

**Executive Committee of the
High Commissioner's Programme**

**Standing Committee
60th meeting**

Distr. : Restricted
6 June 2014
English
Original : English and French

Update on solutions

Summary

Nearly three-quarters of all refugees live in protracted situations, and the average length of displacement for both refugees and IDPs has increased in recent decades. These facts alone require UNHCR to redouble its efforts, in partnership with others, to fulfill its mandate to achieve solutions for displaced persons. In coming years UNHCR will be testing new approaches, including through its *Global Strategy for Livelihoods* and the Solutions Alliance, to support holistic solutions strategies for those presently in protracted displacement and to avoid the creation of new protracted situations. While pervasive operational change will take time, the goal is a “cultural shift” away from long-term care and maintenance in favour of self-reliance and solutions-oriented planning in partnership with affected governments, displaced persons and host communities, development actors, the private sector and others.

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I. Introduction

1. This paper sets forth UNHCR's approach to seeking solutions for persons of concern to the Organization. After identifying UNHCR's mandate for durable solutions and reviewing achievements to date, the paper focuses on existing challenges and why these require new ways of thinking and working, including new partnerships. The paper elaborates UNHCR's vision for change in coming years to enhance the international community's ability to collectively advance solutions and to prevent new situations from becoming protracted. At the core of this vision is a commitment to pursue approaches that support the self-reliance of displaced persons and the development of affected local communities.

II. Solutions mandate

2. UNHCR is mandated to provide international protection and to seek "permanent solutions for the problem of refugees."¹ In exercising its durable solutions mandate, UNHCR is charged with facilitating the voluntary repatriation of refugees, their assimilation within new national communities, or their resettlement to third countries.² The 1951 *Convention relating to the Status of Refugees* commits States parties to support and facilitate solutions.³ UNHCR's Executive Committee has emphasized that "seeking solutions to refugee problems [is a] mandatory function[]"⁴ of the Office, and a number of the Committee's conclusions have stressed that greater emphasis should be placed on finding and achieving solutions for displaced persons, particularly those in protracted refugee situations.⁵ Most recently, the Committee "underlin[ed] that the status quo is not an acceptable option" and that "all feasible and practical efforts should be taken to unlock all continuing protracted situations especially through the implementation of durable solutions in the spirit of international solidarity and burden sharing."⁶

3. Over its history, UNHCR has collaborated with States in a number of comprehensive solutions strategies and in various national, regional and global solutions initiatives such as the International Conference on Assistance to Refugees in Africa (ICARA I and II), the International Conference on Assistance to Refugees in Central America (CIREFCA), the Brookings Process, the Tanzania Comprehensive Solutions Strategy (TANCOSS) and the Zambia Initiative. More recently, UNHCR has developed a multi-partner solutions strategy for Afghan refugees; partnered with the United Nations Development Programme (UNDP) and others on the Transitional Solutions Initiative (TSI) in east Sudan and Colombia; developed comprehensive strategies to support the cessation of refugee status for Liberians, Angolans, and Rwandans; and begun implementing the Secretary General's Policy Committee's Decision on Durable Solutions (Decision No. 2011/20). Solutions roundtables held in Amsterdam and Copenhagen in 2013 and 2014 presented important opportunities for UNHCR and partners, including affected governments and civil society, to reflect on lessons learned from these efforts and to commit to strengthened partnership through the creation of the Solutions Alliance.⁷

¹ *Statute of the Office of the United Nations High Commissioner for Refugees*, Art. 1, adopted by General Assembly resolution 428(V), 14 December 1950 (Annex).

² *Id.*, Art. 1, Art. 8.

³ *Convention relating to the Status of Refugees*, Art. 30 (facilitation of the transfer of assets in the case of resettlement) and Art. 34 (facilitation of the assimilation and naturalization of refugees).

⁴ Executive Committee Conclusion No. 56 (XL), *Durable Solutions and Refugee Protection* (1989).

⁵ "Protracted refugee situations" are generally understood as those that have endured for five years or longer.

⁶ Executive Committee Conclusion No. 109 (LX), *Conclusion on Protracted Refugee Situations* (2009).

⁷ Information on the roundtables and the Solutions Alliance is provided in Section VII. See also www.solutionsalliance.org.

