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Return
voluntary, safe, dignified and durable?
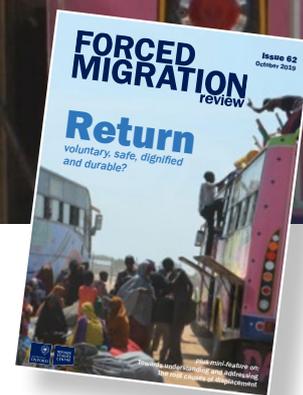
Return *plus* Root causes of displacement

*This **Editors' briefing** provides an overview of **FMR issue 62's** feature theme articles on **Return: voluntary, safe, dignified and durable?** plus its mini-feature articles on **Towards understanding and addressing the root causes of displacement**.*

Voluntary **return** in safety and with dignity as a durable solution to displacement has long been a core tenet of the international refugee regime. The feature theme articles in this issue of FMR explore various obstacles to achieving sustainable return, some of which are common to diverse situations of displacement while others are specific to certain contexts. Many of the authors discuss the need to guard against premature or forced return, and the risks that such returns may entail. They also debate the assumptions and perceptions that influence policy and practice. The examples of good practice and the reflections on research findings presented in this issue are drawn from around the world.

The issue also contains a mini-feature on **Towards understanding and addressing the root causes of displacement** which has been prepared to inform discussions at the first Global Refugee Forum in December 2019. This collection of articles aims to enhance collective understanding of some of the root causes of displacement.

Visit **www.fmreview.org/return** to access this Editors' briefing, the full magazine and individual articles in English, Arabic and Spanish. You are welcome to print any of these for your use.

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Barriers to return

Most, if not all, the feature theme articles in this issue examine the barriers to safe, voluntary and dignified return for refugees and internally displaced persons (IDPs). **Insecurity** in the country of origin – such as for Rohingya refugees in Bangladesh (Sullivan) – is a common barrier in diverse situations of displacement. Ongoing insecurity may be linked to ethnic divisions in the country of origin, triggering fears of **discriminatory practices upon return**. Such fears relate to anticipated restrictions on: freedom of movement (Sullivan; Huser-Cunningham-Kamau-Obara), access to services and livelihoods (Hasegawa; Sullivan), educational opportunities (ValcarcelSilvela), and access to documentation (Vijayaraghavan-Saxena) or citizenship rights (Holloway).

The destruction, confiscation and/or occupation of **property and land** may also complicate or prevent return (Sullivan; Hasegawa). Through a case-study of a neighbourhood of Beirut, one author explores the particular challenges of negotiating property reclamation with a State entity (Lteif). The lack of adequate housing and other housing-related concerns such as disputed property ownership are cited by large numbers of Syrians living in Jordan as obstacles to their return. The experience of the Norwegian Refugee Council in this and other contexts highlights the importance of providing refugees with accurate information, legal support in obtaining documentation, and contact details of organisations who may be able to assist in both host and country of origin. Doing so can prevent premature returns and ensure that refugees are able to access assistance and mitigate risks upon return (Clutterbuck-Cunial-Barsanti-Gewis).

Refugees and IDPs considering whether to remain or return may also have concerns about **access to livelihoods** – both in displacement and upon return. Some refugees criticise the small scale of NGO-supported income-generating activities (Huser-Cunningham-Kamau-Obara) and call for more substantive engagement (for example in vocational training) to better prepare refugees for return as citizens ready to rebuild the nation. Refugees also need information on employment and training opportunities in the country to which they will return (ValcarcelSilvela). For younger Syrian refugees in Germany who have received education and training there, research shows them unlikely to want to return as their qualifications are unlikely to be of use to them in Syria and they have enjoyed safety, social and health insurance and dignity in Germany (AlAjlan). However, refugees' lived experiences may differ significantly from national averages of socio-economic well-being, and returns can also take place from host countries with higher standards of living if refugees are marginalised and excluded from their host community and unable to work (Sydney).

Access to **education** is a critical concern for many refugees. The ability to continue good-quality education upon return, which includes recognition of qualifications and accreditations of teachers and students who have been educated in displacement (ValcarcelSilvela), and the ability to cover school fees

and provide required identification documents (Barratt-Guillaume-Kaplan), are regarded as essential by many.

