

TRAF'G

Transnational Figurations of Displacement

Learning from the past

Protracted displacement in the
post-World War II period

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SUMMARY

This *working paper* examines the history of the search for solutions to protracted displacement. Focusing specifically on the Horn of Africa, East Africa, the Middle East and South Asia, the *paper* analyses past policy responses that explicitly or implicitly address situations of extended exile. In addition, the *paper* examines the potential of translocal mobility and connectivity as an individual- or household-level solution to displacement.

The concern to find solutions for long-term displacement situations has been a key driver for the evolution of the international refugee protection regime ever since its initiation in the interwar period. Yet, only more recently have these efforts crystallised around the notions of 'durable solutions' and 'protracted displacement'. The emergence of the latter concept in the 1990s reflects challenges arising from the globalisation of the international refugee protection regime, the massive growth of displacement in the Global South and the increasingly limited availability of long-term solutions from the late 1970s onwards. From a historical perspective, efforts to resolve specific protracted displacement situations have been diverse, devised in response to both domestic and international constraints and opportunities. The current shift away from the conventional durable solutions—return, integration and resettlement—to less fixed solutions thus can be seen as a return to historically dominant practices of a more context-driven search for solutions.

Research reviewed for this *paper* supports the TRAFIG project's hypothesis that mobility and connectivity practices can help displaced persons cope with protracted displacement, and in some cases, find more durable solutions for themselves. Yet, both mobility and connectivity also have a stratifying effect, increasing the gap between those who have access to these and those who do not. Historically, different forms of assisted mobility for refugees to third countries have been instrumental in resolving particular displacement situations, such as in the interwar period, the post-World War II period and in Indo-China in the 1970s and 1980s. In the current context, neither organised mobility nor individual options for mobility are available to the same extent.

KEYWORDS

History; protracted displacement; protracted refugee situations; refugees; IDPs; governance; mobility; Europe; East Africa; Horn of Africa; Middle East; South Asia

CONTENTS

Introduction	3
1. The concept of protracted displacement from a historical perspective	4
1.1 A short history of "durable solutions"	4
1.2 The origins of the debate on protracted refugee situations	11
1.3 Summary: Durable solutions, protracted displacement and the evolution of the international refugee protection regime	14
2. Responding to protracted displacement	16
2.1 East Africa	16
2.2 The Horn of Africa	17
2.3 Middle East	20
2.4 South Asia	22
2.5 Summary: Policy responses to protracted displacement	24
3. The role of mobility and connectivity as "bottom-up" responses to displacement	26
3.1 Mobility patterns after displacement	26
3.2 Translocal family dynamics	30
3.3 Translocal economic dynamics	30
3.4 Translocal political engagement and "political remittances"	32
3.5 Social remittances	34
3.6 Summary: The role of mobility and connectivity	35
Conclusions	36
Bibliography	38
Acronyms and abbreviations	47
Acknowledgements	47
About the authors	47

Appendix 1:

Overview of displacement in East Africa, the Horn of Africa, the Middle East and South Asia (AfPak)

Appendix 2:

Protracted refugee situations characterised by size end-2018

Introduction

This *working paper* seeks to examine historical aspects of protracted displacement and responses to it. Key concerns include how protracted displacement situations were addressed in the past, what solutions were proposed and to what extent translocal mobilities and connections provided solutions, however individual, to protracted refugee situations. An overarching concern of the paper is what lessons can be drawn from past efforts to address protracted displacement situations, and specifically what lessons can be learnt from past successes and failures in relation to current displacement crises.

In doing so, we use the conceptualisation of protracted displacement developed in the TRAFIG project. According to this conceptualisation, protracted displacement results from the prolonged unavailability of (durable) solutions for displaced persons. More specifically, protracted displacement can be understood “as a specific social constellation, in which the capabilities of displaced persons to rebuild their lives after displacement and the opportunities available to do so are severely limited for prolonged periods of time” (Etzold, Belloni, King, Kraler, & Pastore, 2019, p. 20). This capacity is “shaped by distinct structural forces that limit migrants’ agency in three distinct directions, namely displacing forces, marginalising forces and immobilising forces” (Etzold et al., 2019, p. 17), mirroring, but not entirely equivalent to the conventional triad of durable solutions (repatriation, local integration or resettlement) promoted by UNHCR. Displacing forces prevent displaced person’s return, marginalising forces hinder their integration while immobilising forces block their onward mobility (Etzold et al., 2019, p. 20).

The *paper* examines protracted displacement situations after World War II both in a global perspective and with a particular focus on the four regions covered by the TRAFIG project (East Africa, Horn of Africa, the Middle East, with a focus on Palestinian and Syrian refugees and South Asia, with an emphasis on Afghan refugees). The *paper* seeks to draw lessons from responses to protracted displacement in these four regions, while also seeking to understand the role of transnational connectivity among refugees and refugee mobilities in coping with protracted displacement.

The *paper* will proceed as follows: In Section 1, we will review the concept of protracted displacement from a historical perspective. We will do so in two steps. We will first briefly review key elements in the development of the modern refugee regime, focusing on the search for practical solutions for individual refugees, or ‘durable solutions’ as they are called today. In a second step, we will trace the more immediate debates leading to the elaboration of the concept of protracted displacement in the early 2000s and the ensuing debates on extended exile and durable solutions.

In Section 2, we will zoom in on concrete policy responses to protracted displacement in the four regions covered by the TRAFIG project. Finally, Section 3 will examine the existing literature on past protracted displacement situations as to the role of transnational links, mobilities and connectivity as coping strategies for protracted displacement. In the Conclusion, we will draw out key messages following from the review of the history of protracted displacement and responses to it.

Note on methodology

This *paper* is based on a two-part approach: For one, the authors conducted a desk review of the relevant literature as the basis of a general review of broader studies on displacement, the international refugee regime and protracted displacement that provides a framework for the entire study and Section 1. Sections 2 to 3 are based on case studies undertaken by TRAFIG researchers on the Middle East (Knudsen, 2019; Tobin, 2019a), East Africa (Wilson & Kwaks, 2019), the Horn of Africa (Noack, 2019) and South Asia (Mielke, 2019).

1. The concept of protracted displacement from a historical perspective

Refugees are not a new phenomenon. History abounds of stories of forced migration. However, the advent and globalisation of the modern nation-state as the dominant form of political organisation, concomitant ideologies of statehood and nationalism, increased state capacity, related ideologies of the state as the central agent of social and political change and the associated expansion of the state's reach into society have dramatically increased states' capacity for persecution and the exercise of force and violence against its own population. In the context of weak state legitimacy in many countries of the Global South and the state's role in allocating and providing access to scarce resources, the very organisational form of the modern (nation) state has contributed to chronic conflict over who controls the state, causing displacement both internally and across borders.

At the same time, the reproduction of “juridical statehood” (Jackson & Rosberg, 1986) on the international level has meant that the state continues to be relevant as a mechanism to access resources even after collapse, keeping conflict over control over its remnants (cf. Clapham, 2010). In respect to African states, Englebert (2009, p. 52) notes that the “capacity of African rulers to privately appropriate the resources of the state or to use it as an instrument of private predation is a well-established element in the logic of survival and reproduction”, describing the key sources of conflict, namely competing claims to the state and conflicts over the resources of the state. What Englebert finds striking and telling about current forms of statehood is that there is no relationship between state failure and state dissolution (Englebert, 2009, chapter 1).

From a comparative perspective, the formation of new states (Zolberg, 1983) and state collapse (cf. Mazrui, 1995) have been found to contribute to conflict, persecution and related displacement. The spread of state failure and state collapse (Rotberg, 2004; Zartman, 1995), and “new wars” (Kaldor, 1999; Münkler, 2005; Duffield, 2014) after the end of the Cold War have been held responsible for the massive increase in displacement and internal displacement in particular (Cohen & Deng, 1998; Duffield, 2014), although in the eyes of some commentators, these should be seen as symptoms of a more fundamental social fragility (Betts & Collier, 2018, pp. 15–33; Duffield, 2014).

Like displacement in general, there are numerous examples of situations of extended exile characterised by precarious living conditions, legal limbo and lack of rights. Examples include the situation of refugees displaced in the Balkan Wars in the late 19th and early 20th century, refugees in Asia Minor displaced in the wake of World War I or the situation of displaced persons in Europe after World War II (see Gatrell, 2015; Ther, 2017;

Zolberg, Suhrke, & Aguayo, 1989 for broad historical accounts). In many ways, the development of an international refugee protection regime, beginning with the appointment of a High Commissioner for Refugees under the League of Nations in 1921 as well as subsequent institutional and legal innovations, notably the establishment of the United Nations High Commissioner for Refugees (UNHCR) in 1950 and the subsequent adoption of the Geneva Refugee Convention in 1951 and its 1967 Protocol, can be understood as international responses to situations of extended exile in which individuals and whole communities found themselves.

However, it was not until the early 2000s that protracted displacement situations were identified as a specific problem requiring particular policy and academic attention and that the concept of “protracted refugee situations” understood by the UNHCR (2004) as situations of a “long-lasting and intractable state of limbo” was defined.

This said, the underlying policy problems such as the unavailability of durable solutions, the resulting precarious situation of refugees in extended exile, the impact of legal limbo situations on refugees' livelihoods, well-being, psychological state and other dimensions of human development, and on a macro-level, aid dependency and the potential negative development impacts on receiving countries have been a longer-standing subject of debate, and so has the search for solutions to these challenges.

1.1 A short history of “durable solutions”

1.1.1 The search for durable solutions at the origins of the international refugee regime

As argued above, the search for ‘durable solutions’ for refugees has not only been a main driver of the development of the modern refugee regime but also the initial focus of the embryonic refugee protection regime established under the League of Nations with the appointment of Fritjof Nansen—the former polar explorer—as its first High Commissioner for Refugees in 1921. Nansen, who had served as the head of the Norwegian delegation to the League of Nations since the latter's establishment, had previously already been appointed as the League's High Commissioner for Prisoners of War and also served as a High Commissioner for relief for Russians affected by famine in 1921 on behalf of voluntary agencies (Chetail, 2003; Holborn, 1975, p. 6). In both these roles, he was confronted with the situation of displaced persons who required legal and practical support in repatriation or who were indeed unable or unwilling to return to their countries of origin.

The position of the High Commissioner for Refugees was established after the International Committee of the Red Cross appealed to the League of Nations in August 1921 to assist Russian refugees in the civil war (Chetail, 2003). Nansen was provided with limited resources, essentially covering administrative expenses of his small office, which was understood to be temporary (Holborn, 1975, p. 7). His mandate was to assist “any person of Russian origin who does not enjoy or who no longer enjoys the protection of the Government of the USSR, and who has not acquired another nationality” (quoted after Gatrell, 2015, p. 55). His mandate was subsequently extended to assist Armenian, Assyrian and certain other smaller refugee groups (Mohr, 2019).¹ Apart from advocacy on behalf of refugees under his mandate and providing practical legal support, Nansen also worked towards the establishment of a travel document for refugees—the so-called Nansen passport, endorsed in principle by 54 governments following an intergovernmental conference called by Nansen in July 1922 (Holborn, 1975, p. 9). While not per se implying a right to abode or access to work, it allowed refugees to prove their identity with a recognised document, a significant step towards accessing rights in countries of residence (Chetail, 2003; see also Gatrell, 2015, p. 56). According to Louise Holborn, a German-American academic and avid chronicler of the interwar and early post-World War II international refugee protection regime, Nansen remained concerned with the question “of the final disposition of refugees either by repatriation, employment in the country of refuge, or resettlement overseas” until his death. According to her, the primary goal of the office was to “turn as quickly from relief and charity to measures which would enable refugees to be self-supporting” (Holborn 1975, pp. 8–9).

To this end, Nansen initiated a census of refugees, implemented in cooperation with the International Labour Organization (ILO) that was meant to provide information on numbers, age, sex and profession of the refugees with a view of matching their skills with available job opportunities and finding jobs for them, mostly in other countries. Between 1925 and 1929, when ILO took over the operational task of job placement, the ILO assisted some 60,000 refugees under the mandate of Nansen’s office in finding employment. Mobility—facilitated by the Nansen passport—was crucial for this purpose. The number of unemployed refugees dropped even more significantly during this time (Holborn, 1975, p. 13). In addition, Nansen also saw the passport as an instrument of ‘burden-sharing’: by enabling refugees to “travel to a third country to find work, the underlying purpose being to distribute (...) refugees more equitable

among member countries of the League of Nations” (Gatrell, 2015, p. 16; see also Long, 2013, p. 10). The main purpose of the Nansen passport thus was very practical: To enable refugees to find a durable solution. As Long (2013, pp. 10–11) has argued, “their ‘problem’ was viewed above all as one of economic poverty, which was compounded by their difficulties in establishing a legal identity in the new world of nation states”. The (limited) legal protection the Nansen passport provided was thus primarily seen in instrumental terms—to facilitate onward movement and settlement.

1.1.2 The different faces of durable solutions in the interwar period

While finding durable solution in the sense of refugees’ ability to be self-supporting—through employment—was one of the main, if not the main task of Nansen’s office, the office also intervened in a wide range of legal matters on behalf of refugees, to obtain legal documents, secure social security or lift employment restrictions (Holborn, 1975, p. 11), again in an effort to find (more) durable solutions for refugees and to help to remove all sorts of practical obstacles that stood in the way of doing so. The 1933 Convention on the International Status of Refugees consolidated a range of intergovernmental arrangements agreed during the 1920s into one document and also specified a set of rights refugees (Russians and Armenians) were entitled to under the Convention (such as access to courts, access to work and education) (Holborn, 1975, p. 15).

The most important feature of the interwar refugee regime was that it was not universal or permanent, but ad hoc and group-based. As is clear from the circumstances under which the office of the High Commissioner was created, and other groups were subsequently added, group-based protection arrangements were a response to the significant presence of these specific groups, their humanitarian needs, their inability to return and the potential of destabilisation associated with the continuing presence of particular groups of displaced persons (Easton-Calabria, 2015, p. 416).

What concerns the driving forces for establishing a system of international protection, refugee assistance in the interwar period thus anticipated some of the elements of the securitisation of humanitarian aid and development and the use of aid to defuse and thus contain disorder observed as characteristic for the recent past (cf. Duffield, 2001, 2014 [2001]). Indeed, as Craig Calhoun (2008, p. 85) suggests in his review of the history of humanitarian action, the notion of ‘emergency’ “became a sort of counterpoint to the idea of global order” from the interwar period onwards, demanding immediate action to

¹ Institutionally, Nansen’s office was succeeded in 1931—shortly after Nansen’s death in 1930—by the International Nansen Office, headed by the chair of its governing body. In 1933, a separate High Commissioner for Refugees coming from Germany was appointed. These two offices were merged in 1939 in the office of the High Commissioner for Refugees under Protection of the League of Nations, formally in existence until 1946.

address consequent human suffering and to restore order. By contrast, individual persecution grounds played a minor, if any, role in the initial institutionalisation of protection.² As Keith Watenpaugh's history of the role of Middle East in the making of modern humanitarianism suggests (Watenpaugh, 2015, p. 21ff), not individual human rights violations, but rather broader notions of shared humanity and human dignity informed humanitarianism in the interwar period, of which the League's refugee protection regime formed a part.

Nansen's office's practical assistance of refugees under its mandate to become self-reliant and economically independent can be described as a "bottom-up" form of livelihood assistance to refugees as Evan Elise Eaton-Calabria (2015) argues. It was a form of support of durable solutions sensitive to the preferences of refugees themselves, which amongst others included refugees in designing and managing relief efforts and running micro-credit schemes to provide refugees with start-up capital for small-scale entrepreneurship (Easton-Calabria, 2015; Long, 2013). One should add, though, that this bottom-up approach was in large part born out of necessity in the absence of financial means or a mandate that would have allowed a more directive approach rather than a deliberate strategy (cf. Easton-Calabria, 2015, p. 417).

At the same time, prescriptive, top-down solutions were pursued as well. The most striking example of these is the population exchange between Greece and Turkey following the Treaty of Lausanne (1923) that ended the Greek–Turkish war (1919–1922). Nansen was closely involved in negotiating the Treaty and, specifically, its provisions on the compulsory population exchange, involving the relocation of Greek Orthodox minorities in Turkey (excluding Constantinople) to Greece and that of Muslim minorities in Greece to Turkey. Subsequently, Nansen's office also helped to implement the Treaty by temporarily assisting 'exchanged' populations after their relocation (Psomiades, 2011), mobilising both emergency aid and longer-term support to help their 'local integration' (Holborn, 1939). However, Nansen viewed those relocated as result of the Lausanne Treaty to fall somewhat outside his core mandate: While they did require assistance, they were not in need of international protection as he saw it, as they had a state to turn to, reflecting the dominant view at the time that the main legal feature of refugees was that they lacked the diplomatic protection of their state of origin, or in today's terms, that they were de facto stateless (cf. Skran & Daughtry, 2007, p. 20; see also Watenpaugh, 2015, chapter 1).

Indeed, in Nansen's—and many of his contemporaries'—view, the population exchange was a necessary and workable solution to a 'minority problem': Re-allocating minorities to kin-states, in his view, pre-empted further unordered displacement (Skran & Daughtry, 2007, p. 26; Ther, 2017, p. 88). That those so moved still did experience the population transfer as a tragedy and, despite some international aid provided especially to Greece, continued to live in miserable and marginalised circumstances for years to come was not seen as a contradiction at the time. To resolve the 'reintegration' of 'their' citizens was seen as a task for Greece and Turkey (and Bulgaria, where a comparable if much smaller population exchange took place) and not for the international community (see for a detailed account Gatrell, 2015, pp. 62–72). The situation of those populations that were 'exchanged' underlines the close linkage of refugeehood as a political and legal construction and citizenship and the role of refugee status as a form of surrogate citizenship, which by virtue of this association is not open to nationals. Especially in respect to Greece, emigration to other countries, notably Australia, France, the United States and Egypt helped to defuse the emergency somewhat, even if immigration restrictions for eastern and southern Europeans after 1924 meant that the United States was no longer an option (Ther, 2017, pp. 91–92).

As Skran and Daughtry (2007, pp. 25–26) note, there was widespread consensus among academic observers that the Treaty of Lausanne succeeded to resolve the refugee and minority situation that arose in the wake of the Greek–Turkish war. It was only in the 1950s that the first critical voices were raised. While there were several earlier examples of population transfers (cf. Ther, 2017, p. 88), it was the population exchange between Greece and Turkey and the Treaty of Lausanne that became a model for 'resolving' subsequent crises involving ethnic and/or religious minorities both in Europe—where multiple population transfers were executed in the wake of World War II—and elsewhere, notably in the context of the division of India.