III. Challenges and Achievements

4. Today there are approximately 44 million persons of concern to UNHCR worldwide, including approximately 12 million refugees, 10 million stateless persons and 24 million internally displaced persons (IDPs). Fully enabling refugees to re-claim their lives and determine their futures remains the ultimate goal of the international protection regime and a core responsibility of the Office, in cooperation with States. UNHCR actively pursues the three traditional durable solutions: voluntary and sustainable repatriation; local integration; and resettlement to a third country. Yet nearly three-quarters of the refugees under UNHCR's care live in situations of protracted displacement. Moreover, the number of displaced persons worldwide continues to grow, as does the average length of stay.

5. Voluntary repatriation remains the solution most often sought by refugees and one available to the largest percentage of them in comparison with other durable solutions. In 2013, only approximately 400,000 refugees returned home. Moreover, as the High Commissioner recently reported to the General Assembly, across the decade 2003-2012, only 7.2 million refugees were able to return home.⁸

6. Some 70,000 persons are now resettled annually to 27 countries with regular resettlement programmes, and the numbers of resettlement places and resettlement countries have grown in the last two years. As described in the *Progress Report on Resettlement* (EC/65/SC/CRP.11), UNHCR is increasingly integrating its resettlement work into its comprehensive, strategic approach to solutions. The process of resettling 50,000 Congolese before 2017, for example, was negotiated in the context of efforts to improve conditions of asylum pending a solution and to support interventions that enable the best possible conditions for those opting to return. As a solution, however, resettlement is still available to less than 1 per cent of the world's refugee population.

7. For those who can neither return nor be resettled, some form of local integration remains the primary option. Yet full integration is a gradual process, and not one that host States are usually able or willing to offer following a mass influx. Fortunately, the 60th anniversary commemorations of the *Convention relating to the Status of Refugees* generated additional commitments to local integration as a durable solution. Zambia's pledge to locally integrate 10,000 Angolans is becoming a reality with the adoption of a strategic framework and the establishment of a Government committee to process permanent residency permits. The effort is backed by international support, including support for the development of Zambian communities where former refugees will integrate. It is hoped that the process will eventually enable the local integration of eligible Rwandans as well. In Benin, 3,732 refugees and asylum-seekers were granted "most favoured resident permits" in 2013, enabling them to enjoy the same rights and benefits as citizens, with the exception of the rights to vote and to work for the civil service. Moreover, the status will allow those who wish to pursue citizenship to do so.

8. Awareness of statelessness and the political will to address it have also increased in the past decade. Since 2011 there have been 33 accessions to the two statelessness conventions, and many States have taken action to reduce and prevent statelessness through legal and policy reforms. Recent examples include Côte d'Ivoire's reforms to its nationality laws, which will allow tens of thousands of stateless people to acquire nationality through a simple declaration procedure; Senegal's amendments to its nationality law, which introduced equality between men and women with respect to the ability to pass nationality to their children; and Kyrgyzstan's efforts to resolve the situation of former Soviet citizens and recent migrants, including by granting nationality to over 14,500 people in 2013.

9. Through these various efforts, States and other partners regularly support durable solutions. Notwithstanding some achievements over the decades, the proportion of refugees

⁸ *Report of the United Nations High Commissioner for Refugees, Strategic Review pursuant to General Assembly Resolution 58/153, A/68/12 (Part II) (Strengthening operational response: protracted displacement and solutions, paras. 69-78).*

and others for whom a durable solution is within reach remains alarmingly low. Millions of refugees remain hosted in Pakistan and Kenya, for example, where a third-generation of refugees has been born.

10. Meanwhile, the demands created by the situations in the Central African Republic, South Sudan, and the Syrian Arab Republic make the search for solutions urgent for millions more. Given these realities, a few imperatives are evident. Significant changes are required not only to avoid the establishment of new protracted situations, but also to resolve long-standing displacement. Likewise, responses to IDP and refugee situations must be coherent and mutually supportive. And creativity is required to set and achieve goals short of durable solutions where they are not possible in the short term. The remainder of this paper addresses these imperatives and describes UNHCR's interest in new methodologies and enhanced partnerships with affected governments, development actors and others.

1V. New approaches early on

11. All too frequently, UNHCR has provided care and maintenance to refugees in camps for long periods when durable solutions have not come quickly. Often, this has been done through the creation of systems independent of public systems for the delivery of basic services such as water and sanitation, health care and education. Once created, these "parallel systems" become difficult to dismantle or to hand over to local authorities. Moreover, they can inadvertently promote prolonged stay and dependency, and even fuel resentment among local populations who may perceive such services as favouring refugees.

12. Important work on new approaches that promote a quick transition from food and other assistance to self-reliance is ongoing in Cameroon and Niger, among other places. As part of its emergency response, UNHCR in Niger is working with partners to settle the displaced population in villages where they have already found temporary shelter, to promote livelihoods, and to support local communities.

