer-term and more holistic approach towards reinforcing the absorption capacity of communities. There was a lack of a clear agenda and coordination over land issues, and geographical coverage has been inconsistent. Direct service provision (usually by international NGOs) continued to be important, but funding this through humanitarian budgets introduced risks over sustainability, especially since the government remained unable to take over these responsibilities. Particularly important is the dearth of activities focused on supporting young people's livelihoods and/or employment opportunities, and the multi-donor evaluation holds that the lack of livelihoods opportunities for youth has more direct potential for creating or exacerbating tensions than the lack of basic services.[492] If correct, the implications of this conclusion are critical, since an assessment of the lessons from the UNDAF program cycle from 2009 to 2011 found that the livelihood support programs have not been transformative nor have they contributed to jump-starting local economies.[493]

UNHCR's own evaluation from 2008 of the returnee reintegration program found that it had '… achieved a major success in southern Sudan in supporting the voluntary repatriation of more than 135,334 refugees between late 2005 and May 2008'. The evaluation also found that UNHCR had '… made a solid contribution to the early reintegration of returnees in their areas of return', but at the same time 'more could have been done, and it could have been done better'. The shortcomings derived from '… the limited presence of (NGO) partners, staffing turnover and unpredictability of funding'. Moreover, the sustainability of health and education facilities was uncertain since UNHCR do not cover recurrent costs such as salaries and drug supply, and in the absence of other partners willing to take this on, or capacity on the part of the Government of South Sudan to play an effective role, basic services have a tenuous future.[494] Importantly, protection had been insufficiently incorporated within the reintegration operation. Despite strong initial inputs on key issues such as land and property, and the development of community-

[490] In his report on a visit to Sudan and southern Sudan in October 2005, the Representative of the Secretary-General on the human rights of IDPs cautioned all Sudanese authorities and political actors as well as the international community to refrain from promoting premature returns to areas where the necessary structures to absorb large numbers of returnees were not in place (Kälin 2006: 21). The rationale for this was that the absorption capacity of communities in the south was very limited and often local authorities were not in a position to protect the human rights of returnees and those still living in displacement (Ibid. 2).

[491] Pantuliano et.al. 2008: 2

[492][492] Bennett et.al. 2010: xvi-xvii

[493] UN 2012: 8.

[494] Duffield 2008: 2

based protection mechanisms, these had been gradually de-prioritized as the repatriation operation gained momentum.[495] A subsequent UNHCR evaluation from 2011 found that the earlier emphasis on service infrastructure had continued along with the associated sustainability issues, and that more should be done to address land and other conflicts, enhance genuine participation of communities in planning; and increase service coverage and functionality along with support to livelihoods.[496]

The general assessment of the lessons from the UNDAF program cycle from 2009 to 2011 concluded that the development agenda had been repeatedly overtaken by pressing emergency and humanitarian needs, that while some progress has been made in establishing delivery systems, the bulk of basic services continue to be provided outside of government systems and structures by international partners, and that since the transition in South Sudan is so complex and difficult, the UN will need to focus on only a handful of transformative programs that can be done at scale in order to have impact and durability. In implementing these programs, agencies must be prepared to change course and adopt new strategies while minimizing complex bureaucratic procedures and programming processes.[497]

Donor coordination: The 2010 multi-donor evaluation also found that despite the establishment of donor coordination mechanisms, these tended to be limited to sharing information rather than promoting a joint donor approach based on shared analysis and consensus. Moreover, while aid efficiency was expected to be enhanced by the extensive use of pooled funds and multilateral programs (including the World Bank administered MDTF), shortcomings on delivery and flexibility led many donors to bypass them, channeling increasing amounts of resources bilaterally. The shortcomings of the pooled funds were then sought compensated by the creation of new funds, and by 2010 seven pooled fund mechanisms had been created.[498]

Key recommendations from the evaluations of assistance during the CPA period are:

1. In environments such as Southern Sudan interventions should be framed in terms of conflict prevention and peace building, and revised and new programs should be preceded by a conflict analysis that links wider dynamics to those specific to the area of operation.[499]
2. Security priorities should be assessed and addressed in collaboration with local (state and county) authorities before it is attempted to address access to basic services.
3. Assistance should focus on a few transformative programs that can be done at scale in order to have impact and durability, and agencies should be prepared to change course and adopt new strategies while minimizing bureaucratic procedures and programming processes.[500]
4. Support for reintegration requires a strategic reorientation focusing on the establishment of a national protection system by ensuring that returnee interests and reintegration support are built into national protection policies and strategies, including reconstruction and development programs.[501]

[495] Ibid. 3.
[496] O'Hagan 2011: 11, 22, 41
[497] UN 2012: 8-9
[498] Bennett et.al. 2010: xv, xviii
[499] This and the next recommendation are from Bennett et.al. 2010: xx-xxi.
[500] UN 2012: 9.
[501] This and the next three recommendations are from Duffield 2008: 3-5

