

CHAPTER III

DURABLE SOLUTIONS AND NEW DISPLACEMENT

INTRODUCTION

Securing durable solutions for refugees is a principal goal of international protection and part of UNHCR's mandate. These solutions can take three different forms: (i) voluntary repatriation to the home country; (ii) resettlement in another country or; (iii) finding appropriate permanent integration mechanisms in the host country. Progress in achieving durable solutions is, however, partly offset by new outflows of refugees. Each year, thousands of refugees flee their home country and are recognized either on an individual basis or through group determination. The first two parts of this chapter look at both developments: new displacement which occurred and durable solutions which were found during 2006.

Among the three durable solutions, voluntary repatriation is the one which generally benefits the largest number of refugees. Resettlement of refugees is a key protection tool and a significant burden and responsibility-sharing mechanism. Local integration, the third durable solution, is a legal, socio-economic and political process by which refugees progressively become part of the host society. With local integration of refugees being generally difficult to quantify in numerical terms, given the large variety of forms it can take, the analysis of the data in this chapter is limited to local integration through naturalization, whereby the full range of protection is extended to refugees by the host country.

Most changes in the size of a country's refugee population can be explained by new arrivals and voluntary repatriation. The number of refugees is determined by demographic factors (birth, death etc.), as well as legal and administrative changes. The third part of this chapter addresses those changes.

DURABLE SOLUTIONS

VOLUNTARY REPATRIATION

Among the three durable solutions, voluntary repatriation is generally considered the preferred option. Recording voluntary repatriation statistics, however, is a complex undertaking for three reasons. First, voluntary repatriation departures reported by asylum countries often tend to be under-reported because many refugees return spontaneously without informing the authorities of the host country or asking UNHCR for return assistance. Second, the number of refugee returns in the country of origin tends to be over-estimated because individuals who are not entitled to benefits may register for returnee assistance. And third, sometimes, after having returned to their country of origin, the infrastructure might not be in place for returning refugees to rebuild their lives. They might thus decide to return to the country of asylum they have just left. Refugees may thus move between their country of origin and the country of asylum several times and thus get counted several times in UNHCR statistics. As such, voluntary repatriation statistics might in some cases be larger than the actual number of individual sustainable returns. In order to present the picture as accurately as possible, the voluntary repatriation figures provided in the

2006 Yearbook result from a consolidation process of estimates from both the country of asylum and the country of origin.

Based on consolidated information, it is estimated that some 734,000 refugees repatriated voluntarily to their country of origin during 2006, one third less than in 2005 which had a total of 1.1 million returnees. A significant slowdown in the number of Afghan refugees returning to their country explains the overall lower number in 2006 compared to the year before. Deteriorating security in some Afghan provinces, difficult economic and social conditions and factors related to prolonged exile are some of the reasons behind the reluctance of some Afghan refugees in Pakistan and the Islamic Republic of Iran to return home. Nevertheless, Afghanistan remained the main country of refugee return in 2006 recording 388,000 returnees, followed by Liberia (108,000), Burundi (48,000), Angola (47,000), Sudan (42,000), and the Democratic Republic of the Congo (41,000). In all, there were a total of 15 voluntary repatriation movements involving more than 1,000 refugees during 2006.

The vast majority of voluntary repatriation departures of refugees were reported by the Islamic Republic of Iran (244,000) and Pakistan (143,000), reflecting almost exclusively departures by Afghan refugees. In addition, a significant number of refugees departed from the United Republic of Tanzania (67,000), Guinea (54,000), and the Democratic Republic of the Congo (48,000).

Whereas the recent years have seen large-scale voluntary repatriation movements, mainly due to the return of millions of Afghans, the total number of refugees who have returned during 2006 was the second-lowest of the past 15 years. Only in 2001 was the number of returns lower (462,000). Globally, an estimated 11.6 million refugees have been able to return home during the past 10 years, including 7.4 million with UNHCR's assistance (63%).

