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Voluntary Return of Refugees: Chances for Peace and Sustainable Development?

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Recommendations

\ Understand return as a new beginning

Return does not mean that displaced persons will return to exactly the same place from which they fled. It is less the end of a cycle but rather a new beginning: that of reintegration.

\ Perceive post-conflict situations as a transitory process

A post-conflict situation cannot be equated with the end of all conflict. When developing concepts, one should rather take into account that a post-conflict situation is often a transitory situation in which significant levels of violence continue to exist.

\ Pay attention to internally displaced persons (IDPs)

IDPs often find themselves in protracted situations and are exposed to the same risks as refugees. More advocacy is needed to protect and support IDPs.

\ Include the voices and skills of the displaced

The sustainability of return and peace is determined to a large extent by the participation of refugees and IDPs. It is therefore essential to actively include these populations in the strategic planning and implementation of return processes and to address their concerns and use their skills.

\ Bring together relief and development efforts

Return and reintegration projects are usually based on a short-term approach prioritising emergency relief. Yet the negative spiral of violent conflict and displacement can only be halted by an approach in which relief and long-term development efforts are co-ordinated.

\ Do not set local integration and return processes against each other

The experiences and skills gained by the internally displaced in the host region can ease the process of return and have a positive effect on sustainable reintegration.

Voluntary Return of Refugees: Chances for Peace and Sustainable Development?

Civil wars, such as in Syria, Afghanistan and Iraq, are central triggers of refugee movements. Numerous citizens of countries affected by civil war are currently seeking refuge in Germany and Europe.

As there is no quick solution to many of these wars, a great number of displaced people find themselves in protracted situations, i.e. their displacement has lasted for more than five years.

By the end of 2014, 6.4 million refugees found themselves in protracted situations, and the numbers are rising. Many situations have persisted for over 20 years (see figure 1), such as in Afghanistan, Pakistan, Sudan, South Sudan, the Democratic Republic of the Congo (DRC), Rwanda, Burundi, Myanmar, Colombia and Somalia. In order not to prolong these situations further, solutions have to be found. Not least because the failure to address situations of protracted forced displacement may undermine the stability of peace processes.

Return presents one possible way of resolving such situations. But what does return entail? What are the preconditions for successful return? And how can return be a solution for protracted situations of forced displacement? This *Policy Brief* provides some first answers to these questions and points to aspects that must not be ignored when returning people affected by protracted forced displacement.

Return: A process rather than the end of a cycle

During the last 20 years, over 18 million displaced persons have returned to their country of origin. In 2014, this included 126,800 refugees and roughly 160,000 IDPs. Upon their return, however, IDPs and refugees do not necessarily go back to the exact same place from which they have fled. Instead, they may settle in an entirely new area within their country of origin. This can depend, for example, on the level of destruction of their former home, on property rights and land availability. Consequently, return cannot be regarded as a simple reversal of displacement.

Displacement does not end with the return of displaced persons—rather it devolves into a process of reintegration that includes physical, legal/material safety and reconciliation. Return, in other words, should be understood as a complex process that involves various stages and dimensions.

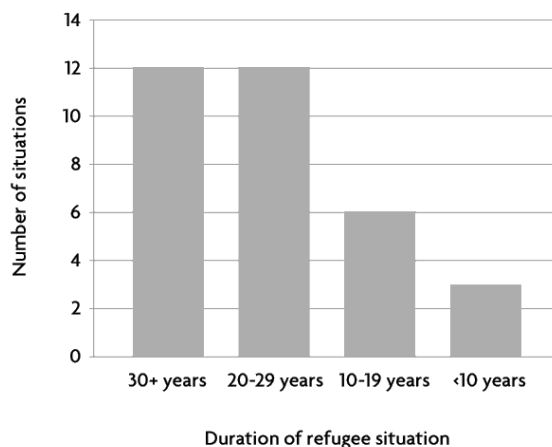
Indeed, the organised, top-down approach of so-called repatriation is not the only form of return. Due to spontaneous return, the actual number of returnees is often higher than the number recorded by aid agencies. This leads to problems regarding the distribution of aid and deprives unregistered returnees of assistance.

