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New approaches to solutions

Summary

Attaining solutions for forcibly displaced persons requires the concerted efforts of all actors from the early stages of displacement. With the launch of six multi-year, multi-partner protection and solutions strategies in 2016, UNHCR is testing new approaches to the design, implementation, monitoring and evaluation of progressive and comprehensive solutions programming. In collaboration with States and other partners, UNHCR is also exploring the use of complementary pathways to protection and solutions. Inclusive development, as reflected in the Sustainable Development Goals and the 2030 Agenda for Sustainable Development's commitment to 'leave no one behind', is fundamental to the progressive realization of solutions. In line with its protection and solutions responsibilities, UNHCR is committed to supporting States to achieve solutions for persons of concern.

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I. Introduction

1. The global challenges of forced displacement are more evident than ever. While the root causes of forced displacement show no signs of being addressed, traditional responses have proven inadequate and a growing number of people are left without access to durable solutions. The magnitude and protracted character of many of today's displacement situations are leading States to engage with a wider range of partners in order to secure solutions for refugees, internally displaced persons (IDPs), stateless populations and returned refugees. UNHCR is committed to fulfilling its responsibility to assist States in the search for solutions.

2. The purpose of this paper is to provide an update on developments in UNHCR's approach to solutions and the status of global efforts to achieve solutions. It provides an overview of progress made since the paper on solutions strategies (see EC/66/SC/CRP.15) was presented to the Standing Committee in June 2015. This paper complements the conference room papers on voluntary repatriation and resettlement (see EC/67/SC/CRP.13 and EC/67/SC/CRP.11) also being presented to the sixty-sixth meeting of the Standing Committee.

II. A progressive approach to solutions

3. With a growing international focus on the need to identify solutions to complex and large-scale forced displacement situations, it is clear that the attainment of durable solutions takes time and requires commitments from many partners, including governments, United Nations development and humanitarian agencies, international financial institutions, civil society and the private sector. Approaches to solutions that address only one dimension or that are undertaken without adequate consultation tend not to be sustainable. Comprehensive multi-year, multi-partner protection and solutions strategies must be put in place from the very onset of displacement, guiding the engagement of all actors, even when the full realization of solutions is not within immediate reach.

4. Solutions strategies must build on consultations with, and the active engagement of, displaced and stateless populations. UNHCR is strengthening its interaction with communities, including through improved participatory assessments implemented at the earliest stages of displacement¹.

5. Solutions are secured when persons of concern enjoy their fundamental rights, including access to national services and systems, without facing any discrimination. It entails addressing four interrelated dimensions, namely: economic, legal, socio-cultural and civil-political rights, and serve to strengthen communities, while reducing the risk of disenfranchisement and frustration among newcomers as well as hosts.

6. A progressive approach entails continuous advancement towards greater enjoyment of rights while a comprehensive solution is being pursued. How a displaced person fares in the future, whether in the country of asylum or origin or in a third country, depends on the skills, experiences and qualifications, mental and physical health, material assets and attitudes maintained and developed while displaced. These resources and qualities are not only beneficial to persons of concern, but to their communities, including in areas of return or relocation, or in countries of settlement. They can also equip displaced populations with

¹ In 2015, global youth consultations were launched, providing a platform for dialogue and engagement with this important demographic, including in the area of solutions.

the skills to contribute to peacebuilding processes and help address root causes of displacement in their countries and areas of origin.

7. UNHCR's Seeds for Solutions Initiative, launched in 2014, demonstrated that the attainment of solutions is not only a matter of adequate funding. While funding is a necessary component of a solutions strategy, solutions cannot be attained without addressing sometimes difficult questions, such as fostering social cohesion; achieving security and the rule of law; opening access to economic opportunities and ensuring the exercise of land use and property rights.

8. UNHCR has the expertise to support States and communities in the identification of barriers that prevent solutions from being attained and to contribute to interventions that would resolve them. Addressing structural barriers requires concerted action by a broader range of actors and, in particular, the leadership and action of States.