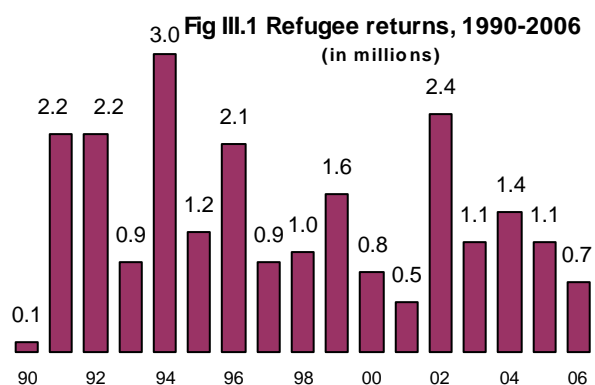
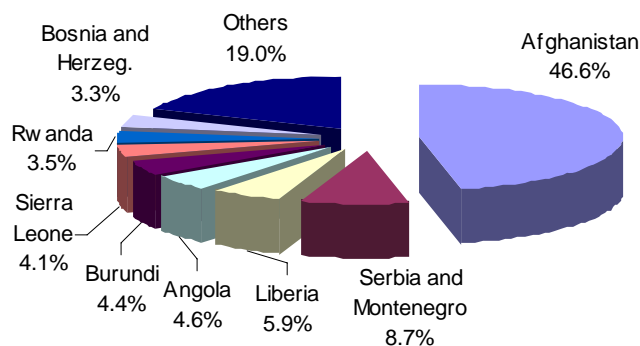


Fig III.2 Refugee returns by origin, 1997-2006
(Total = 11.6 million)



Angola (529,000), Burundi (504,000), and Sierra Leone (469,000) (see *Figure III.2*).

Out of the 11.6 million refugees who returned home between 1997 and 2006, Afghans constituted by far the largest group with 5.4 million or 47 per cent of all returns. In other words, roughly every second refugee return was an Afghan. Refugees originating from Serbia and Montenegro¹ were the second largest group returning home (1 million) during the past decade, followed by refugees from Liberia (683,000),

¹ Montenegro gained independence on 8 June 2006. However, with the exception of a few countries, separate statistics for refugees originating from Serbia or Montenegro are not yet available. In order to ensure comparability of the 2006 data with previous years, Serbia and Montenegro are referred to as one entity throughout this document.

It should be noted that for statistical purposes, only refugees who have returned during the calendar year are included in UNHCR's total population of concern. In practice, however, operations may assist returnees to reintegrate into their country for shorter or longer periods.

RESETTLEMENT

Resettlement is used as a tool of protection, durable solution and international responsibility sharing mechanism. It is a durable solution UNHCR is mandated to implement, in cooperation with States, as derived from its Statute and set out in subsequent UN General Assembly Resolutions. The important role of resettlement as a tool of protection and durable solution has been reaffirmed by a number of UNHCR Executive Committee conclusions.

Resettlement involves the transfer of refugees from the country in which they have sought asylum to another State that has agreed to admit them as refugees and to grant permanent settlement there. It is geared primarily towards the protection of refugees whose life, liberty, safety, health or fundamental human rights are at risk in their country of refuge. Resettlement is normally only promoted by UNHCR when the other durable solutions – voluntary repatriation and local integration in the country of asylum – are not viable or feasible, or where the specific protection needs of the refugee cannot be met by the host State, even if there is a willingness to grant asylum. In certain situations, resettlement may be the only durable solution available; as may be the case in some protracted refugee situations.

Resettlement can also have strategic value; that is, by promoting resettlement as a durable solution for a number of refugees may open avenues for others remaining behind to enjoy improved conditions of asylum in the country of refuge. Furthermore, the availability of opportunities for voluntary repatriation and/or local integration does not exclude the possibility of resettling a refugee or a refugee group. UNHCR may still consider resettlement for individuals who are unable to return to their country of origin due to a continued fear of persecution and in the absence of local integration opportunities. Resettlement could also be considered for individuals with specific needs that otherwise will not be addressed adequately. It can thus be an important element of comprehensive solutions.

