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International cooperation and the targeting of development assistance for refugee solutions: Lessons from the 1980s

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Introduction

‘Targeting development assistance for refugee solutions’ (TDA) is one of three generic strands of UNHCR’s Convention Plus initiative, the other two being ‘strategic resettlement’ and ‘irregular secondary movements’ (ISM). Its intention, like that of Convention Plus as a whole, is to improve access to durable solutions through improved north-south responsibility-sharing. In particular, it aims to facilitate local integration and repatriation by incorporating refugees in national development plans. It is hoped that by bridging the so-called transition ‘gap’ between humanitarianism and development, there will be a greater likelihood of resolving protracted refugee situations, which are often perceived to be a source of insecurity by host states and a source of onward movements by third country asylum states.¹ The debate builds upon the legacy of the refugee aid and development (RAD) debate that identified the multifaceted links and synergies between development and refugee issues.²

There are many factors in the debate surrounding Convention Plus that can be considered to be new. At the political level, an increasingly “proactive” approach to refugee issues and migration management is being pioneered by northern states, encouraging more comprehensive engagement in regions of origin as an alternative to asylum.³ At the UNHCR level, there is acknowledgement that the process of running generic agreements alongside attempts to develop situation specific Comprehensive Plans of Action (CPAs) may be new. However, many elements of Convention Plus draw upon past precedent. In many ways Convention Plus’ emphasis on durable solutions is an attempt to focus on the core elements of resettlement, local integration and return that have been present throughout UNHCR’s mandate. The initiative represents not so much radical innovation as an attempt to systematically apply the lessons of past practice to contemporary circumstances.⁴

Within this context, there have been attempts to analyse past relevant experiences. In particular, these have focused on the lessons from the Indo-Chinese CPA (1989) and CIREFCA (1989). These cases provide insightful past precedents for the application of the generic agreements to situation-specific agreements such as the CPA for Somalis and the ‘Afghanistan Plus’ initiative. The 1989 precedents are referred to throughout the Convention Plus issues papers and are explicitly used as models for the emerging Convention Plus CPAs.⁵ Conspicuously absent from the debate so far has been any reference to the relevance of and lessons that can be derived from the two International Conferences on Assistance to Refugees in Africa (ICARA I and II) of 1981 and 1984, which fed into Poul Hartling’s ‘refugee aid and development strategy’. In many ways this imbalanced focus on past precedents is understandable

¹ Crisp, J, ‘Mind the Gap! UNHCR, Humanitarian Assistance and The Development Process’, New Issues in Refugee Research, Working Paper No. 43, UNHCR: Geneva, May 2001.

² Gorman, R (ed), *Refugee Aid and Development: Theory and Practice*, (Greenwood: 1993).

³ Crisp, J, ‘A New Asylum Paradigm? Globalization, Migration and the Uncertain Future of the International Refugee Regime’, New Issues in Refugee Research, Working Paper No. 100, UNHCR: Geneva, December 2003; Loescher, G and Milner, J, ‘The Missing Link: The Need For Comprehensive Engagement in Regions of Origin’, *International Affairs*, 79:3, pp. 583-617.

⁴ Interview with Jean-Francois Durieux, Head of the Convention Plus Unit (CPU), UNHCR, Geneva, 7/9/04.

⁵ In, for example, ‘Protracted Refugee Situations’, Standing Committee, 30th Meeting, EC/54/SC/CRP.14, 10 June 2004.

for two reasons: firstly, there is a vast amount more literature on the two CPAs⁶; secondly, while the CPAs were largely seen as a success, the ICARA conferences had little lasting legacy and disappointed many of the African states and donor states.⁷ Interviews with major stakeholders in the current debate suggest there is little awareness of the ICARA precedents.

However, an analysis of the ICARA process seems of relevance for the current debate on targeting development assistance. Although the focus of ICARA was exclusively on Africa, and Convention Plus is a global multilateral process, the TDA strand debate is currently similarly Afro-centric in its focus and pilots (assistance to Sri Lanka being the notable exception). Moreover, ICARA II's main theme was the search for durable solutions through improved burden-sharing between donor states and African refugee-hosting states, just as is that of Convention Plus. ICARA II addressed the issue of attempting to promote local integration through improving the protection capacity of host states. Like the 'first asylum country'-focused aspects of the TDA debate, it did so by focusing on 'self-sufficiency', 'capacity building' through infrastructural development projects, and building partnerships between UNHCR and development agencies such as UNDP. It even spoke to the issue of 'additionality', showed an awareness of the transition 'gap', and had a '3Rs' ('relief, rehabilitation and resettlement') where the TDA speaks of a 4Rs. While the 'Zambia Initiative' is the current local integration 'champion', Tanzania was deployed as ICARA II's success model for its achievements in promoting self-sufficiency. In other words, ICARA had just about all of the elements and language of the current TDA debate (at least in terms of the elements that deal with host states).

However, it is important to note that there were also striking differences in the aims, time frame and political context of the ICARA conferences. Identifying similarities need not therefore point to the inevitability of failure. Nevertheless, there are sufficient parallels to merit an analysis of the similarities and differences. If the lessons of the earlier precedents can be constructively applied, the chances of success in the current process may be improved. This paper therefore explains the context of the current TDA debate and the ICARA conferences, before comparatively analysing the similarities and differences between ICARA and the 'first asylum country'-focused aspects of the Convention Plus TDA debate. It concludes by evaluating the lessons that can be drawn from the ICARA precedents.

The current debate on targeting development assistance

The 'targeting development assistance for refugee solutions' (TDA) strand is one of three generic strands of UNHCR's Convention Plus initiative, the other two being 'strategic resettlement' and 'irregular secondary movements' (ISM). As is the case with the other two strands, the basis of a multilateral special agreement is being debated within the context of a core group of states led by the facilitating states, in this case Denmark and Japan.⁸ While a multilateral framework of understanding has

⁶ The work of Barry Stein and Robert Gorman stands out as the significant work on ICARA II. See, for example, Stein, B, 'ICARA II: Burden-Sharing and Durable Solutions' in Rogge, R (ed), *Refugees: A Third World Dilemma*, (Rowman and Littlefield, 1987) and Gorman, R, 'Beyond ICARA II: Implementing Refugee-Related Development Assistance', *International Migration Review*, 8:3, 1986.

⁷ Loescher, G, *The UNHCR and World Politics*, (Oxford: 2001), p. 228.

⁸ 'Convention Plus At A Glance' (as of 14 May 2004), www.unhcr.org

been agreed in the case of resettlement⁹ and negotiations on ISM have been underway since December 2003,¹⁰ inter-state debate on a generic agreement for TDA is just beginning. Denmark and Japan presented a discussion paper at the second Convention Plus Forum in February 2004¹¹ and UNHCR produced an Issues Paper on TDA in June¹², which was discussed within an informal meeting of donors and development agencies on 22 September.

The intention of the TDA strand is to incorporate refugees within development assistance programmes in order to improve access to durable solutions by facilitating local integration and return. Although the core group work on a special agreement is so far embryonic, the TDA strand draws upon ongoing practice and pilot schemes that have been developed both within a UNHCR context and by bilateral development aid donors.