1.1.3 Resolving the post-war crisis of displacement after WW II: From repatriation to resettlement

The crisis of displacement after World War II by far dwarfed displacement in the post-World War I period. Historian Peter Gatrell (2015, p. 3) thus estimates the number of displaced people in Europe in the immediate aftermath of World War II at some 60 million—as opposed to some 12 million after World War I (of whom two million were in the Balkans).³ Globally,

2 Individual persecution grounds were of course central for Jewish refugees from Germany for which a separate High Commissioner was appointed in 1933. The latter was unable, however, to make a significant impact in the face of a hostile international environment and soon resigned (Zolberg, Suhrke & Aguayo, 1989, p. 19).

3 Schrover, Vosters & Glynn (2019) speak of 26 million refugees—14 million displaced persons and 12 million (largely German) expellees.

Gatrell arrives at a total figure of some 175 million displaced in the aftermath of World War II, including some 20 million in South Asia, 90 million in China and one million in the Middle East, most of whom, however, were not considered refugees in the emerging legal sense as defined by mandates of different international agencies such as the Intergovernmental Committee on Refugees (IGCR), the United Nations Relief and Rehabilitation Administration (UNRRA), the International Refugee Organization (IRO) and the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA).

In proportional terms, (measured) displacement thus never was higher than after World War II, with some 7.6 per cent of the then global population being displaced. By comparison, in the aftermath of the Cold War (average 1992–1996), the share of all displaced (including refugees and IDPs) stood at some 0.9 per cent and has since only increased slightly—to some 0.93 per cent by 2018 (own calculation based on UNHCR, 2019 and United Nations, Department of Economic and Social Affairs, Population Division, 2019). For the aftermath of World War I, no comparable figures are available, not only since statistical reporting systems in many of the non-European, largely colonial countries were less developed and reliable, but because dominant ideologies of colonial rule and the self-perception of colonial powers as “harbinger of peace after chaos” (Bilger & Kraler, 2005, p. 8) arguably conceptually excluded the existence of refugees.

In their preparations for the post-War arrangements, the Allied Forces saw assistance to displaced populations as a key priority and as a central building block of the relief efforts channelled through the United Nations Relief and Rehabilitation Administration (UNRRA, 1943–1947). The most significant change in comparison to the interwar period was a shift towards a refugee definition that was both universal and based on individual characteristics⁴ thus departing from the ad hoc and selective arrangements for particular groups that had characterised the interwar refugee regime. The key concept that guided UNRRA’s relief effort was the comprehensive although at the same time quite unspecific term “displaced persons”, defined as “civilians outside the national boundaries of their country by reason of the war, who are desirous but are unable to return to their home or find homes without assistance” (Proudfoot, 1957; quoted after Gatrell, 2015, p. 95).

Much like in the interwar years, the problem of refugees was largely construed as a humanitarian one, although this time, the long-term solution to be promoted was repatriation rather than the movement to a third country or local integration as had been the case with refugees under the mandate of the League. In addition, return was imposed on (non-Jewish) displaced persons, with no other alternatives offered, and sometimes, outright force was being used (Gatrell, 2015, pp. 95–96).

Reflecting the exclusive focus on return, UNRRA did not have the mandate to settle displaced persons outside of their country of origin (Holborn, 1975, p. 26). Altogether, some seven million displaced persons were returned to their countries of origin under UNRRA’s mandate. However, returns dropped considerably after 1945, indicating that other solutions would have to be sought for the remaining displaced persons (Holborn, 1975). The declining number of returns and the increasing opposition to the promotion of return to the Soviet Union and other Soviet-controlled countries became a major issue of contestation between the East and the West (cf. Loescher, 1993, pp. 48–49).

At the same time, another predecessor organisation of UNHCR, the Intergovernmental Committee on Refugees (ICGR) established in 1938 outside of the League of Nations to support the “orderly emigration of German refugees”⁵ was tasked to assist “all persons (...) who, as a result of events in Europe (...), have had to leave, or may have to leave their countries of residence because of danger to their lives or liberties on account of their race, religion, or political beliefs” (Intergovernmental Committee on Refugees, 1944, authors’ emphasis). The ICGR thus acknowledged that return might not be an option for those refugees who continue to fear “danger to their lives or liberties” in countries of origin. During the war, the ICGR mainly focused on supporting emigration and resettlement of Jewish refugees. Indeed, finding countries willing to take refugees was the primary aim of the agency, as a corollary only including (potential) receiving states as its members (Warren, 1958, p. 113). After the war, it started to engage in resettlement more generally, starting with a limited skills-based resettlement scheme for displaced persons to Latin America, while also financially supporting displaced persons in their emigration (Warren, 1958, p. 114).

4 The origins of a universal definition based on individual reasons to leave a country can be traced back to the redefinition of the mandate of the Intergovernmental Committee on Refugees (IGCR) in August of 1944. Already a year earlier, Herbert Emerson, the League of Nations High Commissioner for Refugees during the war and simultaneously the ICGR’s Director since 1939 had used similar terms when describing the longer-term challenge of resolving the post-War refugee problem in an article in *Foreign Affairs* (Emerson, 1943; on the ICGR more generally see Holborn, 1975, pp. 18–19).

5 The original mandate of the organisation to negotiate the departure of German Jews with Nazi Germany and find countries that would accept them soon proved to be impossible, both because Nazi Germany was not really open to negotiations and few countries were willing to accept refugees (cf. Warren, 1958).

Resettlement later became the main task of the International Refugee Organization (IRO). Established in 1947 as a temporary UN agency, the IRO replaced the ICGR as well as UNRRA combining the two organisations' operational foci on repatriation and resettlement. The Soviet Union and its allies opposed the creation of the IRO and the related shift towards resettlement, which in turn was the main reason why the United States lobbied for its creation and the suspension of UNRRA, of whose budget it provided some 70 per cent (Loescher, 1993, p. 49). Local integration, by contrast, was considered only for a "residual category unable to emigrate" (Holborn, 1975, p. 35). In total, one million displaced persons were resettled in the four years of the IRO's existence between 1947 and 1951 (UNHCR, 2000, p. 17), as opposed to only some 73,000 persons who were returned under the IRO (see Figure 2). Significantly, some 650,000 displaced persons refused to return in the same period (Gatrell, 2015, p. 97). Resettlement thus clearly was the main solution pursued during this period. The IRO's success, however, was largely made possible by a significant change in US policy which considerably increased quotas for migrants from central and eastern Europe and the reservation of a large share of the quotas for displaced persons (Holborn, 1975, p. 34).

The 500,000 or so remaining displaced persons in 1951 were considered unfit for labour migration programmes of countries of immigration which were increasingly looking for candidates to emigration from the native, instead of the refugee population (Warren, 1958, p. 116).

Like in the case of the ICGR, the IRO's constitution made reference to persecution grounds in a formulation that was already very close to the final refugee definition included in UNHCR's statutes adopted in 1950 and the Geneva Refugee Convention adopted a year later (UNHCR, 2010; United Nations, 1946; United Nations General Assembly, 1950). In part because of US frustration over high costs of IRO operations and the perception that the IRO risked making the refugee problem "an indefinite responsibility of overseas resettlement countries" (Loescher, 1993, p. 53), the United States started to lobby for a new, small, and non-operational agency to be created early on, what was to become the United Nations High Commissioner for Refugees. The IRO's operational activities as regards resettlement—and to a much lesser extent, repatriation—were taken over by the Provisional Intergovernmental Committee for the Movement of Migrants from Europe (PICMME) established in late 1951. PICMME was later renamed into the Intergovernmental Committee for Migration, and in 1989, into the International Organization for Migration. Between February 1952 and December 1957, PICMME supported the emigration of 724,031 migrants, of whom one-third were refugees (Warren, 1958, p. 117) (see Figure 2).

1.1.4 Anchoring durable solutions in individual rights: The Geneva Refugee Convention

The Geneva Refugee Convention represented a decisive shift towards anchoring solutions for refugees in human rights, a shift anticipated by the earlier inclusion of a right to asylum from persecution in Article 14 of the Universal Declaration of Human Rights of 1948, which in turn reflects both the lessons learnt from the tragic absence of asylum during World War II as well as increasing criticism of practices of forcible return and return to potential harm concerning returnees to Soviet-controlled countries (Ther, 2017, pp. 142–145).

Building on the refugee definition of the IRO constitution, both the UNHCR Statute and the Geneva Convention included a universal definition of refugees. However, there was considerable resistance to a genuine universalisation of the refugee definition. The reasons behind this are complex. The geographical and temporal restrictions concerning the scope of the Geneva Refugee Convention clearly reflected major concerns in particular by Western states to commit to potentially risky commitments and to avoid signing a 'blank cheque' for the admission of refugees (Wagner & Kraler, 2016, p. 5). At the time, non-European parties to the Convention such as Lebanon promoted a truly universal definition and a universal scope of the refugee convention (Janmyr, 2017), and only disengaged from the process as it became clear that the majority of negotiating states preferred to limit it to Europe geographically and to the post-War displacement in a temporal perspective. On a legal front, IRO lawyers argued in internal discussions that even though Palestinian refugees did not match the IRO's formulation of "fear of persecution" the fact that they were willing but unable to return did qualify them as refugees (Gatrell, 2015, p. 130). Yet as Gatrell (2015) notes, these discussions never saw the "light of the day and the IRO and the UN resolved instead to concentrate on material assistance". Ultimately, the Geneva Refugee Convention (GRC) thus turned into a regional, European instrument to deal with the post-War European crisis of displacement, although clad in a universal language and thus containing the seed of its extension to other situations.

Significantly, the rights granted to recognised refugees appear as key elements of a solution to "the social and humanitarian problem of refugees" (Preamble, GRC). Apart from their intrinsic value, the rights contained in the GRC are instrumental in enabling refugees to "lead normal lives" (UNHCR, 2005), that is a self-determined life without recourse to assistance. As Bradley, Milner and Peruniak (2019, p. 5) suggest, *durable solutions* in this context can be defined as "restoring (or freshly establishing) [refugees'] ability to make effective citizenship claims, whether through the reassertion of citizenship rights in the country of origin upon return or through the acquisition of new citizenship rights in a host or resettlement state". Durable solutions in this perspective are as much about basic precondi-

tions for the enjoyment of other rights as about concrete rights. According to Ager and Strang's argument in their analytical framework of integration (2008), these basic human rights and citizenship can also be considered as the "foundations" of integration.⁶

Origins of the concept of durable solutions

Today, "durable solutions" are commonly understood as mechanisms that ensure access to the protection and rights afforded by the GRC and represented by the conventional triad of repatriation, local integration and resettlement. The origins of both the term and the triad are, however, not entirely clear.

In the interwar years, the term 'solutions' seems to have been occasionally used, but not in any systematic manner (cf. Skran & Daughtry, 2007, p. 16 referring to Simpson's [1939] study of refugees). In his elaborations on the likely solutions to the post-war refugee problem, the League of Nations' High Commissioner for Refugees and Director of the ICGR, Herbert Emerson (1943), does not use the word 'solution' but suggests two basic solutions, namely repatriation and settlement, irrespective of where settlement takes place. Importantly, he suggests that the latter may be required in particular in respect to what he calls "long-term refugees", namely a person "who is unable to return to his own country and to enjoy there the protection of his government" because of "political, racial or religious persecution" or changed boundaries and resulting statelessness, causes that he considered likely to persist (Emerson, 1943, p. 213). He distinguishes these from short-term refugees, that is war refugees, fleeing immediate danger to their lives.

Mirroring Emerson's views on solutions, a French draft resolution on the establishment of a UN High Commissioner for Refugees of November 1949, speaking of "final solutions on [sic] the problem of refugees" distinguishes between repatriation and national assimilation, without specifying where this should occur (United Nations General Assembly, 1949).

It seems that in the Constitution of the IRO the distinction between repatriation, "re-establishment in the country of temporary residence" and "re-settlement and re-establishment" in other countries is made first, although it further distinguishes between other countries to which refugees have family ties and those where this is not the case (United Nations, 1946, Article 2, lit b).

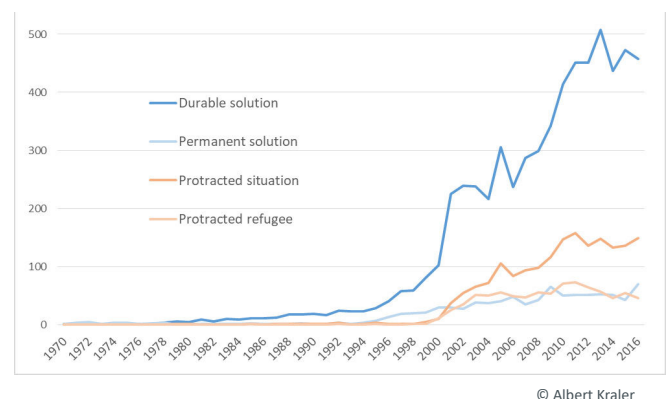
The GRC itself does not systematically refer to solutions, although Article 34 calls on states to "as far as possible facilitate the assimilation and naturalization of refugees", thus to promote local integration in name only. It only indirectly refers to repatri-

ation and resettlement and does not promote either of these as a solution. It is thus more concerned with the quality of protection, that is which rights should be enjoyed by refugees, than practically establishing how these should be achieved, suggesting a certain tension between the rights-based perspective of the GCR and political strategies to find solutions to displacement.

UNHCR's statute is more specific, specifying that the office should "seek (...) permanent solutions for the problem of refugees by assisting Governments (...) to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities" (United Nations General Assembly, 1950, authors' emphasis). Not unlike under the IRO, "assimilation within new national communities" initially seems to have been primarily understood as referring to integration in a resettlement context. At the same time, it became quickly clear that resettlement and repatriation would not work for all refugees under UNHCR's mandate. In his report on the first year of UNHCR, High Commissioner Gerrit Jan van Heuven Goedhart thus noted that "if a substantial number of the refugees within my mandate cannot be voluntarily repatriated or resettled, then it seems to me that my chief task must be, in countries where this is feasible, to assist the local settlement of those refugees" (UNHCR, 1952, para 21).

In subsequent reports and documents, the three avenues for solutions regularly appear together in the same documents, while a General Assembly resolution of 1953 for the first time refers to the three as equal options, appealing to states to "intensify their efforts to promote, in co-operation with the High Commissioner, solutions for the problems of refugees, through repatriation, resettlement and integration (United Nations General Assembly, 1953, para 2).

Figure 1: No. of documents found at REFworld related to durable solutions and protracted displacement, 1970–2016



Source: own presentation, based on search on Refworld; Note: After 2016, there is a considerable decline of results for both durable solutions and protracted displacement, which may result from delayed postings of documents on Reliefweb. This period has thus been excluded. More generally, frequency counts based on bibliographical or documentary databases need to be treated with caution given the significant rise of deposited documents with the onset of routine online dissemination in the late 1990s.

⁶ Ager and Strang (2008, p. 170, Figure 1) further distinguish the dimensions "facilitators" (language, cultural knowledge and safety), "social connections" (social bridges, social bonds and social links), and "markers and means" (employment, housing, education, health)".

The term ‘durable solutions’ seems to have been sparingly used at best during the 1960s and early 1970s, but has increasingly replaced other expressions (such as ‘permanent solutions’ or ‘solutions for the problem of refugees’ as in the preceding quote) during the second half the 1970s, although it was not always used as a synonym (cf. Figure 1, below). Thus, in a report to the UN General Assembly of 1975 (UNHCR, 1975), the term ‘durable’ is used as a less definitive alternative to ‘permanent solutions’ referred to a couple of times in the same text. The understanding of ‘durable’ or ‘permanent solutions’, however, remained relatively flexible. Louise Holborn, the author of the first major work on the history and activities of the UNHCR in the first two-and-a-half decades after World War II, thus spends most of her chapter on ‘permanent solutions’ in Africa on local settlement policies and education. While both of these are associated with the notion of local integration, they are not synonymous (cf. Holborn, 1975, pp. 899-955).

The number of UNHCR documents that use the term ‘durable solutions’ starts to increase (although at a low overall scale) as of 1979 (see Figure 1), several of which are in connection to the 1979 Meeting on Refugees and displaced persons in South-East Asia, convened by the UN Secretary-General and leading to a first massive resettlement effort for Indo-Chinese refugees (see on the development of solutions for South-East Asian refugees Mathew & Harley, 2016, pp. 143–161).

The establishment of a UNHCR fund for durable solutions (UNHCR, 1980, p. 20) appears to have been an important step in normalising the term. For instance, a UNHCR report on temporary asylum issued one year later (UNHCR, 1981) uses the term ‘durable solution’ as a standard technical term. By the mid-1980s, the term and its understanding (as a short-hand reference to repatriation, local integration and resettlement to a third country) seems to have become consolidated, which is also reflected in an increasing use in the academic literature (cf. Stein, 1986; see Figure 1).

1.1.5 The shifting weight of individual durable solutions

In summary, the conventional understanding of ‘durable solutions’ has emerged in UNHCR’s and refugee experts’ active normative reflections about and canonisation of practices, diverse tactics, strategies and longer-term visions on finding solutions to equally diverse ‘refugee problems’, adapting these reflections to constantly changing political circumstances.

The conventional solutions—repatriation, local integration and resettlement—reflect the non-political, humanitarian self-understanding of UNHCR—and those of many refugee experts. As Katy Long (2014, p. 477) has critically remarked, the durable solutions framework thus tends to “focus on the physical symptoms of

displacement rather than the political causes” while failing “to engage with broader development issues in refugee-producing and refugee-hosting regions.” What is more, the institutionalisation of the ‘durable solutions’ paradigm has gone along with a strictly territorial and nation-state based understanding of how ‘solutions’ to displacement should look like, and ‘fixing’ the problem of refugees in certain places and thus also “‘fixing’ people in places” (Long, 2014, p. 277; see Harvey, 1999 for a related discussion of ‘spatial fixes’).⁷ What is clear is that there is a stark contrast between the contemporary understanding of refugee status as a sort of territorially anchored surrogate citizenship and equipping refugees with the ‘legitimate means of movement’ (Torpey, 1998) as the dominant approach in the interwar period.