Currently, resettlement is a durable solution for a comparatively small number of refugees. In 2006, less than 1 per cent of the world's refugees directly benefited from resettlement; a very small proportion of the almost 10 million refugees worldwide. This demonstrates the selectivity of resettlement, which according to UNHCR must remain focused on protecting refugees who are at risk.

The resettlement process is both challenging and resource intensive. It involves the identification of refugees in greatest need of protection, interviewing refugees and assessing the grounds upon which resettlement will be taken, preparing resettlement submissions for consideration by resettlement States, organising the selection interviews by States and travel arrangements from the host country and on-arrival arrangements in the country of resettlement. In addition to UNHCR's active involvement in the identification, assessment and submission stages of the process, a number of other agencies, governmental and non-governmental, are engaged in facilitating refugee resettlement, which requires close and effective coordination.

Refugee resettlement is distinguished from other forms of migration by the primary consideration of "protection and durable solutions needs" above all other concerns. States and UNHCR have repeatedly affirmed that the primary purpose of

resettlement must always be the provision of individual protection for those who cannot be provided with adequate protection in the country of asylum. They also affirm that resettlement can provide a durable solution and a tool for responsibility sharing.

Accordingly, individuals supported for resettlement by UNHCR are (i) recognized as refugees under UNHCR's mandate; and (ii) deemed eligible according to UNHCR's resettlement guidelines and criteria. The UNHCR resettlement criteria and related considerations form the basis for the identification of refugees in need of resettlement. They are contained in the UNHCR Resettlement Handbook, which was endorsed by UNHCR's Executive Committee in 1996. UNHCR encourages States to use these criteria to inform and guide their decisions on resettlement. These criteria relate to specific international protection needs, such as where the physical or legal security of a refugee is at stake (e.g. women-at-risk or individuals faced with *refoulement*) or where specialised services (e.g. psychosocial or medical) are required that are not available in the country of asylum. UNHCR also supports the resettlement of refugees on family reunification grounds.

The majority of resettlement States rely on UNHCR to recommend specific profiles/groups of refugees according to needs and priorities identified by UNHCR and its partners, and to present [submit] these cases for resettlement consideration by States. The latter assess the case submissions made by UNHCR and decide whether or not to grant resettlement. States make the decision on admissibility according to their policies, laws and regulations.

The number of countries accepting refugees through resettlement programmes and the places offered remains limited. Expanding the base of resettlement countries thus remains an ongoing priority and challenge for UNHCR. Over the last few years, however, States in Latin America have emerged as new resettlement countries, offering a durable solution for refugees primarily from Colombia. In 2006, a number of countries, particularly in Europe, indicated the possibility of providing resettlement places for refugees. Even so, and despite global efforts to forge new and emerging opportunities for resettlement, a limited number of resettlement options exist for those in need of it. During 1997-2006, some 838,000 refugees were accepted by third asylum countries through resettlement programmes, compared to 11.6 million refugees who were able to repatriate. Thus, for every refugee who has been resettled since 1997, about 14 have repatriated.

Resettled refugees normally have access to long-term residence status, a range of social, economic and legal rights and, eventually, to naturalization. Resettled refugees thus require little, if any, international protection. From a national statistical perspective, however, the arrival of resettled refugees constitutes an increase in the refugee population. Once refugees have obtained the citizenship of the host country, they cease to be refugees and are no longer counted in UNHCR's statistics.

The 2006 Yearbook uses two sources for resettlement statistics. First, UNHCR records from first asylum countries indicate the number of refugees who have been resettled under UNHCR auspices. Second, official statistics from immigration sources of resettlement countries are used to analyse the total inflow of resettled refugees, whether or not facilitated by UNHCR.

