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Solution strategies*Summary*

The number of refugees, stateless persons and internally displaced persons continues to rise. With traditional solutions elusive, UNHCR is intensifying its pursuit of comprehensive strategies for all populations of concern. Multi-year solutions strategies are being field tested, and additional funds have been committed to the "Seeds for Solutions" initiative, supporting longer-term comprehensive solutions plans with a wide range of partners. UNHCR is also increasingly linking its work on solutions to broader development programmes. Close partnerships with governments and with development actors are critical to solving existing situations and to preventing future emergencies from becoming protracted.

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I. Introduction

1. The purpose of this paper is to provide an update on UNHCR's continued search for solutions for refugees, stateless persons and internally displaced persons (IDPs). Over the last decade, nearly 30 million people of concern to UNHCR have found solutions, including through voluntary repatriation and return, relocation, integration into new communities, resettlement and the acquisition of nationality.¹ Despite this, the rate of displacement is increasing, and definitive solutions for many persons falling within UNHCR's mandate remain elusive.

2. This state of affairs demands that the international community redouble its efforts to achieve solutions. This paper provides an overview of key developments toward that end since the *Update on solutions* (EC/65/SC/CRP.15) was presented to the Standing Committee in July 2014. It addresses the three traditional "durable solutions" for refugees, as well as efforts to enable all persons of concern to achieve self-reliance and contribute to their communities. It further discusses work to promote synergies between humanitarian action and longer-term, partnership-based solutions planning and development.

3. With the number of the forcibly displaced continuing to rise, greater efforts must be made to address the root causes of displacement and to prevent new situations from becoming protracted. These are shared responsibilities, the aim of which must be to bring about a return to normalcy in the lives of refugees, stateless persons and IDPs. That aim requires work on the peaceful resolution of conflicts and social cohesion during emergencies, which can lay the groundwork for wider reconciliation processes and for environments that are conducive to genuinely durable solutions. The political will of governments is, therefore, a fundamental prerequisite to success.

II. Challenges

4. UNHCR is mandated to seek "permanent solutions for the problem of refugees by assisting Governments."² This is a supportive role that UNHCR cannot fulfill on its own. In exercising this mandate, UNHCR continues to facilitate the voluntary repatriation of refugees, their integration in new communities, and their resettlement to third countries. Pursuant to resolutions of the General Assembly, UNHCR works with partners to support solutions for IDPs globally. Through the recently-launched campaign to end statelessness,³ UNHCR has set an ambitious goal for the international community to end statelessness by 2024.

5. Unfortunately, the traditional solutions are today available to a smaller proportion of refugees and displaced persons than ever. The number of people of concern to UNHCR today – including refugees and asylum-seekers, stateless persons, returnees, and IDPs – is higher than at any time since the end of World War II. Meanwhile, the conflicts generating the biggest increases in displacement show no signs of abating. The voluntary repatriation of refugees is at the lowest levels since the 1980s: roughly 400,000 refugees were repatriated in 2013, while that number fell to only 126,800 in 2014. Although many more IDPs return home each year, the precarious nature of life in places affected by conflict

¹ This figure includes voluntary repatriation of refugees; IDP return and relocation; the acquisition and confirmation of nationality to address refugee integration and statelessness; and resettlement.

² 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).

³ The campaign is discussed in the conference room papers *Update on statelessness* (EC/66/SC/CRP.11) and *UNHCR's communications strategy* (EC/66/SC/CRP.14).

ensures that, despite humanitarian interventions, return is often neither durable nor an indicator of the ability of returnees to enjoy their rights or to rebuild their lives and communities.

6. Rather than returning to their areas of origin, many repatriated refugees and IDPs settle in informal settlements in or near urban areas. Cities may offer more economic opportunities and, in some cases, shelter from conflict. Yet inadequate access to services (including education, healthcare, and adequate policing), the effective social and economic marginalization of residents, and the risk of further displacement render these solutions fragile.