In the case of targeting assistance to countries of origin, the strand's work draws upon UNHCR's prior development of the notion of sustainable 'repatriation, reintegration, reconciliation and reconstruction' (4Rs). In the case of host countries of first asylum, it draws upon conceptual tools such as 'the promotion of self-reliance through development assistance' (DAR) and 'development through local integration' (DLI). These initiatives have been conceptualised in the Framework for Durable Solutions.¹³ They have been piloted, with the 4Rs being applied in cases such as Sri Lanka, Afghanistan, Sierra Leone, and Eritrea, and DAR and DLI being particularly focused on UNHCR's 'Zambia Initiative' and northern Uganda.¹⁴ It is conceptually important to distinguish between the states of origin-focused work of the 4Rs, on the one hand, and the host asylum state-focused work of DAR and DLI, on the other. While the former has built on the fairly accepted and now largely uncontroversial concept of post-conflict reconstruction, the latter is where obstacles to international cooperation are most evident.

The '4Rs'

The link between development and post-conflict reconstruction has been entrenched since the 1990s. During Sadako Ogata's tenure as High Commissioner, the emerging humanitarian focus on IDPs and UNHCR's emphasis on repatriation resonated with growing interest on the part of development actors in post-conflict reconstruction and

⁹ 'Convention Plus Core Group On The Strategic Use of Resettlement: Multilateral Framework of Understandings on Resettlement', 21/6/04, www.unhcr.org

¹⁰ 'Consolidated Comments of the Core Group members on UNHCR's Convention Plus Paper entitled "Basic Propositions on Irregular Secondary Movements" dated 25 June 2004', 7/9/04, On file with the author.

¹¹ 'Convention Plus: Targeting Development Assistance to Achieve Durable Solutions for Refugees', Forum/2004/3, 17/2/04.

¹² 'Convention Plus Issues Paper on Targeting Development Assistance', Draft, UNHCR, June 2004.

¹³ Framework For Durable Solutions, May 2003, UNHCR. On file with the author. See Steppatut, F, 'Refugees, Security and Development. Current Experience and Strategies of Protection and Assistance in "the Region of Origin"', DIIS Working Paper 2004/11.

¹⁴ 'Background Document: Initiatives That Could Benefit From Convention Plus', Forum/2003/3, 18 June 2003; On Uganda: 'Report of the Mid-Term Review: Self-Reliance Strategy For Refugee Hosting Areas in Moyo, Arua and Adjumani Districts, Uganda', RLSS/DOS Mission Report 2004/03, April 2004.

'state-building'.¹⁵ The context of the 4Rs is therefore almost entirely uncontroversial.¹⁶ States of origin rarely pose objections to return, asylum states are keen to emphasise it as the 'ideal durable solution', and donor states often have specific economic and political interests in reconstruction. The major bilateral and multilateral development agencies therefore already have long-standing instruments focusing on post-conflict reconstruction. 4Rs simply places renewed emphasis on the need to incorporate displacement and, in particular, returnees within these instruments. Almost all stakeholders have been receptive to the idea. For instance, the World Bank's James Wolfensohn met with Ruud Lubbers in Washington in May 2004 to discuss overlaps between 4Rs and the Bank's 'Post-Conflict Fund' (established as early as 1997) and its new LICUS ('Low Income Countries Under Stress') Fund.

'DAR' and 'DLI'

The far more controversial aspect of the TDA strand's work focuses on targeting development assistance to first asylum states by building on the concepts of DAR and DLI. Here, in contrast to the 4Rs, there remain many obstacles to international cooperation. As opposed to countries of origin, many states of first asylum are reluctant to consider local integration and self-sufficiency. In the absence of this 'lead' from potential recipient states, and emphasising the centrality of 'ownership', multilateral development agencies are reticent to engage in new initiatives. There is recognition by UNHCR that in order to 'unlock' the process the concepts of DAR and DLI must first be 'sold' to southern host countries.

UNHCR's role in the debate is primarily one of facilitation. It is attempting to build upon bilateral initiatives that have emerged within the context of the European 'protection in regions of origin' debate.¹⁷ The most notable innovations have been DANIDA's *Naeromraadestrategien* (imperfectly translated as 'strategies for activities in refugees' region of origin') and the European Commission's B7-667 budget line for 'Co-operation with Third Countries in the Area of Migration'.¹⁸ This has been set alongside an emerging trend in which national development agencies such as Dfid in the UK and SIDA in Sweden have shown a growing interest in refugee issues, previously regarded to be the domain of other Government departments.¹⁹ UNHCR acknowledges that initiatives will remain largely bilateral and build upon pre-existing national, regional and multilateral agency instruments.²⁰ Nevertheless, incorporating TDA within a generic strand of Convention Plus represents an attempt to bring

¹⁵ Duffield, M, *Global Governance and the New Wars: The Merging of Development and Security* (Zed Books: 2001)

¹⁶ Or at least 'uncontroversial' for the major stakeholders in the 'development-security complex' that Duffield identifies i.e. states, intergovernmental and non-governmental actors.

¹⁷ The Dutch, for example, in their capacity as EU President, recently hosted a workshop on 'asylum and refugee protection' in which it discussed the need for the EU to adopt a comprehensive approach to 'refugee policy' in regions of origin and reached "consensus on the urgent need for such approaches", Amsterdam, 10/9/04. Summary on file with the author.

¹⁸ See Annex II: List of Donor Initiatives', 'Convention Plus: Issues Paper on Targeting Development Assistance', UNHCR, June 2004, www.unhcr.org

¹⁹ For example, Dfid has recently funded a joint project with Oxford University's Refugee Studies Centre to look more closely at its assistance to the displaced.

²⁰ Although Denmark and Japan have mooted the idea of a 'multilateral trust fund' for durable solutions', possibly along the lines of the Iraq Multilateral Trust Fund.

coherence and momentum to these emerging bilateral initiatives, facilitating coordination between donor and recipient states within a protection framework.

So far, however, negotiations between donors and potential recipients in the core group have been slow. Commitment to an abstract generic agreement has proved elusive with donor states not yet persuaded of the benefits of abstraction outside of context-specific circumstance. There has been suspicion on the part of some southern states concerned that the TDA strand will constitute a form of burden-shifting or result in the diversion of resources from their own citizens towards refugees. In particular, Nepal and Tanzania have been vocal in their opposition. This has been in contrast to Zambia and Uganda's unequivocal support. Meanwhile, many northern states have resisted a generic commitment to 'additionality' and there has been a pervasive 'wait and see what develops' attitude with few concrete commitments.²¹

Part of UNHCR's facilitation process has involved fostering partnerships with development agencies to raise awareness of the need to incorporate displacement issues in development planning. In this area UNHCR has taken three notable steps at headquarters level. Firstly, it became a member of the UN Development Group (UNDG) in 2003, in which it has participated in the Transitions Working Group, helping to develop guidelines for UN country teams to factor displacement into, for example, the UN Development Assistance Framework (UNDAF) and the Poverty Reduction Strategy Papers (PRSPs) of the World Bank and IMF. Secondly, in becoming a member of OECD's DAC it has collaborated in the Network on Post-Conflict Development Cooperation. Thirdly, UNHCR has begun a systematic analysis of the World Bank PRSPs to review the extent to which they are displacement-sensitive.²²

However, there have been constraints in the extent to which this collaboration has been transferred from headquarters level to work on the ground. There has been limited receptiveness from the Bretton Woods institutions, in particular. For instance, the position of the World Bank has been that it can only consider engagement with DAR and DLI where host states are actively supportive and where refugees "constitute binding constraints on economic and social development".²³ The double-bind here is that endorsing this pre-conditional view of refugees as an inevitable burden, as opposed to an asset, is hardly likely to be conducive to persuading host states of the benefits of local integration. Meanwhile, although it has been involved in coordinating assistance in, for example, the Zambia Initiative, UNDP's mandate of being able to coordinate but not provide assistance means that it is ultimately the handmaiden of inter-state relations. In contradiction to the position of the World Bank, its involvement in host states therefore relies upon showing that refugees can be an asset rather than a burden.