The principle of non-refoulement guarantees that return is voluntary—this means that displaced persons are able to exercise choice. Yet they may have no desire to return after the end of a conflict, because

- \ they belong to a minority group that still risks certain forms of harassment and discrimination,
- \ the degree of destruction in the place of origin is so large that opportunities to secure a livelihood are minimal or non-existent,
- \ the circumstances that originally led to their forced exit were traumatic,
- \ they lack capital,
- \ they have close ethnic ties within the host society, or
- \ they have better access to livelihood opportunities in the host area.

Generally, policymakers expect displaced persons to return to their home communities when conflict ends. However, conflict situations frequently undergo a transition without clear-cut boundaries and often re-ignite into open violent confrontation. Return therefore frequently takes place in a situation of ongoing conflict. In order to analyse and respond adequately to these situations, it is necessary to overcome the classical division between pre-, actual, and post-conflict situations and recognise the cyclical re-emergence of conflict.

Figure 1
Number and duration of protracted refugee situations



Source: UNHCR, 2015, *World at War: Global trends, Forced displacement in 2014*.

Protracted displacement and conflict often go hand in hand. In countries like South Sudan, Afghanistan and the DRC, whole generations have grown up within a virtually permanent context of violence. Indeed, protracted conflict also means that the traumatising experience of loss is repeated over and over again: houses are burnt, livestock killed, harvest lost, stock looted, household items stolen, money and goods given to armed groups in order to save lives or to spare children from recruitment. Resources and opportunities to re-establish livelihoods diminish after each incident. The international community must address this negative spiral of protracted refugee situations with adequate solutions if lasting deterioration and spill over effects are to be avoided.

Pay attention to internally displaced persons (IDPs)

The number of persons who have been internally displaced is three times higher than that of those who have crossed an international border (see figure 2). Still, IDPs are often ignored in the debate on durable solutions and protracted situations. The situation of

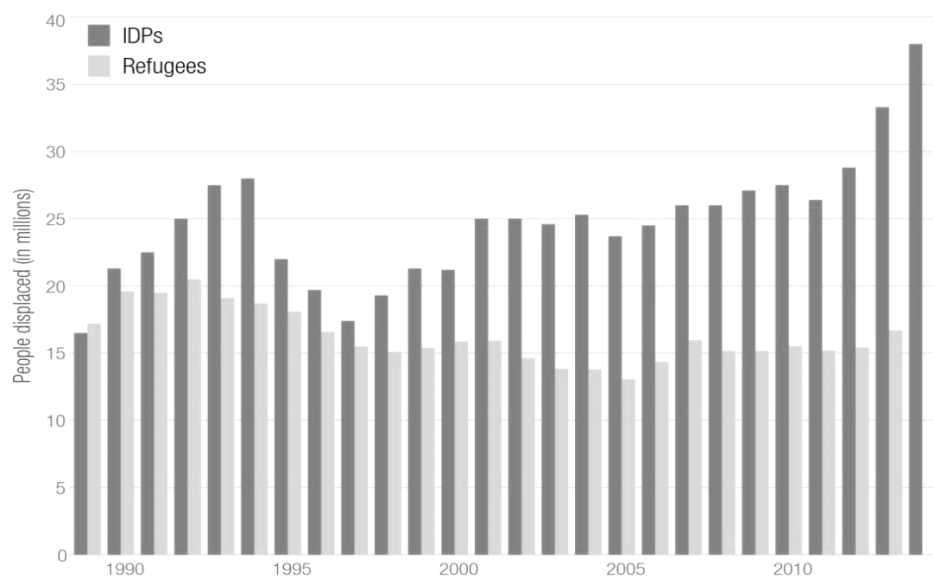
IDPs is often as protracted as that of refugees and yet the internally displaced remain in a particularly vulnerable position. Contrary to refugees, IDPs generally do not benefit from specific legal protection even though, in practice, they are exposed to almost identical risks. The Guiding Principles on Internal Displacement of 1998, approved by the United Nations, are not legally binding, and the governments entrusted to guarantee those rights are often either those responsible for the displacement, or those unable to prevent it.¹

A differentiated understanding of the terms is necessary

In order to recognise the diverse intersecting issues and the fluid transitions between refugees and IDPs we speak of *situations of protracted forced displacement* (PFD) rather than simply *protracted refugee situations* (PRS). We thus define displaced persons as people who have been forced to leave their place of origin due to violent conflict and do not distinguish between the internally and externally displaced. This definition recognises that the line between the two categories is often merely administrative. If national borders are porous (and they often are), displaced persons change from one status to the other depending on the advantages connected to such a choice. It is therefore essential for successful reintegration programmes to include the numerous IDPs who return to their place of origin in addition to refugees. The fact that refugees and IDPs are not homogenous groups must also be taken into account when looking for solutions tailored to their different needs.

