

DIALOGUE ON VOLUNTARY REPATRIATION AND SUSTAINABLE REINTEGRATION IN AFRICA

Monday, 8 March 2004

VOLUNTARY REPATRIATION IN AFRICA

(Discussion Paper N° 1)

I. INTRODUCTION

1. On 14 December 2001, UNHCR organized informal consultations on “New approaches and partnerships for protection and solutions for Africa”. One of the main themes reviewed at the meeting was how to deal with protracted refugee situations in Africa. At that time, the outlook for hundreds of thousands of refugees in Africa appeared fairly bleak: few durable solutions within immediate reach, unemployment, idleness, anti-social behaviour, lack of education, recruitment of refugees into armed groups, and other protection problems. The strategy then was to look at alternative ways of addressing protracted refugee situations: promoting self-reliance, seeing refugees as “agents of development”, and mitigating the impact of refugees on local communities through area development.

Framework for Durable Solutions

2. These important initiatives will continue under the overall “Framework for Durable Solutions for Refugees and Persons of Concern”. Now, however, for the first time in several years, there are a number of peace processes in Africa which have been concluded successfully and a number of others that are progressing positively. These developments present an unprecedented opportunity to find solutions for a number of protracted refugee situations in Africa through the return and sustainable reintegration of up to two million persons over the next five years. Voluntary repatriation is at the core of UNHCR’s mandate but all actors will need to pull together to make it sustainable in the long term.

Ownership and sustainability

3. One of the most important aspects of this new era in Africa is that the peace processes now underway are driven by African States themselves, with the support of the African Union and sub-regional organizations such as ECOWAS, IGAD and SADC. This augurs well for the future because there is a clear correlation between ownership and sustainability. Nevertheless, poverty and generally weak economies, coupled with socio-political inequities and structural problems, including weak rule of law and governance, are pervasive in most African countries emerging from armed conflict. There is little doubt that the international community and the United Nations in particular, have a role to play in supporting Africa in this very promising period. The key contribution that the Security Council can make in this respect is worth mentioning because of its involvement in the area of conflict management and prevention.

II. THE CHALLENGES AHEAD

Preventing the re-emergence of conflict

4. As we progress further into 2004 and beyond, the challenges of building on the emerging peace processes in the region are formidable, not only in helping displaced populations rebuild their lives at home, but, most importantly, in preventing conflict from re-emerging by identifying and addressing the root causes of the conflict, including issues of national reconciliation, governance and the rule of law.

5. Ending armed conflict means ending cycles of hatred and destruction, and building an atmosphere of mutual trust between communities and with their leaders. All sectors of society, particularly women, youths and vulnerable groups, must be given the opportunity to contribute meaningfully to national peace-building and reconciliation efforts. The process is, of necessity, a long and challenging one, requiring patience and determination.

A regional approach to conflict resolution

6. Indeed, the challenges of reintegrating various sectors of society require specially tailored programmes. Effective disarmament, demobilization, reintegration and rehabilitation (DDRR) are essential factors in ensuring that former combatants, in particular youths, have alternative means of survival without having to resort to arms. Ensuring close cooperation between peacekeeping, humanitarian and development actors is one key to success in this regard. In many situations in Africa, a regional approach to conflict resolution and DDRR is imperative. If the regional or international dimensions of conflict in Africa are not addressed, by going beyond national borders and actively engaging neighbours and other actors, instability will prevail and armed groups are likely to continue to spill across borders and migrate elsewhere. Punishing those responsible for serious war crimes and crimes against humanity, as well as addressing the proliferation of small arms, are part of the strategy required to stem and prevent the spread of violence.

Voluntary repatriation and reintegration

7. The voluntary repatriation and reintegration of refugees and internally displaced persons (IDPs) into their places of origin is another vital aspect of rebuilding war-torn societies and anchoring peace. Displaced populations are often eager to return home as soon as possible when the fighting stops. Nevertheless, it is important for UNHCR and States to exercise caution in the timing of organized return movements. Whilst the voluntary nature of repatriation remains a primary protection criterion, ensuring that returns are carried out in safety and dignity (for example, with due regard to the possible presence of landmines in areas of return) is vital. Equally important in planning any voluntary repatriation operation is the need for adequate safeguards in terms of rights and sustainability, including access to justice, restitution of property and improved human rights conditions.

Ensuring the sustainability of return

8. In other situations, refugees are reluctant to return home because they have been in exile for so long and they fear the devastation that awaits them, particularly in the knowledge that the safety nets provided by humanitarian organizations who maintain essential services in the refugee

camps are not likely to be available to them at home. Apart from protection considerations, one way of ensuring the sustainability of return of displaced populations is to pay attention to their legitimate social and economic needs as well as to those of civilian populations who never left their homes, but whose lives and livelihoods have often also been destroyed as a result of conflict. When refugees and displaced persons return to still-fragile communities as they emerge from conflict, both humanitarian and development actors must act quickly to ensure that returnees and their communities are protected and assisted in their areas of origin. One of the main conditions for dealing successfully with reintegration of returnees and IDPs is to ensure that, while their rights are protected - including the right to land and property restitution and non-discriminatory access to resources and services - they should not be treated as a special group. Community-based programmes that address the needs of the community as a whole lie at the root of successful reintegration efforts.

