

LOCAL INTEGRATION AND SELF-RELIANCE

I. BACKGROUND

1. The role of local integration and the relevance of self-reliance as part of comprehensive durable solutions strategies was examined during the Global Consultations on International Protection. The background document "Local Integration"¹ ("the Global Consultations paper") sought to define the two concepts as well as their relationship to each other and concluded that, within a comprehensive solutions strategy, local integration and self-reliance should respectively have their proper place. This conclusion was subsequently incorporated as an objective of the Agenda for Protection,² which called upon States to examine where, when and how to promote the grant of secure legal status and residence rights, which could include the opportunity to become naturalized citizens of the country of asylum, for refugees who have already attained a considerable degree of socio-economic integration. States are further called upon to work in partnership with international and regional development actors to contribute to the realization of local integration through burden sharing.

2. The Agenda for Protection also highlights the importance of achieving self-reliance for refugees.³ UNHCR and States were exhorted to ensure that, from the outset, assistance programmes for refugees integrate strategies for self-reliance and develop self-reliance activities based on a participatory and integrated approach aimed also at reinforcing the capacities of local communities and refugee-hosting areas.

3. Following the Global Consultations, the High Commissioner launched the Convention Plus initiative to build upon the 1951 Convention relating to the Status of Refugees by developing tools of protection which would enable multilateral initiatives to be taken to promote burden and responsibility sharing in a number of areas, including in achieving durable solutions. Drawing on the ideas in the Agenda for Protection, a "Framework for Durable Solutions for Refugees and Persons of Concern" was presented in May 2003 to suggest methodological models for improved targeting of development assistance for refugees through initiatives known

¹ EC/GC/02/6.

² Agenda for Protection (A/AC.96/965/Add/1 of 26 June 2002), Goal 5, Objective 4.

³ Goal 5, Objective 7.

as Development Assistance for Refugees (DAR), Repatriation, Reintegration, Rehabilitation and Reconstruction (the “4Rs”) and Development through Local Integration (DLI), based on broad-based partnerships between governments and humanitarian and development actors.⁴

4. In 2004, the Executive Committee in its General Conclusion on International Protection⁵ highlighted local integration as a durable solution, encouraging States to “take into account the profiles of groups of refugees within the broader refugee population when considering local integration”. In its Conclusion on International Cooperation and Burden and Responsibility Sharing in Mass Influx Situations,⁶ the Executive Committee considered the provision of assistance in support of refugee populations and host communities to promote self-reliance as one possible element within a burden and responsibility-sharing framework which could be developed in the context of the international response, in particular to protracted refugee situations.

5. This Conference Room Paper seeks to consolidate the issues emerging from the various discussions relating to local integration and self-reliance which have taken place since the Global Consultations. It underlines the important role self-reliance plays in the context of comprehensive strategies for durable solutions, elaborates on the appropriateness of local integration as a durable solution and develops further the process of local integration, highlighting its complexities and outlining modalities for realizing this durable solution.

II. TIMELY AND COMPREHENSIVE DURABLE SOLUTIONS STRATEGIES

6. Experience has shown that in many countries, restricting the rights of refugees and delaying the attainment of durable solutions for years causes frustration and tension among refugees and in the host community. In such situations refugees, in particular women and children, become more vulnerable to various forms of exploitation such as trafficking and forced recruitment, and may develop a long-term dependency on humanitarian assistance. Often, the result is the marginalization and isolation of refugees, which can lead to an increase in irregular movements and even to security and stability problems for the host State, as well as for other States in the region.

7. Comprehensive strategies which encompass the promotion of a combination of durable solutions, including local integration, as well as actions and responses that seek to effectively and constructively manage the time spent by refugees in exile, are therefore essential. Such strategies respond to a humanitarian imperative. They need to be situation-specific, multi-dimensional and timely in order to prevent refugee situations from becoming protracted and to prevent lives and natural and financial resources from being wasted.

⁴ See also “Convention Plus: Targeting Development Assistance for Durable Solutions to Forced Displacement: Statement of Good Practice”, FORUM/2005/3, 2 May 2005, which highlights policies and practices in seven specific country situations to help the various actors involved realize durable solutions to refugee problems through more effective targeting of development assistance.

⁵ ExCom Conclusion No. 99 (LV).

⁶ ExCom Conclusion No. 100 (LV)

III. ROLE OF SELF-RELIANCE

8. Measures enabling refugees to gain the economic and social ability to meet essential needs on a sustainable and dignified basis,⁷ that is, to achieve self-reliance, should be a key feature of any comprehensive solutions-oriented strategy. While not a durable solution in itself, self-reliance can be a precursor to any of the three durable solutions. Self-reliance programmes seek to prepare refugees for whatever durable solution may be realized. They equip them for reintegration in countries of origin upon repatriation, as well as for integration in countries of resettlement or of asylum where local integration is made possible.