5. While resource allocation decisions have prioritized return movements over reintegration, there is now a need to allocate a significantly higher proportion of resources to the reintegration program.
6. A coherent framework should be developed which links refugee and IDP reintegration with the reintegration of ex-combatants, encouraging a community-based approach which promotes social reintegration and maximizes economic and other opportunities for the entire community.
7. Land-related obstacles to IDP and refugee return should be addressed through formal and informal restitution mechanisms.
8. Targeted support should be provided to enhance livelihoods opportunities together with available partners, and youth employment/livelihoods should be a 'cross-cutting' theme introduced as a key indicator in all programs funded through pooled mechanisms.[502]
9. Livelihood support needs to consider both rural and urban contexts.[503]

The South Sudan Development Plan (SSDP) covering the first three years of independence from July 2011 to 2013 only partially addressed the challenges posed by the recommendations above or the research findings on refugee strategies and decision-making.[504] The SSDP defines four core pillars (governance, economic development, social and human development, and conflict prevention and security), and lists seven crosscutting issues that would be considered by priority programs under each of the pillars. While the SSDP recognizes that support for the successful social and economic reintegration of the large numbers of returnees and ex-combatants would be critical for peace and security and for sustained stabilization of the new nation, this challenge is not included among the crosscutting issues, which are environment, gender equality, youth employment, capacity building, human rights, HIV/AIDS, and corruption.[505] Only one of the priority programs, that for agriculture and forestry, includes support for improving the reintegration of returnees (and ex-combatants) though agriculture production, land tenure security, and conflict mitigation.[506] The program appears to be one of those expected to be funded almost fully by international development assistance.[507] While representing a valid approach to part of the reintegration challenge, the SSDP views this as an exclusively rural issue, and none of the activities in the SSDP dealing with urban development consider the integration of returnees (or IDPs) in urban settings.

World Bank engagement

During the CPA period, the World Bank engagement in South Sudan was as administrator of a Multi Donor Trust Fund (MDTF). The World Bank's Interim Strategy Note (ISN) for FY2013-2014 assesses the achievements of the MDTF as follows: 'The Bank failed to fully internalize the scale of task it had taken on, resource it adequately in the early years, or manage the expectations that had followed. … Donor alignment and coordination became dysfunctional and discordant, thus defeating a major purpose of multi-donor trust funds – harmonization.'[508]

[502] Duffield (2008: 4) and Bennett et.al. 2010: xxi
[503] O'Hagan 2011: 22
[504] It is unclear whether a follow-up to the first SSDP is being developed.
[505] Government of South Sudan 2011: 47, 83
[506] Ibid. 202
[507] Ibid. xxii
[508] World Bank 2013a: 43. South Sudan became a member of the World Bank in early 2012.

Building on these and other lessons from the CPA period, the ISN focuses on a dual mandate requiring a balance in the World Bank's analytical and operational work '… between activities which meet immediate needs and manage emerging stresses, and those which focus on building sustainable institutional capacity and accountability. Most operations will be designed as the first in a series of involvements rather than as one-off interventions, and will focus on partnerships ...'[509] This dual strategic emphasis on immediate impacts and longer-term, structural change is viewed as consistent with the approach of the South Sudan Development Plan 2011-13.

The ISN sets out to focus on areas of priority need where there has been insufficient attention by donors. While the ISN does not devote much attention to displacement, the proposed World Bank supported program includes two operations that potentially could have a major impact on the reintegration of returnees and IDPs by addressing key recommendations in the evaluations discussed above. These are (a)a flagship national program for engaging communities in the planning, implementation and oversight of local development activities with particular focus on the access of vulnerable social groups to project benefits, and (b) assistance to create livelihoods and jobs which will complement the local service delivery structure supported under the first operation.[510]

The flagship program, the Local Governance and Service Delivery Project (LGSDP), aims at phased national coverage through a long-term engagement starting over a four year project period. The project targets whole communities, and specific efforts will be made to ensure the inclusiveness of benefits to frequently marginalized groups such as women, ethnic minorities, displaced persons and returnees, and ex-combatants.[511] Like the NSP in Afghanistan, the LGSDP provides recurrent block grants for local development and supports an inclusive planning process regarding the use of these grants at the local level facilitated by contracted NGOs, along with oversight mechanisms to ensure that benefits accrue in accordance with local plans. Unlike the NSP, the LGSDP innovatively links this process with activities to build and strengthen local government capacities in the planning, implementation and oversight of local development activities, and by establishing/demonstrating a financing instrument that can align aid to the local level through the government transfer system.[512]

A challenge to the LGSDP is that the local level development projects supported by the project – which will be implemented at the lowest administrative level, the payam - will likely not be able to address key drivers of conflict as envisioned in both the ISN and the LGSDP.[513] The 2010 multi-donor evaluation found that the reasons for violent conflict often originate from ethnic divisions, land and cattle disputes, and disaffected youth – variables that are in many cases outside the influence of socioeconomic forms of assistance. For that reason, the evaluation did not find any correlation between the relatively larger amounts of aid in some geographical areas and the occurrence or reduction of violence.[514] Some of the most disruptive drivers of conflict originate beyond particular payams, such as those over pastures or water involving pastoralists migrating from another county or state. The block grant received by a payam would therefore often not be the appropriate instrument to address