Beyond its catalytic role, UNHCR is also emerging as a potential applicant to the bilateral budget lines that are emerging, in order to channel funds to specific situations. For example, in September 2004 it received funding from the EC's B7-667 line for a protection-capacity building project jointly submitted by DIP and the CPU.

²¹ Interviews with state diplomats party to the debates, Geneva, September 2004.

²² Interview with Anita Bundegaard, Special Adviser on External Relations, DCI, UNHCR and former Danish Minister for Development, UNHCR, Geneva, 14/9/04.

²³ Expressed by the World Bank delegate to the Informal Meeting on Issues Involved in Targeting Development Assistance for Refugee Solutions', Palais des Nations, 22/9/04.

The one-year project focuses on Kenya and Tanzania as states with protracted refugee situations and Benin and Burkina Faso as emerging resettlement countries.²⁴

Given the obstacles to international cooperation in this area of the TDA debate, it is clearly here that lessons are most needed. However, the contemporary debate appears to be occurring largely without reference to past precedent. This article therefore focuses on the implications of the ICARA experience for future cooperation on DAR and DLI. To explore the potential relevance the following section reviews how some of the concerns and issues outlined in this section were reflected in earlier debate on TDA in the early 1980s.

The debate in the early 1980s: the ICARA process

Although ICARA focused upon two brief one-off conferences, Stein regards ICARA to have ultimately encompassed a “process” spanning a 5-year period, incorporating the 1979 Arusha Conference, a 1980 International Conference on Refugees in Sudan, the 1981 and 1984 ICARAs and their follow-up known as ‘Refugee Aid and Development’.²⁵ The Arusha Conference on the Situation of Refugees in Africa (7-17 May 1979) was a Pan-African conference at which African states acknowledged their responsibilities as host countries of first asylum and local settlement, reasserting their commitment to the 1969 OAU Refugee Convention. However, at the same time, they showed an awareness of the disproportionate burden that they held for refugee hosting in relation to the rest of the international community. The conference advanced a new concept of burden-sharing, calling upon donors to commit to bearing a share of the social and economic infrastructural costs of refugee settlement. The recommendations of the conference also alluded to “the objective of getting refugees out of charity situations into a position of integrated development and self-reliance”, advocating training schemes and the promotion of self-employment opportunities for refugees, for example.²⁶

ICARA I

ICARA I was therefore, to a large extent, an African-led initiative in which the relatively newly independent African states came to the international community in a spirit of Pan-Africanism to call for new burden-sharing. The conference, held 9-10 April 1981, had three stated objectives: 1) to “focus attention on the plight of refugees in Africa”; 2) to “mobilize additional resources to assist both refugees and returnees”; 3) to “aid countries of asylum in bearing the burden imposed upon them by the large number of refugees”.²⁷ Its focus was therefore largely on burden-sharing and it was primarily a pledging conference, setting out few ideas, principles or guidelines. Funding commitments were also relatively short-term in focus. Bearing in mind the

²⁴ Interview with Ninette Kelley, Convention Plus Unit, UNHCR, Geneva, 18/9/04; ‘Project Description: Strengthening Protection Capacity Project’, On file with the author.

²⁵ Stein, B, ‘Regional Efforts to Address Refugee Problems’, Paper presented at ISA, Toronto, 21 March 1997.

²⁶ ‘Recommendations From The Pan-African Conference on the Situation of Refugees in Africa’, (UNHCR: 1984). Recommendations 10 (1) and 10 (3c), in particular, set-out the notion of development for integration and self-reliance.

²⁷ UN General Assembly Resolution 35/42 of 25 November 1980.

neglect of increasingly protracted rural and border settlements, much of the focus was on meeting basic needs such as food provision. For example, the UNHCR's Chief of West and Central African operations argued that the priority for the funds falling within UNHCR's mandate should focus on "immediate needs" such as shelter, clothing and blankets²⁸; meanwhile \$175m of the \$560m initially pledged at the conference was earmarked for food aid.²⁹ The Secretary-General, Kurt Waldheim, proclaimed in his Concluding Statement that the conference had been a comparative success. He claimed, in relation to the conference objectives: "We have made major strides on all three fronts". In commenting on the \$560m in conference pledges, he went on, "one may conclude, therefore, that the immediate priority requirements will be met and that a solid base has been laid for the development of the necessary support to accommodate the long-term needs involved".³⁰ In the immediate aftermath, numerous African representatives from capitals wrote to congratulate the High Commissioner on the initiative.³¹

It was only later that the extent to which these pledges had been earmarked by states became increasingly apparent. By September 1981, the Steering Committee in charge of post-ICARA Coordination noted that further specifications by donors left only \$144m not earmarked, leaving UNHCR with an estimated \$40m available for the high priority projects that did not fall into its regular or specific programmes. Consequently, a ceiling of \$2m per country was fixed and this was focused on humanitarian assistance needs such as food, water, shelter and the delivery of medical services.³² In Loescher's words, "almost all of the \$560m offered by donor states was earmarked for projects and allocated to most favoured nations. Very few funds went to especially hard hit nations like Ethiopia and other countries in the Horn of Africa".³³ Consequently, when the UN General Assembly reflected on the achievements of ICARA I, it regretted "that, in spite of efforts made, the assistance provided to an increasing number of African refugees is still very inadequate".³⁴

ICARA I therefore ultimately failed to satisfy host states in Africa by failing to meet their expectations for additional resources. In the words of Ambassador Skalli of Morocco (the Chair of the Geneva African Group), "Although ICARA I had succeeded in certain respects, it had not raised the additional resources hoped for". This brought calls for "additionality", by Egypt, for example, which, wary of the substitution of other development resources destined to states' citizens, stressed "the

²⁸ Mr Bwakiri, Acting Chief West and Central Africa Region, to Mr Asomani, Officer-in-Charge of Post-ICARA Coordination, Memorandum SACO/1153, 'Note on Selecting Priority Projects, Falling Within/Outside UNHCR's Mandate', 27/7/81 (Fonds UNHCR 11, 391.62/374).

²⁹ UN Middle East Information Centre, 'ICARA: Press Release' 66/1981, 28/4/81, (Fonds UNHCR 11, 391.62/306A).

³⁰ Concluding Statement by the Secretary-General to ICARA, 10/4/81, Report to the UN on ICARA, 21/4/81, (Fonds 11, UNHCR, 391.62/300A).

³¹ The Foreign Minister of Cameroon, for example, proclaimed the \$560m pledged "une premiere manifestation significative de solidarite internationale", Correspondence Foreign Minister of Cameroon to High Commissioner, 11/5/81, (Fonds UNHCR 11, 391.62/318A).

³² ^{3rd} Draft of Steering Committee of Post-ICARA Coordination Meeting, held 15/9/81, New York, HCR/NY/572, (Fonds UNHCR 11, 391.62/460).