9. By developing and strengthening refugees' skills and livelihoods, self-reliance brings benefits to all stakeholders. For host States, self-reliant refugees contribute to the sustainable social and economic development of the country and have the potential to attract additional resources which can also benefit host communities. For the international and donor community, the achievement of self-reliance reduces the need for open-ended relief assistance and further underpins the durability of solutions. For refugees, it helps them regain better control of their lives, provides greater stability and dignity, and may help them become "agents of development."

10. In industrialized countries with well-developed asylum systems, reception arrangements can be mutually beneficial where asylum-seekers are given opportunities to become self-reliant.⁸ The time asylum-seekers spend pending the outcome of the asylum procedure can thereby be used to further develop their human potential and skills, which will facilitate the local integration of those who will be recognized or the return and reintegration of those found not to be in need of international protection.

11. The 1951 Convention envisages a framework for refugee protection which is conducive for the gradual attainment of self-reliance in countries of asylum. The logic of the Convention framework is that, with the passing of time, refugees should be able to enjoy a wider range of rights, as their association and ties with the hosting State grow stronger. In this sense, the 1951 Convention gives refugees a solid basis on which they can progressively restore the social and economic independence needed to get on with their lives. Host States should make every effort to assure to refugees the rights envisaged under the 1951 Convention, particularly those rights which relate to income generation. This includes the right to freedom of movement enabling refugees to market their goods and access the labour market. Equally important is refugees' ability to access education, health care and other social services where available.

12. While the host State should provide the legal basis for refugees to exercise their rights, the extent to which these can actually be realized depends not least on socio-economic conditions in the host State, including in particular the capacity of the area where refugees reside. In this context, an international burden and responsibility-sharing framework to increase the capacities of the host State to help refugees achieve self-reliance is very important.

⁷ UNHCR, *Handbook for Self-Reliance*, April 2005.

⁸ Executive Committee Conclusion No. 93 (LIII).

13. Such self-reliance programmes could be formulated within UNHCR's DAR framework, and thus benefit from additional funding by bringing in development and financial partners, and include refugees and the host community as actors within the broader development goals of the country. Specific projects benefiting both refugee and host communities could include provision of agricultural land and related support, income generation and microfinance activities, job-oriented skills development programmes and education grants or scholarships.

14. Thus, while self-reliance is not in itself a durable solution, its gradual achievement provides an indication of the extent to which economic and social integration has been attained and forms part of a continuum progressively opening up opportunities for a sustainable solution, whether within the host country or elsewhere.

IV. LOCAL INTEGRATION

A. The appropriateness of local integration

15. Local integration has a role to play as part of comprehensive durable solutions strategies for refugee situations, particularly those of a protracted nature. While some refugees may benefit from resettlement, and many may voluntarily repatriate, plans may also need to be made locally for those who will not be able to return to their country of origin for valid protection reasons linked to the situation in the country of origin, or the particular protection needs of the refugees concerned. Furthermore, as highlighted in the Global Consultations paper, local integration may be the preferred solution for refugees who cannot be expected to return due to the particularly traumatic experiences prompting flight,⁹ or because the individuals concerned have over time established close family, social, cultural and economic links with their country of asylum¹⁰ and have thus in effect attained a considerable degree of socio-economic integration. Local integration may also be appropriate for refugees who are born in countries of asylum, who have no ties with their parents' country of origin and who may in the long run risk becoming *de facto*, if not *de jure*, stateless.

16. Data obtained from registration, or from ad hoc surveys where these take place, could be used to identify, early on, the profiles of refugees for whom local integration might become the most appropriate solution. Durable solutions plans could therefore be made in a timely manner and the risk of protracted situations averted.

17. In industrialized States with developed asylum systems, local integration is the predominant durable solution for recognized refugees. Protracted situations have thereby been avoided. There is nevertheless an increasingly discernible trend in these countries to focus more on repatriation by granting limited and temporary forms of asylum. The achievement of a durable solution, in the form of local integration, for individuals including refugees whose international protection needs have been recognized is thereby delayed.

⁹ The 1951 Convention recognizes that there may be "compelling reasons arising out of previous persecution" for a refugee to refuse to avail himself or herself or the protection of his or her country of origin, in which circumstances cessation would not apply.

¹⁰ Executive Committee Conclusion No. 69 (XLIII) recommends that in order to avoid hardship, States consider an appropriate status for those who cannot be expected to leave the country of asylum, due to "long stay in that country resulting in strong family, social and economic links there".

18. Integration potential should not become an informal or hidden criterion for recognition of refugee status.¹¹ Similarly, integration potential should not be a criterion for resettlement but always a goal to be pursued for refugees who have been accepted for resettlement or granted long-term stay.