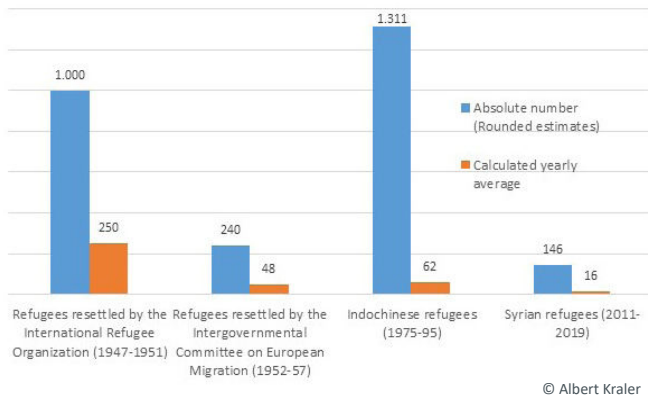
The weight of individual ‘durable solutions’ has shifted markedly over the years. While local integration and resettlement had been the main strategies pursued from the 1950s to the 1980s (see on resettlement, Figure 2, below), repatriation (re-) entered the discussions in the early 1980s after UNHCR’s Executive Committee endorsed voluntary repatriation as the most desirable durable solution in its 1983 session (Executive Committee of the High Commissioner’s Programme, 1983) and UNHCR got involved in a number of not always entirely voluntary repatriation efforts in the African context (Harrell-Bond, 1989).

The political preference towards resettlement and local integration in the first 30 years of UNHCR’s existence and the shift towards return reflect both political preferences of key states as well as wider opportunities or constraints. Thus, resettlement would not have played such a role after World War II had there not been demand for labour in other European and overseas countries of immigration and refugees had not possessed the skills required at destination countries. However, the large-scale resettlement of Indo-Chinese refugees followed a largely political rationale, thus departing from the skills-based logic dominant in much of the immediate post-war period (cf. Betts, 2008; Mathew & Harley, 2016).

In a similar vein, the shift towards repatriation in the African context as of the early 1980s signalled the increasing concerns of poor receiving states over the development impacts of the presence of large numbers of refugees. They were increasingly reluctant to promote local integration, which they also articulated at two large conferences on refugees in Africa, the International Conference on Assistance to Refugees in Africa (ICARA I) in 1981 and ICARA II in 1984 (see in more detail below). The explosion of UNHCR’s budget—from US \$76 million in 1975 to some US \$580 million in 1989 (UNHCR, 2000, p. 107, pp. 166-167) and a resulting funding crisis (cf. UNHCR, 1985), however, also contributed to the shift.

7 We thank Benjamin Etzold and Ferruccio Pastore for the insight and the formulation.

Figure 2: Selected historical instances of large scale resettlement



Sources: Data for resettled refugees under the IRO drawn from UNHCR (2000, p. 17), for refugees resettled under ICEM between 1952 and 1957 from Warren (1958, p. 117), data for Indochinese refugees drawn from UNHCR (2000, p. 99); data for Syrians drawn from the UNHCR statistical database on resettlement data. Note: in thousands.

It was only during the 1990s, when a variety of protracted proxy wars and related situations of mass displacement came to an end in the context of the end of Cold War that repatriation became a desirable and a realistic option in several displacement situations. Repatriation shaped and was shaped by the experience of several large-scale return operations in Latin America and Africa, and to a lesser extent in Asia. In these contexts, return was often also seen as part and parcel of post-conflict reconstruction and peacebuilding that corresponded to preferences and aspirations of individual refugees (cf. Black & Koser, 1999). Against this background, the then High Commissioner Sadako Ogata optimistically declared the 1990s a “decade of repatriation” (Ogata, 1992). Within a few years, however, a benign form of promoting (voluntary) return made way for a more repressive approach, when countries of the Global North and key states in the Global South adopted harsher return policies and increasingly promoted return to volatile situations, even using coercive means (Chimni, 2004; Hammond, 2014).

At the same time, the exceptionally high numbers of repatriations in the early 1990s—some 12 million people (Koser & Black, 1999, p. 3)—had a limited impact on overall refugee numbers as many other refugee situations remained unchanged or were fuelled by new arrivals, while new conflicts led to fresh displacement. As Loescher (1993, p. 90-91) noted, at the time, “the magnitude of the [refugee] problem was such that the institutional constraints on repatriation, local settlement and resettlement were quickly revealed (...) [a]nd as a result, the majority of the world’s refugees were given temporary asylum in camps with no prospect of effective long-term solutions”—a problem description very similar to that of UNHCR that described the problem of “protracted refugee situations” about a decade later. In the next section, we trace the origins and the evolution of the debate on protracted displacement in more detail.

1.2 The origins of the debate on protracted refugee situations

1.2.1 Refugees, development and the lack of durable solutions

As argued in the preceding sections, to address protracted displacement situations has arguably been a major *raison d’être* of the international refugee protection regime from the League of Nations onwards. However, from about the 1980s, the rising numbers of refugees in situations of long-term exile, without a realistic prospect of finding a solution and often contained in organised settlements or camps in peripheral regions and provided with care and maintenance (Milner & Loescher, 2011, p. 7) gave rise to a specific debate and the development of the concept of protracted displacement.

In particular, refugee situations in Africa and to a lesser extent in Asia and Latin America have been influential in shaping the debates on protracted displacement. A report on organised refugee settlements in Africa—where some 96 per cent of all organised settlement schemes were located (Clark & Stein, 1985, p. 2)—noted a proliferation of camps and organised settlements. It was believed that it would be easier to access and organise international assistance and to better control displaced populations in such settlements. The report estimated that about half of Africa’s refugees at the time were self-settled, about one-quarter accommodated in emergency camps targeting newly arrived refugees and another quarter in organised settlements. Of the 107 settlements that were counted and established before 1982, only 30 had attained self-sufficiency (Clark & Stein, 1985, pp. 2; 23). This pointed to a high degree of extended reliance on external aid. Nevertheless, the report embraces organised settlements as an instrument of choice to promote local integration and advocated a series of measures to improve the inhabitants’ self-sufficiency.

While the general focus of these earlier debates was set on assisted refugees in camps (see Freund & Kalumba, 1986 for one of the few studies at the time of self-settled refugees), there was a wider realisation of the link between the ‘massive arrivals’ of refugees in low-income countries and the lack of durable solutions (Stein, 1986, p. 264). Several international conferences focusing on refugees in Africa, whose lessons, however, were taken up elsewhere, such as the 1979 Pan-African Conference on the Situation of Refugees in Africa and two donor conferences—the International Conference on Assistance to Refugees in Africa (ICARA I) in 1981 and a second international conference on refugees in Africa in 1984 (ICARA II), have helped to put this link on the international agenda.

ICARA I and II largely did so by pointing at the ‘burdens’ which the large-scale presence of refugees presented to receiving states, calling for more support to African host states and more development as opposed to emergency aid-oriented programming (Gorman, 1986). The resulting strategy of ‘refugee aid and development’ (RAD) was based on the belief “that assistance should be development-oriented from the outset and thereby enable beneficiaries to move quickly towards self-sufficiency”. Furthermore, the strategy also “emphasised the need for a focus on refugee-populated areas” (Crisp, 2001, p. 171), in a way resuscitating earlier ideas of “zonal development” in a refugee context (Betts, 1969).

As Mathew and Harley (2016) argued, conference participants, of which, in particular, African states as its main stakeholders, sought to prevent the permanent settlement of refugees on their territory, in other words, eschew local integration as a durable solution. As Kibreab (1989) had earlier noted, local settlements—a policy pursued by many African states before the shift towards camp-like structures in the mid-1980s onwards and widely debated as a policy to promote ‘local integration’—are better understood as a temporary tool aimed at helping refugees gain self-reliance and thus reduce aid dependency. But local settlement policies never really aimed at integration. As Clark and Stein’s study (1985) suggests, the success of local settlement policies in promoting self-sufficiency was rather modest. In her provocatively titled study “Imposing Aid”, Barbara Harrel-Bond (1986) went a step further, arguing that the policy may have been misconceived from the outset and been culpable of contributing to aid dependency, mainly because of the top-down and technocratic manner local settlement policies were implemented and the failure to give refugees a say in the planning, design and management of settlements.

A subsequent report commissioned by UNHCR (Stein, 1994) observed that the ‘refugees and development’ approach endorsed by ICARA II was not only relatively unsuccessful in terms of soliciting additional funding for rather ambitious development programmes, but also somewhat ambivalent in terms of what it wanted to achieve for refugees. Thus, while the resulting declaration and plan of action endorsed durable solutions in principle (albeit establishing a clear preference for return), it went on to state that “where voluntary return is not immediately feasible, conditions should be created in the country of asylum for temporary settlement” that do “not necessarily imply a commitment to one or another long-term solution” (ICARA II Principles of Action, quoted after Stein, 1994, para 15). As succinctly summarized by Crisp (2001, p. 172) the Refugees and Development approach thus was palliative—it was to somehow “ameliorate the situation of refugees, the host community and state, pending the day when those refugees returned to their country of origin”, rather than to provide solutions.

In his comparison of different ‘comprehensive plans of action’ (CPAs), Betts compares the largely failed ICARA process to the comparatively much more successful Conference on Central American Refugees (CIREFCA) and the Indo-Chinese Comprehensive Plan of Action (both of 1989), noting that the latter built on political engagement as a key principle, striving for “political agreement between a range of governmental and non-governmental stakeholders, and including, but not being confined to, addressing the refugee issue”, whereas he describes ICARA “as a technical process of identifying projects that address the situation of the displaced, compiling them into programmatic areas and seeking funding for them through a pledging conference (Betts, 2008, pp. 163–164).

Following the emergence of a series of conflicts in Somalia, Burundi, Rwanda and Zaire/the Democratic Republic of the Congo and related massive displacement after 1990s, even more emphasis was put on humanitarian assistance as opposed to long term development and durable, or at least temporary, solutions already apparent in the 1980s (see UNHCR, 2006, p. 105). As a result, in situations where repatriation was not feasible, containment rather than local integration became endorsed as the new gold standard of refugee policies in many African receiving states. The Dadaab refugee camps in northeastern Kenya that were established to accommodate hundreds of thousands of Somali refugees fleeing the violent collapse of the Siad Barre regime in 1991 became a prime example of encampment without local integration.

As Hyndman and Giles (2016) have observed, refugees in these contexts may be protected from return (*refoulement*), but enjoy few if any of the social rights enshrined in the Geneva Refugee Convention and are thus thrown back to a position of ‘bare life’. Hyndman and Giles relate the minimalist provision of rights to refugees in these camps to the *prima facie* status of refugees, i.e. the determination of a refugee status on a group basis rather than an individual decision, as indeed has the majority of refugees worldwide.⁸ Joël Glasman (2017, p. 343–344) traces the use of the *prima facie* concept back to the origins of UNHCR’s involvement in the African context in the early 1960s and the parallel elaboration of the ‘good office doctrine’, through which UNHCR expanded its role beyond its original European focus. At the time, UNHCR regarded individual status assessment as too difficult—and unnecessary: As High Commissioner Felix Schnyder argued in a statement before the UNHCR Executive Committee in 1961, “(...) the problem raised by the new groups of refugees (...) is essentially, at the moment, a problem of material assistance and not of legal protection” (Glasman, 2017, p. 356).

8 Hyndman and Giles (2016, p. 10), quoting an UNHCR report from 2012, report that an estimated four out of five refugees were “*prima facie*” refugees.

Even though the universalisation of the Geneva Refugee Convention through its 1967 Protocol theoretically included ‘new refugees’ under the international protection regime, the distinction between refugees requiring protection and those requiring humanitarian aid persisted, creating what Aleinikoff and Zamore (2019) have called a “bifurcation of the global refugee regime”. Resettlement in that context never appeared to have been seriously on the agenda, unlike in the European context in the post-World War II era (cf. Holborn, 1975, pp. 836–838). As Sandvik (2010) shows in the case of African refugees, there was a ‘renewal and reform’ of resettlement in the course of the 1990s. Only with the shift towards vulnerability as the main criterion for resettlement, resettlement became an option for a significant number of African refugees for the first time.

1.2.2 Arriving at a definition

It is against the background of the shift away from local integration to containment—a spatial fix (Harvey, 1999)—that UNHCR and other actors came to name and study ‘protracted refugee situations’ in the early 2000s, putting the situation of refugees in extended exile on the agenda in a systematic manner for the first time (see Chimni, 2004; Hyndman & Giles, 2016; Jacobsen, 2001; Rutinwa, 2002 on the trend towards containment).⁹ The main impetus came from a study conducted by UNHCR’s then newly established Evaluation and Policy Unit (EPAU, subsequently renamed into Research and Evaluation Unit) with support from the US Department of State’s Bureau for Population, Refugees and Migration between 2001 and 2002 (Crisp, 2003).

The study regarded refugees “as being in a protracted situation when they have lived in exile for more than five years, and when they still ha[d] no immediate prospect of finding a durable solution to their plight by means of voluntary repatriation, local integration, or resettlement” (Crisp, 2003, p. 1). Employing this definition, the study examined protracted refugee situations in Africa. It identified protracted conflicts and continued massive human rights abuses in countries of origin, a lack of attention and willingness to invest in local integration and a prioritisation of return and the fact that refugees in protracted situations often were ‘residual caseloads’ or had become political hostages in dealings between host and origin countries as key factors in the emergence and persistence of protracted refugee situations.

The term ‘protracted refugee situation’ itself seems to have been in use within UNHCR longer (see Figure 1, p. 9). It appears infrequently in UNHCR documents from about the mid-1980s onwards (cf. UNHCR, 1985, para 24, for one of the first men-

tions) and, for the first time, seems to have been used as a description for a specific challenge arising from the combination of the scale of the problem (large scale refugee situations) and the duration of such situations in a note submitted by the then High Commissioner Sadako Ogata in 1992 to the Economic and Social Council of the General Assembly (UNHCR, 1992).

The UNHCR study informed the definition of protracted refugee situation subsequently adopted by a UNHCR Executive Committee discussion paper in 2004 (UNHCR, 2004, p. 2), which later became the official UNHCR definition of protracted refugee situations. The paper defined a protracted refugee situation

as one in which refugees find themselves in a long-lasting and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile. A refugee in this situation is often unable to break free from enforced reliance on external assistance (UNHCR, 2004, p. 2).

Taking up the time criterion adopted by the earlier study and adding a numerical threshold reflecting the primary focus on situations of (past) mass arrivals, the paper advanced a separate definition for statistical purposes, stressing the duration of displacement over the qualitative features of protracted displacement and defining it as “as one in which 25,000 or more refugees from the same nationality have been in exile for five consecutive years or more in developing countries” (UNHCR, 2004, p. 2). Conceptually, however, and as stressed by the conceptualisation of protracted refugee situations adopted by UNHCR’s earlier study (Crisp, 2003) it is the inaccessibility of durable solutions rather than the duration of exile that arguably is the defining criterion of protracted refugee situations (see also Etzold et al., 2019).

A following major study on protracted refugee situations conducted by Gil Loescher and James Milner at the Refugee Studies Centre in Oxford (Loescher & Milner, 2005) rightly criticises the static conception of UNHCR’s definition, arguing that the conceptualisation fails to capture the fluidity of protracted refugee situations. They note, for instance, that the relatively stable figures of Burundian refugees in Tanzania in the late 1990s and early 2000s conceal significant movements in and out of Tanzania (p. 14). (For a more general discussion of statistics on the duration of international displacement, see Devictor & Do, 2016.) They also note that the static focus on a state of deprivation insufficiently acknowledges how refu-

⁹ As Kibreab’s analysis of local settlement policies (1989) suggests, this shift does not constitute a major break with previous policies, but merely articulated the preference of seeing refugees’ presence as temporary more clearly, whereas local settlement policies were more ambivalent in this regard.

Box 1: Protracted displacement and the development of European refugee law

As the concept of protracted displacement is relatively recent and because it was developed in the context of longer-standing debates on durable solutions in developing countries, it is no surprise that there has been not much of a debate on protracted displacement in the European context, and specifically that of the European Union.

At the same time and as analysed above, the displacement crisis in Europe after World War II can be described as a protracted displacement situation that policymakers at the time tried hard to address. The Geneva Refugee Convention in this context can be seen as a structural response to massive and extended displacement, not least by defining refugees' rights and thus the content of 'durable solutions'.

However, the Geneva Convention left two issues relevant to protracted displacement unaddressed:

- *There is a gap between the (narrow) persecution grounds defined by the Convention and the wider non-refoulement principle. This gap gave rise to the category of 'de facto refugees', that is individuals who were unable or unwilling to return to their country of citizenship because of fear of serious harm, but who did not meet the criteria of the refugee definition of the Convention, and as a result lacked a clear legal status (Paludan, 1981);*
- *The absence of rules on access to protection also means that no rules were set on which a state would be responsible for determining a person's claim to refugee status. In the European context, this led to a phenomenon discussed as 'refugees in orbit', that is asylum applicants who did not submit claims in the first country of arrival but elsewhere or who submitted claims in more than one member state and who were often passed from one to another as no state assumed responsibility to deal with the case (Bacardi, 2002; Loescher, 1989; Paludan, 1981).*

Both issues were addressed when the Common European Asylum System (CEAS) was developed. In particular, the issue of secondary movements and absence of rules on responsibility for determining the status of refugees was a key driver for the development of the CEAS in the form of the Dublin Convention that was closely linked to the Schengen Agreement (cf. Noll, 2000). Both regulations were in place even before the European Union formally acquired a legal competence in policymaking in the field of migration and asylum. The problem of 'de facto refugees' was addressed by the introduction of 'subsidiary protection' as a legal status with associated rights (instead of simple protection from expulsion with unclear legal status and access to other rights). Like the Geneva Refugee Convention before it, the CEAS can, therefore, be regarded as a structural response to protracted displacement, even if its empirical record in achieving these aims is an altogether different matter (cf. Ferreira et al., 2020).

gees have sought and found their own solutions to protracted displacement. Despite this criticism, however, the concept of protracted displacement (or more narrowly defined: protracted refugee situations) has been widely taken up both in academic and policy debates to their mutual benefit.¹⁰

While protracted displacement initially only received attention as a cross-border issue, reflecting the origin of these debates within UNHCR, the latter's institutional mandate and the fact that internally displaced persons (IDPs) only slowly attained more systematic international attention, there has since been considerable work on protracted displacement in the context of internal displacement (Bradley, 2018; IASC, 2010; Kälén & Entwistle Chapuisat, 2017, 2018), further consolidating the concept of 'protracted displacement' as a policy and an analytical category (see also Etzold et al., 2019).