(a) Resettlement under UNHCR auspices

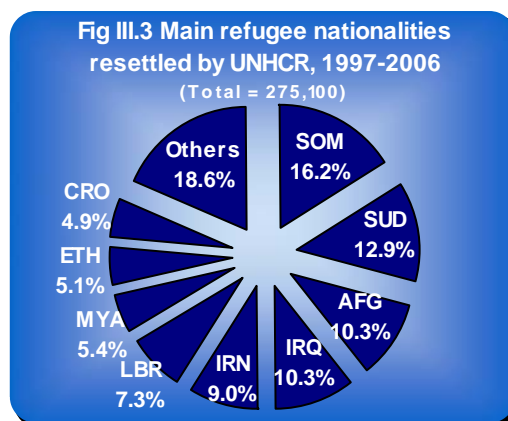
In 2006, UNHCR submitted 54,200 refugees for resettlement consideration by States. This figure reflects an increase of 7,900 people (+15%) compared with the

total number submitted in 2005 (46,300), and a 27 per cent increase on the UNHCR submissions in 2004 (39,500).

The steady growth in recent years in the number of refugees presented [submitted] by UNHCR for resettlement is not immediately reflected in the statistics covering refugee departures for resettlement. In terms of actual departures for resettlement in 2006 (i.e. refugees who travel to the country of resettlement), some 29,600 persons were resettled with UNHCR assistance. Of these, 27,700 were recognized refugees; the remainder were family members or family reunification cases, not necessarily refugees themselves. The disparity between submissions (54,200 persons in 2006) and departures (29,600 persons in 2006) is partly explained by the time delay between a submission by UNHCR and the decision by a resettlement State to allow for the refugee to travel. In many cases, a decision by a resettlement State is made several months after a UNHCR submission; hence the travel of refugees submitted for resettlement in 2006 might occur the following calendar year, particularly for those cases submitted in the last quarter of 2006.

Some 84 UNHCR country offices were engaged in facilitating resettlement departures during 2006, essentially the same number as in 2005. The largest number of refugees resettled with UNHCR assistance departed from Kenya (6,200), Thailand (4,700), Egypt (2,000), Turkey (1,600), and the United Republic of Tanzania (1,600). During the period 2002-2006, one out of five refugees resettled by the Office was dealt with by UNHCR's resettlement hub in Nairobi.

UNHCR's resettlement interventions in 2006 were directed mainly at refugees from Myanmar (5,700), Somalia (5,200), Sudan (2,900), the Democratic Republic of the Congo (2,000), and Afghanistan (1,900). Indeed, the number and diversity of nationalities being resettled in the past few years has remained rather static, reflecting in general the protection needs of specific refugee populations and dynamics allowing for the enhanced or strategic use of resettlement. Indeed, during the period 1997-2006, there were 20 refugee nationalities involving more than 1,000 departures. Refugees from Somalia constituted the largest group resettled under UNHCR auspices (44,500), followed by refugees from Sudan (35,400), Afghanistan (28,500), Iraq (28,400), and the Islamic Republic of Iran (24,900). These five refugee nationalities accounted for roughly 60 per cent of all UNHCR-facilitated resettlement departures during the last 10 years (see *Figure III.3*). In 2006, however, the significant resettlement of refugees from Myanmar reflects opportunities for the strategic use of resettlement using the group resettlement methodology.



(b) Government arrivals (with limited or no direct UNHCR involvement)

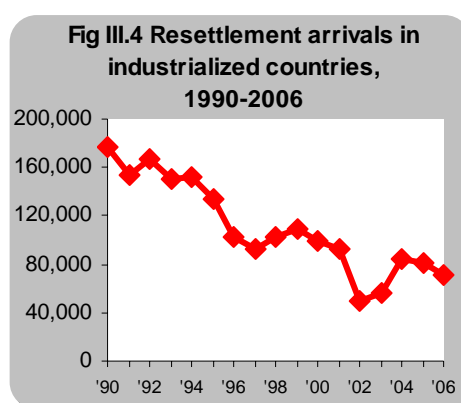
In addition to providing specific programmes for refugee resettlement in response to the identified needs and priorities of UNHCR, a number of resettlement States (e.g. Australia, Canada and the United States of America) have humanitarian programmes and/or specific family reunion or sponsorship programmes which address the specific needs of refugees and people in refugee-like situations. These separate programmes generally have limited direct UNHCR involvement, but nevertheless a significant number of the people who benefit from these programmes are refugees or their

family members. While some resettlement cases admitted under such programmes may not necessarily qualify for refugee status, they are nevertheless counted in UNHCR's refugee statistics. Once refugees have obtained the citizenship of the host country, they are, however, no longer included in the refugee population.

