

# Establishing mechanisms to handle long-term refugees

## What is a Refugee?

A refugee is someone who is forced to flee their country due to persecution, war, or violence. Many refugees fear persecution for reasons like race, nationality, religion, and political opinion.<sup>1</sup> Life as a refugee can be difficult to imagine and lately, internal conflicts, threats of terrorism, and weak economies, are all reasons that have caused a massive number of refugees to leave their homes and flee to nearby countries. Most refugees try to return to their home countries as soon as it is safe for them to do so and the UN High Commissioner for Refugees (UNHCR) encourages their return as the best possible solution. Nevertheless, some refugee populations have not been able to return to their country of origin or be permanently resettled in another country, creating permanent refugee populations in nations near conflicts.

## The Rights of Refugees

All refugees have the same human rights as all other people around the world in addition to rights that apply specifically to them. Notable human rights that are relevant to refugees include: the right to freedom from torture, cruel, inhumane or degrading treatment or punishment; the right to freedom of movement and residence within the borders of each state; the right to a standard of living adequate for the health and wellbeing of a person and their family, including food, clothing, housing medical care, and necessary social services; the right to education, and freedom from discrimination.<sup>2</sup>

### 1951 Refugee Convention

Refugees are defined and protected in international law. The 1951 Refugee Convention outlines the basic rights which States should afford to refugees and defines the term “refugee.” One of the most fundamental principles laid down in international law is that refugees can not be expelled or returned to situations where their life and freedom are under threat. Additionally, refugees are given the right to, in many respects, the same treatment as the citizens of the country in which they seek refuge and are given the right to not be penalized for illegally entering a country if asylum has been requested.<sup>3</sup> Originally, the Convention was limited to protecting European refugees after World War II but the scope of the Convention was expanded by the 1967 as international displacement became a larger issue.<sup>4</sup>

### What is an Internally Displaced Person?

Similar to a refugee, an internally displaced person (IDP) is a person who flees their home but

---

<sup>1</sup> “What is a refugee?” *USA for UNHCR*. <http://www.unrefugees.org/what-is-a-refugee/>.

<sup>2</sup> “What are Refugee Rights under International Law?” *Lutheran Immigration and Refugee Service*. <http://lirs.org/wp-content/uploads/2014/08/17.-What-are-refugee-rights-under-international-law.pdf>.

<sup>3</sup> “What are Refugee Rights Under International Law?” *Lutheran Immigration and Refugee Service*. <http://lirs.org/wp-content/uploads/2014/08/17.-What-are-refugee-rights-under-international-law.pdf>.

<sup>4</sup> “The 1951 Refugee Convention.” *UNHCR*. <http://www.unhcr.org/en-us/1951-refugee-convention.html>.

remains within the boundaries of their country. Unlike refugees, IDPs are not protected by international law. As more and more internal conflicts are occurring across the globe, the number of IDPs has increased significantly over the past few decades, posing an important problem to the international community.<sup>5</sup>

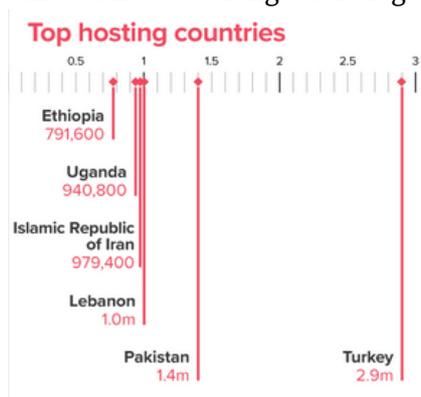
## United Nations High Commissioner for Refugees:

The office of the United Nations High Commissioner for Refugees (UNHCR) was created in 1950 during the aftermath of the Second World War to help millions of Europeans who had fled or lost their homes. The UNHCR has provided international protection for refugees by maintaining their right of asylum and seeking to prevent any forced return to the country from which they have fled. The UNHCR works for voluntary repatriation and when this is not possible, they strive for integration within the first country of asylum or resettlement elsewhere.

### Challenges Facing UNHCR

In recent years, the UNHCR has faced growing challenges. In addition to the need for assistance for returning refugees, the number of new refugees has continued to rise. Most difficult of all for UNHCR have been an accelerating series of crises which have included the flight of 1.8 million Iraqi Kurds to the Islamic Republic of Iran and the border between Turkey and Iraq, major population displacements in the Transcaucasia, the Horn of Africa and parts of Western Africa, the massive exodus of over 2 million refugees from Rwanda, and the war in former Yugoslavia, which alone has produced nearly 4 million refugees, displaced persons and others of concern to UNHCR.<sup>6</sup>

In response to the most severe refugee crises in history, UNHCR has continued to develop its emergency response capacity and to pursue preventive and solution-oriented approaches. In so doing, it has collaborated increasingly closely with political, peacekeeping and development initiatives, with other organs of the United Nations, with intergovernmental and regional bodies and with a wide range of non-governmental organizations.