1.3 Summary: Durable solutions, protracted displacement and the evolution of the international refugee protection regime

As the preceding two sections have shown, the search for solutions for longer-term refugee situations has been a key driver for the evolution of the international refugee protection regime from its very beginnings under the League of Nations. The emergence of protracted displacement as a specific challenge to policy, however, is a consequence of a series of interrelated developments that occurred later. These included the globalisation of the international refugee protection regime in the 1960s and 1970s, the growth of the global refugee population and the changing availability of classical durable solutions to these new refugee populations. The latter was exacerbated by the non-availability of resettlement through regular legal migration routes for most non-European refugees and the highly selective availability of alternative avenues to resettlement, the

¹⁰ The chapter on Protracted Refugee Situations in UNHCR's flagship publication "The State of the World's Refugees 2006", for example, was authored by Gil Loescher and James Milner (UNHCR, 2006).

increasing reluctance of main receiving countries in the Global South to provide more than temporary solutions for refugees and the increasing funding challenges faced by UNHCR and other agencies to finance ‘care and maintenance’ of refugees in situations of long term exile. The brief historical review undertaken here suggests two main conclusions: First, what emerged as vague and non-standardised pathways for resolving the situation of particular lots of refugees has narrowed down to a more limited range of ‘durable solutions’ accessible only to a minority of displaced persons and resulting in a significant mismatch between displaced persons’ own aspirations and available options. Second, the review of historical responses to (protracted) displacement shows that providing opportunities for the mobility of refugees has been an essential instrument for achieving more durable solutions, even if or perhaps because these were often grounded in skills-based or other non-humanitarian logics. The wide range of opportunities at times offered in the past suggests that there is a case for moving active refugee admission (Welfens, Engler, Garnier, Endres de Oliveira, & Kleist, (2019) beyond vulnerability-based cases.

In the following section, we discuss policy approaches towards protracted refugee situations in East Africa, the Horn of Africa, the Middle East and South Asia.

2. Responding to protracted displacement

In the preceding sections, we have analysed overall approaches to (protracted) displacement and the search for durable solutions in a historical perspective. In this section, we zoom in into the concrete situation in the four regions covered by the TRAFIG project and examine the evolution of policies towards protracted displacement in major host countries of these four regions. In doing so, we focus on key policies and policy changes in regard to major protracted refugee situations in different countries (see Appendix 1 for an overview).

2.1 East Africa

East Africa has seen several waves of displacement since decolonisation in the early 1960s. In the following section, we provide a brief sketch of displacement in the region and then provide a case study of a policy approach devised to respond to (protracted) displacement from Burundi.

2.1.1 Patterns of displacement in East Africa

The Rwandan revolution and subsequent violent decolonisation (1959–1962) led to the toppling of the Tutsi-dominated monarchy that had been maintained under Belgium's system of indirect rule and the displacement of Tutsis and Hutu royalists to the Congo (current DRC), Burundi, Uganda and Tanganyika. This first 'Rwandan crisis' prompted the first major assistance mission of UNHCR in Sub-Saharan Africa and the development of a policy of refugee settlements that became a model of refugee assistance in the wider African context (Kraler, 2004). Return in the case of Rwandan refugees was seen as neither desirable nor feasible and was never seriously considered after Rwanda achieved independence in June 1962. A consultant for an ILO-operated development scheme for Rwandan refugees in the Congo and Burundi told conference participants in 1968:

The general idea followed from the [very] beginning was one of actively favoring their [Rwandan refugees'] integration into the host country, for several reasons. In the first place, it seemed that no political or social stability could be obtained in Rwanda unless the emigrants [sic!] abandoned all hope of return. And for this they had to find conditions of living for a possible permanent settlement. Rapid integration seemed even more necessary, since considerable costs were being supported by [UNHCR] and the Red Cross. They had to be reduced as quickly as possible (M.P. Ballot, "Les réfugiés de Ruanda " Paris Symposium, Jan. 1968, quoted and translated in Holborn, 1975, p. 1084).

Other major refugee movements included several waves of Congolese refugees in the early and mid-1960s and the late 1970s (Fabian, 1996; Freund & Kalumba, 1986; Wiseman, 2019) and Ugandan refugees in the wake of Idi Amin's rule in the 1970s but in particular as a consequence of the civil war in the 1980s (Allen & Vlassenroot, 2010; Branch, 2011; Crisp, 1986). The subsequent conflict in the north of Uganda created both massive internal and cross-border displacement (Branch, 2010; Kwaks, 2018). Following the 1972 genocide in Burundi perpetrated by the extremist minority Tutsi regime against Hutu elites, a large proportion of Burundian Hutus fled to Tanzania (Kibreab, 2014; Malkki, 1995b). Repeated instances of massacres and (ethnified) violence in 1988 and 1993 led to further displacement of refugees. It is, in particular, the response to the (long-term) presence of Burundian refugees that will serve as a case study for the subsequent section.

2.1.2 General policy approaches

Both Tanzania and Uganda, the main receiving countries considered in this section, generally pursued an open-door policy towards refugees until the late 1980s. Some refugee groups, such as refugees from southern Africa (Mozambique, South Rhodesia/Zimbabwe, South Africa) who were considered freedom fighters received also political and military support. As reasons for displacement changed and numbers of refugees grew in the 1980s, there has been a gradual shift towards encampment. A major change of approach only occurred with the onset of multiple crises in the Great Lakes, involving displacement from Burundi in the early 1990s and especially Rwanda after the 1994 genocide. This engendered a marked securitisation of refugee policies (Wilson & Kwaks, 2019), although overall policies remained relatively liberal and welcoming. In the following, Tanzania's responses to long-term refugee situations will be discussed in more detail.

2.1.3 Tanzania's responses to long-term refugee situations

Within East Africa, Tanzania is considered to be a stable country, a heaven of peace by many potential migrants and refugees until today (Perullo, 2008). This was especially true in the first decades after independence. Burundians fleeing the 1972 genocide in their country are a case in point. At first Burundian Hutus were placed in 'reception centers', 'holding' camps or 'transit' camps (Malkki, 1995a, p. 38). But under Nyerere, the young socialist nation experimented with *Ujamaa*, Nyerere's philosophy of African socialism. One of the pillars of

Ujamaa was rural socialism (Raikes, 1975), giving birth to agricultural and co-operative villages, which were also extended to refugees. As Daley (1991) demonstrated, the accommodation of Rwandan refugees in the early 1960s and the establishment of rural settlements had in fact served as a laboratory to develop *Ujamaa*.

The 1972 refugee load from Burundi fitted well into this agricultural experiment. Tanzania thus gave five hectares per family to refugees who had fled the mass killings. Through the judicious use of land grants, the refugees transformed their new property into some of the most productive in the country (US Department of State, 2014, p. 9). Nevertheless, refugees resisted resettlement as many had been living in Kigoma villages—in Tanzania's northeast close to Lake Tanganyika—for six or seven years and had grown used to life in a town (Malkki, 1995b, p. 39).

In the 1970s and 1980s, humanitarian agencies and academics often commended Tanzania for its hospitality towards refugees (Turner, 2004). Mishamo settlement—south of Kigoma—had been, since its establishment, an object of abundant surveying and documentation, particularly evident concerning its agricultural production. Mishamo was considered a successful example, a model refugee settlement, a prototype of a new generation of refugee settlements (Armstrong, 1987; Malkki, 1995b, p. 42). A lot has been written about rural encampment policies, its success stories and the tripartite agreement between the Tanzanian government, UNHCR and the implementing agency and non-governmental organisation (NGO) Tanganyika Christian Refugee Service (TCRS) (Gasarasi, 1984; Anthony, 1990; Armstrong, 1990, 1991; Chaulia, 2003).

Since the 1990s, Tanzania has toughened its policies towards refugees, driven by a combination of external and internal factors. On the one hand, the collapse of the Tanzanian economy, the liberalisation programmes and the political reforms in the post-Nyerere period played a determinant role in the perception of refugees (Van Hoyweghen, 2001). On the other hand, the country was overwhelmed by the influx of refugees who entered Tanzania in the mid-1990s. The tougher line was particularly obvious in the forced expulsion of Rwandan refugees in December 1996 and January 1997 (Human Rights Watch, 1999; Turner, 2004). With the changed perception of refugees and the discourse framed in terms of a threat to national security, refugees were linked to growing crime rates, price hikes, deteriorating environmental situations and the saturation of the labour market (Nimpuno, 1995; Turner, 2004). In 1995, Tanzania ended its open-door policy to refugees (Rutinwa, 1996), which led to the stricter 1998 Refugees Act (Kamanga, 2005). This securitisation trend continues up until today.

In 2007, the Tanzanian government, in partnership with the Burundian government and UNHCR, adopted the Tanzania Comprehensive Solutions Strategy (TANCOSS) which outlined a plan for durable solutions for the first cohort of Burundian refugees who had been in Tanzania since 1972 (Thomson, 2009; Milner, 2014; Kekic & Mseke, 2016; Kuch, 2016, 2018). Initially, TANCOSS included three pillars: Voluntary repatriation to Burundi, processing of citizenship applications for those who opted for naturalisation in Tanzania and relocation of the naturalised refugees from the refugee settlements to other regions of Tanzania, including that of Mishamo. While 79 per cent of refugees opted for Tanzanian citizenship, 21 per cent opted for repatriation. In 2014, the Burundian refugees who opted for naturalisation finally received citizenship certificates, even though there are still at least 40,000 applications pending, and it is unclear how and when they are going to be dealt with (Kuch, 2016).

Despite the encouraging steps adopted by the TANCOSS which, according to Kekic and Mseke (2016), could have served as a blueprint for expanding the framework of durable solutions globally, Tanzania's stance vis-à-vis refugee integration had changed. Just like Ethiopia, Tanzania was to take part in the Comprehensive Refugee Response Framework's (CRRF) pilot programme, but the Tanzanian government decided to withdraw from it in early 2018, citing security concerns and a lack of donor support (Ensor, 2018; Hansen, 2018). In doing so, the Tanzanian government ended an ongoing exercise to integrate refugees into receiving communities. In addition to this, it also stated that it would discourage new asylum applications. Moreover, Human Rights Watch (2019) expressed concerns about numerous factors making refugees' lives difficult. Recently, since October 2019, Burundian refugees have been pressured to return to their country (RFI, 2019).

2.2 The Horn of Africa

Like East Africa, the Horn of Africa has seen multiple crises involving displacement from the 1960s onwards. Displacement in the region has been at the centre, and to some extent, at the origin of debates on protracted displacement. The adopted encampment policies were serving as a frequent reference, if not a model, for other situations.

2.2.1 Patterns of displacement in the Horn of Africa

During the struggles for and after independence (of the former colonies in Africa) political domination of one ethnic group over another, coups and attempted coups caused displacement in many cases. In the 1960s, the civil war in Sudan, which lasted for 17 years (1955–1972), led to massive refugee

movements, mainly to Uganda, and to internal displacement (UNHCR, 2000; Di Bartolomeo, Thaibaut & Perrin, 2012). In the early 1960s, the Sudanese military entered border areas in Uganda and Ethiopia on several occasions to return ‘their refugees’ to Sudan as they believed rebel groups would exploit them (and hence benefit from them) (Loescher & Milner, 2005). After the end of the war, a large number of refugees returned to their country or region of origin (Holborn, 1972; UNHCR, 2000). In Kenya, Asians were the target for hostile outbreaks as they controlled large parts of the economy (UNHCR, 2000). Conflicts between Ethiopian forces and separatists in the province of Eritrea resulted in an influx of refugees into Sudan from the 1960s onwards.

During the late 1970s and early 1980s, several large-scale displacements took place in the Horn of Africa, caused by a renewal of East-West antagonisms, superpower rivalry and external manipulation of civil conflicts and famine. At the end of the 1970s, Ethiopians sought refuge in Somalia, and to a smaller extent in Djibouti, after Somalia’s troops under President Siad Barre invaded the Ogaden region in Ethiopia in 1977. Refugees were mainly accommodated in large camps. Further refugee movements to Somalia took place between 1984 and 1986; a large number also returned to Ethiopia.

Refugees from Eritrea, before 1993 formally a part of Ethiopia, arrived in Sudan as of 1962 because of armed struggles for the right to self-determination. Also, refugees from other parts of Ethiopia fled to Sudan, escaping from the prolonged revolution and the violent and oppressive military regime of Mengistu after the overthrow of the autocratic regime of Haile Selassie in 1974. The number of Ethiopian refugees, mostly from Eritrea, in Sudan grew from 200,000 in 1977 to over 400,000 by the end of 1978 (when the Ethiopian government started a major offensive against Eritrean opposition forces) and grew even further in the 1980s. The famine caused 300,000 refugees from Ethiopia, the majority from Tigray but also from the Eritrean parts, to flee to Sudan between October 1984 and March 1985. At that time, the Wad Sherife refugee camp—in eastern Sudan, close to today’s Eritrean border—with 128,000 refugees was one of the largest in the world. While many Tigrayans returned, most of the Eritreans had to stay while fighting and continued famine in Eritrea led to new influxes of Eritreans into Sudan.

Caused by the re-outbreak of the war in 1983 in southern Sudan between the Sudan People’s Liberation Army (SPLA) and government forces, many Sudanese fled to the Gambela region of Ethiopia. In 1987/88, a large number of Somalis also fled to Ethiopia to escape fighting between Somali government forces and rebels seeking independence for northwest Somalia (UNHCR, 2000).

In the 1990s, intensified conflict in addition to drought and famine in Somalia resulted in massive displacement, and by mid-1992, some two million people had been displaced as a

result of the conflict, including some 400,000 who went to Ethiopia and over 200,000 who went to Kenya (UNHCR, 2000). As a result of the war between Ethiopia and Eritrea, 68,000 people were expelled to Eritrea for being nationals of an enemy state and neither of the two countries was willing to accept full responsibility for them as citizens. In 1996, the tensions in the Great Lakes also affected the Horn of Africa with deteriorating relations between Uganda and Sudan (UNHCR, 2000). By 1999, Ethiopia was among the main refugee receiving countries with nearly 260,000 refugees, including over 180,000 Somalis, some 70,000 Sudanese and around 5,000 Kenyan refugees. Kenya by that time hosted some 224,000 refugees. The largest groups were Somalis (some 140,000) and Sudanese (some 64,000).

Sudan hosted over 390,000 refugees, including over 340,000 Eritreans and some 35,000 Ethiopians. Most of the Eritrean refugees had been in Sudan before Eritrea gained independence in 1993. Sudan had also produced some 475,000 refugees as a result of its long-running civil war (UNHCR, 2000).

2.2.2 General policy approaches in the Horn of Africa

In the Horn of Africa region, several policy approaches have emerged to respond to displacement in the short- and longer term.

All Horn of Africa countries have generally followed encampment policies, containing refugees in isolated camps with long-term care and maintenance since the 1970s/1980s (Samuel Hall Consulting, 2014) to respond to the prolonged presence of refugees. Most camps are located in rural border areas. Due to encampment policies, countries have put in place administrative barriers to restrict mobility. Certain groups were generally excluded from mobility restrictions and/or eligible for permits to access camps. These groups include South Sudanese refugees in Sudan or Eritrean refugees in Ethiopia due to the out-of-camp scheme established by the government (Samuel Hall Consulting, 2014). In Kenya, movement passes are issued to those having a “valid reason to travel outside a designated area” in Kenya, but the overall number of passes issued is low, and no policy or legal guidance exists regarding their issuance (Republic of Kenya, 2012). In practice, they have been issued to attend schools, travel for medical reasons or, to a lesser extent, for business reasons (NRC, IHRC, 2018). In line with encampment and the care-and-maintenance-approach, employment opportunities have generally been restricted and limited to so-called incentive-based employment with NGOs or UNHCR, informal day labour or running businesses. With the realisation of the long-lasting presence of refugees, humanitarian and development actors have started to develop area-based integrated approaches and planning that aim to address the needs of refugees, IDPs and host communities in joint programmes. The partial shift towards integrated approaches shifted the focus to self-reliance of refugees as well as away from the encampment model.

2.2.3 Adoption of encampment policies in Kenya

Before 1990, the Kenyan government pursued a *laissez-faire* and open-door policy. Refugees were allowed to settle freely in urban centres throughout the country and secure their own means of livelihood. Support came from UNHCR-funded NGOs, community-based organisations (CBOs) and church-based organisations. Towards the late 1980s, the approach began to change. While still focusing on self-reliance, refugees were forced to settle in rural camps.

With the beginning of the 1990s, the influx of large numbers of refugees from Somalia triggered a shift in discourse and practice. Refugees were accused of escalating crime and insecurity, particularly in urban areas, and harming Kenya's tourist industry. This cohort of refugees was considered a burden, unequipped with skills to offer, in contrast to the ones who had arrived in the late 1980s, primarily from Uganda. In 1993, the Kenyan government attempted to pressurise UNHCR into forcefully repatriating refugees. This was unsuccessful, and the Kenyan government imposed the rule that refugees can only reside in camps in northern Kenya (Dadaab and Kakuma). Refugees were viewed as being the responsibility of the UNCHR and partner NGOs, while the local administration was there to ensure the safety and security of Kenyan citizens.

As of the early 2000s, the post-9/11 anti-terrorism discourse dominated, exacerbated by attacks by the Somali extremist group Al Shabaab (Lindley & Haslie, 2011). With Kenya being seen as a strategic partner for 'the West' in fighting terrorism, donors did not push for alternatives to encampment and repatriation as responses to displacement (Miller, 2018). The Kenyan government also started taking control of camp management and 'governing refugees'. This began with collaborative interventions in the North Eastern Province (NEP), focusing on access to justice, reducing conflicts with refugees and introducing new projects to improve the situation of the receiving communities, which in sum resulted in a sharp decline in violent crime (Lindley & Haslie, 2011).

With another large influx of refugees in 2011 and 2012, the securitisation trend increased. In October 2011, the government suspended the registration of refugees claiming that the refugee camps were too full and that accommodating more refugees would be a threat to national security (Teff & Yarnell, 2012). In the following years, the Kenyan government (mostly) unsuccessfully tried to impose a limit on refugees in the country by forced repatriation (UNHCR & World Bank Group, 2015; Regional Mixed Migration Secretariat, 2017; Mutambo, 2015). Returns have been taking place, pressurised by the withdrawal of assistance (Norwegian Refugee Council, 2017) and the recurring threat by the Kenyan government (in 2016 and 2019) of closing down the Dadaab camp and asking UNCHR to accelerate repatriations and relocation (Mixed Migration Centre, 2019).

2.2.4 Ethiopia: Phasing out encampment and facilitating access to work

Until 2010, Ethiopia had been following strict encampment policies, and refugees were mostly accommodated in 26 camps, which were under the protection of the police. At the time of writing, Ethiopia hosts refugees from 30 countries of origin; the majority are from the three neighbouring countries Eritrea, Somalia and South Sudan (UNHCR, 2018a).