A total of 71,700 refugees were admitted by 14 resettlement countries during 2006, including the United States of America (41,300, during US Fiscal Year)², Australia (13,400), Canada (10,700), Sweden (2,400), Norway (1,000), and New Zealand (700). Overall, this was 11 per cent below the total for 2005 when 80,800 refugees had been accepted by 16 countries. As noted earlier, over the last few years, States in Latin America have emerged as new resettlement countries, albeit at a lower scale, offering a durable solution for refugees primarily from Colombia.

The 14 countries resettling refugees during 2006 accepted more than 100 different nationalities, with the largest groups benefiting refugees originating from Somalia (11,100), Sudan (6,400), the Russian Federation (6,200), and Myanmar (6,000).

The recent years have witnessed a far lower level of resettlement arrivals as compared to the late 1980s or 1990s. In particular following the events of 11 September 2001, the number of refugees accepted by countries decreased significantly due to specific screening procedures put in place by some countries, in particular the United States of America. Whereas resettlement levels increased again during 2004 (84,700 arrivals), this appears to have corrected the effects of 2001 and put the level back to its pre-2001 levels showing a pattern of steady decline since numbers have gone down again in 2005 (80,800) and 2006 (71,700).



LOCAL INTEGRATION

Local integration is a legal, economic, social and cultural process undertaken by both the host community and the displaced population. It is a legal process through which the asylum State progressively grants refugees a wide range of rights that, over time, should lead to permanent residence rights and, eventually, the acquisition of citizenship. It is also an economic process as refugees become less reliant on humanitarian assistance or State aid and ultimately become self-reliant. Local integration is also a social and cultural process that allows refugees to co-exist with local communities without discrimination or exploitation and where refugees contribute actively to the social and economic life of their country of asylum.

While the degree and nature of integration is difficult to measure in quantitative terms, some countries document the acquisition of nationality, the final and crucial step towards obtaining the full protection of the host country, as foreseen by Article 34 of the 1951 Refugee Convention. Statistical information on the provision of citizenship to refugees, however, is available on a limited scale only, and is thus under-reported. The main reason for lack of statistical evidence is the fact that, in many countries, national statistics on naturalization of foreigners generally do not distinguish between refugees and non-refugees.

² Resettlement statistics for the United States also include family members for the purpose of family reunification.

For 2006, UNHCR was informed of refugees being granted citizenship in the United States of America (98,500), Belgium (2,500), Armenia (1,200), Kyrgyzstan (600), and the Russian Federation (420). In total, data on naturalization was available for 25 asylum countries covering some 104,000 refugees.

Because of the importance of naturalization for local integration and the paucity of data in industrialized countries, UNHCR estimates the average waiting time for refugees to naturalize for some of those countries. In some industrialized countries such as Australia, Canada, and New Zealand, it is assumed that refugees have naturalized after five years, whereas refugees in Europe and the United States of America are estimated to have obtained the nationality of their host country after 10 years (see also *Chapter I: Estimating the refugee population in industrialized countries*).

NEW ARRIVALS

Refugees flee their country because they have a well-founded fear of being persecuted because of their race, religion, nationality, membership of a particular social group or political opinion. Situations of mass influx are often triggered by conflict in the country of origin. As a result, in mass inflow situations asylum countries may accord protection on a group or *prima facie* basis. Conversely, a significant number of refugees seek asylum on an individual basis. The eligibility of individual asylum-seekers for refugee status is determined on a case-by-case basis.