Refugees and IDPs may also face difficulties associated with **return after evading military service**. The evasion of conscription has emerged as one of the primary reasons for which young men over the age of 18 have fled Syria and is also one of the primary reasons they cannot return. To support sustainable return in the Syrian context there is a need for a successful, comprehensive amnesty (Araman-Loutfi).

Perceptions and assumptions

Displaced people are continually **monitoring multiple indicators** to inform their decision about whether – or when – to return. Burmese refugees in Thailand, for example, have looked for goodwill gestures from the authorities and ethnic armed organisations to demonstrate their commitment to peace and to reducing tensions at various levels. With insufficient assurance on these points, however, the facilitated return mechanism put in place by the governments of Myanmar and Thailand, with the support of the UN Refugee Agency (UNHCR), has failed to generate any significant return momentum (Hasegawa). Similarly, South Sudanese refugees in Uganda, Kenya and Ethiopia are monitoring the status of Protection of Civilians (PoC) sites hosting some 190,000 IDPs as of early 2019, assuming that the continued presence of the PoC sites indicates continuing high levels of risk (Huser-Cunningham-Kamau-Obara).

Research carried out by the Internal Displacement Monitoring Centre suggests there is a need to better acknowledge the role of **intangible factors** in return, which includes **attachment to people and place**. Missing home was reported as the main driver of return by many refugees and returnees from Iraq, Colombia and Myanmar, as was reunification with family and friends. Understanding the complexity of decision making would improve stakeholders' ability to plan for return, support refugees and returnees, and safeguard voluntariness (Sydney).

Greater understanding is needed of what returning **'with dignity'** means in practice. Research by ODI with Syrian refugees in Lebanon and Rohingya refugees in Bangladesh demonstrates how dignity is shaped not only by culture but also by people's experiences and expectations both prior to and during displacement, showing that an understanding of what constitutes 'dignified' repatriation must be highly contextualised (Holloway).

There will be **wide variation** in the aspirations and intentions among groups of refugees. Discussions on returns often assume – wrongly – a homogeneity among refugee/returnee populations (AlAjlan) and simplistic narratives around return risk ignoring the realities and complexities on the ground and potentially direct funding and programming to people based on their return status rather than their humanitarian needs (Schots-Smith).

Children's specific needs and experiences are largely missing from durable solutions frameworks that measure progress towards sustainable return and reintegration, despite the robust legal conventions and frameworks that protect children's rights during and after return. To address this gap, Save the Children has developed a new set of child-specific indicators to help tackle inadequate measurement of reintegration outcomes and widespread lack of accountability (Barratt-Guillaume-Kaplan).

In cases of **'minority return'** (that is, returning to an area now under the political control of another ethnic group), various factors affect return plans. Researchers examining minority returns (or intentions) among Bosnians, Cypriots and ethnic Kurds in Turkey explored the role of age, level of education and employment opportunities in people's decision making around return (Stefanovic-Loizides).

Access to information

Some refugees and IDPs conduct **'go-and-see' visits** – short return visits to check on property, assets and family members and to assess the security situation. In some cases these temporary visits begin to reflect an interim stage or 'grey' period in which refugees move increasingly fluidly between the camp/settlement and their places of return (Huser-Cunningham-Kamau-Obara). Some visits are facilitated by authorities in the country of asylum, as with Turkey's strategy which permits Syrian refugees to return for up to three months during religious festivals and, if they wish, to remain (SahinMencutek).

Accurate, up-to-date information about conditions in the country or area of origin can be difficult to obtain, however, particularly where go-and-see visits are not possible. Social media platforms such as WhatsApp and Facebook have enabled people to find out more, but the constant barrage of information relating to conditions back home can cause **disorientation** (Morris). NGOs such as the International Rescue Committee have been working to develop their staff's social listening and social media management skills in order to be able to identify misinformation and support effective communication for refugees planning to return (Morris).

The spread of **conflicting information or misinformation** may also complicate matters. In some instances organisations may put forward excessively optimistic information to encourage return for their own political purposes (ValcarcelSilvela). In other cases there can be confusion over laws and amendments that have been issued while people are in displacement. This has left many displaced Syrians unclear, for example, of the deadline by which they must prove their property ownership in areas that have been designated 'redevelopment zones', or else risk losing their property without compensation or right to appeal (Morris). Refugees need to be supported to ensure that they are **'legally prepared'** for return. This relates to the need for information about: legal identity and civil documentation; the crossing of borders; family separation; housing, land and property rights; settling outstanding legal and administrative matters in host countries; and access to rights and entitlements in the country of origin (Clutterbuck-Cunial-Barsanti-Gewis).