From 2010 onwards, the government introduced the "out-of-camp policy" allowing (only) Eritrean refugees to live in urban centres, provided they have the necessary means to support themselves. To be able to support themselves, the Eritrean refugees must have a guarantor with Ethiopian citizenship, who takes on responsibility for their living expenses once they are outside the camps. Eritrean refugees were also allowed access to higher education. The Ethiopian government justified its decision to only apply the scheme to Eritrean refugees by their strong cultural links, homogeneity and existing networks within Ethiopian society, which makes the relationship with the receiving community easier. The government suggested that other refugee groups create security risks if the scheme were opened up to them (Samuel Hall Consulting, 2014).

In 2017, Ethiopia became one of the first countries to pilot the Comprehensive Refugee Response Framework (CRRF). The Ethiopian government made the following nine pledges to strengthen refugee self-reliance.

Box 2: Nine pledges to strengthen refugee self-reliance

1. expand the "out-of-camp" policy to benefit ten per cent of the current total refugee population
2. provide work permits to refugees and those with permanent residence ID;
3. provide work permits to refugees for sectors permitted for foreign workers;
4. increase enrolment of refugee children in pre-school, primary, secondary and tertiary education, without discrimination and within available resources;
5. make 10,000 hectares of irrigable land available, to enable 20,000 refugees and host community households (100,000 people) to grow crops;
6. allow local integration for refugees who have lived in Ethiopia for over 20 years;
7. work with international partners to build industrial parks to employ up to 100,000 individuals, with 30 per cent of the jobs reserved for refugees;
8. expand and enhance basic and essential social services for refugees;
9. provide other benefits, such as the issuance of birth certificates to refugee children born in Ethiopia and the possibility of opening bank accounts and obtaining driver's licenses (Federal Democratic Republic of Ethiopia, 2017).

2.3 Middle East

The Middle East has long been a region affected by large-scale and cross-border displacement, such as in the case of Armenians and Assyrians in the interwar years, some of whom were resettled to Syria (Holborn, 1975). Also important, the arrival of large numbers of Jewish refugees and migrants from Europe and the related establishment of the Jewish state of Israel sets it apart from other regions that have received refugees.

2.3.1 Patterns of displacement in the Middle East

Palestinian refugees are the longest-standing and largest case of forced displacement in the modern world. The ‘Nakba’ or ‘Catastrophe’ of the massive displacement of Palestinians in 1948 with the establishment of the state of Israel now means that approximately 20 per cent of the world’s refugees are Palestinian (American Muslims for Palestine, n.d.). Conversely, 67 per cent of all Palestinians worldwide are refugees or internally displaced persons (IDPs) within the contemporary state of Israel (Palestine refugees, 2010). Of the originally displaced Palestinians in 1948, approximately one-third went to the West Bank (Palestine refugees, n.d.), one-third went to Gaza, and the remainder split between Jordan, Lebanon and Syria. The process was repeated in 1967, after the Gaza Strip and the West Bank were occupied by Israeli forces, and continues today with the establishment of the so-called Israeli ‘security fence’ on Palestinian land rather than the agreed-upon ‘Green Line’, with the establishment of Israeli settlements on Palestinian lands and by the forced evictions of Palestinians from their homes. Significantly, Palestinian refugees are under the authority of a separate UN agency created before UNHCR, the United Nations Relief and Works Agency (UNRWA) (Goddard, 2010).

Another significant refugee flow since 2011 is that of Syrians. The Syrian conflict began in peripheral border villages in the south (Leenders, 2012), before spreading to major cities such as Aleppo and the capital Damascus (Leenders & Heydemann, 2012). As regional and international mediation efforts, short-lived truces and UN-observer missions failed, the conflict

escalated into a full-fledged civil war from the spring of 2012 onwards. The turning point was the Syrian army’s ground assault on Homs in March 2012 (Human Rights Watch, 2012). This changed the nature of the conflict from a security to a military approach (International Crisis Group, 2012), which led to a steep rise in casualties and displacement.

Until March 2012, displacement was sparse and temporary. The first major displacements were recorded in June 2012, when about 150,000 villagers fled two Sunni villages in the Idlib Governorate fearing retaliation by the Syrian Army. In mid-August, the first Palestinian refugees were displaced, when 10,000 fled the army’s shelling of the al-Ramel camp in Latakia. There are no safe zones or no-fly zones inside Syria—the reason why displacement has reached staggering proportions. In July 2012, more than 30,000 refugees entered Lebanon in 48 hours. From the start of 2013, nearly 50,000 people were fleeing Syria every week. By mid-2013, the UN casualty figure was more than 100,000 dead, with 2015 estimates reaching 240,000. The conflict has since spread to the whole country and was compounded by the emergence of the so-called Islamic State (Daesh), the al-Nusra Front and other militant groups taking control of the eastern part of the country. Foreign troops, military aid to the Assad regime as well as airstrikes by Russia, followed later by the United States, France and Great Britain further compounded the conflict and made this the largest displacement crisis in the world after World War II (Knudsen, 2014).

2.3.2 General policy approaches in the Middle East

Policies towards refugees in the Middle East have varied widely, depending on both time and groups concerned. For example, encampment has been a key element of Lebanon’s approach towards Palestinian refugees since 1948, separating them from the general population in terms of welfare and public services and keeping them under the responsibility of the United Nations Relief and Works Agency (UNRWA). Jordan, in contrast, also established camps for Palestinian refugees but as suburbs connected to cities and as a pragmatic instrument to address housing needs. Jordan also granted citizenship to large

Table 1: Middle East receiving country policies towards Syrians

Country (host)	International	National policies	Determinants	Sub-national reception
Turkey	EU-Turkey Deal, 2016	Camp and urban	Political parties	Mixed
Lebanon	Lebanon Compact, 2016	No-camp policy †	Confessionalism	Mixed
Jordan	Jordan Compact, 2016	Camp and urban	Tribal affiliation	Mixed
Iraq	NA	Camp and urban	Kurdish government	Mixed

Note: †: Lebanon avoids the camp designation and refugees are self-settled. Source: Betts (2017); Knudsen (2017a).

numbers of Palestinians, with some 50 per cent or more of the Jordanian populace thought to be of Palestinian origin. While Jordan has established a number of camps for non-self-settled Syrian refugees, (a minority of refugees) Lebanon has pursued a general non-camp policy, which means that nearly all the refugees are self-settled and live precariously in the country's towns and cities and the Bekaa valley on the border with Syria (Knudsen, 2017b).

2.3.3 International policy responses to Syrian displacement

The Syria crisis—a relatively recent crisis in the context of this review—is specific in that it triggered a massive European response, as a result of the interlinkage of displacement and migration to the European Union, both in terms of migration policies and enforcement measures as well as in terms of assistance to major receiving countries such as Lebanon, Jordan and Turkey. As part of the EU's externalisation policies, two new “compacts” were established under the European Neighbourhood Policy (ENP).

The specific goals of the Jordan and Lebanon compacts are to expand the legal employment options for Syrian refugees in Lebanon and Jordan (Howden, Patchett & Alfred, 2017). The compacts combine cash incentives and special economic zones (SEZs) where Syrian labour must form a significant part. Under the agreement, the goods produced in SEZs are eligible for preferential access to the European market and benefit from lower import taxes. The Jordan Compact was signed in 2016, but the programme has not been successful although opinions are mixed (Barbelet, Hagen-Zanker & Mansour-Ille, 2018). The aim was to reach a similar deal with Lebanon, but the Lebanon Compact (2016) has proved more difficult to implement. It aimed to create 300,000 to 350,000 new jobs in Lebanon, of which 60 per cent should be reserved for Syrians living there. This goal has not been realised, and it seems unrealistic that the programme could offer a solution to the employment crisis for the Syrians in Lebanon (see Seeberg, 2018; and Betts & Collier, 2018, for further details of the Jordan compact). In the following, we will discuss two specific policy shifts that had significant impacts on those affected at the time.

2.3.4 National policy change: Lebanon (2014–2015)

Until January 2015, Syrians benefited from Lebanon's special relationship with Syria enshrined in bilateral treaties on security and socio-economic cooperation that secured preferential treatment of Syrian nationals. This agreement allowed Syrians—who only needed their ID—to reside and work in Lebanon without having to pay any fees or charges. The privileged status of Syrian ‘brothers’ was one reason for the huge

Syrian workforce in Lebanon before the conflict, estimated at somewhere around 800,000 in 2010 (Knudsen, 2017a).

Displaced Palestinians were barred from entering Lebanon in April 2014. Shortly afterwards, preparations began to limit the number of Syrians, but there were no formal entry restrictions until January 2015 (BUSL, 2015). From then on, Syrian refugees have been required to obtain a valid six-month visa and fulfil one of seven new admission criteria. Syrians now have to renew their visas every six months. The entry visa and its extension are free, but after one year, they must apply for a renewal at the General Security Directorate. This costs US \$200 per person above the age of 15, an impossible charge for an average family. To avoid paying the exorbitant renewal fee, their only remaining option is to return to Syria and obtain a new exit visa to Lebanon. Even though they risk being apprehended at the border, around 300,000 displaced persons commute across the border for this purpose regularly. Expired residence visas can be renewed for a fee, but if renewal is denied for any reason, they can only be resettled by applying for a ‘plea of mercy’ (talab istirham) with the General Security Directorate and pay a fine of US \$630 for a status settlement at the directorate's discretion (AI, 2014). If the plea is rejected, the applicant can be issued with a deportation or departure order.

2.3.5 Policy responses towards Palestinian refugees from Syria in Jordan

Before the Syrian civil war, 581,000 Palestinians lived in Syria who had been displaced by the Arab–Israeli wars of 1948 and 1967. They lived primarily in the western and southwestern parts of Syria, including 13 refugee camps. The largest camp was Yarmouk with a population of nearly 150,000. The camp closest to Jordan was Dar'a with 10,000 people. Palestinian refugees from Syria present a difficult case, as they are faced with compounded political vulnerabilities that other refugees from Syria do not. Most prominently, movement out of Syria renders them legally stateless and statusless. As a result of the Syrian civil war, 235,000 Palestinians have been internally displaced within Syria, and 60,000 Palestinians, alongside 2.2 million Syrians, have fled the country since October 2013. As of January 2019, UNHCR and UNRWA estimate that nearly 20,000 Palestinians have fled from Syria into Jordan (AGPS, 2019).

Many of the Palestinians in Syria had previously been residents in Jordan. After the Syrian uprising began in 2011, many of these Palestinians wanted to take up the option to return to Jordan. The government of Jordan refused to issue the papers, instead holding the Palestinians at the border for days, even months (with the exception of children under the age of six, who were permitted to enter for emergency medical treatment, although without their families).

When refugees from the Syrian war first began to stream into Jordan in 2011/12, the Jordanian Ministry of the Interior registered the newcomers (both Palestinian and Syrian) and placed them in the care of *kafala* or ‘sponsoring’ families registered with the Ministry of the Interior, mainly in its capital Amman.

As the Syrian war intensified in 2012, Jordan worked rapidly to construct the huge Za‘atari camp, as well as other camps to accommodate the influx of new refugees from Syria. In mid-2012, the *kafala* system was eliminated for Palestinians (as they quickly overwhelmed the capacity of their friend and family networks), and Syrians were moved into refugee camps such as Za‘atari, using the *kafala* system to get ‘bailed out’ of the camps until late 2015 when the *kafala* system was scrapped for all refugees from Syria.

In mid-2012, the Jordanian government declared that Palestinians from Syria were no longer allowed to cross the border. As a result, the Jordanian government forced many Palestinians to return to Syria, in violation of the international legal principle of non-refoulement and refused any new refugees who were Palestinians or who lacked papers showing, without doubt, their status as Syrians. In addition, the government asked all families who hosted Palestinians under the *kafala* system to present their guests for relocation to Cyber City. Cyber City closed in 2016, and the refugees were resettled to Europe or moved into another refugee camp for Syrians, King Abdullah Park.

Thus, the policy trends for Palestinians from Syria who were displaced in Jordan have moved counter to many other global trends: From integration and rehabilitation through the *kafala* system, to a denial of entry and forced repatriation to Syria and to resettlement in a third country. This continues to define the case of Palestinian refugees as distinctive, even 70 years after their first displacement experiences.

2.4 South Asia

2.4.1 Patterns of displacement

The greatest population movements in South Asia are four-fold: Afghan displacement (since the 1970s onwards), the mass displacements of an estimated 12 million people on the Indian subcontinent in the wake of India’s and Pakistan’s independence in 1947; the displacement of Bengalis to India in the separation war of West-Pakistan (Bangladesh) from East Pakistan (Pakistan) to India in 1971, and the recurrent displacement of the Rohingyas from the 1970s onwards. This review exclusively focuses on Afghan displacement.

The displacement of Afghans since 1978 constitutes the main protracted displacement situation in South Asia for the past 40 years. Political violence since 1973 (coup d’état ending monarchy/ 1978 Marxist coup d’état) and the subsequent war that unfolded as a reaction against Soviet intervention in December

1979 caused mass movements of people across the eastern border into Pakistan (estimated at three million) and across the western border into Iran (estimated at 1.5 million).

Afghan displacement can broadly be attributed to Cold War developments, especially from a process perspective, given that Cold War support to warring factions and ideological framings influenced the trajectory of conflict and attempts to bring peace and create the precondition for mitigating protracted displacement. However, the causes and suffering of political violence, war, and displacement have much more to do with internal factors, that is political controversies and competition among Afghan groups, than is commonly acknowledged (Mielke, 2019)

Throughout the decade of the Soviet military intervention (1979–89), 3.1 million Afghans fled to Pakistan, between 1.7 million and 2.2 million to Iran and 1.5 million to 2.2 million were internally displaced, totalling between 6.3 million and 7.3 million displaced persons. This number, plus the refugees who fled to international locations, amounted to about one-third of the entire estimated Afghan population at the onset of conflict. Against the backdrop of the political developments, displacement did not end with the withdrawal of Soviet military forces that ended in February 1989. In the following three decades, several waves of displacement and return occurred and a consolidation of circular movement patterns established over time. While in mid-2001, UNHCR estimated the numbers of Afghans to be living in Pakistan at two million and one million in Iran, return numbers thereafter were high above these numbers. A 2005 census in Pakistan showed that four years into the repatriation decade, still more than three million Afghans lived in Pakistan and 1.2 million in Iran—indicating gross underestimations of previous extrapolations of estimates (Kronenfeld, 2008).

2.4.2 General policy approaches in Pakistan and Iran

Afghan refugees were welcomed in Iran and Pakistan once mass refugee movements due to ensuing large-scale violence connected to the Soviet military campaign began in January 1980. Throughout the decade of Soviet intervention until February 1989, both countries practised a de facto open-door policy. Besides Muslim solidarity, the transnational social, ethnic and linguistic ties and connections which preceded the conflict, paved the way for the high acceptance of Afghan refugees in both countries. Moreover, refugees who fled to Pakistan were perceived as geopolitical instruments by US policy and resourcefully aided not on humanitarian but on strategic geopolitical grounds.

With the ensuing civil war (1992–1995/6) after the fall of the ‘communist’ regime in Kabul and continued violent conflict under the Taliban regime, the ideological and political context of refugee reception changed—most significantly because, ideologically, the dominant geopolitical reason for refugee

support had disappeared with the Soviet forces' withdrawal and the end of the Cold War. Subsequently, several attempts to push Afghan refugees out of Iran and Pakistan occurred whenever the political framework conditions favoured it—either in the neighbouring countries when deepening economic crisis motivated the regimes to portray Afghans as unnecessary additional burden (or later in Pakistan as 'terrorists') or when the political situation in Afghanistan itself looked favourable for refugee return. This, for instance, was the case after 1992 or when, with the takeover of the Taliban, Pakistan officially recognised the Taliban's Islamic Emirate of Afghanistan (1996). In the 2000s and 2010s, similar politically motivated ups and downs in refugee acceptance and respective governments' attempts to rid itself of Afghans occurred (Mielke, 2019). In the following, we will discuss two recent policy initiatives specifically focussing on protection in a context of protracted displacement.

2.4.3 Proof of residence (PoR) cards as a tool for basic protection of Afghans in Pakistan, since 2007

The 2005 census of Afghans revealed the presence of more than three million Afghans in Pakistan amid legal entry restrictions since 1999 and an ongoing repatriation programme of unprecedented scope. The widespread assumption had been that the bulk of the refugees would have returned by 2005. A four-month registration exercise was conducted from October 2006 to February 2007, 2.15 million Afghans were registered and received proof of residence (PoR) cards that were valid for two years, until 31 December 2009. With the PoR-cards, Afghans gained the official status as "Afghan citizen[s] temporarily residing in Pakistan" and became entitled to temporary legal stay and freedom of movement, protection against illegal arrest, detention and deportation. Besides, the cards granted access to basic health care and the government education system. It also enabled holders to open bank accounts, purchase mobile phone SIM cards and obtain driver's licenses.

The cards were extended 11 times at the time of writing. However, since the end of 2015, the PoR-cards were allowed to expire, with ad hoc, unpredictable extensions through official notification (often days and weeks after the previous cut-off date). The latest extension is set to expire on 30 June 2020. Often, these extensions depend on the state of Pakistan–Afghanistan relations, which can change daily (Grawert & Mielke, 2018). The uncertainty about the future of the PoR cards has motivated some Pakistan-born Afghans to apply for Afghan passports; however it requires them to regularly renew the visa at the designated border posts. Connected travel entails an extensive effort and expenses (Siddiqui, 2019).

Based on the 2015 National Action Plan, from mid-2017, the Pakistani government introduced Afghan Citizen Cards (ACC). ACC protection status is not comparable to the PoR-cards as it only protects from immediate deportation. "ACC cards grant

undocumented Afghans a legally temporary stay in Pakistan, pending their return to Afghanistan, to regularise their legal status by acquiring a passport and visa" (IOM, 2018). Thus, ACC cardholders are more vulnerable. As Alimia (2019) pointed out, critics of ACCs argue that these constitute means to better control the Afghan population in Pakistan and provide the basis for their legal, social and economic marginalisation. Solutions strategy for Afghan refugees since 2012 (see also Ferreira et al., 2020 p. 16 Box 3).