³³ Loescher, G, *The UNHCR and World Politics*, (Oxford: 2001), p. 227.

³⁴ UN General Assembly Resolution 36/124 of 14 December 1981, cited in Milner, J, 'Golden Age? What Golden Age? A Critical History of African Asylum Policy', Paper Presented at the Centre for Refugee Studies, York University, 28/1/04.

need to increase the developmental assistance to asylum countries”.³⁵ Equally, the legacy of ICARA I failed to satisfy northern donor states, particularly the United States, who after seeing little results from its \$285m pledge, remained on the fringes of ICARA II. The concerns of northern donors were largely that financial commitments had not translated into durable solutions for refugees but had either been squandered on short-term assistance or had been used by African states simply to fund out-dated development projects that offered little benefit to refugees.³⁶ Gorman diagnoses the failure of ICARA I to ultimately meet its third goal of addressing refugee-related development needs as a consequence of its failure to systematically involve UN development agencies in the conference planning and project proposal preparations.³⁷

ICARA I did, however, have an intellectual legacy. While its focus had mainly been on basic needs, much the rhetoric of the conference and many of the projects submitted by states focused on building infrastructural capacity to facilitate the hosting of refugee populations, representing that starting point for UNHCR’s ultimately failed ‘refugee aid and development strategy’.³⁸ For example, the General Assembly resolution establishing ICARA I identifies the need “to strengthen the capacity of countries of asylum to provide adequately for the refugees while they remain in their countries, as well as to assist the countries of origin in the rehabilitation of genuine voluntary returnees”.³⁹ A number of project submissions focused on this kind of capacity-building with a view to facilitating self-sufficiency and local integration. In the case of Lesotho, the submission prepared for the conference notes:

The Lesotho Government Policy...is to integrate them into the community as soon as possible. Integration in this case means that the relief for the people should not be handled separately from the national development objectives; therefore the Government has considered the creation of conditions where self-development is possible.

The submission goes on to propose credit schemes, workshop facilities and the expansion of education facilities at the National University of Lesotho, for example.⁴⁰ In reviewing the government submissions for his Southern African Regional Section, David Lambo similarly placed emphasis on capacity building as part of a shift towards local integration and “self-help” as opposed to the dependency of many rural settlements. He drew attention to the need to support, for example, educational and agricultural projects to benefit the Barundi refugees in Tanzania.⁴¹ Self-sufficiency

³⁵ ‘Meeting on ICARA II with African Missions’, 5/10/83, HCR/ETH/610, (Fonds 11, UNHCR, 391.78/373).

³⁶ Evident from the comments of European states at the informal meetings of ExCom representatives. For example, ‘Note for the file: Summary of Statements Relating to ICARA II’, 27/5/83, (Fonds UNHCR 11, 391.78/215).

³⁷ Gorman, R, ‘Linking Refugee Aid and Development in Africa’, in Gorman, R (ed), *Refugee Aid and Development: Theory and Practice*, (Greenwood: 1993), p. 63.

³⁸ Cuenod, J, ‘Refugees: Development or Relief’ in Loescher, G and Monahan, L (eds), *Refugees and International Relations*, (Oxford: 1989).

³⁹ UN General Assembly Resolution 35/42 of 25 November 1980, Preambular paragraph 8.

⁴⁰ ‘Lesotho Government Assistance Proposals For Submission to the Conference’, 19/12/80, (Fonds UNHCR 11, 391.62/113).

⁴¹ Lambo, D, Chief, Southern African Regional Section writing to the Deputy High Commissioner, 19/12/80, (Fonds UNHCR 11, 391.62/154A).

through capacity building was also a major theme in the conference speeches. For example, the Secretary-General emphasised the need to “promote self-sufficiency of refugees through various local integration programmes”.⁴² Meanwhile, Siaka Stevens, as Chair of the OAU, claimed:

The assistance of the world community...should aim at helping them [refugees] to help themselves, particularly in cases where repatriation could no longer be envisaged. Refugees should not be assisted in ways which would create overdependence. Rather, they should be guided and enabled to become self-supporting as quickly as possible.⁴³

ICARA II

Reflecting the limitations of ICARA I, ICARA II drew on many of the underdeveloped ideas that had been implicit in the first conference. ICARA II was seen by donor states as needing to be, in the words of the Austrian Ambassador, more of a “think tank” than a “pledging conference”.⁴⁴ The second conference benefited from far greater planning time than its predecessor, with Mr Jessen-Petersen being appointed the Head of an ICARA Unit, which coordinated the Steering Committee and Technical Teams from 1983. He noted that the need for the second conference was the failure of the first in terms of capacity building: “It fell short of meeting the expectations of the African Governments for support towards strengthening their institutional capacity to receive refugees...Hence, resolution 37/197 calling for the convening of ICARA II”.⁴⁵ The objectives of the conference were set-out as to: 1) “thoroughly review the results of ICARA I and the state of progress of projects submitted to it”; 2) “consider the continuing need for assistance with a view to providing, as necessary, additional assistance to refugees/returnees in Africa for the implementation of programmes for their relief, rehabilitation and resettlement”; 3) “consider the impact imposed on national economies of the African countries concerned and to provide them with required assistance to strengthen their social and economic infrastructure to cope with the burden of dealing with large numbers of refugees and returnees”.⁴⁶

The central theme was “Time for Solutions”, which the High Commissioner explained represented “a joint responsibility for all participants...I am thinking particularly of the relationship between relief and development aid, and the primacy of durable solutions”.⁴⁷ This reflected the 1983 ExCom resolution on durable solutions which “recognized the importance and timeliness of ICARA II in connection with the pursuit of durable solutions to refugee problems in Africa”.

⁴² Concluding Statement by the Secretary-General to ICARA, 10/4/81, ‘Report of the UN ICARA’, (Fonds UNHCR 11, 991.62/300A).

⁴³ Statement by Dr Siaka Stevens, President of Sierra Leone (and Chair of OAU), ICARA, 9/4/81, (Fonds UNHCR, 11, 391.62/316).

⁴⁴ Note For the File: Summary of Statements Relating to ICARA II Made at Informal Meetings of ExCom Representatives, 27/5/83, (Fonds UNHCR 11, 391.78/215).

⁴⁵ Memorandum Mr Jessen-Petersen to Mr Moussalli, ‘Talking Points on ICARA II’, 23/11/83, (Fonds UNHCR 11, 391.78/399).

⁴⁶ UN General Assembly Resolution 37/197, 18 December 1982, Operational Paragraph 5 (a) to (c).

⁴⁷ High Commissioner’s Opening Remarks at the 3rd Steering Committee Meeting on ICARA II, 14/11/83, Jessen-Petersen’s summary of the debate, (Fonds UNHCR 11, 391.78/398A).