7. The other two traditional solutions available to refugees – resettlement and local integration – address the needs of relatively few. Some 105,000 refugees were resettled to third countries in 2014, representing an increase from 2013, but still reaching only a small fraction of the population in need. While local integration opportunities have been made available to refugees and former refugees in countries of first asylum such as Benin, the United Republic of Tanzania and Zambia, the number of refugees offered local integration is limited in any given year.

III. New approaches

8. With traditional solutions not yet available for the vast majority, millions of people of concern have remained disempowered recipients of humanitarian assistance for years and decades. Although safe from the immediate effects of conflict, displaced and stateless communities live for generations without being able to plan their future or to exercise many of their human rights. In response, UNHCR has sought to resolve protracted situations by continuing its pursuit of comprehensive, forward-looking strategies for all populations of concern. UNHCR is working proactively with governments to unlock existing opportunities, including for stateless populations. It is also engaging with partners to strengthen displaced persons' resilience and self-reliance in the near-term, with the aim of preparing refugees, stateless populations, and IDPs for whichever solutions become available.

9. In all cases, UNHCR is prioritizing working closely and creatively with partners to pursue solutions-oriented strategies from the outset of displacement crises. The 2016-2017 biennium planning instructions have directed all UNHCR field operations to incorporate forward-looking protection and solutions strategies in yearly and biennial country operation plans. The intent is to reinforce the trend of longer-term perspectives forming the foundation of planning. In practical terms, this should lead to responses designed to better compliment ongoing development efforts and would allow UNHCR to focus on the sectors where it is strongest in each context. In order to facilitate this, a framework for a multi-year *Protection and Solutions Strategy* was included in planning instructions and is now being field-tested for final release in 2016.

10. In addition, the Solutions Steering Group⁴ has identified innovative approaches and assisted operations in developing multi-year and multi-partner protection and solutions strategies. In 2015, UNHCR is supporting implementation of such strategies in several operations. This pilot will provide an opportunity for institutional learning to identify

⁴ The Solutions Steering Group is a multi-disciplinary network comprised of relevant headquarters staff from the Division of Programme Support and Management, the Division of International Protection, and the Division of External Relations. It seeks to foster the policy development and institutional change necessary to support the effective design and implementation of solutions strategies.

needed adjustments to solutions planning, budgeting, and reporting procedures, while supporting the participating operations to develop their longer-term goals.

11. To further support new and creative approaches, the High Commissioner committed an additional US\$ 20 million during 2015 to UNHCR's "Seeds for Solutions" initiative. In 2014, Seeds for Solutions provided 19 country operations with technical expertise and increased resources; it has continued to support those 19, along with two additional operations, this year.

12. In the Democratic Republic of the Congo and Zambia, "Seeds" funds have supported, respectively, the ongoing repatriation of some 12,000 former Angolan refugees and contributed towards the expected local integration of another 10,000 people. These investments put the closure of the Angolan refugee chapter on track for 2016. In Somaliland, a relatively small investment allowed the Office to pilot inclusion of informal settlements in national service-provision systems, including education and water and sanitation – an approach that is now being developed for use in return areas in south-central Somalia. In Kazakhstan, Kyrgyzstan, Malaysia, and Tajikistan, meanwhile, "Seeds" money has supported efforts to identify and inform people about administrative processes to address the risk of statelessness. Programmes focus on capacity building of national institutions and NGOs to ensure their continued operation following the reduction of UNHCR's direct involvement.