B. The process of local integration

19. As the Global Consultations paper indicates, local integration is the end product of a dynamic and multifaceted two-way process with three interrelated dimensions. First, it has a legal dimension. As part of this, the host State grants refugees a progressively wider range of rights and entitlements that are broadly commensurate with those enjoyed by its citizens. Granting refugees a secure legal status and residence permit allows them to progressively enjoy the same rights as nationals, including equal access to local institutions, facilities and services, as well as to family reunification in the country of asylum. This helps avoid their marginalization and the creation of “second class citizens”. For their part, refugees are expected to meet their obligations toward the State as responsible members of society. Over time, the legal process should lead to permanent residence rights and the possibility of acquiring citizenship. The 1951 Convention, as complemented by international human rights law, sets out rights and minimum standards for the treatment of refugees, which are also geared towards the process of integration. This is envisaged in Article 34 which provides that States shall, as far as possible, facilitate the integration of refugees.

20. Article 34 of the 1951 Convention provides that States shall make every effort to expedite naturalization proceedings for refugees and reduce fees. Many States have translated the spirit of this Article into their national laws by reducing waiting periods and naturalization fees, and removing requirements for the renunciation of the citizenship of the country of origin. Naturalization concludes the legal dimension of the integration process as the refugee ceases to be a refugee in accordance with Article 1C (3) of the 1951 Convention.

21. Local integration also has an economic dimension whereby individuals, households and communities are enabled to become less dependent on humanitarian aid and increasingly become self-reliant contributors to the local economy. For their part, refugees can be expected to actively maximize the economic opportunities available so as to fully contribute to the society in which they live.

22. It needs to be acknowledged that some refugees may find it difficult to integrate economically for a variety of reasons, including medical problems, other vulnerabilities and a difficult socio-economic and cultural environment. In such situations, special efforts may be necessary to facilitate their integration

23. Third, integration has a social and cultural dimension. Refugees have a responsibility to make conscientious efforts to “acclimatize” themselves to the local environment and respect and understand new cultures and lifestyles, taking into consideration the values of the local

¹¹ See also Article 3 of the 1951 Convention, which stipulates that the provisions of the Convention shall be applied to refugees without discrimination as to race, religion or country of origin.

population. For its part, the host community has a responsibility to “accommodate” refugees into its socio-cultural fabric. Recognizing the benefits of diversity, members of the community should be helped to learn to understand the refugees’ background and plight, oppose discrimination, exploitation or xenophobia and make efforts to support refugees’ contribution to the social and economic life of the country of asylum. Social and economic cohesion between the host community and the refugees is likely to be hampered if the surrounding environment is discriminatory and unreceptive rather than enabling and if differences between the host society and that of refugees are feared and resented rather than valued.

24. Local integration is thus a complex and gradual process with various distinct but interrelated dimensions. It is not a homogeneous process, even among individuals with similar backgrounds. The background of the refugee population, the receptivity of the host community, the financial capacity of the host country and the political will of the government to provide the legal and institutional basis for local integration all influence how and how quickly refugees are able to become fully integrated. History and the varied origins of populations the world over nonetheless show that it is indeed possible for people to integrate fully into new communities and cultures and that refugees who are allowed and enabled to become well integrated can represent a valuable resource and make positive, even internationally recognized, contributions to host countries.

V. REALIZING LOCAL INTEGRATION BY ENHANCING LOCAL INTEGRATION CAPACITIES AND PARTNERSHIPS

25. For local integration to be successful, it must be well planned and well resourced so that States with more limited socio-economic capacities can be adequately supported in pursuing this durable solution. Comprehensive durable solutions strategies therefore need to include funding and assistance planning arrangements within an international responsibility and burden-sharing framework. While it is ultimately the government of the host country which has to lead the process, partnerships with donor countries and agencies, financial institutions and with United Nations and other development agencies can make a vital contribution towards operationalizing local integration by decompartmentalizing humanitarian and development aid, and thereby maximizing the availability of funds.

26. For best results, capacity-building efforts should target a broad range of actors including State institutions, local communities and civil society, as well as refugees and their communities. Projects can usefully be framed within the DLI integrated programming approach. As formulated under the Framework for Durable Solutions, DLI sets out a methodology for developing a broad-based approach to partnerships among humanitarian, development and financial agencies, as well as an integrated approach to planning assistance, which is designed to incorporate refugees into the development agenda of the host State.¹² The development strand of the Convention Plus process is another initiative seeking to identify how financial and other forms of assistance, in particular development aid, can effectively be tapped to benefit refugees and hosting communities alike.

¹² See above, paragraph 3, at p. 25.