Consequently, where ICARA I had ultimately focused on short-term relief, ICARA II was intended to direct funds towards durable solutions and acknowledged that this would require a greater developmental emphasis. ExCom noted that “Given the economic and social fragility of those African countries receiving refugees, UNHCR’s work needs to be complemented by efforts of a more developmental nature”.⁴⁸ This acknowledgement led UNHCR to attempt to build partnerships with development agencies. For example, the Steering Committee for ICARA II included UNDP “because of the development aspect”.⁴⁹ This reflected a growing awareness of the need to address the now famous transition ‘gap’ between relief and development. UNICEF’s report in the aftermath of ICARA I, for example, noted that:

It was also apparent that during the first emergency phase, donors wished to see their commitments applied for humanitarian purposes only. A number expressed the view that the longer-term aspects of the refugee problem and the strengthening of infrastructure should be considered as part of the international agencies involved with development in co-operation with the Governments concerned.⁵⁰

By mid-1983 consideration of the ‘gap’ was emerging in UNHCR’s thinking. In representing the organisation at a Symposium on African Refugees in Tokyo, Mr Chefeke noted that while the “most ideal solution” for refugees was voluntary repatriation, “there are, unfortunately, also situations where voluntary repatriation is most unlikely” and these require “local integration” and “self-sufficiency”. He argued that “ICARA II will try to bridge the gap between the humanitarian aid to refugees and development aid to the countries concerned”, claiming “the process leading to refugee integration is not simply a succession of phases i.e. relief, self-reliance and development. These phases overlap”.⁵¹

In preparation for the conference, which took place in Geneva between 9 and 11 July 1984, the ICARA Unit invited submissions from African states under the heading of ‘Proposals for Development Assistance to Areas with Refugee Concentrations’ in which states were to focus on, firstly, government policy in regard to refugees (including efforts to reach durable solutions); secondly, the impact of refugees on the national economy; thirdly, overall plans designed to deal with refugee problems *particularly through development projects*. In outlining the “additional resources sought”, they were required to provide a “statement of refugee-related development projects which are already underway”.⁵²

During this process, Tanzania’s prior experience of incorporating refugees in national development projects as a means of achieving self-sufficiency and local integration

⁴⁸ ‘For the Information of ExCom: ICARA II’, Geneva, 21-23 May 1984, (Fonds UNHCR 11, 391.78/307).

⁴⁹ Memorandum Mr Jessen-Petersen to Mr Moussalli, ‘Talking Points on ICARA II’, 23/11/83, (Fonds UNHCR 11, 391.78/399)

⁵⁰ UNICEF document for Executive Board on Cooperation with African Countries, E/ICFF/P/L.2094, (Fonds UNHCR 11, 391.62/319), paragraph 29.

⁵¹ Mr Chefeke, Keynote address to Symposium on African Refugees, Tokyo, 24/5/83, (Fonds UNHCR 11, 391.68/234).

⁵² ‘ICARA II: Guidelines for Country Submissions on the Impact of Refugee Problems on National Economies and Possible Development Assistance Required to Alleviate These Problems’, YZF 306-03, 15/3/83, (Fonds UNHCR 11, 391.78/91).

was championed as the pioneering example of success.⁵³ The Tanzanian model of success was particularly used as a means of encouraging involvement from UNDP. For example, in a letter from the UNHCR Representative for Dar es Salaam to UNDP's Resident Representative, an enclosed background paper set-out some key illustrations of the success of local integration through self-sufficiency. It looked at the self-sufficiency achieved by Barundi refugees in Katumba, Ulyankula and Mishamo, and by self-settled Zaireans in Kigoma, showing how "with the assistance of settlement and project personnel the refugees themselves are responsible for land clearance and for building their own homes, as well as for various community projects designed to foster a community spirit of self-reliance and cooperation". It argued that the government's encouragement of refugee agriculture and the construction of infrastructure such as roads, water systems, education, and health facilities had promoted this integration, and called upon UNDP to contribute through ICARA II to strengthening the process.⁵⁴

After receiving project submissions from states, the UN Technical Team for ICARA II conducted a series of visits to the 14 concerned states. Its aim was to compile reports on the states' 'infrastructural burden of dealing with large numbers of refugees' and to assess and prioritise project submissions "that would enhance the capacity of the country to support refugees". All the visits lasted between 3 and 10 days, involved meetings between UNHCR, UNDP, donor countries, host states and NGOs, and reviewed the current situation and policy while describing and prioritising projects. The projects in the report all focused on infrastructural development initiatives planned and 'owned' by the host governments, with the explicit intention of providing 'development' facilities such as health, education, road access, agricultural training and equipment, and other forms of vocational training that would better provide a social and economic link between the refugee populations and the state's own citizens.⁵⁵

When the conference met in July 1984, it aimed to raise \$392m to meet 128 aid schemes in the 14 African states over a period of three years and the Chair, Leo Tindemans, proclaimed the event a success.⁵⁶ However, the ultimate consensus is that ICARA II was a failure. Loescher, for example, writes that "ICARA II was no more successful than ICARA I".⁵⁷ Indeed, in the aftermath of the conference, the Unit failed to attract the requested \$392m to meet the schemes' needs. Donor expressions of commitment at the conference were contingent upon ensuing feasibility studies. The cause of failure was primarily a north-south polarisation in expectations and interests, and a lack of commitment on the part of both donors and recipient states.

Stein suggests that there was a north-south division in the understanding of the purpose of the conference. While the African states wished to focus on burden-

⁵³ For example, paragraphs 12 and 13 of the 'Report of the UN Technical Team for ICARA II on Tanzania' note "The deep-rooted and internationally well-known humanitarian concern of the Government of the United Republic of Tanzania towards refugees", 29/8/83, (Fonds UNHCR 11, 391.78/45).

⁵⁴ Letter from Abdallah Saied, UNHCR Representative to Dar es Salaam to Mr D. Outtara, Resident Representative of UNDP re. Proposed Development Assistance projects fro ICARA II, 7/6/83, (Fonds UNHCR 11, 391.78/227A).

⁵⁵ All the reports of the UN Technical Team are in Fonds UNHCR 11, 391.78.9.

⁵⁶ 'Press Clippings on ICARA II', 26/7/84, (Fonds UNHCR 11, 391.78/1019C).

⁵⁷ Loescher, G, *The UNHCR and World Politics*, (Oxford: 2001), p. 228.

sharing, the donor states wished to focus on the durable solutions focus reflected by the conference theme, 'A Time for Solutions'. He suggests that while donors did not reject the notion of expanded burden-sharing *per se*, an increased economic commitment needed to be directly linked to expanded access to durable solutions other than voluntary repatriation. In other words, they wanted 'results' rather than "an open-ended claim on their resources".⁵⁸ It is in part for this reason that the donor response was less than overwhelming. Most donors had regarded ICARA I as a major commitment and were highly suspicious of African motives for convening a second conference.⁵⁹ This also made achieving concrete partnerships with development agencies extremely difficult. With few new resources forthcoming and host states concerned about diversion, 'additionality' became a stumbling block for the engagement of development partners. For example, despite UNDP's active involvement in negotiation, their representative, Orlando Olcese, made clear that the organisation could not commit additional resources, stating, "Present UNDP resources do not allow for any additionality. Host governments are not willing to allow use of present UNDP resources for refugees".⁶⁰

Similarly, with the exception of those states that had already been relative 'champions' of local integration, there was a lack of additional willingness on the part of African states to provide local integration. Most African states preferred voluntary repatriation which was consequently highlighted as the "ideal durable solution" throughout the conference. Later UNHCR evaluation revealed that "the African countries tried to win funds for development projects under the guise of refugee emergency relief. They were more interested in being compensated for the burden of hosting refugees than they were in using these funds to promote local integration".

In the aftermath of the conference failure, the concept of 'refugee aid and development' died and was not carried forward after Hartling's departure in 1985.⁶¹ In the 1990s the refugee aid and development debate transmuted into the relief-development debate of the 1990s, which focused, in particular, on using small-scale Quick Impact Projects (QIPs) to facilitate repatriation.⁶² However, although the 1990s saw much energy expended on the relief to development 'gap', it has been only in the last few years that TDA has really been put firmly on the agenda again.

