

Investigating the Effectiveness of Voluntary Repatriation, Third-Country Resettlement, and Local Integration as Durable Solutions for Refugeehood

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ABSTRACT

The total number of refugees on a global scale remains a profoundly troubling reality. Conflicts, persecution, climate-related displacement, and fragile state systems continue to push millions into forced migration, leaving them in prolonged situations of uncertainty. The United Nations High Commissioner for Refugees (UNHCR) has highlighted three recognized durable solutions aimed at addressing refugeehood: voluntary repatriation, third-country resettlement, and local integration. The intent of these solutions is not only to provide instantaneous respite but also to preserve the dignity of the millions of forcefully displaced people. This paper aims to investigate the level of the effectiveness and overall durability of these solutions by employing the method of a critical literature review. Through the findings, there appears to be a considerable imbalance in the preference and attention given to each of these approaches. Often regarded as the most expedient and preferred solution, voluntary repatriation is considered to be a politically necessary and cost-effective option widely accepted and implemented by host states and, by extension, the international community. Despite this, the reality tells a different tale: repatriation is usually less feasible because of the propensity of countries of origin to be generally unsafe and precarious for refugees who originally fled for safety concerns. Third-country resettlement and local integration are also durable solutions, but they have received little attention and endorsement. Only a small fraction of refugees receives opportunities for resettlement, and integration is often impeded by the persistent problems of socio-political resistance and weak policies and implementation. This imbalance constitutes the premise of the intractable problem of refugeehood in recent times. This paper concluded by offering recommendations that centre on the imperativeness of re-evaluating the priorities of key players such as states, especially host countries, and international agencies. To draw closer to mitigating refugeehood, it is important to focus more on developing opportunities for resettlement and integration.

Keywords— Refugee, refugeehood, UNHCR, voluntary repatriation, third country resettlement, local integration

INTRODUCTION

The challenge of refugeehood has deep roots in history. Ever since there has been a conceptual understanding of a border system, people have often fled their homes in response to conflict, persecution, and even natural disasters [1]. The current figure of total refugees around the world, according to reference [2] stands at a staggering 32.5 million, not including those who are internally displaced, those seeking asylum, and those generally in need of international protection. This is quite worrisome and poses a challenge for the global refugee regime and all the parties involved in mitigating the refugee problem. As such, the UNHCR, being a key player in the refugee system, has been tasked with caring for, protecting, and advancing the interests of refugees around the world today. This international institution has been instrumental in developing and promoting three solutions to the global challenge of refugeehood: voluntary repatriation, third-country resettlement, and local integration [3]. While these have formed the guiding principle for addressing the challenge of refugeehood, after the necessary measures have been taken to ensure refugee status, it is important to investigate the extent to which these purported solutions are durable in terms of being a heuristic framework for ending the refugee crisis around the world.

Conceptual Clarifications

A. Refugeehood

One cannot explicate on what refugeehood is without making a recourse to the term, refugee. This is established in the sense that refugeehood simply refers to the state or condition of being a refugee [4]. Descriptions and explanations on who a refugee is has been put forward on many fronts ([5], [6], [7]). However, it is noteworthy that the legal definition of a refugee which guides proper identification and sets the basis for the protection of refugees is contained in the amended Article 1(A)(2) of the 1951 Refugee Convention. This states that “the term ‘refugee’ shall apply to any person who... As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it” [8]. From the foregoing, it becomes apparent that being a refugee is not merely a tag placed on people who have fled their homes for whatever reasons, but a legal status that is granted by the host country. The need to refer to a legal definition is echoed by reference [6] who argues that the elements of politics and rhetoric, amplified by the media, have brought about considerable confusion in determining who a true refugee is.

B. Voluntary Repatriation

According to reference [9], voluntary repatriation, also called voluntary return, refers to a situation where a refugee, based on their free will, independently or via assistance from the relevant quarters, returns to their country of origin, especially after the conditions that caused them to leave have abated. This concept cum practice has been touted as one of the veritable solutions to refugeehood as it is assumed that many refugees hold on to the hope of being able to return to their homes one day [10].