13. In other cases, "Seeds" funding has been obtained to prepare persons of concern for future solutions, whatever they may eventually be. In Niger, funding has helped nomadic people to maintain livelihoods, including animal husbandry, in asylum, while the project in Burkina Faso has established a dairy value chain in refugee hosting areas, ensuring the inclusion of Malian refugees as suppliers of milk and thus supporting the development of sustainable livelihoods that will be transferrable to Mali once conditions are conducive to voluntary return. In Sri Lanka, a project that initially focused on livelihoods is evolving to support IDPs on housing, land and property issues, while the "Seeds" project in Cameroon is supporting host villages with targeted infrastructure and community projects, in close coordination with regional governments and development actors. "Seeds" funding has also enabled operations to test new solutions-oriented approaches. For example, the "Graduation Approach" to building sustainable livelihoods, borrowed from the development context, has been piloted in Costa Rica and Ecuador, where UNHCR is using "Seeds" money to enable refugees to participate in the economy and become self-reliant – a prerequisite for local integration in accordance with national development plans. The "Graduation Approach" is also being incorporated into Costa Rica's national employment and poverty reduction strategy in order to ensure long term sustainability. This is being done by anchoring the different phases of the graduation process (vulnerability assessment, economic assistance, coaching, psycho-social support, training, labour insertion and self-employment support through microcredit) in State institutions and Ministries.

14. While varied, these initiatives share a common purpose: to put refugee rights, dignity, and self-reliance at the forefront of humanitarian action. In that sense, "Seeds" and other solutions-oriented work find ready support in broader efforts – from the *Policy on Alternatives to Camps*⁵ to the *Global Strategy for Livelihoods*⁶ to Community-Based

⁵ UNHCR *Policy on Alternatives to Camps*, UNHCR/HCP/2014/9, 22 July 2014, available at: <http://www.unhcr.org/5422b8f09.html>

⁶ UNHCR, *Global Strategy for Livelihoods: A UNHCR Strategy 2014-2018*, available at: <http://www.unhcr.org/530f107b6.pdf>

Protection⁷ and the earlier *Framework for the Protection of Children*⁸ and *2012-2016 Education Strategy*⁹ – that support longer-term, partnership-based planning and enable refugees to lead productive lives.

15. Crucially, these approaches and others, such as the mainstreaming of education and healthcare services for refugees within national systems, have the potential to bring important benefits to both refugees and host communities, irrespective of how long refugees remain in the country and quite apart from the question of solutions. Refugees who are able to remain independent and to develop their skills and livelihoods in exile will be better prepared to seize opportunities for solutions when they arise. As the *Policy on Alternatives to Camps* observes, “Refugees who have maintained their independence, retained their skills and developed sustainable livelihoods will be more resilient and better able to overcome future challenges than if they had spent years dependent on humanitarian assistance, whatever solutions are eventually available to them.”¹⁰

IV. Partnerships

16. Although these evolving approaches are promising, UNHCR and its partners continue to highlight the interconnection between durable solutions and broader political, humanitarian, and development processes. Political will is especially crucial: UNHCR cannot fulfil its mandate to find “permanent solutions” to displacement crises without the active participation of the governments involved. While UNHCR can help catalyse such efforts, only States have the ability, and bear ultimate responsibility, for solving existing situations and for preventing future emergencies from developing into protracted crises.¹¹

17. At the national level, UNHCR works closely with its government partners to resolve longstanding situations, including by supporting bold policy decisions to realise solutions. Decisions such as that of the Government of the United Republic of Tanzania to issue some 162,000 naturalization certificates to former Burundian refugees and their dependents underscore the importance – and the promise – of such State action.

18. UNHCR also works with governments to foster conditions conducive to eventual solutions. Improving quality of life for displaced populations, as well as facilitating independent household management and community participation, remains foremost on the agenda. Toward that end, UNHCR is partnering with governments at the national and local level to include persons of concerns in public services, systems, and development plans. In Ghana, Togolese refugees have been allowed access to the national health insurance system on equal footing as Ghanaians; in Ecuador, livelihoods activities are carried out in partnership with the National Training Secretariat and the National Institute for Economic Inclusion. UNHCR has also worked with States to support the incorporation of displaced populations into national census undertakings, wealth assessments, poverty reduction strategies, and other national processes.