The rise of the solutions strategy for Afghan refugees (SSAR) is strongly connected with the growing realisation of UNHCR and its partner governments that a) return to Afghanistan did not prove sustainable for various reasons and b) donor fatigue was increasingly becoming a challenge against the backdrop of other major displacement crises such as in Syria. The 'decade of repatriation' in the 2000s saw more than five million Afghans returning to Afghanistan. At the same time, censuses of Afghans in Pakistan and Iran showed a large number who remained and were unwilling to return. The return of such a large number of people had also overburdened the Afghan government which had been fighting an insurgency ever since the first half of the 2000s and was plagued by other governance deficits (weak administrative structures, inadequate capacities for absorption, corruption, etc.). As a consequence, the return of large numbers of refugees risked creating or furthering instability. A Norwegian Refugee Council -study found that more than 70 per cent of the sampled returnees became returnee-IDPs, that is as repatriated Afghans, they experienced secondary displacement after return to Afghanistan (NRC, IDMC & Samuel Hall Consulting, 2018). Whereas previously, conditions in Afghanistan were largely ignored in policy-proclamations focusing firmly on return (that should be exercised at once and fully if possible) without regard to the overall context, a growing understanding that the prospect of durable solutions to Afghans' displacement remained rather unrealistic was breaking fresh ground (Tyler, 2014).

Thus, in 2011, UNHCR initiated the 'Solutions Strategy for Afghan Refugees' (SSAR), a tripartite regional framework based on an agreement between UNHCR and the governments of Afghanistan with Pakistan and Iran, respectively, with a quadripartite steering committee. Launched in 2012 with the aims to ensure the protection of Afghan refugees and find durable solutions for them, it is currently in its fourth phase (2012/13–14, 2015–17, 2018/19, 2020/21).

The three strategic pillars of the SSAR are in line with, yet clearly subordinated to, the overall aim of facilitating voluntary return and long-term ('sustainable') reintegration. The three pillars include (UNHCR, 2015):

- enhancing the absorption capacity in Afghanistan (e.g. by creating conditions conducive to voluntary repatriation through community-based investments in areas of high return)

- building Afghan refugees capacities and providing livelihood opportunities
- preserving protection space in host countries, with emphasis on enhanced support for refugee-hosting communities in Pakistan and resettlement to third countries in Iran (cf. UNHCR, 2018b).

It is worth noting that the integrated approach of SSAR built on unique country-specific portfolios from 2014 onwards. For example, in Afghanistan, stakeholders focused on reintegration and the facilitation of returnees' integration into national development frameworks to ensure that their needs are recognised and addressed as part of greater development efforts in the country. One such project initiative foresaw the identification and establishment of 48 pilot sites in high return areas to assist with shelter, social services, employment and achieving food security. The Iranian portfolio centred on essential services provision, for instance, besides shelter and food security, emphasis was put on education and vocational training to build professional skills of Afghans that would prove as pull factors once an Afghan employment market is in place. In Pakistan, the emphasis was on the support of hosting areas by carrying on with and extending the Refugee Affected and Hosting Areas Programme, which became an integral part of SSAR.

After UNHCR had tried in vain to persuade the receiving governments to allow Afghans' local integration (IOM, 2017) and work productively with the de facto long-term presence of Afghans in Iran and Pakistan before 2011, the auxiliary narrative taken up in the SSAR now changed to pursue developmental measures and establish—albeit limited—spaces of protection focused on self-reliance and resilience of Afghans in the host context and after return (Afghan Displacement Solutions Platform, 2018, p. 43; IOM, 2016). In that line, the Refugee Affected and Hosting Areas Programme adopted the language of empowerment and participation. Projects were designed to enhance Afghans' capacities for self-organisation in Pakistan, for example through the creation of community-based and village organisations.

The most important impacts of the policy were

- a perpetuation of the conventional durable solutions framework with a focus on return as an only viable solution in the case of Afghans' protracted displacement situations;
- a recognition that the sustainability of Afghans' repatriation depends on a domestically conducive environment for reintegration (in Afghanistan);
- the creation of a limited asylum space/ protection for Afghan refugees in Pakistan and Iran by changing the narrative towards self-reliance and resilience-building in refugee/ displacement management in a context where local integration is politically not desired;
- the extension of measures from purely humanitarian to developmental activities involving 'refugee-affected hosting areas' and investments in Afghans' human capital through livelihood-building support; and

- new commitments to keep Afghan refugees high on the agenda of the international donor community¹¹ and creating renewed interest among donors and stakeholders in building improved evidence bases on displacement.

Long-term national policies for refugees and foreign citizens who have been staying long-term have been and are lacking, both in Iran and Pakistan. Protectionist attitudes of both governments have prioritised return of Afghans as the preferred durable solution. UNHCR has been navigating and trying to balance national interests and respective policy pushes by setting up regional and international policy frameworks. However, UNHCR has not been able to exert enough agency or pressure for innovative policies regarding Afghans' PDS. The regular tripartite agreements and the established regional policy frameworks did not yield significantly new approaches to Afghans' long-term displacement. Whether the continued collaboration of both governments with UNHCR is to be evaluated as positive, that is as a constructive element towards finding lasting solutions with existing exchange formats by default or whether it does not actually constitute a sign of inertia and thus actively inhibits prospective innovation is subject to a different study.

2.5 Summary: Policy responses to protracted displacement

The variety of responses to protracted displacement situations in the different regions under study suggest above all that policy responses are highly circumstantial, devised in response to both domestic and international constraints, and vary depending on opportunities and challenges in the face of particular protracted displacement situations. At the same time, the different policy responses also highlight the role of international factors, the opportunities for devising principles and frameworks on an international level, despite significant deviations in practice.

The phasing-out of camps in the Ethiopian context, as well as the Jordan and Lebanon compacts, have thus been strongly driven by international factors and European pressure in particular. Both show, however, the continuing persistence of the desire to contain refugees and to apply 'place-based fixes', with international and domestic interests converging. At the same time, these initiatives also reflect a re-discovery of refugees' economic potentials and a related drive for removal of restrictions on employment and movement within the territory.

The shift towards encampment policies in Kenya in the late 1980s, but also restrictions imposed on Syrian refugees in Lebanon post-2015 show a contrasting trend responding to perceived threats to security or welfare posed by refugees. In a

11 The governments of Iran, Pakistan and Afghanistan adopted a Joint Resource Mobilization Strategy in 2013.

similar vein, Tanzania as one of the main Eastern African receiving countries has recently followed a more restrictive path. In all these cases, the reasons for policy changes seem to have less to do with refugee situations themselves but with changing domestic and international circumstances. Similarly, the solutions strategy for Afghan refugees focussing very much on return was less about finding durable solutions than resolving a situation that governments were concerned with, engendering adverse impacts on refugees targeted by the initiative.

As Section 1 (above) suggests, there is a history of failure in imposing solutions (and aid), and there is a lack of consideration of refugees' wishes. At the same time, more favourable policies such as Tanzania's rural settlement schemes, even if implemented in a somewhat top-down fashion, did achieve positive results, such as an increase in agricultural productivity, pointing at gains to be made for less constraining policy approaches.

3. The role of mobility and connectivity as “bottom-up” responses to displacement

A key concern of the TRAFIG project is to examine to what extent translocal links, mobilities and connectivity provide displaced people with resources to cope with protracted displacement situations and, potentially, with means to exit such situations. The first section above has made clear that mobility has been a central element of political solutions to long-term refugee situations since the very emergence of a rudimentary international refugee protection regime in the 1920s. The role of translocal linkages, including diasporic links and connectivity more generally, by contrast, has not been a prominent topic in wider political debates on solutions to protracted displacement situations. One exception perhaps are the debates on militarised refugee communities and “refugee warriors” (cf. Terry, 2002), in which violent homeland-oriented politics are pointed out not only as drivers of the continuation of conflict but also as an expression of the absence of wider political solutions to the causes of refugee flows. However, to what extent translocal connectivity and mobility can provide solutions, has not been examined widely.

In this section, we focus on different dimensions of translocal linkages and connectivity¹², including refugees’ mobilities after displacement, transnational family ties and related mobilities, financial and social remittances, transnational political relations and the role of information and communication technologies (ICT) in maintaining translocal connections. Reflecting the scope and nature of the available literature on which this review was built, this section is organised thematically. It does not aim at giving a comprehensive account of the literature on translocal connections in the four regions covered, but rather at distilling some dimensions relevant also for the wider TRAFIG project.

Translocal connections already play a role in the context of the first displacement of people. Overall, there is a tendency for refugees to choose the nearest possible destination and a place where others like them have gone in the past (Moore & Shellman, 2007, p. 32). For instance, Afghans have traditionally been a highly mobile population due to scarce economic opportunities within the country, resulting in seasonal labour migration, nomadism, long-term labour migration in neighbouring countries, pre-state trade and socio-economic relations with Persia and India (Silk Road) and religiously motivated migration. Different waves of displacement since 1979 have followed these paths (Monsutti, 2008; Rohani, 2014). In a similar

vein, temporary or seasonal migration has long been a necessity in the Horn of Africa, where many people rely on pastoralism for their livelihoods (Research and Evidence Facility, 2017). In such a context, kinship ties across international borders are often invoked to emphasise the normalcy of being hosted across the border, as research by Hovil (2007) demonstrates for the case of Congolese in Uganda.

3.1 Mobility patterns after displacement

The extant literature demonstrates that mobility constitutes an important dimension of displaced persons’ post-displacement trajectories. Yet, mobility options are often highly constrained, both in terms of internal movement and in terms of cross-border movement.

3.1.1 Urban vs. rural areas

Research on the Middle East shows that, where policies allow self-settlement, displaced populations often prefer urban areas (Earle, 2016). Post-displacement choices are influenced by previous knowledge, kinship, social networks, religion/denomination and security considerations (Knudsen, 2017a). In Lebanon, for instance, which maintains a non-camp approach for Syrian refugees, most Syrians have settled among poor (Sunni) co-religionists and other refugee groups such as the Palestinians (Knudsen, 2018).

Where policies restricting freedom of movement have been pursued, refugee settlements and/or camps have often been located in rural and border regions, such as in the case of Daadab or Kakuma camps in Kenya or settlements for Rwandan and Burundian refugees in Tanzania. While these policies have not necessarily prevented movement altogether, they do affect the lives of refugees, such as young Burundian refugees who move to Dar Es Salaam (Sommers, 2001). In a similar vein, while there are restrictions on leaving the Daadab refugee camp in Kenya, many Somali refugees (with the help of remittances) have moved to Kenya’s urban areas and de-facto integrated economically (Lindley & Haslie, 2011). Remittances have also allowed many to buy Kenyan ID cards, which permit freedom of movement and access to formal employment and higher education. However, these cards often come at a higher cost than anticipated, as these refugees have been excluded from the official resettlement process (Lindley & Haslie, 2011; Immigration and Refugee Board of Canada, 2016; Grayson, 2017).

12 For a conceptual discussion of transnationalism, translocality and connectivity see Etzold et al. (2019).

Research on refugees in the Horn of Africa has thus shown that closed camps do not prevent people from moving but increase the selectivity of mobility. Livelihood constraints and security considerations induce onward migration. Similar to the strategies Somali refugees have used to be able to move, Eritreans either bypass or leave refugee camps in eastern Sudan, using unofficial channels to acquire citizenship, ID cards and travel permits to exit the camps (Research and Evidence Facility, 2017).

Furthermore, multi-locality and splitting time (or the family) between the camp and cities is also an explicit strategy to spread economic risks. Grayson (2017) describes that families split up between the camp and the cities with wives and children staying in the camps to have access to affordable living and education while breadwinners, mostly men, work in the cities and send money back (Grayson, 2017). As Belloni et al. (2018) highlight, the capacity of women to stay put is the main enabling factor for men to engage in mobility. Mirroring Grayson's findings, Grabska (2014) describes how refugees who live in Nairobi and other cities in Kenya regularly travel to the Kakuma refugee camp to receive food rations and carry them back to the cities, using their anchoring in the city and the camps as a strategic device.

In the Afghan case, the government of Pakistan allowed Afghan refugees to move from the rural camps to cities in search for work and income after the World Food Programme (WFP) stopped providing food aid to Afghan Refugee Villages in 1995. By 2006, the camp population amounted to 45 per cent of the registered Afghans, whereas 55 per cent lived in towns and cities (SAFRON, 2007). However, the trend to settle informally in the cities, especially in Peshawar and Karachi, had been prevalent from the beginning of the 1980s onwards. Those who did not settle in AVR were usually neither registered nor included in the overall aid infrastructure for refugees.

Access to services is at the heart of the choice between settling in a refugee camp or in urban areas of Kampala. Even though the Ugandan government and UNHCR tend to promote settlement in the camps (Lyytinen, 2015), Uganda's Refugee Act of 2006 legally allows refugees to remain and work in Kampala, if they can prove self-reliance (Boer, 2015). The benefit of living in a refugee camp is that basic services such as food rations, non-food items, a plot of land, and less costly school fees are provided (Hovil, 2007; Stark, DeCormier Plosky, Horn & Canavera, 2015). Yet, there is greater individual freedom and more economic opportunities in the city.

Moving to Kampala thus constitutes a trade-off, as refugees are then left to fend for themselves (Clark-Kazak, 2014, 2011; Hovil, 2007). In Kampala, many refugees work in the informal sector as street vendors, in construction or porting (Stark et al., 2015). However, for francophone Congolese, despite their knowledge of Swahili, it was harder to find a job in Kampala,

where English or Luganda are the two most common languages. Many also reported that they faced discrimination (Dryden-Peterson, 2006; Stark et al., 2015).

Dryden-Peterson (2006, p. 385) summarises the benefits of moving to Kampala as "expanded employment opportunities, improved educational possibilities for themselves and their children, increased security through anonymity, and proximity to family, telecommunications, and resettlement opportunities" (see also Boer, 2015; Clark-Kazak, 2011; Ramsay, 2016; Russell, 2011).

3.1.2 Cross-border onward and circular movements

Onward and/or circular cross-border migration constitutes an important strategy to exit constrained situations in countries of first asylum.

One way of doing so is through resettlement. Even though resettlement is only an option for a minority of displaced persons, research on South Sudanese refugees has shown that where resettlement is seen as an option, people are discouraged from pursuing irregular migration channels (MGSoG, 2017). However, many South Sudanese refugees simply lack the resources to move on. The desire of those who have experienced family separation, where children and women have moved to safety to camps and men have stayed behind to look after their belongings or to fight, to return to South Sudan is another factor. Finally, favourable Ugandan refugee policies (the country hosts the largest number of South Sudanese refugees) have also been identified as another reason for not moving on. Resettlement also plays an important role in the imagination of Congolese refugees in Uganda (Boer, 2015) and in Kenya's Kakuma camp (Grayson, 2017), even if actual numbers of resettled refugees are small. Resettlement, in turn, may involve subsequent mobilities and new translocal arrangements (cf. Box 3 below)

As Lindley (2007) has demonstrated for Somali refugees, remittances play an important role in not only allowing displaced people to move out of Kenyan camps to Nairobi but also for their irregular onward movement to 'the West'. In a similar vein, 39 per cent of the Syrians interviewed for the 2018 MMS Report received money from relatives abroad to fund their journey to Europe (Mixed Migration Centre, 2018).

Circular labour migration between their respective receiving countries and other states in the region, including Israel, Kuwait or Saudi Arabia has been vital for Palestinian refugees, most of whom have remained in the region. However, restrictions of circular migration by Israel after the 1967 war, by Jordan after the 1970 clashes and by Lebanon after the 1982 Israeli invasion as a result of its war with the PLO, as well as after subsequent events, have reduced opportunities in the respective countries.

Box 3: Amani's story—An example of transnational family dynamics

Amani, 20 years old at the time of the research, was seven years old when her eldest sister Hélène married Nick. After the wedding, the couple took Amani to live with them in their home in Bukavu because Amani's parents could not support her, her five brothers and four sisters. Nick, on the other hand, was a human rights activist and Hélène was in petty trade, meaning that they were better off.

By 2004, increased insecurity and threats against Nick because of his work as a human rights activist led Nick to decide that the family should escape to Kampala—and that Amani should come with them. Amani registered as a dependent on Nick's refugee claim. In Kampala, living conditions were hard. The family did not have much money, and Amani was unable to attend school and, as she was supposed to do many chores in the house, did not have much opportunity to interact with others.

Nick decided to apply for resettlement, and in January 2007, the family was resettled to Canada. Amani moved with Nick and Hélène because they had registered her as their child on the resettlement application. From here, it was arranged that Amani would marry the youngest brother of one of Nick's friends—as such strengthening the bond between Nick's friend and his brother, Amani's new husband, however, were resettled to the United States. For this reason, Amani and her husband decided to live in a small border town on the Canadian side so Amani could fulfil her requirements to become a Canadian citizen while her husband could continue to work in the United States.

Source: Clark-Kazak (2011, pp. 101-112).

This has created incentives to move further afield; European countries, the United States and Chile were on the top of the list of destinations. This said, circular migration out of the West Bank for work or educational opportunities remains important (Lubbad, 2008).

Research on Congolese refugees in Uganda (Clark-Kazak, 2014) highlights their high degree of mobility: Before they even reached Uganda, many Congolese had already been in a state of protracted and multiple (internal) displacement for many years, especially in North and South Kivu (Beytrison & Kalis, 2013). In the search for safety within their own country, some might have sought refuge in other cities such as Goma or Bukavu or lived with relatives in the village (Lyytinen, 2013). Lyytinen (2013) found that many Banyamulenge had spent time in Burundi (in Gatumba camp) or Rwanda before they arrived in Uganda, and that yet others were planning to reach Tanzania, but were stranded in Uganda because of a lack of resources to travel further.

As Coates (2014, pp. 103–104) suggests, mobility choices may be highly strategic and circumstantial: In one case, a Congolese male unable to permanently escape the insecurity of Goma due to the large size of his family and the costs of relocation to Uganda, resorts to short-time economically motivated mobility between the two countries and travels to Uganda twice a month—paying for a US \$50 visitor visa each time—to buy goods and take them back for sale in Goma. In another example, Coates describes the case of a Congolese refugee who went to South Africa after being unable to find employment in Uganda, obtained refugee status and family reunification for his family there and returned to the Congo after several years when the situation seemed to stabilise. Following the repeated deterioration of the security situation after 2006, he returned to Uganda, this time on an ordinary visa, as he would not be able to move to and fro as a refugee, splitting his time between the DRC and Uganda.

The Syrian refugee crisis is unique in terms of the scale of—in part secondary—migration to Europe, which started in 2015. Unlike previous refugee crises, the Mediterranean refugee crisis was marked by the connectivity of refugees, migrants and smugglers alike. They used mobile phones extensively to connect with families at home and abroad and organised transfer to Europe by connecting with smugglers who, via mobile devices and social media (facebook) publicised their services and connected with potential clients (migrants). Advocacy groups also provided updated information on asylum and registration procedures to migrants on the move. Images of fatalities were also used to mobilise support for migrants and their plight (cf. Aiken, Einsporn, Greco, Landry & Navarro Fusillo, 2017 on the Alan Kurdi incident). The extensive use of mobile phones, mobile applications (WhatsApp, Viber) and social media has been widely documented, and detailed studies of mobile phone usage testify to its importance to migrants, but also that this information is triangulated with other information at their disposal (Dekker, Engbersen, Klaver & Vonk, 2018).