The question as to the extent of voluntariness in voluntary repatriation still presents a considerable measure of concern. As a critical part of its terminology and definition, voluntary repatriation is or should be premised on the free will of a refugee to return to their home country and in which case, can then be assisted in the return to said home country [11]. It is important to note that the guiding principle of refugee protection and what informs the protection work of refugee agencies around the world is ‘nonrefoulement’. This principle prohibits a state from returning a refugee to their home country, especially in a case where the refugee would be in danger of persecution or other conditions that caused them to flee in the first place [12]. Therefore, it is pertinent that the voluntariness in voluntary repatriation should not be compromised or flouted in order to act in the best interests of refugees.

C. Third Country Resettlement

The UNHCR defines third-country resettlement as the practice of selecting and transferring a refugee from the state in which they have sought protection and in which they have been granted refugee status to another state (third state different from their home country) which has consented to accommodate them as refugees granted the privilege of permanent residence [13]. According to the statutes of international law regarding the protection of refugees, the resettlement of refugees in a third state protects them from refoulement (being sent back to their home country) and grants them rights similar to those of the citizens of the third state. In addition, resettlement presents the opportunity for refugees to become citizens of the resettlement country through the process of naturalisation [14]. As one of the durable solutions for refugeehood, resettlement has been lauded on the merit of being an effective mechanism that encourages the sharing of responsibility among states, working together to ameliorate the refugee crisis [15].

Despite the benefits of resettlement which offers permanent benefits that can reduce the number of refugees around the world, it is not without its challenges. One of the most obtrusive challenges is, according to reference [15], the complexity of the processes involved in identifying and determining who is eligible for resettlement, conducting lengthy interviews, identifying and corresponding with the resettlement country, amongst others.

D. Local Integration

As reference [16] puts it, local integration occurs when refugees integrate themselves into (become an intrinsic part of) the host country and enjoy legal, economic, and socio-cultural protection and benefits. The local integration of refugees is characterised by legal, economic, social, and cultural dimensions. When refugees are locally integrated into the host country, they get to enjoy benefits that the citizens of the host country enjoy: access to housing, education, employment, and the process also assists them in acquiring citizenship in the host country of their asylum [17]. While this might look straightforward, local integration can be quite problematic as tensions often arise between refugees and the communities in which they have been integrated because they all have to compete for the same scarce resources, building up resentment or indignation on the part of the communities that have accepted the refugees [18].

Local integration has been referred to as the least popular durable solution for refugeehood. This is especially on the note of its gradual and complex process, perhaps even more complex than third-country resettlement [19]. As a result of its multi-faceted and complex nature, reference [20] argue that the validity of local integration as a durable solution for refugeehood is now in question, especially conveyed through the reluctance or unwillingness of states to accept and integrate refugees into their socio-economic system. Indeed, states have been found to deliberately avoid the last option/solution of local integration, preferring to explore other solutions.

LITERATURE REVIEW

Quite a number of studies have explored and investigated the extent to which these solutions to refugeehood are truly durable, often using a conceptual framework of the challenges of each. Using notable examples, reference [21] examine the extent to which refugee repatriation is truly inspired by voluntariness, safety, and dignity, implying that there are cases where repatriation is forced on refugees. In agreement, studies by references [11] and [22] argue that, despite its apparent straightforwardness, voluntary repatriation can be quite complex, compounded by the discretion of states to repatriate refugees and asylum seekers whilst ignoring the clause of voluntariness, bringing the durability of this solution into question.

Reference [22] goes ahead to posit that the solution of voluntary repatriation was not fully accepted by the UNHCR initially, as resettlement was its preferred durable solution for helping refugees in Europe settle down in another country at the end of the Second World War. On the note of its major challenge, reference [23] observes that repatriation is often a last resort when resettlement efforts prove abortive. Additionally, some of the challenges that affect the effectiveness of voluntary repatriation are the perpetuation of certain conditions such as economic and political instability in the home country, and the presence of better opportunities in the asylum (host) country which disincentivises refugees from wanting to be repatriated.