9. At the same time, in catering for the needs of returning populations and those who remained, special account must be taken of those who have suffered from serious human rights abuses including sexual and gender based violence (SGBV). Adequate medical and psychosocial support for survivors, including those affected by HIV/AIDS, is essential. At the same time, there is a need to end impunity for this type of violence, which eats away at the very core of social and cultural norms, and to provide women and children with a secure environment.

Supporting solutions to economic and social problems

10. Most countries emerging from conflict are characterized by high unemployment, high mortality rates, low levels of education and skills, and inadequate public services. For any meaningful reconciliation to endure, particular efforts are needed to address not only political issues but also economic and social problems. No matter how motivated and determined national administrations are, they are unlikely to be able to address these issues alone. The governments concerned, the United Nations, regional and intergovernmental organizations must all be provided with the requisite resources to help ensure sustainable peace and stability, without which a return to violence is a real possibility.

11. The New Partnership for Africa's Development (NEPAD) symbolizes the desire of a number of Africa's leaders and its peoples to address current challenges and develop an integrated socio-economic development framework for Africa. While receiving the support of the international community, including the G8 countries which have adopted the African Action Plan for this purpose, the African leaders acknowledge that it is their primary responsibility to prevent, manage and resolve conflicts in the continent in order to achieve the NEPAD objectives.

An integrated approach to peace-building and sustainable reintegration

12. An integrated approach to peace-building, involving all political, peacekeeping, humanitarian, human rights and development processes and actors is thus essential, however, this has proven difficult to achieve. From UNHCR's perspective, the link between peace and security and voluntary repatriation of displaced populations is a key consideration in attempting to build peace. The inclusion of refugee, returnee and IDP issues in the political processes from the outset has huge potential benefits in terms of confidence building, protection, planning for return and ensuring that refugees are included in reconciliation and national development efforts.

Similarly, early coordination with development actors, including the Bretton Woods institutions and bilateral donors, is essential to secure the sustainability of reintegration efforts and the link with longer-term development plans.

13. For UNHCR and other agencies, responding to half a dozen large-scale repatriations in Africa at the same time will be very challenging. Careful prioritization, planning of logistics, human resources and expertise will be important and adequate financial resources will be essential for success. The importance of coordination and interventions in the early stages is clear: the greatest propensity for a nation to revert into conflict is in the early months following a peace settlement, and this is precisely the time when international agencies are least prepared to act.

III. THE WAY FORWARD

Need for concrete recommendations

14. It is intended that the 8 March Dialogue should result in a set of conclusions containing concrete recommendations on the way forward for voluntary repatriation and sustainable reintegration in Africa. The recommendations should focus on how to achieve a well coordinated continent-wide effort to deal successfully with the many different situations and obtain maximum synergy amongst all actors, as well as to ensure the sustainability of efforts of the international community. A high level follow-up working group made up of governments, United Nations, the African Union and other partners would then work with UNHCR to develop a comprehensive strategy to support countries in Africa with the management of voluntary repatriation operations and sustainable reintegration in the context of the Framework for Durable Solutions. The conclusions and recommendations of the 8 March meeting would provide a starting point for the deliberations of the high-level working group.

Link with Convention Plus initiatives

15. This approach would also help to further operationalize the High Commissioner's Convention Plus initiative. One of the areas of activity identified as a possible subject of Convention Plus agreements is the targeting of development assistance to achieve solutions to refugee problems. Within this framework, UNHCR and its partners intend to work out specific arrangements in support of the different repatriation, reintegration, rehabilitation and reconstruction processes (the 4Rs). This could be done on a situation- or country-specific basis, and would provide a tool for solid and long-term partnerships between UNHCR, other United Nations agencies, financial institutions, intergovernmental and non-governmental organizations, countries of origin and asylum in Africa and interested governments.

Political understanding and financial support

16. African countries, and the international community, have invested an enormous amount of energy in the various peace processes. The sustainability of the recovery process is so important because any slippage or reversal of hard-won peace would be disastrous for the people and the continent at large. Timely political understanding and financial support of this whole process are essential for its success.

IV. CONCLUSION

17. The time has therefore come to reaffirm the international community's commitment to supporting political processes that may still be fragile in order to halt the cycles of war and instability in many countries in Africa. The opportunity to end many protracted humanitarian crises associated with these conflicts cannot be allowed to slip away. Early technical and financial assistance for the long-term process of post-conflict peace-building, sustainable reintegration of displaced populations, reconciliation and socio-economic development are essential ingredients in helping African nations capitalize on the prospects of long-overdue peace on the continent.