Although the large majority of displaced Syrians live in neighbouring countries, about one million have migrated to Europe. Germany was both the premier destination for refugees and received the largest numbers, while islands such as Lesbos, Malta and Lampedusa functioned as transit points along the route towards Europe (DeBono, 2016, 2013; Papataxiarchis, 2016).

3.1.3 Temporary and permanent returns

As becomes clear from the cases described by Coates (2014), return often needs to be understood as part of broader patterns of repeated mobility and temporary migration. Temporary return is sometimes necessary for retaining one's rights to land and property. Palestinians registered in the West Bank must return regularly to retain their right to residence there (Lubbad,

2008). Temporary return may also be necessary to navigate the policies of the neighbouring country of asylum. When Lebanon tightened the criteria and significantly hiked up the price of visa renewal in 2015, around 300,000 Syrian refugees were forced to cross the border between Syria and Lebanon at risk of being apprehended, to obtain a new residence permit, rather than renewing an existing one (BUSL, 2015; Amnesty International, 2014).

For many displaced people, physical visits to the country of origin are not easily possible in contexts marked by high degrees of control and continuing violence: Thus, although informal cross-border movements between Somalia and Kenya have become more frequent, refugees who live in Dadaab very rarely travel between Somalia and Kenya; indeed, 96.7 per cent of families never travel (IOM, UNHCR, 2014, p. 11). Many refugees in Dadaab have not been able to leave since they arrived in the early 1990s.

(Permanent) voluntary return is one of the three classical durable solutions. Research on Ugandan IDPs displaced by the insurgency of the Lord Resistance Army in the north of the country shows that while indeed a large majority of IDPs returned, aid programmes were phased out and the government initiated a recovery programme, it is unclear whether returning IDPs were indeed able to find a ‘durable’ solution (Both, 2017; Kwaks, 2018).

In the Horn of Africa, over four million refugees and IDPs returned to their areas of origin between 2006 and 2013, although this does not necessarily mean that they find durable solutions to their situation of displacement (UNHCR & World Bank Group, 2015). While the phenomenon in the region is generally not well researched, some studies give insights into the motivations and characteristics of return processes. In South Sudan, there seems to be a strong sense that people ‘return home,’ for patriotic considerations, wanting to contribute to building a viable and peaceful South Sudan. A study on Somali returnees found that three-quarters of returnees were living in a temporary shelter (UNHCR & World Bank Group, 2015; Samuel Hall Consulting, 2014). Among the coping mechanisms deployed by returnees was secondary migration back to sites of displacement.

In 2003, as part of Rwanda’s policy of citizen repatriation, it signed a tripartite agreement with Uganda and UNHCR to repatriate 25,000 Rwandan refugees from Uganda. Only 850 accepted to return and—upon arrival—many of them returned almost immediately to Uganda claiming insecurity and human rights violations (Ahimbisibwe, 2017). Between 2002 and 2009, 700,000 Burundians returned as a result of the signing of peace accords in 2000, subsequent ceasefires and changing regional and global asylum policies (Weima, 2016). Many perceived this return as a form of continual displacement and re-displacement within their own country (Purdekova, 2017; Weima, 2016).

Of the Somali refugees who lived in the Daadab camp in Kenya, following a 2014 return intention survey (IOM & UNHCR, 2014), only an estimated 2.6 per cent intended to return to Somalia within 24 months. Of those, Somali refugees who had arrived in the initial wave fleeing conflict in 1991 to 2001 expressed the least interest (compared to those who had fled drought in 2002 to 2007 and 2008 to 2013), as they had fewer (family) ties and knowledge about property or employment options in Somalia (IOM & UNHCR, 2014). Those who do intend to return already travel back and forth four times more than those who do not intend to do so, mainly to visit family, some to check in on property, agriculture or business (IOM & UNHCR, 2014). Nonetheless, between 1990 and 2005, an estimated one million refugees returned to Somalia voluntarily or by coercion (Lindley & Haslie, 2011).

The most detailed analysis in the Syrian context is the World Bank’s study of the mobility of displaced Syrians (2019), in particular, return-migration to Syria. The report finds that return to Syria has been very low: approximately 100,000 Syrians returned between 2015 and 2018. The highest returns are from Iraq (10.8 per cent of the refugee population), probably due to the difficult security situation in the border regions of Iraq. The study confirms that the primary factor determining return is the security situation in Syria. Single male Syrians are more likely to return. Within Syria, the access to services is determined by the displacement, destruction and disorganisation (3Ds) situation.

A recent study of return migration of Syrians from Lebanon (Mhaissen & Hodges, 2019) likewise confirms that the difficult conditions in the receiving country remain a significant push factor. However, voluntary return is significantly tempered by protection risks in their home country. For many, this means re-displacement and return to Lebanon, often saddled with additional debts. The same study also details the many threats to returnees that, in addition to general insecurity, include forced conscription in the army, post-return detention, arrest and extra-judicial killings. Refugees who have not heeded calls to return and register their homes, land and property (HLP), may have these expropriated by the government under Law No. 10 of April 2018 (Decrees 63 & 66), annexed (using Law No 19 of 2012 on counterterrorism), demolished or resold/redeveloped (Mhaissen & Hodges, 2019, p. 64). The deep social tensions and divisions also reflect the difficult conditions inside Syria that go along with a culture of fear, lack of accountability and a history of forced disappearances, extra-judicial killings and intimidation—all considerable disincentives to voluntary return.

Return can also be destabilising for individuals and a country as a whole. After the Rwandan genocide of 1994 and the subsequent victory of the Tutsi-dominated Rwandan Patriotic Army, an estimated one million Rwandan refugees, who had mostly been displaced between 1959 and 1962, as well as their

descendants, returned to Rwanda from neighbouring countries. While it was not felt immediately (due to the mass exodus of 1994), problems started to arise once those displaced in 1994 repatriated in larger numbers, particularly in terms of access to land and the restoration of property (Adelman & Barkan, 2011; Hilhorst & Van Leeuwen, 2000). The large-scale return of older cohorts of Rwandan refugees in itself reflects both real and perceived insecurity of older Rwandan refugees' in exile, despite their otherwise successful integration, including the acquisition of citizenship especially in Tanzania and Uganda. But it also reflects the Rwandan Patriotic Army's success in politically mobilising, and organising, its military operation against the then Rwandan regime and for return (Kraler, 2004).¹³

Return to at best tenuous stability has also characterised recent large-scale returns to Afghanistan in the context of significant structural constraints. These included the damage to marketing and irrigation infrastructure, loss of agricultural productivity, the inability of rural and urban economies (with the exception of Kabul maybe) to absorb large numbers of returnees and continued uncertainty over political stability at national and local levels. Governance failures like intervention-based economic restructuring attempts, high levels of corruption and political favouritism, absence of rule of law (e.g. land governance, justice, conflict resolution), discrimination of returnees according to ethnic and factional belonging, lack of service delivery in the reconstruction process (including security) and subsequent loss of the government's legitimacy against other locally ordering forces added to the adverse conditions for return and reintegration. Thus, repatriation is focused on few urban centres like the capital Kabul and Jalalabad, the border city to Pakistan and provincial capital of Nangarhar Province (UNHCR, 2017). Because of ongoing conflict, internal displacement has been increasing, and secondary displacement of returnees is not unusual given the vulnerable livelihoods. In addition, the incidence of secondary movement among the returnees who came back in 2013 is twice as high compared to those who returned in 2002, despite the fact that there were almost 50 times more returnees in 2002 than in 2013 (UNHCR, 2018b).

As research has shown, many diaspora-Somalis who returned to Somalia possess a secure residence status or citizenship in their country of emigration (Hammond, Awad, Dagane, Horst, Hansen, Menkhaus & Obare, 2011). They are hence able to leave Somalia again when the security situation deteriorates.

3.2 Translocal family dynamics

Displacement often involuntarily splits families (Grayson, 2017; Lyytinen, 2013). At times, families choose to separate to spread the physical and economic risk. In the case of South Sudan, women and children often cross the border on their own or are accompanied by their male family members, who, having ensured their family's safety, return to look after their property or to fight (MGSOG, 2017). To spread economic risk, families split up between the camp and urban areas. Breadwinners, usually men, work in cities and wives and children stay in camps with access to affordable services and education (Grayson, 2017).

Laws and policies of countries of asylum may also create a legal divide between family members. Due to pre-existing tribal linkages across the border, mixed marriages between Afghan and Pakistani citizens were common even before the mass Afghan displacement. However, Afghan spouses in mixed marriages face severe legal and administrative hurdles under Pakistan's Citizenship Act. This includes restrictions on marriage and birth registration. Furthermore, while a child of a Pakistani father receives Pakistani citizenship, the Afghan mother does not. A similar restriction applies in Iran, where children of non-Iranian fathers are denied citizenship, thus making them stateless (Abbasi-Shavazi & Sadeghi, 2011; Alikarami, 2016; Rohani, 2014).

In several displacement contexts, family reunification is often not possible. The second most common reason for Palestinians to return to the West Bank for is for marriage, even though Israel rarely permits family reunification at all, nor allows a spouse or children to travel to the West Bank for family reunification. As a result, there are three possible family dynamics in the West Bank: 1) living separately, where the spouses live apart and the children live with one of the parents; 2) maintaining a truncated family life and spending time with their spouse only during visits to the Occupied Territories, which are short and subject to Israeli approval; or 3) moving elsewhere, abandoning their home, parents, and homeland. This policy has compelled tens of thousands of Palestinians to live apart, which causes emotional problems and strain on mental health (B'Tselem, 1999).

3.3 Translocal economic dynamics

3.3.1 Connectivity and access to livelihoods

Restrictions on mobility severely limit refugees' ability to engage in their livelihoods effectively. In particular, those who live in camps are reported to have low levels of self-reliance regardless of their literacy rates. A lack of mobility limits refugees from running their own business pushing them towards being employed by the receiving community and only engaging in petty trade (Samuel Hall Consulting, 2019; Ruauudel &

¹³ Kraler (2004) quotes a survey conducted in Tanzania in 1991/92, shortly after the Rwandan Patriotic Army's first abortive invasion of Rwanda in October 1990, which concluded that return had ceased to be an issue, which in hindsight turned out to be a miscalculation.

Morrison-Métois, 2017). This also applies to situations of IDPs, who, with a far higher percentage of those who are displaced, engage in seasonal and daily labour (supplemented where possible by labour migration), in comparison to those restricted to the camps (Young & Jacobsen, 2013).

This is even further exacerbated where there is a lack not only of mobility but also of connectedness. Social networks are strongly correlated with employment, well-being and integration (Ager & Strang, 2008; Stevens, 2016; Wall, Otis Campbell & Janbek, 2017). In Ethiopia, a lack of social and business connections to communities outside the camps or limited connection to the urban markets within the camps results in limiting available jobs to the construction sector, petty trading or with NGOs and refugee-serving organisations (Research and Evidence Facility, 2017; Samuel Hall Consulting, 2014).

A further plunge towards marginalisation and vulnerability occurs where there is a collapse of social networks not only with the local population but also among the refugee group itself, as research has demonstrated to be the case with Syrian refugees in Irbid, Jordan. This lack of internal, translocal and transnational connectedness manifests itself by a lack of remittances and the fact that the most vulnerable refugees in the community resort to the informal credit (*wasta*) system (Chehade, Navarro & Sobol, 2017; Stevens, 2016; Wall et al., 2017).

Being near, among and connected to the local population facilitates trade and livelihood opportunities for the local and refugee communities. Such opportunities include refugees being employed by the local communities (Enghoff, Hansen, Umar, Gildestad, Owen & Obara, 2010; Samuel Hall Consulting, 2019; Ruaudel & Morrison-Métois, 2017) and vice versa (Grabska, 2014).

3.3.2 Remittances

Remittances can constitute an important source of income for many displaced people. However, they are also a source of stratification, reflecting class, ethnic and other lines of stratification amongst remitting diaspora communities (cf. Hanifi, 2006, p. 103 on the Afghan diaspora). As a result, remittances received can differ greatly both between different families and different localities. Thus, a 2013 study on Somali refugees living in Kenyan and Ethiopian camps found that less than one-fifth of households interviewed said that they were receiving remittances, either as cash or, to a lesser extent, food (Grayson, 2013).

According to a 2011 study by the United States Bureau for Populations, Refugees and Migration (PRM), more than one-third (37 per cent) of refugees in the Dadaab camp said that they received remittance support. In contrast, a 2016 Refugee Household Vulnerability Study on the Kakuma camp found that only six per cent of households stated that they received remittances (Guyatt, 2016, p. 17).

Often, refugees do not have access to formal financial services such as bank accounts or credit, due to a lack of proper identification papers, distrust of the formal banking system, or a lack of access to formal financial institutions in rural areas (Norwegian Refugee Council, 2015; Tobin, 2019b; Chehade et al., 2017; IOM, 2014). Credit, remittances and other financial transactions are thus performed via semi-formal or informal services such as mobile fund transfers and the Informal Value Transfer Systems (IVTS) (Norwegian Refugee Council, 2015) such as the *hawala* system of intermediary brokers. In East Africa and the Horn of Africa, the local population and refugees use mobile money services such as the Kenyan M-PESA system. These systems, too, have limitations. For instance, a lack of telecommunication network for mobile-based transfers, such as experienced by refugees in some Ethiopian camps, hampers the receipt of remittances (Hammond, 2011). The cost of sending money often is a major limitation. For instance, using the *hawala* system to send money to Syrian IDPs is relatively cheap from Jordan but very costly from Saudi Arabia. Similarly, the Pakistan–Afghanistan remittance corridor is one of the most expensive worldwide.

Of all the economic coping strategies utilised by refugees, remittances are the best researched. However, even this research is quite limited because remittances are more commonly studied in the context of economic migration rather than displacement (World Bank Group, 2016), not to mention that it is impossible to distinguish flows by refugees and migrant workers. Remittances amongst Somali refugees have been the most researched among the Horn of Africa countries. Even so, little to no data exists on internal remittance flows (ACP Observatory on Migration, 2011), nor on the role remittances play for IDPs.¹⁴ Nonetheless, remittances have been identified as an essential factor in strengthening resilience and reducing vulnerabilities of IDPs, particularly in camps (Bryld, Kamau & Sinigallia, 2014). Refugees in camps also receive remittances and it appears that those who have been living in the camps for longer are more likely to be recipients of remittances (Grayson, 2013).

Remittances are often used to improve educational and professional development. For Palestinians, education is the primary motivator of mobility and the sending of remittances. Palestinians abroad have been a major source of assistance for recipients to complete higher education. Thus, 82 per cent of those with higher education received assistance from relatives abroad.

¹⁴ For instance, there is a clear record of remittance inflow into Syria before the Syrian conflict (2010). Since then, that figure has been repeated over the civil war period suggesting a lack of data (KNOMAD, 2019). Cf. Howe, Krystalli, Krishnan, Kurtz, & Macaranas (2017) detailing how Syrians adapted their livelihoods within Syria during the conflict, including access to cash, capital and the role of loans and remittances.

Remittances are used to support livelihoods. Thus, families who received remittances in Kenya had a significantly better level of food security (TANGO International, 2011). Those who received remittances regularly used them to cover living expenses (Lindley, 2007). Remittances that were received only occasionally were used in times of particular need such as when other livelihood strategies collapsed, serious health or other issues (Lindley, 2007). Where there is more than one ‘investor’, remittances have been used to start businesses (Guyatt, 2016; Lindley, 2007). To illustrate: For most Afghan families in Pakistan, the majority of remittances from the United States is used to keep the family ‘alive’. In 2006, 68 per cent of respondents used remittances from the United States as a vital source of income for food, clothes and medicine. Others used remittances as an emergency buffer to pay for ceremonies or repay loans. Only 11 per cent of respondents used their remittances to invest in a business or education (Hanifi, 2006).

Remittances can be received from many sources. On the whole, remittances are received from refugees who ‘enjoyed’ mobility outside of camps and beyond (for instance through regular migration such as resettlement, or irregular onward movement for protection and/or labour motives). Thus Somali refugees in Kenyan and Ethiopian refugee camps received monthly remittances from relatives in the United States, other Western countries, Kenya itself (for instance its cities) (Lindley, 2007) and even, in a few instances, from Somalia (Grayson, 2013).

Afghan refugees in Pakistan and Iran provide a good comparison. Due to restrictive Pakistani policies, most Afghans in Pakistan work in low skilled, low wage jobs (World Bank Group, 2019). There is, therefore, little capacity for Afghans in Pakistan to earn beyond the mere subsistence level (Kronenfeld, 2011; Sanchez, 2018). It is telling that while Afghans in Afghanistan receive around one-third of their remittances from Pakistan and Iran, Afghans in Pakistan are themselves beneficiaries of remittances from OECD and Gulf countries (IOM, 2014).

A study by Grayson (2017) on Somali refugees who live outside the region has found that among them there is a strong expectation that they send remittances to those who remain in camps. All those interviewed actually sent remittances. This places a substantial burden on refugees outside the region, impedes their chances of pursuing education or training opportunities, has a negative impact on their basic spending, forces the remitters to take on more than one job and to incur debts (Grayson, 2017; Hammond, 2011; Lindley, 2007). Nonetheless, remittances are seen by the Somali diaspora as a way to maintain transnational ties with the region (Horst, 2007). Parents of the diaspora teach their children on the social practices of how to remit money (Hammond et al., 2011).

3.4 Translocal political engagement and “political remittances”

Refugees and political groups of the diaspora can play an important role, both negative and positive, in respect to their home countries and in relation to their own displacement, for instance by lobbying for political settlements allowing their return or mobilising against their home country to force their return.