13. UNHCR is seeking direct relationships with line ministries in support of such inclusive approaches. In order to ensure that investments in the capacity of line ministries are sound and strategic, partnerships with civil society and development actors, such as the World Bank and UNDP, are critical. Through these partnerships UNHCR hopes to achieve a lighter footprint that empowers displaced persons, including as economic actors. The Office is also working to make more effective use of the private sector and the power of public/private partnerships to assist the displaced and to benefit local communities at the same time.

14. Earlier this year, UNHCR launched a three-year *Global Strategy for Livelihoods*⁹ to guide the Office's efforts to encourage self-reliance as part of a comprehensive and progressive approach to solutions. By emphasizing market-based approaches and informing targeting and data-driven interventions, the strategy will fundamentally change the status quo. Field operations will be guided towards partnerships with the private sector, development-oriented non-governmental organizations, the World Bank, UNDP and others.

15. Research being undertaken by the World Bank in collaboration with host governments and UNHCR will provide empirical evidence of the impact of displacement in Lebanon, Jordan, the Great Lakes and the Horn of Africa, including positive impacts. The research will also inform future interventions, in order to maximize development opportunities, address displacement and prevent it from becoming protracted. As the evidence supporting these new approaches becomes clearer over time, it is hoped that camps will become the exception rather than the rule.

⁹ Available at: www.unhcr.org/pages/4ad2e7d26.html

V. Addressing existing protracted situations more effectively

16. UNHCR has committed to redoubling its efforts to resolve existing long-standing situations through a focused and partnership-oriented approach. Central to these efforts, the Solution Steering Group (SSG), co-chaired by the Division of International Protection, the Division of Programme Support and Management and the Division of External Relations, was created in 2013 to promote a strategic, coherent, rights and results-based approach to solutions.

17. An examination of the solutions landscape in the fall of 2013 led to several observations that have shaped the work of the group. First, many country operations did not have solutions strategies, targets or timelines. Although most country operation plans did reflect an understanding of the importance of solutions and aspirational long-term goals, these goals were not always supported by comprehensive planning for their achievement. The focus on short-term planning is partly explained by UNHCR's biennial planning cycle. The fact that resources planned for solutions are subject to re-prioritization for life-saving activities at any point in the year may also disincentivize long-term planning and investment. These important realizations led the SSG to conclude that structural adjustments in important areas, such as the planning cycle and the budget, should be considered for those operations moving actively towards solutions.

18. To stimulate new work on solutions, the High Commissioner set aside \$20 million – known as “Seeds for Solutions” – to be distributed in 2014 to operations with strong solutions project proposals. The SSG is charged with reviewing proposals; to date, 20 operations have received additional resources to support their projects. Operations receiving funding must develop multi-year strategies in partnership with others. To facilitate longer-term planning, these operations can expect additional funding over the next two years, provided that certain conditions are met, including successful implementation during the first year. Projects should result in cost-savings over time, and this will be carefully assessed.

19. The SSG is also providing field support to a number of operations, including those receiving “Seeds for Solutions” funding. Where important opportunities are identified, the SSG will provide support for strategic planning and the development of evidence-based monitoring and evaluation systems. Support for livelihoods and other technical areas is also available.

20. Current work in countries including Ecuador, Kyrgyzstan, Mauritania, Uganda, Zambia, as well as the Afghanistan and Somalia situations, will further guide UNHCR's institutional change to be more supportive of solutions. Country projects will address refugee, IDP and statelessness needs, so as to provide opportunities for learning in all three areas. More rigorous review of legal, social, political and economic environments will inform more effective advocacy strategies. Lessons learned from UNHCR's engagement in the cluster approach and through work to reduce statelessness are already being applied to refugee and return contexts, and this kind of cross-fertilization will be strengthened. Lessons from operations that are already pursuing multi-partner strategies will also be applied. In Dollo Ado, Ethiopia, for example, UNHCR and partners including the Government, DFID, Danida, ECHO and the IKEA Foundation, are empowering refugees and host communities alike by linking vocational skills training to income and job creation.

21. Work on individual countries and contexts will proceed in tandem with and further inform internal work to refine UNHCR's planning processes, training courses and more. Over the next three to five years, it is the Office's intention to ensure that all UNHCR operations that are not in “emergency mode” would move towards “solutions mode.” This will require clear solutions targets backed by multi-year, multi-partner strategies. UNHCR's investments are meant to be strategic, envisioning a more limited operational role for UNHCR in the longer-term, and building on the interests of affected populations, governments, development partners, the private sector and others. The Office's ambition is to do nothing less than to end the care and maintenance approach in favour of models of cooperation that maximize positive opportunities for all.