1 \ The Guiding Principles on Internal Displacement of 1998 describe the conditions of return (voluntary, in safety and dignity), the role of the state (help to ensure full participation of IDPs, assist in the recovery of former property or ensure compensation) and the role of international organisations (should have access to assist displaced persons in their return and reintegration)..

Figure 2
Number of IDPs versus number of refugees



Source: IDMC, 2015, *Global overview 2015: People internally displaced by conflict and violence*.

Include the voices and skills of the displaced in return and peace processes

Often, displaced persons are perceived as problematic, negative and a burden for host communities and host countries. Yet the influx and return of displaced persons could provide impetus for development and could stabilise peace processes. As refugees and IDPs in some countries are part of the conflict, their participation and involvement in the peace process could potentially contribute to the resolution of the conflict. Assisting returnees in the reintegration process may also help to prevent future tensions. Finding solutions to contested property rights and land issues before displaced persons return might diminish the risk of new outbreaks of conflict. Including displaced persons could also help to build trust in the peace process and the newly established peace.

Policymakers and experts have stressed that the inclusion of displaced persons in the return and peace process might contribute to the sustainability of reintegration. Yet the conditions under which the concerns and participation of displaced persons determine the sustainability of return and peace have not been addressed. The voices of the displaced have been largely unaccounted for during the search for the link between return and peace. It may therefore be helpful to address their concerns, such as social participation, citizenship, and land rights, to prevent hostilities between returnees and stayees. The task of finding individuals who are able to appropriately represent displaced persons is difficult, because the displaced are not a homogeneous group. Other questions remain open, too: How can demands of displaced persons be integrated effectively into peace processes? Should they be included directly or indirectly in the peace process? When would the participation of displaced persons hamper peace agreements?

Bringing relief and development efforts together

Humanitarian actors and those involved in development take different approaches when responding to protracted situations of forced displacement. Humanitarian actors are traditionally called upon in emergencies and conflict situations, while development actors assist in post-conflict situations. However, as outlined above, conflicts are often protracted and tend to erupt more than once. More often than not, there is no identifiable clear-cut boundary between conflict and post-conflict. When this is the case, a division between humanitarian and development assistance and actors is not very helpful.

To be able to adequately address challenges to return, it is necessary to bring relief and development efforts together. Indeed, one of the first attempts to strengthen co-operation between relief and development was made as early as in 2003. In UNHCR's new *Framework for Durable Solutions*, the so-called 4Rs approach was developed. 4Rs stands for "repatriation, reintegration, rehabilitation and reconstruction." More than ten years after the implementation of this approach, co-operation between actors is still limited, with short-term projects taking priority.

Return and local integration processes can complement each other

Various studies on return and reintegration have shown that conditions in the host region, particularly the degree of self-reliance, can shape the prospects for return and reintegration. Yet both durable solutions—local integration and return—are still often regarded as completely disconnected while, in effect, one can support and complement the other. The more skills (e.g. vocational) displaced persons have learned in their host regions, the more likely they are to better adapt to conditions in the return region. Promoting local integration measures and supporting education and work opportunities for the displaced in the host region thus might also facilitate the return process and make reintegration more sustainable.

Develop a comprehensive and co-ordinated approach

For return to be a viable and sustainable solution to protracted situations, we suggest the following:

- 1\ take a long-term approach that includes both reintegration and development efforts;
- 2\ assure participation of refugees, IDPs, and receiving communities at all levels in the return process;
- 3\ analyse and address the context and dynamics of violent protracted conflicts to avoid doing harm;
- 4\ promote skill development among displaced persons in their host regions according to the needs of their home/return region;
- 5\ include the voices of displaced persons in the process of return.

Still, research shows large knowledge gaps: there is a lack of best practice on how to actually include displaced persons, and on strategies of how to prevent new displacement and recurring conflict..

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