## Overview of Today's Situation

In 2016, there were nearly 23 million refugees around the world according to UNHCR figures.<sup>7</sup> It is estimated that 50% of refugees are under 18 years old. In 2011, there were about 26.4 million people internally displaced by conflict within their countries. About 80% of refugees reside in developing countries, with Pakistan, Lebanon, Ethiopia, and Uganda shouldering a large portion of this burden.<sup>8</sup> According to a

2016 report, only about half of countries have contingency plans in place for refugee influx and

<sup>5</sup> "What is a refugee?" *USA for UNHCR*. <http://www.unrefugees.org/what-is-a-refugee/>.

<sup>6</sup> "The Kurds are nearly here." *The New York Review of Books*. <http://www.nybooks.com/articles/2016/12/08/the-kurds-are-nearly-there/>.

<sup>7</sup> "Figures at a Glance." *UNHCR*. <http://www.unhcr.org/en-us/figures-at-a-glance.html>.

<sup>8</sup> "11 Facts About Refugees." *Do Something*. <https://www.dosomething.org/us/facts/11-facts-about-refugees>.

only half of the international refugee population can access local documentation services (for birth registration, ID cards, etc.) which are crucial for integrating into a new nation.<sup>9</sup>

## **Syrian Refugees in the Middle East**

Nearly 12 million Syrians were forced to leave their homes since the Civil War started in 2011. The exodus is likely to continue so long as the war grinds on. With dim prospects for a diplomatic solution or decisive military victory by either side, it is unlikely that the war will end anytime soon. The regime of President Bashar al-Assad has so far shown little interest in compromise, and has used collective punishment against civilians in opposition areas as a pillar of its strategy. The conflict threatens to further draw in other countries into the conflict as forces on both sides of the Syria-Turkey border have escalated hostilities.<sup>10</sup> Over 5 million people have fled Syria since the start of the Civil War, going mostly to neighboring countries like Turkey, Jordan, Lebanon, Jordan, Iraq, and Egypt. There are another 6.3 million internally displaced persons within Syria that face danger, poverty, and insecurity every day. Turkey has nearly 3 million registered Syrians within their border located in urban areas and government-run refugee camps. In Lebanon, 70% of Syrian refugees live below the poverty line and since there are no refugee camps, there are over a million refugees scattered across the country, often facing overcrowded and bleak conditions. In Jordan, over half a million Syrian refugees are living below the poverty line. According to the UNHCR, “Syria is the biggest humanitarian and refugee crisis of our time, a continuing cause of suffering for millions which should be garnering a groundswell of support around the world.”

### **UNHCR’s Response to Syria**

The Regional Refugee and Resilience Plan is led by the UNHCR and called for \$4.63 billion in order to support 4.7 million Syrian refugees in neighboring countries and the communities hosting these refugees. The second aspect of their approach to the Syrian refugee situation is the 2017 Syria Humanitarian Response Plan which seeks about \$3.2 billion in order to provide humanitarian aid and protection to the 13.5 million people within Syria.<sup>11</sup>

## **Afghan Refugees in Pakistan**

More than four decades of war and unresolved conflict in Afghanistan have displaced millions, with over a million Afghans residing in Pakistan. In addition to the 2.7 million Afghan refugees registered by UNHCR, another 3 million undocumented Afghans are estimated to be living in the country.<sup>12</sup> In the past two years, Pakistan has started to turn its back on the Afghan community due to several deadly security incidents and worsening political relations between Pakistan and Afghanistan. In the later portion of 2016, deportation threats and police abuses pushed about 365,000 Afghan refugees out of Pakistan and many were forced to return to Afghanistan, where armed conflict persists. Also, the Afghan refugees are facing almost a complete absence of social

---

<sup>9</sup> “UNHCR Diagnostic Tool for Alternatives to Camps.” *UNHCR*. <http://www.unhcr.org/en-us/5731adcc9>.

<sup>10</sup> “What’s Driving the Global Refugee Crisis.” International Crisis group. <https://www.crisisgroup.org/global/what-s-driving-global-refugee-crisis>.

<sup>11</sup> “Syria Emergency.” *UNHCR*. <http://www.unhcr.org/en-us/syria-emergency.html>.