⁷ UNHCR, *Community-Based Protection*, EC/64/SC/CRP.14, 4 June 2013, available at: www.unhcr.org/51d19cb79.html

⁸ UNHCR, *A Framework for the Protection of Children*, 26 June 2012, available at: <http://www.refworld.org/docid/4fe875682.html>

⁹ UNHCR, *2012-2016 Education Strategy*, 28 February 2012, available at: www.refworld.org/docid/4f4cd9812.html

¹⁰ UNHCR, *Policy on Alternatives to Camps*, UNHCR/HCP/2014/9, 22 July 2014, available at: <http://www.unhcr.org/5422b8f09.html>

¹¹ See T. Alexander Aleinikoff & Stephen Poellet, *The Responsibility to Solve: The International Community and Protracted Refugee Situations*, 55 *Vir. J. of Int'l Law* 195 (2014).

19. Host communities, all levels of government, and national civil society institutions are best placed to work towards the goal of including refugees, IDPs, returnees, and stateless populations in existing national structures and systems. Taking these populations into account, including as potential contributors to national development, can yield benefits and also help to avoid distortions that can result from parallel and uncoordinated humanitarian and development interventions.

20. In Uganda, UNHCR is playing a catalytic role, together with the Government, the UN Resident Coordinator, and other stakeholders, in the development of an area-based self-reliance and resilience programme that includes refugees alongside host communities. As a result, refugees have been incorporated into Uganda's National Development Plan as well as the United Nations Development Assistance Framework. Although not a "solution" *per se*, such inclusive planning represents a clear step toward solutions.

21. In Turkey, the Government has amended labour laws such that many refugees have the right to apply for work permits. UNHCR continues to work closely with the Government to enable refugees to access labour markets, start businesses, and accumulate assets. Fostering refugees' self-reliance in this way allows them to contribute to their host communities while they remain in asylum; it also helps to prepare refugees for whichever solutions ultimately become available. Indeed, as the European Parliamentary Assembly recently observed, "[i]t makes sound economic and social sense to allow asylum seekers to work and to provide refugees with access to the labour market."¹² It also makes sense from the perspective of durable solutions. Refugees who are able to resume their lives and livelihoods in exile are better able, and more likely, to return to their home countries when it is safe to do so.

22. In addition to working bilaterally with host governments, UNHCR continues to prioritize regional approaches. Such approaches have the potential to advance solutions for long-standing displacement situations and – through facilitating the establishment of stable lives – can potentially contribute to regional security.

23. Drawing on the lessons learned from the *Solutions Strategy for Afghan Refugees*¹³ and from the cessation exercises for Angolans, Liberians and Rwandans, UNHCR is working with regional partners to seek solutions for displaced Somalis through the *Addis Ababa Commitments towards Somali Refugees*¹⁴ and the Global Initiative for Somali Refugees.¹⁵ Together, these efforts are supporting closer collaboration and more targeted interventions inside Somalia and in refugee hosting countries. Regional arrangements that support refugee freedom of movement and labour mobility, such as those now in place in the States in the *Mercado Común del Sur* (Mercosur) and in the Economic Community of West Africa (ECOWAS), likewise represent important solutions-related developments.

24. In addition to political will, the active involvement of the development community has been increasingly recognized as critical in the pursuit of durable solutions. Absent such involvement, persons of concern to UNHCR risk being excluded from advances accrued

¹² See Resolution 1994 (2014), *Refugees and the Right to Work*. The Assembly further noted, "[t]he cost to the State will clearly be less if asylum seekers and refugees are employed rather than dependent on State support. Employment also contributes to a more cohesive society by encouraging and improving contacts between refugees, asylum seekers and the local community."

www.refworld.org/docid/537ef91a4.html

¹³ UN High Commissioner for Refugees (UNHCR), *Update on the Solutions Strategy for Afghan Refugees*, September 2012, available at: www.refworld.org/docid/511e470e2.html

¹⁴ See *Addis Ababa Commitment towards Somali Refugees*, 20 August 2014, available at: www.unhcr.org/540dac2c6.html