III. Progress towards solutions

A. Redesigning the strategic planning framework

9. UNHCR's Seeds for Solutions Initiative has provided a testing ground for moving towards multi-year, multi-partner planning. Through this initiative, the Solutions Steering Group has supported more than 20 operations in applying solutions-driven approaches to their programming.

10. The Seeds for Solutions Initiative provided funding that helped conclude the Angolan repatriation from the Democratic Republic of the Congo; supported increased access to arable land in Chad; and saw the departure of 200 Sri Lankan IDP families from collective centres. In Malaysia, it helped over 500 people to acquire nationality and in Kyrgyzstan, it enabled more than 5,500 people to have their Kyrgyz nationality confirmed or to obtain proof of nationality, making ending statelessness in that country a realistic goal in the course of the coming years.

11. Building on the experience from this initiative, the decision was made in 2015 to launch a pilot project to test the use of comprehensive multi-year, multi-partner protection and solutions strategies in six operations. In 2016, operations in Costa Rica, Ecuador, Ghana, Senegal, Uganda and the United Republic of Tanzania started implementing these strategies, with the objective of addressing the economic, legal, socio-cultural, and civil-political dimensions necessary to secure solutions for populations of concern within 3 to 5 years.

12. These multi-year planning pilots provide an opportunity to test new approaches to the design, implementation, monitoring and evaluation of solutions programmes. The lessons learned are already feeding into the institutionalization of a strategic, progressive and comprehensive approach to solutions, with UNHCR playing a central role to support governments. Over the next few years, UNHCR will continue to expand the number of operations with data-driven strategies and plans, and it will continue to refine the operational elements that address each dimension.

B. Exploring complementary pathways to protection and solutions

13. Despite progress being made to achieve greater enjoyment of rights by persons of concern to UNHCR, securing the legal aspects of a solution – particularly questions of legal status, documentation and freedom of movement – remains challenging. Finding solutions

demands a thorough analysis of the situation and advocacy focused on supporting opportunities and lifting barriers.

14. Returning home remains the preferred solution for many forcibly displaced persons. However, this continues to be out of reach for the vast majority, with unresolved root causes of displacement continuing to create obstacles to return in safety and dignity. Even when people opt to repatriate on their own, knowing that the reasons for their flight have not been fully addressed, their return is often unsustainable.

15. UNHCR commends the progress made by a number of States over the past year in achieving durable solutions for persons of concern. Fulfilling a commitment announced at the Executive Committee in 2014, the Government of the United Republic of Tanzania issued citizenship certificates to over 151,000 former Burundian refugees as part of a multi-partner comprehensive solutions strategy; nearly 50,000 additional people were in the process at the end of the year. In September 2015, the Government of Zambia approved expanded criteria for the local integration of all former Angolan refugees who arrived in the country before 2003, as well as for some 4,000 Rwandans.

16. Resettlement and humanitarian-entry programmes are crucial tools, in particular when addressing the needs of people with specific protection and other urgent needs. UNHCR is working with States, non-governmental organizations (NGOs) and refugees to explore the use of existing safe and complementary pathways to protection and solutions that refugees can access. The 30 March high-level meeting on global responsibility sharing through pathways for admission of Syrian refugees demonstrated international momentum in this regard. Where permanent settlement is not an option, complementary pathways supporting work, study and family reunification can facilitate the acquisition and retention of skills that can assist refugees in working towards a sustainable solution in the future.

17. In Africa, progress is being made in Ghana, Guinea-Bissau, Senegal and Togo, where the governments are exploring how the Economic Community of West African States (ECOWAS) framework can complement national laws in offering complementary pathways to permanent residency and in some cases even naturalization. In the Americas, the MERCOSUR² provisions are helping advance solutions within and outside the region. Countries in Latin America and the Caribbean made progress towards the implementation of the Brazil Plan of Action, adopted in December 2014, which calls for the development of public policies and legal and economic frameworks that promote solutions for refugees and stateless persons. UNHCR is committed to working with States, as well as other partners, to identify and implement complementary measures that will meet the continuing international protection needs of refugees.