Alternatives to return

In some circumstances, **local integration** may be the preferred durable solution, even where there may be considerable political focus on returns. For Somali

refugees, faced with the threat of camp closures and limited access to resettlement, alternative avenues – such as local integration – should be explored, especially for those who have been displaced for more than two decades (Kirui-Francis).

In Darfur, local authorities are exploring options other than return to people's original homes. Some IDPs living in suburbs are being given plots of land to be integrated into their new community, and some local authorities now include displaced people in their urban planning. Some **'model return villages'** have been funded by bilateral donors though there are questions around their sustainability; and an alternative concept of 'service hubs' to serve both IDP and host communities is attracting interest (Elzarov).

Norms and laws surrounding repatriation

The international community has established clear **norms and laws** to ensure that organised repatriation takes place in a way that protects the rights of refugees; one author, however, explores how these standards are coming under mounting pressure, with varying forms and degrees of coercion being used to trigger and sustain mass repatriation movements (Crisp). The author looks to the policy and programming responses that UNHCR, host and donor States, and the development community could take to halt (and hopefully even reverse) the deterioration in repatriation standards that has been witnessed in recent years.

Elsewhere, an article examines (and draws out lessons from) a controversial – and ultimately reversed – decision by UNHCR to end refugee status for Burmese Chins in India and Malaysia (Vijayaraghavan-Saxena). Analysis in another article of recent small-scale return practices from Lebanon to Syria reveals **challenges to voluntary, safe and dignified return** in this context. These include a lack of independent monitoring at borders, instances in which Syrian refugees registered with UNHCR have been forced to sign voluntary return forms, and detention on arrival in Syria (Fakhoury-Ozkul).

Reintegration and rebuilding

Premature returns prompted by the pressures of unmet basic needs in their country of asylum are likely to prove unsustainable. Research into refugees' decision making by the International Displacement Monitoring Centre emphasises that if refugees are returning to their country of origin despite security concerns because they are unable to sustain themselves in their host countries, there is a strong likelihood that these returning refugees will find themselves further displaced. Host States should therefore ensure that refugees have sufficient access to livelihoods and assistance to prevent premature returns and vicious **cycles of displacement** (Sydney).

Refugee teachers from the Borderless Higher Education for Refugees Project (BHER) argue that to **rebuild conditions for peace** in a post-conflict society, the best investment that can be made is in the people who are seeking to return to rebuild their nation (Leomoi-Abdikadir-Kim). In the context of Darfur, finding durable solutions to internal displacement is inextricably linked to **achieving lasting peace and stability**. Substantially increasing support for durable solutions in Darfur will require expanding basic services, enhancing security and rule of law in areas of return, enabling sustained access to affected people, and addressing the root causes of the conflict (Elzarov).

In another article, which examines Burundi as well as Darfur, authors explore the efforts that are required by national and international actors to ensure that refugees and IDPs are successfully reintegrated into the economic, social and political landscapes of their countries of origin. To regain their place as full members of society with equal access to basic rights and services as other citizens requires a re-engineering of the State–citizen relationship (Lukunka-deClercq).

Meanwhile, when considering return as a durable solution there is a need to look beyond sensitising and incentivising the communities into which refugees will return and instead to adequately explore how returnees **integrate with 'stayees'** (Cole). Programmes of return should ensure that they do not create hierarchies by assigning resources to either group based solely on institutionalised categories of vulnerability – such as refugee or returnee. Instead, adopting a 'whole-of-society' approach in the country of origin may offer benefits at the point of return (Cole).

Mini-feature: Towards understanding and addressing the root causes of displacement

This mini-feature has been prepared to inform discussions on protection and solutions at the first Global Refugee Forum in December 2019. With a collection of articles written by authors from the UN, NGOs and academia, the mini-feature aims to enhance collective understanding of some of the root causes of displacement.