[509] Ibid. ii.
[510] Ibid. 25-27. The target groups for the livelihood and jobs operation is described as gender, youth and vulnerable groups, including ex-combatants. Returnees are not mentioned, but are presumably subsumed under the gender, youth and vulnerable groups categories and not just ignored.
[511] World Bank 2013b: 7, 11
[512] World Bank 2012: 17, 22
[513] World Bank 2013a: i, and World Bank 2013b: 8
[514] Bennett et.al. 2010: xvii

such conflicts, which – if they can be addressed by development interventions – would require activities that are funded and take place in another county or state.

The LGSDP became effective in February 2014, and is now under implementation in ten counties in four of South Sudan's ten states. It has disbursed 20 per cent of the IDA credit, and has reached 84,798 beneficiaries (of whom 51 percent are women).[515] The complementary Safety Nets and Skills Development Project, which aims to promote access to income opportunities and temporary employment to the poor and vulnerable, became effective in November 2014, but is yet to start implementation on the ground. However, it is noticeable that while both projects reports on the inclusion of women, neither has any monitoring indicators providing disaggregated data on the extent to which returning IDPs and refugees are included as beneficiaries.[516]

Moving towards becoming a failed state? As early as 2008, the assessment of reintegration of refugees and IDPs in *The Long Road Home* concluded, that the main challenge facing South Sudan was '… preventing the emergence of a future failing state in the south'.[517] The conflict that erupted within GoSS in December 2013 which pits the country's two largest ethnic groups against each other has heightened the risk of such a future for the country. In February 2014, the UN declared the South Sudan crisis a 'Level 3' global emergency.[518] The conflict has resulted in massive displacement of an estimated 1.5 million IDPs and 730,000 refugees. In addition, South Sudan has received around 250,000 refugees from the ongoing conflicts in Sudan's Blue Nile and South Kordofan states. However, the UN Crisis Response Plan is so far only 13 per cent funded.[519] It is unclear to which extent the internal displacement within South Sudan and the influx of refugees from Sudan has been to the areas in which the LGSDP is active. If this is the case, it would put further stress on already fragile communities, and there might be a case for considering mitigation of these impacts in the local development planning done under the project.

Operational lessons regarding assistance to facilitate sustainable return

In addition to the key recommendations from the evaluations of assistance during the CPA period summarized above, the following lessons can also be drawn for the South Sudan experience:

1. Aid Agencies need to understand, take into account, and operationally support the two central features of the strategies developed by refugee households to optimize wellbeing regarding safety, livelihoods, and services, namely that (i) repatriation is not as a one-off event, but as a staggered process that takes place over a considerable period of time, and that (ii) it may involve multiple locations involving both the country of exile and that of return.
2. Aid Agencies need to have realistic expectations regarding the conflict mitigation impacts of operations, to base such expectations on conflict analysis that links wider dynamics to those specific to the area of operation, to be clear about which drivers of conflict the operation can credibly address, and to adequately fund the activities expected to mitigate such conflicts.

[515] World Bank 2015a
[516] Disaggregated monitoring indicators on inclusion of returning IDPs and refugees in participatory planning exercises or as beneficiaries of project activities are not included in the matrixes on Results Framework and Monitoring for the two projects (World Bank 2013b: 29; World Bank 2013d: 23).
[517] Pantuliano et.al. 2008: 1
[518] UNOCHA 2014
[519] UNHCR 2015

3. Aid agencies including the World Bank need to include monitoring indicators that furnish disaggregated data on the inclusion of and benefits to returning IDPs and refugees in operations that target communities and/or vulnerable sections of the population. Without such data there is no robust basis for assessing the efficacy of operations regarding the reintegration of displaced, and consequently for adjusting approaches and implementation arrangements to achieve this.
4. Most returns to South Sudan were spontaneous and not part of the assisted voluntary return process, and the planning of reintegration assistance needs to be able to recognize, adapt to and address the needs of such returnees with regard to reintegration assistance. Rehabilitation in return areas is likely to be more important for lasting return than repatriation assistance.
5. Reintegration assistance for returnees and IDPs cannot be viewed exclusively as a rural phenomenon, but must also recognize the reality that returnees and IDPs increasingly settle in towns and cities where urban planning must address their needs regarding housing/land, services, and livelihoods.
6. Support for access to services and livelihoods are likely best done through distinct but mutually reinforcing operations. While participatory community based processes are well suited to planning and provision of public goods (e.g. health and education services) and some club goods (e.g. hand pumps or irrigation repair), support for livelihoods (other than labor intensive public works programs) involve private goods which require different delivery arrangements (e.g. training, access to credit, saving and self-help groups), and which would likely have stronger impact if supported by broader development interventions that inter alia promote transport, communications, trade, and banking.

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