Resonances with current TDA debates

Similarities

The above sections have already drawn attention to the commonalities in discourse between the TDA debate and the ICARA process. That is hardly surprising given that both focus on incorporating refugees in Africa within a development framework. This

⁵⁸ Stein, B, 'Regional Efforts to Address Refugee Problems', Paper presented at ISA, Toronto, 21 March 1997.

⁵⁹ Gorman, R, *Coping With Africa's Refugee Burden: A Time For Solutions*, (Nijhoff: 1987), p. 67.

⁶⁰ ICARA II Briefing, Refugee Policy Group Meeting of OAU Secretariat and Voluntary Agencies on Assistance to Refugees in Africa, 22/3/83, (Fonds UNHCR 11, 391.78/200B).

⁶¹ Loescher, G, *The UNHCR and World Politics*, (Oxford: 2001), p. 228; UNHCR Central Evaluation Section, *Returnee Aid and Development* (UNHCR: 1994).

⁶² See, for example, Stepputat, F, 'Dynamics of Return and Sustainable Reintegration in a "Mobile Livelihoods" -Perspective', DIIS Working Paper no. 2004/10, p. 17.

section aims to briefly make explicit the similarities that are evident from a reading of the circumstances and content of the two initiatives. It shows the areas in which tangible parallels can be identified.

- *Aims.* The central problem requiring solution that is identified by both ICARA II and the TDA strand is the presence of protracted refugee situations. They seek to supplant the dependency and marginalisation of protracted camp situations with self-sufficiency and integration. The explicit aim present in both is consequently to improve access to the durable solution of local integration, primarily in situations where voluntary return is not possible. In ICARA II this was clearly the intention of northern donors. Likewise, the aspects of the TDA strand that target host countries of first asylum (i.e. the use of DAR and DLI, in particular) acknowledge the long-term economic and social impact of protracted refugee situations on host countries. DAR obviously aims to facilitate “self-reliance” in preparation for one of the durable solutions; DLI emphasises local integration.⁶³
- *Mechanism.* The primary mechanism by which the stakeholders to the debate intend to meet this aim is, in both cases, the targeting of development assistance to improve the protection capacity of states of first asylum. This is the basis on which the notion of ‘protection in regions of origin’ is being developed on a pilot basis by Denmark and the EC and it was also the purpose of building ‘infrastructural capacity’ in both ICARA I and II. Within this context, a related mechanism present in both cases is the incorporation of refugees in national development plans. In both ICARA and TDA, there is an acknowledgement that through extending the benefits of development to refugees and local populations, potential sources of tension can be overcome to facilitate integration.⁶⁴
- *Means of political facilitation.* Firstly, both processes have a notion of ‘leverage’ in which increased economic burden-sharing is intended to increase the willingness of states to consider the viability of local integration as a durable solution. This notion is explicit throughout Convention Plus, in which burden-sharing by northern states is identified as bringing ‘leverage’ in securing durable solutions from the south in a mutually beneficial partnership.⁶⁵ This type of linkage is implicit in ICARA II in the desire of northern donors to secure durable solutions through financial burden-sharing. Secondly, there have been attempts to secure partnerships with development agencies. In the case of ICARA, UNDP was cooperative at a technical and negotiative level; however, more concrete commitments in terms of resources or methodological changes were elusive. The work on TDA has similarly involved seeking such partnerships. It is too early to judge whether these will move beyond a

⁶³ ‘Convention Plus: Issues Paper on Targeting Development Assistance’, UNHCR, June 2004, www.unhcr.org, paragraph 5.

⁶⁴ Ibid, paragraph 21; evident from the UN Technical team for ICARA reports.

⁶⁵ For example, the ‘Convention Plus: Framework of Understandings on Resettlement’ paper, Forum/CG/RES/04, 3/11/03, www.unhcr.org, refers to resettlement as a “catalyst”: “a means to leverage the other two durable solutions”.

headquarters level. Thirdly, the deployment of successful ‘champions’ has been used as a means both to encourage southern participation in local integration and self-sufficiency programmes, and also to attract donors and development agency partnerships. In the early 1980s Tanzania was the model; now it is the ‘Zambia Initiative’.

- *Political context.* In many ways, the two periods represent contrasting historical junctures. However, what the early 1980s period of the Cold War and the post-9/11 asylum era have in common is the possibility they offer for UNHCR to create ‘opportunities from constraints’.⁶⁶ While the Cold War constrained multilateralism as a result of global bipolarity, the post 9/11 era has in some senses similarly undermined the prospect for international cooperation, particularly in international security. Yet, both eras created a motive on the part of states to be engaged in refugee and asylum debates at the multilateral level, albeit for reasons of perceived national interest and security. In the case of ICARA, highly political references to the Cold War context abound, with thinly veiled references to national liberation struggles and the proxy wars in Africa. Loescher, in particular, has shown how the desire to avoid refugee camps becoming major sites for socialist guerrilla group recruitment, for example, provided an incentive for states to contribute to refugee protection in Africa.⁶⁷ Similarly, the post 9/11 era and the perception of the political unsustainability of the current asylum system, particularly in a European context, have created new, albeit impurely altruistic, motives for engagement in regions of origin.
- *Debate.* In both the ICARA negotiations and the TDA discussions so far, similar points of polarisation have emerged between north and south. The south’s primary concerns have been, firstly, ‘additionality’ and, secondly, a reluctance for local integration to become long-term ‘warehousing’ on behalf of northern donors. In both cases the reticence of potential northern donors to fully commit has been led, in part, by a suspicion that new resources will not necessarily translate into durable solutions. Both debates were also characterised by the same difficulties in achieving inter-agency partnerships. The World Bank’s position is largely unchanged. For example, Gorman shows that during the 1980s the Bank was willing to address refugees insofar as it was “to address the refugee-related strains on the regional infrastructure”.⁶⁸ As is the case now, the Bank therefore emphasised refugees as burden rather than as potential agents of development.⁶⁹ The UNDP’s role in the current debate likewise seems

⁶⁶ For example, in interview, Jean-Francois Durieux, suggested that the CPU needed to ask “what are the opportunities at hand? That is the real question...there are incentives and also obstacles in the current state of affairs...it is about seizing an opportunity”, 7/9/04, UNHCR, Geneva.

⁶⁷ Loescher, G, *Beyond Charity: International Cooperation and the Global Refugee Crisis*, (Oxford: 1993); Loescher, G, *Calculated Kindness: Refugees and America’s Half-Open Door* (MacMillan: 1986).

⁶⁸ Gorman, R, ‘Introduction: Refugee Aid and Development in a Global Context’, in Gorman, R (ed), *Refugee Aid and Development: Theory and Practice*, (Greenwood: 1993), p. 9.

⁶⁹ See the ongoing work of Fatmata Lovetta Sesay on how refugees in Africa need not necessarily be constructed a burden. ‘How do refugees fare in rich and poor countries? An empirical analysis’, 2nd Annual Student Conference on Forced Migration, Warwick University, 15/3/04.

largely unchanged. While in both cases it has shown willingness to engage in principle, it has been constrained by a mandate of coordination in which it is largely passive to inter-state interests agreement.