With the exception of the Balkan crisis in the 1990s, in the past few years, new situations of mass displacement have occurred predominantly in developing countries. It is thus countries in developing regions that in the first place accord refugee status on a group or *prima facie* basis. In contrast, the majority of persons who have been granted refugee status on an individual basis are located in developed countries.

MASS REFUGEE MOVEMENTS

During 2006, at least 117,000 refugees were recognized on a group basis by 20 asylum countries. This figure, however, excludes Iraqi arrivals in Lebanon, Jordan³, the Syrian Arab Republic and other countries in the region owing to the fact that reliable estimates for 2006 are not available.⁴ While the level of Iraqi inflows into these countries during 2006 is not available, estimates on the number of Iraqi refugees residing in Lebanon, Jordan, and the Syrian Arab Republic at the end of 2006, however, are available and included in the 2006 Yearbook.

Excluding Iraqi arrivals, the largest new arrivals of refugees were reported by Chad (22,200), Cameroon (20,400), Sudan (20,000), India (16,700), Yemen (13,500), and Uganda (8,500).

Again excluding Iraqis, refugees originating from the Central African Republic were the main group of new mass displacement in 2006 with 31,000 refugees fleeing the country, followed by refugees from Chad (20,000), Sri Lanka (16,700), Sudan (14,400), Somalia (13,600), and the Democratic Republic of the Congo (12,600).

³ The results of a survey undertaken among Iraqi refugees in Lebanon and Jordan in 2007 is expected to provide, among other, an estimate on the total number of Iraqi refugees in these countries as well as their date of arrival.

⁴ The decision to apply *prima facie* status to Iraqis originating from south and central Iraq was taken in January 2007. As a consequence, UNHCR estimates on Iraqi refugees at the end of 2006 do not take into account the total number of Iraqis in the respective countries. Estimates for the number of Iraqis in Egypt and Turkey at the end of 2006 are not available.

INDIVIDUAL RECOGNITION

In 2006, an estimated 198,000 individuals who had initially submitted an individual asylum application were subsequently granted Convention refugee status or a complementary form of protection⁵, 5 per cent less than in 2005, when some 209,000 asylum-seekers were accepted. Countries⁶ recognizing the largest number of refugees on an individual basis in 2006 were the United States of America (27,300), Kenya (22,900), Thailand (16,500), and Switzerland (12,500). The main countries of origin producing each more than 10,000 asylum-seekers recognized on an individual basis include Somalia, Myanmar, and Eritrea. Trends in asylum and refugee status determination are discussed in more detail in Chapter IV.

OTHER SOURCES OF POPULATION CHANGES

It was noted that the size of the refugee population is influenced by a complex set of demographic, legal and administrative factors. Having discussed the main numerical changes above, i.e. durable solutions and new arrivals, the remainder of this chapter is devoted to a brief analysis of other, specific factors affecting the size of the refugee population.

In general, population dynamics and legal reasons are the main reasons for a refugee population to change. Factors which might cause an increase in the refugee population include new refugee arrivals and births; whereas factors leading to a decrease might include voluntary repatriation of refugees, resettlement departures, cessation of refugee status or deaths. In addition, administrative changes, such as re-classification of populations or adjustments of refugee estimates also affect refugee numbers, for instance through registration. The presence of refugees is verified periodically to ensure that the records are in line with the actual situation on the ground. As a result, refugee statistics can either increase (mainly because of births or new arrivals not previously registered) or drop (mainly because of deaths or non-registered departures). Generally, the quality and degree of refugee registration varies greatly and depends on protection and operational considerations.

Births and deaths, the two natural growth components, have a significant impact on the size and composition of the refugee population, particularly in developing countries. They are, however, often difficult to track correctly. In particular in refugee camps, births are likely to be recorded accurately because the provision of assistance and benefits to refugee families often increases as a result of an increase in the family size. Deaths, however, often get under-reported because of for instance family's fear of receiving less assistance.

⁵ See footnote 2 in Chapter I for the definition on complementary protection.

⁶ This includes countries where UNHCR and/or the Government are responsible for refugee status determination.