C. Ensuring inclusion

18. To UNHCR, the importance of the linkages between protection and solutions and development endeavours that are inclusive of refugees, IDPs, returnees and stateless persons is clear. By committing to the Sustainable Development Goals and the 2030 Agenda for Sustainable Development's aim to 'leave no one behind', States and international actors promise to proactively address the needs of persons often excluded based on their legal status, displacement or their recent return to homes and communities damaged by conflict.

² MERCOSUR – Mercado Común del Sur (Southern Common Market) includes Argentina, Bolivia (Plurinational State of), Brazil, Paraguay and Uruguay, as well as two associate States (Chile and Peru).

19. The 2030 Agenda for Sustainable Development and the Sustainable Development Goals also reinforce the cooperation framework between governments and other development actors, humanitarian organizations and civil society, as well as the private sector. UNHCR is committed to working with States and partners to ensure that displacement is clearly placed on the development agenda.

20. Sustainable Development Goal 16 recognizes the rule of law as fundamental to sustainable and inclusive development, and that governance and the rule of law can support or hinder comprehensive solutions. For example, UNHCR has engaged experts who are working on operational guidance on housing, land and property matters as well as on access to justice, collaborating with government and development actors to mainstream rule of law approaches in hosting and return areas. The successful implementation of the Sustainable Development Goals 4 and 8, calling respectively for quality education and decent employment for all, will contribute directly to longer-term solutions by ensuring that forcibly displaced persons retain or acquire new skills essential to the attainment of all solutions.

21. Recent research undertaken by UNHCR, the World Bank, the Solutions Alliance and others has shown that allowing refugees to work decreases aid dependency, while yielding better economic and social outcomes for host communities³. It also allows them to acquire skills to help them build a future. UNHCR's policies, global strategies and approaches, such as those supporting community-based protection and alternatives to camps encourage collaboration with all parts of government, civil society and the private sector, to achieve advances in education, skills development, social cohesion, peacebuilding, employment and entrepreneurship. Supporting livelihood opportunities, UNHCR has expanded implementation of the graduation approach⁴, currently in Egypt, Costa Rica and Ecuador to Burkina Faso and Zambia.

22. UNHCR encourages States to examine ways in which they can facilitate the employment of refugees and stateless persons, allowing them to contribute to the economic life of their communities, and to examine laws and practices that can remove existing obstacles to this end. UNHCR commends the recent initiative of Jordan to temporarily exempt Syrians from work permit fees; regulations introduced by Turkey which allow Syrians to apply for work permits; as well as the decision of the Government of the Gambia to cease the application of the expatriate tax on employers who hire refugees.

IV. International cooperation

23. In the current context of a rise in global forced displacement and the specific challenges associated with the protection of refugees caught up in mixed movements, UNHCR is committed to supporting States and communities, in particular those hosting large numbers of refugees over a long period of time, to achieve solutions for persons of concern. Numerous high-level events taking place this year are demonstrating a common

³ [The Sahel study](#) (on Burkina Faso, Chad, Mali, Mauritania and Niger) was completed in November 2013; [the Great Lakes study](#) (on Burundi, the Democratic Republic of the Congo, Rwanda, Uganda, the United Republic of Tanzania and Zambia) was completed in February 2015; [the Horn of Africa study](#) (on Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda) was completed in June 2015.

⁴ Pioneered by BRAC and piloted by the World Bank's Consultative Group to Assist the Poor (CGAP) and the Ford Foundation, the graduation approach enables refugee and local families to progressively move out of extreme poverty and access sustainable livelihood opportunities.

understanding among States and other actors that a comprehensive, global response is needed.

24. The Solutions Alliance Roundtable, which took place in Brussels and the Supporting Syria Conference, in London, in February 2016, the high-level meeting on global responsibility sharing through pathways for admission of Syrian refugees in March, the Wilton Park forum on new approaches to protracted forced displacement and the World Humanitarian Summit in May all emphasized the need for greater cooperation and political will to address displacement and to find durable solutions for displaced people. This should be fully grounded in local leadership and joint action, supported by improved financing mechanisms.