¹⁵ See www.unhcr.org/pages/527b8f7d6.html

through national, regional and global progress. Recognizing this, UNHCR has increasingly sought to link its work on solutions to broader development programmes, with encouraging support from development actors. The partnership between UNHCR and the World Bank, for instance, has yielded concrete achievements, including the preparation of three joint regional forced displacement studies and the subsequent establishment of financial facilities for the Great Lakes Region (US\$ 100 million) and in the Horn of Africa (US\$ 150 million). Supported by such programming, the Governments of the United Republic of Tanzania and the Democratic Republic of the Congo are taking loans of US\$ 27 million and US\$ 50 million, respectively, for integration of newly naturalized Tanzanians (former Burundian refugees) and support to IDPs.

25. Other partners are working to include displaced persons in their development programmes. The Japan International Cooperation Agency (JICA) is partnering with UNHCR to support refugees and host communities in Burkina Faso, Jordan, Myanmar, Uganda and Zambia, as well as Kosovo (S/RES/1244 (1999)).¹⁶ Likewise, in Colombia, UNHCR's partnership with UNDP has yielded progress in several areas, including community land legalisation and access to housing. The private sector also plays an important role: for example, the International Trade Centre recently signed an agreement with UNHCR to improve economic and employment opportunities for refugees, and especially for women and youth.

26. At the global level, the Solutions Alliance¹⁷ remains an important vehicle for host countries and others to partner in support of innovative solutions work, as well as to build coalitions to proactively prevent displacement situations from becoming protracted. In 2015, a full-time Solutions Alliance Secretariat was established to strengthen the Alliance's advocacy work and its support for relevant multilateral processes.

27. In the past year, the Alliance has begun the process of establishing national thematic groups for specific country or regional situations. In Zambia, where the Solutions Alliance National Advisory Group is co-chaired by the Government, passports and permanent residence permits have begun to be distributed to former Angolans, and plots of land have been allocated in areas where the former refugees are being offered the opportunity to settle with Zambians. The Alliance recently launched a Somalia group in Nairobi with a workshop hosted by the World Bank that will help link the Alliance's activities and the development work ongoing under Somalia's New Deal Compact. At the Alliance's next Roundtable, new country groups will be introduced and linked with thematic working groups, including a data and performance management group and a group on engagement of the private sector.

V. Conclusion

28. Solutions to situations of long-term displacement are desperately needed. It is unacceptable that tens of millions of persons are forced to live in limbo for years, even for decades. The goal of the humanitarian system – beyond providing immediate, lifesaving

¹⁶ References to Kosovo shall be understood to be in the context of Security Council Resolution 1244 (1999).

¹⁷ Launched in 2014, the Solutions Alliance is a network of diverse actors representing affected and host states, local authorities, development and humanitarian agencies, international financial institutions, donors, civil society, private sector, academia and others. It seeks to promote and enable the transition for displaced people towards increased self-reliance, resilience and sustainable development. More information is available at: www.solutionsalliance.org/

assistance – must be to support forcibly displaced people to resume their lives as soon as circumstances allow.

29. In the coming period, UNHCR will work with partners to advance the attainment of solutions for people of concern, including by:

- engaging with States, multilateral, and national partners to identify solutions opportunities and explore regional approaches to end displacement;
 - supporting the Executive Committee in considering a conclusion on self-reliance from a solutions perspective;
 - advocating the inclusion of solutions for protracted situations on the agenda of the forthcoming World Humanitarian Summit in Istanbul and urging a joint commitment to address this issue;
 - working with States and others to ensure that displacement is put on the development agenda and that refugees, IPDs, returnees, and stateless populations are included in development plans, poverty reduction strategies, and other sustainable national planning processes, including their inclusion in national census undertakings and statistical data;
 - collaborating on the implementation of the international community's post-2015 Sustainable Development Goals, once adopted, so as to ensure that forcibly displaced and stateless persons are not disregarded or left behind.
-