According to reference [24], third-country resettlement is one of the most preferred durable solutions that the organisation pursues. However, figures have shown that resettlement has been less beneficial to refugees than voluntary repatriation, especially since the early 2000s. Nevertheless, the organisation continues to pursue the objective of resettlement in recent years, especially because the number of repatriated refugees has begun to decline rapidly. Studies by references [25] and [26] examine the challenges of resettlement programs in the United States (U.S.) and the European Union (EU) respectively. According to reference [25], the rate at which the U.S. accepts refugees has steadily declined over the years and the process for acceptance has now become more stringent, with religious, cultural, and ethnic undertones. This difficulty has ultimately affected its resettlement program. For reference [26], the major challenge of resettlement in the EU is the low number of EU states involved in resettlement programs. Interestingly, the authors note that the EU accounts for only 10% of resettlements all over the world. This is buttressed by information from reference [24] which states that four-fifths of the refugee population around the world are accepted and resettled in developing countries, particularly Bangladesh, Venezuela, and Ecuador, in other words, the Global South. This exposes a reality of inexpedience in the global refugee regime where developed countries are largely unwilling to accept or help resettle refugees, whilst negating the principle of responsibility sharing that refugee protection and resettlement should espouse [15].

The variety of studies that focus on local integration as a durable solution appear to agree that it is an underutilised

solution that can birth a mechanism of change for the malady of refugeehood. Indeed, reference [16] points out that the nature of local integration is one that paints it as one of the most viable solutions for protracted refugeehood. Reference [27] argue that the reason local integration is underutilised is due to it usually being a last resort, both by actors of the refugee system and refugees themselves. As the hopes of getting resettled in a third country becomes slim (due to the bureaucracy of the process) and with the extant danger of returning to their home country through repatriation, local integration becomes the final option. The studies by references [19] and [20] both assert that local integration is a forgotten solution that is in need of restoration in order to curb the refugee crisis in recent times. Reference [20] argue further that the reason for this forgetfulness on the local integration front can be traced to the deliberate avoidance and unwillingness of governments to integrate refugees into their citizenry and accord them equal rights.

As reference [17] argues, there is a hopeful dimension to local integration that should be explored in that refugees who are locally integrated often make positive contributions to the society in which they have been integrated. To reference [28], it is therefore ironic that the potential of local integration to largely solve the refugee problem has remained unrecognised. In writing about Rwandan refugees in Uganda, reference [29] conclude that the solution of local integration is hampered largely by Ugandan law and puts the lives of about 17,000 refugees at risk in the cessation of their refugee status. Similar to reference [17], reference [30] maintains that, despite the reluctance that hovers around employing local integration as a durable solution, it is indeed the solution that holds the potential for the contribution to societal development that refugees can bring, as opposed to the popular opinion that they would constitute a burden.

It is noteworthy to acknowledge that there is a small stream of literature that portrays that the purported durable solutions offered and perpetuated by the UNHCR are no longer as effective as advertised and it is time new pathways and solutions are explored. Reference [31] follows the logic that, were the durable solutions of voluntary repatriation, third-country resettlement, and local integration still as viable as when they were sanctioned, the current state of refugeehood would not be as complex and obtrusive as it is. According to the author, this calls for deliberation and exploration of new approaches which look beyond the traditional solutions. Reference [32] buttresses this by arguing for the need to create complementary pathways that enhance the durability of the current solutions. Furthermore, reference [33] had earlier averred that labour migration is a crucial complementary pathway to address the refugee problem in the world. These essentially expose a need that has been conveniently ignored for decades- a need for new or resuscitated durable solutions.

The Solutions for Refugeehood: How Durable?