25. In order to achieve both protection and solutions, international cooperation must be focused on three central elements:

- The design of comprehensive protection and solutions strategies from the outset of a displacement crisis, addressing all four dimensions mentioned above in areas of displacement, settlement and return.
- Improved linkages and synergies between humanitarian and development activities.
- The reaffirmation of the commitment to pursuing the three durable solutions, while supporting complementary pathways to protection and solutions.

States are central actors in this approach, and their continuous, committed engagement will determine the success of these collaborative efforts.

26. UNHCR is committed to expanding and enhancing partnerships in the area of solutions. In the development of comprehensive solutions strategies, the Solutions Alliance remains an effective platform for collaborative action. UNHCR has been nominated as the first Chair of the Governing Board of the Alliance, working alongside the Government of Denmark as Vice Chair, with UNDP, IRC, the World Bank and the Government of Turkey as board members. New national groups were launched in Uganda and the United Republic of Tanzania, adding to the existing ones in Somalia and Zambia.

27. Collaboration with the World Bank has resulted in further analysis of solutions with a regional focus, assessing the economic impact of refugees on host economies and raising the profile of displacement. These studies can also inform dialogue on vulnerability. Joint programmes with direct linkages between humanitarian responses and development activities are being implemented, while new financial mechanisms to support host countries are being explored.

28. UNHCR has also strengthened its partnership with the International Labour Organization by updating the 1983 memorandum of understanding between the two organizations and by agreeing to collaboration on the right to work in specific operations and regions. For example, recent discussions have focused on support for the inclusion of Syrian refugees in the region's labour market. Collaboration is also ongoing in the areas of entrepreneurship, microfinance, market assessments and value-chain analysis. With respect to labour mobility, initiatives will be implemented in a way that ensures the international protection needs of refugees.

29. In recognition of the importance of addressing all solutions dimensions, the Organisation for Economic Co-operation and Development (OECD) and UNHCR held in January 2016 a joint conference on the integration of persons in need of international protection. Further collaboration is underway on the access to work and complementary pathways in OECD countries, as well as on joint guidance for development donors, under the aegis of the Directorate for Development Co-operation.

30. UNHCR has also strengthened its cooperation with the United Nations Human Settlements Programme (UN-Habitat) on the inclusion of housing, land and property issues in conflict analysis and programming. UNHCR signed a memorandum of understanding with the International Trade Centre (ITC) to increase opportunities for refugees in Jordan to participate in the marketplace. Work with the United Nations Development Programme and other development actors on the Solutions Alliance rule of law thematic working group is leading to common guidance on rule of law approaches to support solutions.

V. Conclusion

31. At the 30 March high-level meeting on pathways for admission of Syrian refugees, one Government referred to increased cooperation as ‘opportunity sharing’. Despite serious challenges, the international community has the opportunity to use the current situation to strengthen not only the international protection and solutions framework, but also communication between neighbours. Opportunities made available to displaced persons also represent a chance for societies to grow and develop.

32. UNHCR is committed to:

- Leading where the organization is best placed to add value;
- Improving the quality and direction of programming aimed at the achievement of solutions, supporting others where they are best placed to act and ensuring the inclusion of persons of concern in decision-making;
- Working with others to identify and lift the barriers to the attainment of solutions and strengthening the analytical basis of solutions strategies, taking into consideration the capacities and perspectives of persons of concern; and
- Leading and contributing to multi-partner, multi-year strategy development, advocating for the inclusion of persons of concern in national development plans and services, and action plans for implementing the 2030 Agenda for Sustainable Development, as well as in other mechanisms that advance the enjoyment of rights by populations of concern to UNHCR and their hosts.

33. The achievement of comprehensive solutions for forcibly displaced and stateless populations now and in the future requires cooperation, commitment and a multi-year, multi-partner approach. UNHCR encourages States and all relevant actors to combat intolerance, racism and xenophobia, and to foster empathy and understanding through public statements, appropriate legislation and social policies, with the aim of allowing all forcibly displaced and stateless persons to participate actively in the civic, economic, and social and cultural life of the community in which they find themselves. Collaboration is vital to identifying and addressing the obstacles that stand in the way of attaining solutions.