Differences

Although the similarities are great and the ICARA process was largely a failure, it would be *non sequitor* to argue that this need necessarily imply that international cooperation on the TDA strand of Convention Plus need necessarily fail. This is particularly the case because there are also significant disanalogies between the two processes. Many of these differences relate to important distinctions in the basis of the multilateral processes. These differences imply that there may be a different set of incentives and therefore opportunities available for international cooperation. These are: firstly, the motives for participation; secondly, the breadth of the issues covered by the TDA debate in its Convention Plus context; thirdly, the nature of UNHCR's role in the process. These can be analysed in turn.

- *Motives.* In the early 1980s, states in the north were only beginning to be affected by the emergence of south-north spontaneous arrival asylum flows and people smugglers. Where these did occur, as in the case of the 'boat people' from Indo-China and Haiti, they were in marked contrast to the plight of African refugees, largely without the means to flee regions of origin. With no 'spillover' of the consequences of their neglect, donor states in the north were in a position to remain relatively passive in the face of what could be regarded as a collective action failure. The contemporary context of the 'protection in the regions' debate is, however, directly related to 'spillover'. Those states leading the debate, such as Denmark and the Netherlands, acknowledge the link between the domestic asylum and immigration context and their engagement in the debate on TDA.⁷⁰ Irrespective of how one judges these motives, they represent potentially strong new incentives for states to engage in the TDA debate on the basis of their own perceived national interest.⁷¹
- *Breadth of issues.* Firstly, while ICARA II focused exclusively on the aspects now known as DAR and DLI which target host countries of first asylum, the TDA debate also encompasses an attempt to target countries of origin through the so-called 4Rs. By engaging in post-conflict reconstruction, UNHCR's approach potentially facilitates repatriation by tackling 'root causes'. This more holistic context is likely to be more conducive to host state cooperation as it will raise the prospect that the application of DAR and DLI may also be seen as intended to prepare refugee for return. Secondly, because the TDA debate is taking place within the context of Convention Plus, it entails wider linkages than did the TDA process. In approaching the refugee debate within a more holistic context in which the three durable solutions are all seen as inter-linked, the degree to which states of first asylum identify themselves as the unique

⁷⁰ Interviews with state representatives to UNOG, Geneva, September 2004.

⁷¹ Although given that the link between protracted refugee situations and spontaneous arrival asylum may be largely spurious, this motivation may not necessarily endure.

source of durable solution is likely to be reduced.⁷² Issue-linkage has long been recognised in regime theory as a means to increase incentives for overcoming Prisoners' Dilemma and generating international cooperation by intertwining accepted interests and norms with areas of collective action failure.⁷³

- *Bilateral facilitation v multilateral coordination.* In the case of the ICARA process, UNHCR attempted to assume centre stage in the coordination, prioritisation, allocation, and review of the infrastructural development programmes. The programmes were 'owned' and submitted by the African states and the role of northern states was largely as passive donors. In contrast, the role assumed by UNHCR in the current TDA debate is more based on the facilitation of bilateral initiatives by northern donors and there is less emphasis on direct multilateral coordination. The advantage of bilateral facilitation is it enables donor states to target development assistance according to their own methods, existing national development priorities and strategic interests. This flexibility is likely to enhance incentives for provision, particularly bearing in mind the motives outlined above. It means that rather than appealing to states to overcome a collective action failure by contributing to a global public good, the basis of their contribution will be grounded in their own perceived interest and desire to accrue perceived private benefits.⁷⁴ If this leads to improved access to refugee protection through durable solutions, this motivation may ultimately be unimportant. However, the risk is that it will increase selectivity if states simply target development assistance as an implicit containment tool.

Conclusion: Lessons for international cooperation on TDA

The significance of this comparative analysis is in the lessons that can be drawn from it to improve the prospects for international cooperation in the targeting of development assistance to achieve durable solutions for refugees. There are broadly five significant lessons from the failure of the ICARA process that need to be applied to the TDA strand if it is going to successfully achieve a sustainable level of commitment from both north and south. These are: firstly, the need to establish a clear 'link' between increased burden-sharing and durable solutions; secondly, the need for a clear conceptual understanding of 'additionality'; thirdly, the need to avoid the danger of selectivity; fourthly, the need for momentum; fifthly, the need to overcome the obstacles to inter-agency partnerships with development agencies. These can be dealt with in turn.

- *The 'link' between burden-sharing and durable solutions.* ICARA's failure to overcome north-south polarisation and achieve increased

⁷² Such 'inter-linkages' have been referred to throughout Convention Plus. See, for example, 'Progress Report: Convention Plus', Forum/2004/2, 20/2/04, www.unhcr.org

⁷³ Haas, B, 'Why Collaborate? Issue-Linkages and International Regimes', in Kratochwil, F and Mansfield, E (eds), *International Organization: A Reader*, (Harper Collins: 1994), pp. 364-384;

⁷⁴ For an analysis of the importance of this distinction see Betts, A, 'Public Goods Theory and the Provision of Refugee Protection: The Role of the Joint-Product Model in Burden-Sharing Theory', *Journal of Refugee Studies*, 16:3, September 2003, pp. 274-296.

international cooperation owes a great deal to its failure to establish a clear connection between the northern donors' commitment to providing increased assistance and African states' provision of durable solutions. Ultimately, there was insufficient trust that the other side of the partnership would maintain its side of the bargain and follow through on its commitment. African states wanted 'additionality' rather than the diversion of development resources currently benefiting their own citizens. They also wanted to see a genuine commitment to burden-sharing rather than the promotion of local integration as a method of burden-shifting. Meanwhile, donor states were concerned that resources would simply go into ongoing relief or, worse, be misused in a way that did nothing to contribute to the search for durable solutions. ICARA II became polarised by the donor community's focus on durable solutions and African states' focus on burden-sharing. Both groups were myopic in their failure to build bridges to the other.

- Overcoming these problems relies upon creating general and clear principles that link burden-sharing in the form of development assistance directly to the achievement of durable solutions. Achieving such an outcome is extremely delicate and depends upon commitment from both sides of the dialogue. Ensuring that resources are used to facilitate durable solutions will require monitoring, criteria of evaluation and support. However, while the appropriate and efficient use of any additional assistance should be expected and be supportively guided, explicit conditionality (particularly that linked to migration criteria) should be avoided as it is only likely to further alienate southern states. If resources are committed before this link is adequately made, as occurred in ICARA I, failure to bring 'results' in terms of durable solutions may once again alienate the donor community. This highlights the importance of clear general guidelines in the form of a generic agreement.
- *Clarity in the concept of 'additionality'*. In order to build the confidence of southern states in facilitating local integration, donor states need to demonstrate a willingness to commit to 'additionality'. Otherwise 'champions' such as Zambia and Uganda will simply be seen as competing away development resources from other southern states and from local non-refugee populations. Precisely what constitutes 'additionality' is, however, extremely controversial, just as it was at ICARA II. In the current debate, many major humanitarian and development donor states, such as Norway, are concerned that 'additionality' should consider factors such as the level of provision prior to new commitments and the role of earmarking.⁷⁵ This definitional controversy was likewise present in the ICARA II debate. Gorman argues that a reason for ICARA II's failure was that it was based on a flawed compromise between north and south. Donors committed to the principle of 'additionality' on condition that African states accepted that resources be channelled through existing development channels. The lack of clear budget lines and centralised

⁷⁵ Interviews with state representatives to UNOG, Geneva, September 2004; the Informal Meeting on Issues Involved in Targeting Development Assistance for Refugee Solutions', Palais des Nations, 22/9/04.

administrative structure created from the process meant that, in the absence of concrete political will, the project dissipated. Agreements, budget lines and administrative structures therefore need to be highly visible if mainstreaming is to bring sustainability. Again, this is where a special agreement may provide structural clarity as well as normative guidance.