Against the image of diasporas, in particular in political debates on migration and development as relatively united and almost intrinsically capable of acting as a collective actor, Sinatti et al. (2010) highlight the fragmented nature of diasporas, both politically and socially. Unified diasporas such as the Eritrean diaspora during the Eritrean war of independence and the first years of independence as described by Hirt (2014) or the Rwandan ‘old’ diaspora that reuniting behind the Rwandan Patriotic Front (Kraler, 2004; Prunier, 1998) are exceptions rather than the rule. The Eritrean diaspora, through feelings of belonging and national identity fostered by the Eritrean People’s Liberation Front, remained essentially united until the end of the Ethiopian–Eritrean war (Hirt, 2014). After the war, the diaspora fragmented to pro and anti-government supporters as well as a variety of civil society and human rights groups (Hirt, 2014). The Somali diaspora is organised along regional, clan, socio-economic, religious, gender, generational and political lines (Erdal & Horst, 2010; Bjork, 2007). Thus, while some of the wider diaspora community members supported and engaged in peace talks in Somalia, a different section of the Somali community facilitated conflict by funding groups like Al-Shabaab (Hammond et al., 2011). A similar pattern can be observed in the Afghan diaspora. Divisions along ethnicity, class, gender, location/region of origin and ideology are further intensified in exile, especially by economic, material and social remittances (Hanifi, 2006). This has resulted in a lack of successful, broad-based, cross-party genuine initiatives from the Afghan diaspora that go beyond individual groups’ initiatives (Naby, 2004; Meininghaus & Mielke, 2019).

Political engagement of diaspora groups in home countries often reflects the volatile nature of politics and ongoing conflicts there. Refugee communities then are often directly implicated in violence. Fiona Terry (2002) has shown the role of refugee camps in Thailand, Pakistan and the DRC as sanctuaries and a resource for armed factions in ongoing conflicts in Cambodia, Afghanistan, Rwanda and the DRC, and the complicity of humanitarian aid in fuelling the ‘refugee warrior’ phenomenon. In a similar vein, Mielke and Miszak (2017) argue that Afghan refugees in Pakistan could seldom escape the influence of radicals as they were ideologically bolstered with radical worldviews of their jihadi leaders’ politicised Islamic attitudes, *madrasa* curricula, school textbooks from Saudi Arabia, and ideologised school materials from other donors.

These forms of aid, channelled through major mujahidin parties that controlled specific camps in Pakistan, was a major contributing factor to radicalisation (Ghufran, 2011).

Major divisions between refugee groups, however, may also stifle translocal political engagement. Thus, Congolese refugees in Uganda remain divided along ethnic lines, suspicious and fearful of members of other Congolese communities (Clark-Kazak, 2011; Zakaryan & Antara, 2018; Russell, 2011; Lyytinen, 2017a). In addition, external factors stifle any potential political engagement by this diaspora community. Considering Uganda's role in destabilising the DRC by supporting various rebel groups during both Congo Wars (and allegedly after), some refugees fear they could be seen as collaborating with a hostile foreign entity if they were to attempt to engage in Congolese politics while hosted by Uganda (Zakaryan & Antara, 2018). These sentiments, in turn, limit mobility, especially for voluntary repatriation and further undermine inter-community trust (Zakaryan & Antara, 2018).

Moreover, in the case of Uganda, it was reported that UNHCR discouraged refugees from 'talking politics' (Clark-Kazak, 2014). This, together with restricted mobility and freedom of association in the camps, as well as limited communication and transportation infrastructure, led to decreased political activity (Clark-Kazak, 2011).

Nonetheless, there is political engagement by refugee run NGOs and community-based organisations in countries of asylum that advocate for refugee rights (McQuaid, 2016) and that work to re-connect distrustful communities. For the Congolese communities, these include rights groups (McQuaid, 2016; Lyytinen, 2017b), churches (Lyytinen, 2017b; Russell, 2011), music bars (Russell, 2011) and institutions (Lyytinen, 2017b; Dryden-Peterson, 2006).

3.4.1 Transnational engagement of the wider diaspora

The literature reviewed suggests a relationship between citizenship rights, economic resources and connectivity, allowing a higher degree of political and civic participation than in the case of communities "closer to home".

Thus Hammond et al. (2011) find that many local NGOs in Somalia were started or are managed by those who returned from North America and Europe, while half of Somalia's 26 cabinet members were returnees (for similar developments in Afghanistan, see Hanifi, 2006; for South Sudan, see Barnes et al., 2018). In Somalia, local NGOs have been found to be the main recipients of donations for relief and development from the Somali diaspora. Over one-third of local NGOs included in a survey reported that they have connections to diaspora organisations, and diaspora representation on the boards of directors is very high (up to 82 per cent in south/central Somalia) (Hammond et al., 2011).

The literature on the role of the wider diaspora in development and humanitarian aid reveals that activities usually include a focus on the vulnerable and (mostly) internally displaced populations in the country of origin rather than those who are displaced in the region (Hammond et al., 2011). This is particularly the case, where international humanitarian organisations have suspended their operations due to insecurity (Hammond et al., 2011). Members of the wider Somali diaspora community expressed their preference for funding Somalis in Somalia rather than in the region, including in refugee camps. The reasons given were a preference to invest in Somalia, the higher price of funding people in the region compared to Somalia and the perception that the needs of people in refugee camps are met by the international community (Shandy & Das, 2016). Rather than investing in the physical infrastructure of refugee camps in the region, members of the wider Somali diaspora generally assisted refugees through financial remittances, preferring to support knowledge transfer in matters of education, health and technology as well as support intended return to Somalia (Shandy & Das, 2016). Afghan humanitarian and development associations in Germany have been found to focus on health, education, social affairs, cultural activities, religion, environment and technology, sports, politics and integration (Daxner & Nicola, 2017).

The greater access to Western governments regarding events in countries of origin, place diaspora groups in a more powerful position (cf. Schmitz-Pranghe, 2010 on the Eritrean and Hammond et al., 2011 on the Somali diaspora). The Palestinian wider diaspora has lobbied governments and businesses to boycott, divest and sanction Israel and products of Israeli companies (Ananth, 2013).

Another of the key areas of the wider diaspora engagement are peace talks and conflict resolution, as well as post-war reconstruction and rehabilitation—a potentially important factor in contributing to ending protracted displacement situations (Hammond et al., 2011). Members of the Somali diaspora community supported peace talks by providing financial and other support to local administrations at municipal and regional levels, either directly or through local NGOs (Hammond et al., 2011). For instance, in Puntland and Galmudug (an autonomous region in central Somalia), the diasporas were main stakeholders in peace negotiations and provided funds for holding peace conferences and mediation efforts of inter-clan and intra-clan conflicts, resulting in several peace agreements between (sub)clans (Hammond et al., 2011).

Mielke (2019) argues that Afghan diaspora's engagement has not been as systematic, unified or strategic as the activities of Kurdish, Armenian, Palestinian, Jewish and other diaspora groups. Besides the political particularism and divisive identities characteristic of Afghan society, part of the reason might also be the Cold War context and interpretation frame for the initial war that characterised the conflict thereafter and

presented the global Afghan refugee community as victims whose patrons (the Western representatives of liberalism and democracy and later liberal peace) would manage, facilitate and determine the political affairs and future of Afghanistan. One exception, she notes are the activities of the royalist faction around the exiled Afghan King in Italy, whose so-called Rome group was part of the 2001 UN Talks on Afghanistan in which the post-Taliban dispensation was negotiated (but compare Meininghaus & Mielke, 2019 regarding recent peace initiatives of Afghan groups in Germany).

Wider diaspora engagement is, however, not always welcomed. Countries of origin place restrictions on foreign (including diaspora) funding for civil society organisations (Nimo-Ilhan, Frankenhaeuser, Noack & Schlaeger, 2012; Warnecke, 2010). Alternatively, development organisations limit their collaboration with the wider diaspora from conflict-driven countries as a response to widespread concern regarding their political entanglement and high level of fragmentation (Sinatti et al., 2010). Thus, the wider diaspora organisations, for instance from Ethiopia, can only engage in less contested issues related to development, reconstruction and humanitarian aid and only indirectly engage in activities that relate to democratisation, human rights and peacebuilding (Hoehne, Feyissa, Abdile & Schmitz-Pranghe, 2010; Warnecke, 2010).

In her study of the Eritrean diaspora, Schmitz-Pranghe (2010) shows how the political engagement of the diaspora collapses in the face of post-Independence policies adopted by the authoritarian government.

3.5 Social remittances

The term "social remittances", coined by Peggy Levitt, was introduced to demonstrate that migrants send more than monetary remittances (cf. Levitt & Lamba-Nieves, 2011). Social remittances can be defined as the ideas, behaviors, identities and social capital that flow from the receiving- to sending country communities. There seems to be relatively limited literature on 'social remittances' in a refugee context. However, as Flores (2008) suggests for the Palestinian case, due to the extremely limited mobility of Palestinians, the 'cultural' or 'social' remittances play a vital role in Palestinian refugees' lives and livelihoods. Batool (2015) notes, in particular, the role of cultural production and the arts.

Grabska (2014) has shown how the experience in Kakuma camp, as well as access to global communication, technology and through contacts with resettled communities in Europe, the United States and Australia, has changed the way of doing things among the South Sudanese Nuer communities. This concerns, for example, the use of modern technologies as well as Western clothing.

Hansen (2014) demonstrated that returnees to Somaliland have played a significant role in transferring ideas and knowledge from 'the West' and raising issues relating to human rights, minority rights, good governance, the environment and the position and role of women in the society (Hansen, 2014).

Box 4: Transformed gender relations among South Sudanese refugees in Kakuma camp

Grabska's (2014) study "Gender, Home & Identity: Nuer Repatriation to Southern Sudan" describes the experience of young southern Sudanese who have returned to their communities of origin in southern Sudan and how their life in the refugee camps has transformed their identities and gender roles. The study shows that women from privileged social groups were more likely to be displaced to Kenya and Ethiopia, while those with a lower status were displaced within Sudan, mostly around Khartoum. Those displaced across the border had access to (limited) education, which increased their social position vis-à-vis men and women who had stayed behind. Those who lived around Khartoum were also confronted with Islamic norms and codes, which shaped gender relations of the mostly Christian Nuer in a more conservative way.

The study illustrates how the perception of "being modern" of the southern Sudanese refugees changed during their experience in the refugee camps. For youths, this meant going to school, engage in the community, church and to learn about women's and children's rights, which altered their status in the community. "Because of the UN, school and church, Nuer in Kakuma became different. We are somehow 'modern' like you, civilised and pro-women" (quote from a Nuer boy, see Grabska, 2014, p. 65).

For girls and women, the camp offered the possibility of education, even though only 11 per cent of those attending secondary school were female. Furthermore, the camp's programmes on women's rights and gender equality created images of gendered modernity. To some extent, men took over domestic tasks due to a lack of female relatives, and this behaviour was respected by other male refugees, but this often changed after return under the influence of local masculinity ideas. In that sense, Kakuma represented an extra-territorial space that transformed some gender and social relations. Nevertheless, this not only opened new possibilities for girls and women, it also resulted in a more articulated gender ideology of girls' subordination and power asymmetries.

Grabska (2014, p. 66) states that the "encounter between the 'localised and de-territorialised refugee' and global UN humanitarianism which, combined with diasporic connections created through resettlement programmes, has opened new possibilities for change, so-called development, progress and empowerment".

In the case of Uganda, many authors argued that there was no real ‘Congolese community’ because of the widespread mistrust between different groups discussed earlier, which limits the formation of associations linking different diaspora groups and their hometowns (cf. Lyytinen, 2017a). It was rather another actor that circulated ideas and practices specifically among the Congolese refugees in Uganda—the church. Lyytinen (2017a) and Russel (2011) reported that in this context, people were better able to trust each other. It can be argued that the activities of some Pentecostal churches in Uganda constitute a form of ‘social remittance’ because they were run by members of the Congolese diaspora, sermons were held in French or Lingala were adjusted to the specific hardships and experiences of Congolese refugees in Kampala.

Another example is that of several Congolese bars in Kampala that, according to Russell (2011), were an important meeting point for Congolese refugees who could listen to rumba Lingala and as such remember their homes and temporarily forget about their current hardships. In a completely different setting, but similar to the Pentecostal churches, guests experienced a sense of home and community in these places and as such a relief from mistrust (Russell, 2011).

3.6 Summary: The role of mobility and connectivity

This section has demonstrated that mobility and connectivity can play an important role in displaced persons’ trajectories and livelihoods. While geographical mobility often responds to particular constraints, it also opens new opportunities. By and large, the literature seems to support the TRAFIG project’s hypothesis that mobility and connectivity can help to cope with protracted displacement situations. Research analysing receipt and use of remittances, for example, has shown how important remittances are for covering basic expenses. For some contexts, the reviewed literature has also demonstrated that displaced persons may also find more durable solutions for themselves by engaging in mobility and connectivity.

At the same time, the literature reviewed for this section suggests that both mobility and connectivity have a stratifying effect, and so do policies that promote or hinder the development of such connections.

Importantly, ‘connections’ can have both enabling and constraining effects. As research on the politics of displacement and diaspora mobilisation has demonstrated, refugees are often deeply implicated in ongoing conflicts, in both positive and negative ways. What different sections of any particular refugee population consider a ‘solution’ to both their predicament and any political project they subscribe to may radically differ from the solutions proposed by humanitarian agencies.

There are some noticeable gaps in research. Apart from limited knowledge about remittances, there is little systematic research on the impact of access to resettlement or family reunification on wider family networks or communities. In a similar vein, there is limited research on the relation between family migration policies and family patterns in a transnational setting and the context of displacement.

Conversely, policymakers—largely following an individualistic logic—seem to ignore the impact of their policies (whether on resettlement or family reunion) on those left behind. This suggests that there is a more fundamental gap between what may be important as a resource (and solution) on an individual level and what is considered as a relevant solution on an aggregate and political level.

Conclusions

This *working paper* has shown that the search for solutions for longer-term refugee situations has been a key driver for the evolution of the international refugee protection regime ever since the emergence of an embryonic system of international refugee protection in the interwar period. The emergence of protracted displacement as a specific policy problem, however, is a consequence of a series of interrelated developments that occurred later. These included

- the globalisation of the international refugee protection regime in the 1960s and 1970s,
- the growth of the global refugee population,
- the changing availability of classical durable solutions to these new refugee populations, including the non-availability of resettlement through regular legal migration routes for most non-European refugees and the highly selective availability of alternative avenues to resettlement,
- the increasing reluctance of main receiving countries in the Global South to provide more than temporary solutions for refugees and
- the increasing funding challenges faced by UNHCR and other agencies to finance ‘care and maintenance’ of refugees in situations of long term exile.

From "solutions" to "durable solutions"

It is only recently that “solutions” have crystallised around the notion of “durable solutions” and the conventional triad of (voluntary) return, local integration and resettlement. The origin of this triad can be traced back to the late 1940s when it gradually became clear that neither repatriation nor resettlement was a viable option for significant numbers of displaced persons in post-War Europe. Local integration in that context was promoted out of necessity, rather than choice, and despite the often challenging environment in receiving countries. At the same time, resettlement was understood in much broader terms than today, denoting different types of assisted mobility of refugees to third countries, rather than the relocation of particularly vulnerable groups, as resettlement is understood today.

The term “durable solutions” is of more recent origin and has been used more frequently since the late 1970s. Paradoxically, its use multiplied in parallel with the appearance of the concept of “protracted refugee situations” in UNHCR from the late 1990s onwards, that is, at a time when there was a growing awareness that durable solutions were out of reach for a growing number of displaced persons across the world.

Beyond the three classical durable solutions

In a historical perspective, efforts to resolve protracted displacement are diverse and highly context-dependent, devised in response to both domestic and international constraint and vary depending on opportunities and challenges in particular situations. Fridtjof Nansen’s reliance on a “bottom-up” approach, capitalising on refugees’ own preferences and abilities and involving different approaches to make refugees self-reliant thus partly was a strategy adopted to overcome the absence of multilateral humanitarian or development aid at the time and the limitations of relief provided by voluntary organisations. Mobility in this context was pushed to achieve refugee’s self-reliance. The so-called Nansen passport became an important instrument to realise mobility and attain the overarching objective.

Understanding resettlement

As the *paper* has shown, the resettlement of refugees from mainly European to other destinations in Europe and overseas was an even more important tool to resolve displacement situations after World War II. In relative terms—measured in terms of refugees resettled each year—resettlement peaked in the immediate post-War period, with around one million persons resettled between the onset of large-scale resettlement in 1947 and 1951. The resettlement of Indo-Chinese refugees, based on a political initiative to resolve displacement and restore asylum, was the second-largest effort in relative terms (see Figure 2, p. 11). The resettlement of Syrians—the single largest contemporary resettlement effort—never attained the same scale. One key difference between historical resettlement and contemporary resettlement efforts are the different objectives: Historically, resettlement was driven more by opportunities available to a select number of refugees to settle elsewhere and find employment than by the unavailability of local integration in the first receiving country, even if that had been an alternative.

Camps and other place-based fixes

Camps have recurrently been used as a “spatial fix” (David Harvey) and as a means of containment. As evidence discussed in this paper shows, encampment severely limits opportunities. Basic social infrastructure established in camps, however, can also be a resource, engendering translocal strategies of displaced persons, splitting time (or families) between camps and urban areas.

In parallel to a shift towards encampment in many, and most recently in European, contexts, the promotion of return has increased, often accompanied by direct or indirect force. In many cases, such semi-voluntary returns result in secondary displacement or remigration, calling into question return as a “durable solution”.

Mobility and connectivity as a resource for displaced persons

By and large, the literature supports the TRAFIG project’s hypothesis that mobility and connectivity can help refugees cope with protracted displacement. Research that analyses the receipt and use of remittances, for example, has shown how important remittances are for covering basic needs. In some cases, there is evidence that displaced persons who engage in mobility and connectivity may also find more durable solutions for themselves. At the same time, the literature suggests that mobility and connectivity have a stratifying effect, and so do policies that promote or hinder the development of such connections. This increases the gap between those who have access to mobility or translocal networks and those who do not.

To what extent these largely individualised strategies can also provide pathways to “durable solutions” more widely and deployed by policymakers and humanitarian agencies, is one of the questions addressed by TRAFIG’s empirical research.

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LIST OF ACRONYMS AND ABBREVIATIONS

AVR	Afghan Refugee Village
ENP	European Neighbourhood Policy
EU	European Union
GRC	Geneva Refugee Convention
ICARA	International Conference on Assistance to Refugees in Africa
ICEM	Intergovernmental Committee for Migration
IDP	Internally displaced person
IGCR	Intergovernmental Committee on Refugees
IOM	International Organization for Migration
IRO	International Refugee Organization
PICMME	Provisional Intergovernmental Committee for the Movement of Migrants from Europe
UNDESA	United Nations Department for Economic and Social Affairs
UNHCR	United Nations High Commissioner for Refugees
UNRRA	United Nations Relief and Rehabilitation Administration
UNRWA	United Nations Relief and Works Agency for Palestinian Refugees in the Near East

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TRAFIG provides academic evidence on refugee movements and protracted displacement; analyses which conditions could help to improve displaced people's everyday lives and informs policymakers on how to develop solutions to protracted displacement.

Partners

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