Former UNHCR Assistant High Commissioner for Protection Volker Türk opens the mini-feature with an article asserting that in all our interventions we must place as much emphasis on **'understanding'** as we do on **'addressing'** root causes. The article outlines UNHCR's role in **preventing displacement** and some of the ways that its programming responds to this need. **Ending statelessness** is an effective means of addressing one particular root cause of conflict and displacement, which UNHCR is pursuing through, for example, the #IBELONG campaign. Monitoring **internal displacement** can help forecast potential later displacement across international borders, and early responses to internal displacement can mitigate the risk of upheaval and impoverishment from the outset. And alongside prevention, better **preparedness** through early warning systems and contingency planning can help to mitigate some of the worst humanitarian consequences of conflict and violence. Finally, the article emphasises that the successful implementation of the Global Compact on Refugees will of course depend on the **mobilisation of political will** (Turk).

An author from Oxfam shares the organisation's experience in supporting **locally led peace building** and underlines how development and humanitarian assistance can have an instrumental role in either

effectively addressing root causes or exacerbating tensions (Shoebridge). The concepts of Do No Harm and conflict sensitivity are rarely translated into practical terms and taken to their logical conclusion in terms of the programmatic and operational adjustments required. An examination of humanitarian assistance to the South Sudanese refugee population in Uganda shows that efforts to bring refugees from different communities together through education or livelihoods activities are too often based on the assumption that interaction alone will lead to peace building outcomes. Efforts to address root causes can only be effective and sustained if they are led by local actors (Shoebridge).

Other aspects of conflict prevention and peace building are addressed by authors from the International Rescue Committee, who analyse the design and implementation of the Sida-funded **Conflict Prevention and Peacebuilding Programme** in the Democratic Republic of Congo (DRC) and Somalia (Osofisan-Keen). In DRC, this programme contributes to strengthening resilience, well-being and inclusive participation of people from Bantu and Twa ethnic groups through peacebuilding and access to health initiatives. In Somalia, the programme strengthens access to justice systems and the capacities of community members and local authorities to prevent and manage conflicts and disputes in a non-violent way. Such initiatives can help build a pro-development and peace-building dynamic to counterbalance the lack of political will among the elite, building social cohesion and political will from the grassroots up (Osofisan-Keen).

Meanwhile, in analysing the root causes of displacement in the Northern Triangle of Central America one researcher explores States' persistent failures to address the root causes of violence, either by tackling the poverty, marginalisation and inequality that drive **gang violence** or by remedying the deep discrimination and patriarchal attitudes that drive **gender-based violence** (GBV) and hate crimes against the LGBT+ population. Tackling root causes will require a broad-ranging view of violence in all its manifestations (including GBV and hate crimes) plus

institutional and legislative developments supported by solid policy, social programmes and attitude-changing campaigns. There have been some promising localised developments with potential for replication in other areas, and some recent high-level commitments; ultimately, however, more political will and regional commitment are needed to ensure that rhetoric becomes reality (Knox).

Another author takes a close look at **'resilience spaces'** in the urban area of Altos de la Florida in Colombia. Developed as a complementary approach to protection, resilience spaces help address urgent needs and also strengthen local capacities. The construction of 'resilience' has emerged as one of the strongest responses to the humanitarian and development divide and the call for a 'New Way of Working'. In Altos de la Florida, the approach comprises three areas of intervention: creating educational, economic and labour opportunities; strengthening social cohesion; and supporting leadership capacities. This complementary protection represents a key factor in addressing the root causes of **urban displacement** (CortesFerrandez).

Elsewhere authors from UN-Habitat address the complex issues around **land tenure**. In the absence of a functioning land administration system and official property documents in Sinjar, Iraq, displaced people face continuing insecurity of tenure, risk of secondary occupation, and conflict over property. The example of an approach taken by UN-Habitat in Yazidi villages in Iraq illustrates how addressing issues around land insecurity can be instrumental in peace building and recovery, in facilitating sustainable return, and in building trust and political will with governments (Sylla-Tempra-Decorte-Augustinus-Frioud).

Meanwhile, two co-authors explore how acknowledging the root causes of **Palestinian displacement** and objectively applying international law will be key to any solution to the Palestinian refugee question. Efforts to obscure the root causes of Palestinian displacement have affected both the parties' ability to compromise and the way these refugees' plight is perceived internationally. The authors call for greater political will to resolve the situation and for the application of a multidimensional response from the international community, as has been made in other situations of displacement (Albanese-Lilly).