27. So as to ensure that refugees are included in joint planning and implementation strategies, the United Nations Development Group (UNDG) has developed a Guidance Note on Durable Solutions for Displaced Persons. On the basis of this tool, UN Country Teams (UNCTs) should include gaps and needs with regard to the capacity of refugee-hosting States in common country assessments (CCA) and UN Development Assistance Frameworks (UNDAF). The International Monetary Fund (IMF) and the World Bank's Poverty Reduction Strategy Papers (PRSP) provide another important framework for incorporating refugees in a country's long-term development plans.

28. An age and gender-sensitive, participatory and community-development approach should permeate all activities aimed at enhancing the capacity of refugees to integrate locally. If refugees are able to participate in the identification of their priority needs, and in the formulation of integration policies and measures, especially at local level, this can reinforce their sense of belonging and hence support their integration. Within the refugee community, specific individuals and groups, such as women, unaccompanied and separated children, female-headed households and older refugees, generally require particularized strategies and support in order to boost their integration capacity.

29. Local integration is also facilitated if refugees are properly informed about their obligations and responsibilities. This can be achieved by introductory or orientation counselling about the national laws, regulations and institutions, as well as the social and cultural customs prevailing in the host society. Such counselling could be jointly conducted by government and non-governmental agencies and refugee community organizations, thereby providing a framework for social contact and interaction between refugees and the local community.

30. In summary, the challenges and obstacles encountered during the process of local integration, whether in an industrialized or in a developing country, differ depending on the context. In one country, the legal and administrative framework for integration may be missing; in another, institutionalized discrimination and xenophobia may be the main problem. The methods used to facilitate refugees' local integration will therefore need to be sensitive and adapted to these different contexts, taking into account the socio-economic realities in refugee hosting States and societies.

VI. CONCLUDING OBSERVATIONS

31. The discussion on an Executive Committee Conclusion on local integration and self-reliance could be initiated on the basis of the following considerations:

(a) Local integration and self-reliance have their proper place as part of timely and comprehensive durable solutions strategies. Experience has shown that such an approach is particularly relevant to preventing and resolving protracted refugee situations;

(b) Local integration could particularly benefit refugees who are unable to return to their country of origin, or for whom local integration would otherwise be the most appropriate solution taking into account their particular profiles;

- (c) Integration potential should not become an informal or hidden criterion for recognition of refugee status; nor should it be a criterion for resettlement but always a goal to be pursued for refugees who have been accepted for resettlement or granted long-term stay;
- (d) The process of local integration is complex and gradual and comprises a number of distinct but interrelated legal, economic and socio-cultural dimensions, all of which need to be facilitated through comprehensive and multidimensional strategies. In particular, refugees need to be provided with a secure legal status and residence rights, which over time leads to permanent residence and, in some cases, to the acquisition of citizenship;
- (e) Recognizing the benefits of diversity, countering racism, discrimination, xenophobia and related intolerance, and building welcoming and hospitable communities¹³ that promote interaction between refugees and the local population are critical to the ability of refugees to exercise their rights as equal members of the society and to the overall success of the integration process;
- (f) Regardless of whether local integration takes place in an industrialized or a developing State, it needs early and continuing investment of time, resources and commitment, as well as concerted efforts by all stakeholders;
- (g) In order to ensure that adequate resources are made available to States with limited socio-economic capacities, comprehensive durable solutions strategies should include funding and assistance planning, comprising a broad spectrum of financial and development partners within a responsibility and burden-sharing framework. In this regard, capacity-building projects can usefully be framed within the DLI integrated programming approach;
- (h) An age and gender-sensitive, participatory and community development approach should permeate all activities aimed at enhancing the capacities of refugees to integrate. Different strategies and support may be needed to boost the capacity of various groups with special needs to integrate;
- (i) Refugees' understanding of their obligations and responsibilities toward the host country can be facilitated through proper counselling and advice, which should form part of capacity-building activities;
- (j) Self-reliance is not in itself a durable solution, but can be a precursor to any one of the three durable solutions with clear benefits for all stakeholders. Even in situations where local integration does not appear to be a viable solution for a refugee population in the foreseeable future, self-reliance should be vigorously pursued as it does not preclude eventual voluntary repatriation but rather facilitates sustainable reintegration;

¹³ Excom Conclusion No. 93(d); Refugee Resettlement, An International Handbook to Guide Reception and Integration, Reception and Integration, Integration Goal No. 7, p. 34.

(k) The 1951 Convention sets out the legal framework conducive to the creation of conditions for the gradual attainment of self-reliance in countries of asylum since it grants refugees rights which make it possible for them to engage in income-generating activities and allows them access to local facilities and services;

(l) Assistance programmes for refugees should incorporate strategies for self-reliance from the outset, targeting community-based projects and based on a participatory approach involving both refugees and the local community. Plans for additional assistance for self-reliance activities could be formulated within UNHCR's DAR framework.