- *The danger of selectivity.* Both political contexts offered states incentives to engage with protracted refugee situations in Africa. Yet both have done so for imperfectly altruistic reasons. Consequently, in the predominantly earmarked contributions to ICARA I and in the relatively selective engagement of the pilot schemes for TDA, the choice of states to which resources have been directed has, at least in part, been motivated by perceptions of national interest. While the contexts of the Cold War and the post 9/11 asylum and immigration debate are very different, they have both created circumstances conducive to a highly selective allocation of assistance to refugees. In the ICARA I context, earmarked contributions were directed towards strategic interests in the proxy wars of Africa. In the current TDA debate there is a likelihood that assistance will be targeted at states from which there are currently high levels of secondary movements to donor states. This may become significant if it leaves gaps in the provision of protection to refugees in protracted situations of less strategic significance, just as occurred in the Horn of Africa in ICARA I. This is particularly possible given that the bilateral nature of the TDA strand means that, from an international cooperation perspective, it addresses itself not at overcoming collective action failure in a global public goods context but rather appealing to specific national interests in a private state-specific benefits context.⁷⁶ Even the success of the ‘Zambia Initiative’ has shown that “flexible budgeting” has been necessary to allow donors to choose how their bilateral aid is allocated via UNDP.⁷⁷
- *Momentum.* As Loescher’s book on the history of UNHCR demonstrates, the organisation’s development and choice of initiatives have been highly contingent upon the personality of the High Commissioner. Each High Commissioner has brought his or her own unique perspective on refugee protection. The problem with this has been the absence of continuity in many initiatives. The early 1980s experiment in ‘refugee aid and development strategy’ was no exception to this pattern, vanishing when Poul Hartling left the organisation.⁷⁸ Ruud Lubbers has similarly brought a ‘vision’ to UNHCR, the legacy of which includes the Convention Plus initiative. This legacy potentially represents a profound reorientation for the benefit of refugee protection. However, the question remains whether the momentum of initiatives such as TDA can be sustained beyond the tenure of Lubbers and the Convention Plus Unit (CPU). For this to occur it requires both genuine mainstreaming through new normative

⁷⁶ Betts, A, ‘Public Goods Theory and the Provision of Refugee Protection: The Role of the Joint-Product Model in Burden-Sharing Theory’, *Journal of Refugee Studies*, 16:3, September 2003, pp. 274-296.

⁷⁷ Interview with Sajjad Malik, Senior Rural Development Officer, Reintegration and Local Settlement Section, UNHCR, Geneva, 23/9/04.

⁷⁸ Loescher, G, *The UNHCR and World Politics*, (Oxford: 2001).

commitments and leadership. At the moment many state representatives, particularly from donor states, are adopting a ‘wait and see’ attitude towards the idea of TDA, despite acknowledging that the notion of protection in the region is one that appeals to their governments. This ‘wait and see’ attitude in part reflects a disconnect in the debate between state mission representatives in Geneva and the state capital. The disparity in the High Commissioner turnover cycles and the speed at which state capitals are willing to commit to processes, in particular, means that mainstreaming and consolidation of basic principles are urgently needed if a legacy is to be built upon.

- Sustaining the process requires leadership. UNDP was granted a considerable role in ICARA II and was largely unable to provide the necessary “aggressive stewardship” to sustain the process. Donor state such as the USA provided largely one-off ‘no-year’ funds that were not renewed.⁷⁹ Given UNDP’s mandate, it is arguably more constrained than UNHCR in assuming a position of advocacy and leadership. Although states will continue to emphasise that UNHCR must not exceed its mandate, this does not preclude ensuring an ongoing facilitation and coordination capacity.
- *Achieving inter-agency development partnerships.* Just as UNHCR has tried to do in the current TDA debate, the ICARA Unit developed inter-agency cooperation with development actors at the level of headquarters negotiation and dialogue. For example, UNDP became an extremely active partner in ICARA II. However, bringing change in operational practice and the allocation of resources proved far more elusive. Ultimately, UNDP could not make substantive practical changes because it was politically constrained by both recipient and donor states. Recipients would not countenance any diversion of existing overseas development aid (ODA) and donors were reluctant to commit to ‘additionality’.
- This stumbling block is again present in the contemporary debate. While humanitarian governance entails a degree of supra-nationalism, ODA is largely an inter-state practice partially mediated by multilateral agencies. The difficulty of achieving concrete ‘on the ground’ partnerships between UNHCR and major development actors has been exemplified in the Convention Plus-linked work of the Afghanistan Comprehensive Solutions Unit, for example. Having highlighted the need to adopt development-oriented strategies in order to achieve comprehensive solutions, they have found potential partnerships with development actors thwarted by regional state actors’ own reticence to alter the current allocation of ODA. This in turn constrains intergovernmental development actors.⁸⁰ The work on Afghanistan has, however, pointed to alternative means to achieve collaboration outside of conventional bilateral practice – for example through an international symposium along the line of the Pakistan

⁷⁹ Gorman, R, ‘Linking Refugee Aid and Development in Africa’, in Gorman, R (ed), *Refugee Aid and Development: Theory and Practice*, (Greenwood: 1993), pp. 68-79.

⁸⁰ Given Afghanistan’s own ineligibility for ODA.

Development Forum.⁸¹ The reason this is more acceptable to governments is that it implies a clear commitment to ‘additionality’ rather than diversion. If host states can be persuaded that there may be opportunities for attracting additional resources, as in the case of Zambia and Uganda, they may allow their development partners to engage in work to promote local integration. The ‘Zambia Initiative’ highlights that partnerships are possible provided that a clear willingness to participate is shown by host states, donors, refugees and local populations. This experience shows that the key to this success is demonstrating that refugees can be an asset rather than a constraint to development.⁸²

Learning from past precedents is not only important in terms of operational evaluation but also from the point of view of international cooperation. Convention Plus represents a multilateral north-south dialogue, which entails many unique features. However, it also draws implicitly and explicitly upon the language and practice of many past precedents. This article has highlighted that the current debate on the targeting of development assistance strand of Convention Plus contains many parallel with the ICARA process and ‘refugee aid and development strategy’ of the early 1980s. Although ICARA proved a relative failure with little lasting legacy, the potential differences inherent to the current TDA strand suggest it need not necessarily be a similar failure. However, it is important to reflect on the lessons that can be drawn from the similarities between the two processes and apply them to the current circumstances. Only then can the opportunities and challenges offered by the northern states’ focus on ‘protection in regions of origin’ be channelled into creating new norms of refugee protection.

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⁸¹ Interview with Salvatore Lombardo, Head of Unit and Ewen Macleod, Senior Policy Advisor Afghanistan Comprehensive Solutions Unit, CASWANAME, UNHCR, Geneva, 21/9/04.

⁸² Interview with Sajjad Malik, Senior Rural Development Officer, Reintegration and Local Settlement Section, UNHCR, Geneva, 23/9/04.