VI. Improving quality of asylum pending durable solutions

22. Improving livelihoods interventions, consistent with the *Global Strategy for Livelihoods*, is an essential part of enhancing self-sufficiency and quality of life during displacement. More broadly, UNHCR and its partners need to find creative ways to remove obstacles that displaced people face in leading normal lives. This requires country-specific analysis, as access to basic services and benefits vary widely, as do other contextual factors. Identifying “types” of situations and examining other relevant factors, such as the security and human rights environment, will enable UNHCR to undertake a context-specific approach to supporting the productivity and independence of persons of concern.

23. This kind of analysis – of different types of situations and what interventions are most likely to support a higher quality of life in each of them – is something that UNHCR plans to undertake more systematically in coming years. Moreover, UNHCR is exploring and supporting approaches such as labour mobility, temporary migration and alternative forms of legal stay enabling individuals to work. Labour mobility schemes, accompanied by proper refugee protection safeguards, are of particular interest and will be explored and followed closely in Africa, Asia and Latin America.

24. While a durable solution remains the goal for every person of concern, more must be done to improve people’s quality of life in the meantime, and to prepare them for the future. The Government-led Refugee Affected and Hosting Areas Initiative in Pakistan is an example of a multi-partner programme aimed at improving the lives of both Afghan refugees and the hosting communities. Over four million Afghan refugees and Pakistanis have benefitted from various interventions in the education, livelihoods and infrastructure sectors since the programme was launched in 2009. In coming years, finding additional ways to increase the quality of asylum, particularly through enhanced independence and self-reliance, will be an increasing focus of endeavour.

VII. An alliance for solutions

25. UNHCR’s work with affected governments and other partners in the context of TSI has enabled significant learning, to the broader benefit of UNHCR’s global work on solutions. A Geneva-based donor group known as “Friends of TSI” provided sound feedback as the work progressed in Colombia and east Sudan. In particular, some called for more evidence-based work and reporting on results; there was also strong interest in ensuring that affected States were full partners, along with civil society and other stakeholders.

26. Lessons from TSI and past initiatives were reviewed during a roundtable hosted by the Netherlands in April 2013. A number of partners expressed determination to develop a more inclusive initiative and a clearer shared vision. After years of discussion of “bridging the gap” between relief and development, the Friends of TSI united behind a new understanding of the need for holistic approaches from the beginning of displacement. Recognizing that partners have different entry points and perspectives, all were committed to collective endeavours building upon their respective strengths and areas of expertise.

27. One year later, in April 2014, the Government of Denmark hosted a follow-up roundtable on solutions including the Friends of TSI as well representatives of the governments of Colombia, Ecuador, Jordan, Sudan and Zambia. Also included were civil society organizations, academic institutions, International Financial Institutions, UN agencies and private sector entities. Participants agreed to establish a Solutions Alliance and adopted a mission statement laying out objectives and guiding principles. Objectives include: (1) supporting innovative solutions through concrete projects and programs in selected displacement situations, and (2) shaping the global policy agenda to recognize displacement as a development challenge as well as a humanitarian and protection issue. A governance structure was also agreed upon, with Colombia, Denmark, the International Rescue Committee, UNDP and UNHCR serving as initial co-chairs. National level groups will be set up to support joint operational work to benefit both displaced persons and local

communities. Thematic groups on topics of shared interest, including data and performance management, are also being formed. Partners will provide strategic and technical support and be ready to come together as needed to address opportunities and challenges as they arise. Additional members prepared to contribute to advancing the Solutions Alliance's objectives are encouraged to join.

VIII. Conclusion

28. Working collectively to find solutions to protracted displacement and to avoid further long-standing displacement is more urgent than ever. The stark reality – that nearly three-quarters of refugees live in situations of protracted displacement – requires new approaches and new ways of thinking.

29. UNHCR is learning from the past and embracing partnerships that will, over time, have profound implications for the Office and the persons it serves. The goal is nothing short of a “cultural shift” in favour of self-reliance and solutions-oriented planning and programming, away from long-term care and maintenance. While UNHCR and its partners must be prepared to face challenges, including the needs presented by emergencies, the change process initiated within UNHCR and the new Solutions Alliance are important steps that will support meaningful achievements in the coming years.