The global refugee system has been in existence for about seven decades. In the time it has taken to evolve and develop into a bulwark for the protection and care of refugees around the world, giant strides have been made. Nevertheless, the extent of this evolution is debatable [34]. For example, has the UNHCR developed its approach to refugee protection in tune with the changing times? Are the durable solutions for refugeehood still durable today? Which durable solution(s) have been proven to be most effective? These questions are important in order to ascertain the scope of the duties of the UNHCR, as well as other actors in the global refugee regime, in protecting refugees. Have their approaches to the protracted condition of many refugees simply been a classic case of “rinse and repeat” or is it time to dig for other durable solutions to complement the ones that have been in existence for decades?

From the story of the triumph of the repatriation of Afghans to Afghanistan in 2002, to the mixed success of the repatriation of Somali refugees from Kenya, there is a trend to be noticed in terms of voluntary repatriation becoming less voluntary as the years roll by ([35], [36]). This developing reality is compounded by the recent story of Syrian refugees being forced to repatriate by Lebanese authorities in the middle of an aggressive campaign to that effect [37]. Close to home, the forced repatriation of Nigerian refugees from Cameroon also raises concerns about the process and validity of repatriation itself [38]. It therefore appears that the problem lies in the UNHCR’s mandate being woven around voluntary repatriation as its most preferred durable solution. Indeed, it comes as little surprise that, in the face of situations where refugees are unwilling to return home, often for reasons of concern and fear, repatriation is being forced on them.

Moreover, despite having determined that a few millions of refugees need to be resettled in a third country, very

few in this figure have been successfully resettled. For example, Iraqi refugees living in Jordan and Syria have expressed explicit unwillingness to repatriate to Iraq, yet only very few Iraqis have been successfully resettled in a third country [39]. The reason for this continues to be traced to the unwillingness of states to receive refugees. This is despite the fact that the number of refugees needing resettlement has increased in the past decade by 80% [34]. For local integration, the challenge is a bit similar to that of resettlement: the reluctance of host governments to receive refugees and offer them homes in the context of their inability to return home. Even in such a positive story as the progressive approach of Uganda in locally integrating South Sudanese refugees, there still remains a challenge on the part of Ugandans who are or have the tendency to be displeased about shared resources, thus creating socio-economic tension and the barrier this poses for refugees in the country [40].

With evidence from the literature, it has been asserted that resettlement and local integration are opportunities to advance responsibility sharing amongst states around the world who are signatories to the Global Compact on Refugees [15]. However, it is worthy to ask the extent to which this principle of responsibility sharing is respected or perpetuated, or if it is simply rhetoric. There seems to be a looming political agenda that clouds the viability of the durable solutions for refugeehood. There have been instances of forced repatriations because it is the solution that does not involve the principle of responsibility sharing. With resettlement and local integration, efforts have been made by different states (especially developed nations) to undermine and reduce the efficacy of these solutions, most likely because it requires considerable effort from their end [41]. In the final analysis, it appears that the most preferred durable solution is, in the context of stark reality, the least durable in fact. Hypothetically, it is a case of preferring to do a task because it is the one that requires the least amount of effort and ignoring the task that is more beneficial in the long haul.

CONCLUSION AND RECOMMENDATIONS

With the current number of refugees around the world at 32.5 million, it has become necessary to re-examine the durability of the solutions for refugeehood, as developed and promoted by the UNHCR. All the durable solutions have been shown to have unique challenges which, when addressed, would have positive implications for the refugee crisis around the world. As it stands, voluntary repatriation is touted as the most preferred solution by the UNHCR and other refugee agencies; yet, it has been shown that there is a level of untapped potential in the solutions of third country resettlement and local integration.

On the basis of what has been presented in this paper, the following recommendations are made:

1. All the durable solutions should be accessed equally, rather than having a preferred one and using others as a last resort.
2. Refugee agencies around the world should apply some pressure on states on the importance of responsibility sharing as a tool towards ending the refugee crisis.
3. In terms of resettlement and local integration, states should adopt policies and strategies to improve camaraderie between host communities and integrated and resettled refugees to avoid clashes.

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