<sup>12</sup> “What’s Driving the Global Refugee Crisis.” International Crisis group. <https://www.crisisgroup.org/global/what-s-driving-global-refugee-crisis>.

services and the UNHCR is warning that the massive number of refugees returning to Afghanistan from Pakistan could “develop into a major humanitarian crisis.”<sup>13</sup> Moreover, if refugees are sent back to Afghanistan, further destabilization of Afghanistan could occur as these populations are more susceptible to radicalization. This could permit the reemergence of the Taliban and other radical groups in Afghanistan. If this occurs, then the cycle will repeat as the reemergence of these groups would cause more refugees, further burdening Pakistan.

### **UNHCR’s Involvement in Pakistan**

In June 2016, the UNHCR doubled the amount of money it would pay to returnees that left Pakistan for Afghanistan due to immense pressure from Pakistan. Later in 2017, the UNHCR faced harsh criticism due to their public silence about Pakistan’s large-scale forced removal of Afghans that were fleeing police abuse and fear of deportation. According to the UNHCR mandate, the agency can only facilitate large-scale refugee repatriation if they have concluded that conditions in the refugees’ country of origin has improved enough where they can return safely and must be convinced that refugees are returning voluntarily. Again the UNHCR has faced criticism from organizations like Human Rights Watch because they argue that the UNHCR effectively promoted the repatriation of Afghan refugees without informing them on the conditions in Afghanistan that they would be returning to, which have overall not significantly improved since Afghans began fleeing.<sup>14</sup>

## **Somalian Refugees in Kenya**

Kenya currently hosts 492,046 Somali refugees with a majority of those fleeing their country following the 1991 collapse of the Somali government and the ensuing civil war and humanitarian crisis. In 2011, Somali refugee arrivals into Kenya increased significantly due to the combined effects of drought, famine and ongoing insecurity in Somalia. In Kenya, refugees registered by UNHCR live in camps where the national leadership of Kenya has generally preferred to see the refugees remain. Nearly half a million refugees are located in Dadaab refugee camp, originally designed to accommodate 160,000 refugees but now is considered a “camp-city” as it is the third largest centre of population in Kenya. Approximately 96% of all refugees in Dadaab are Somali. Following famine and renewed conflict in the region in 2011, over 100,000 new refugees flooded into the camp, and the region has been hit by a series of major security incidents ranging from the kidnapping of aid workers to IED25 explosions.

At the end of 2012, over 33,000 persons were registered as urban refugees in Nairobi, Kenya. In December 2012, Kenya’s Department of Refugee Affairs announced that all asylum seekers and refugees from Somalia living in Kenya’s urban areas should move to Dadaab, and that all refugee registration in urban areas should cease. After a 2014 terrorism-related crackdown on Somali refugees, thousands were forcibly sent to Dadaab. NGOs have since reported many cases of police harassment, arbitrary arrest, abuse against women, xenophobic attacks, and the

---

<sup>13</sup> “Pakistan’s Afghan refugees are pawns in a political conflict.” *IISS Voices*. <http://www.iiss.org/en/iiss%20voices/blogsections/iiss-voices-2017-adeb/january-850b/pakistans-afghan-refugees-are-pawns-in-a-political-conflict-9233>.

<sup>14</sup> “Pakistan Coercion, UN Complicity.” *Human Rights Watch*. <http://www.cnn.com/2017/02/09/africa/kenya-dadaab-refugee-camp/index.html>.

withholding of their work permits. In 2016, Kenya vowed to close Dadaab, the world's largest refugee camp, within a year and send hundreds of thousands of Somalis back to their war-torn country or on to other countries. In response to outrage from human rights groups, Kenya defended their decision by calling it an act of protecting their own security after a string of terror attacks by a Somali-based militant group.<sup>15</sup> The issue has become a highly sensitive national and international concern in the run-up to Kenya's elections in 2017. However, in February 2017, a judge ruled that closing Dadaab violates Kenya's constitution and would remain open.<sup>16</sup> Regardless, this dilemma brings up a huge concern for many in the international community and there is no doubt that balancing humanitarian need and security risks requires pragmatic and inclusive political approaches in both source and host countries.

## Living Conditions for Refugees

According to a 2014 report that observed 500,000 child refugees in Lebanon from the Syrian conflict, refugee children tend to have little to no access to education and a lack of sufficient nutrition or healthy living conditions. Also, although over half of all refugees have relevant skills to access local market opportunities in the places they seek refuge, only 27% of refugees can safely earn enough income to provide for their basic needs.<sup>17</sup>

### Refugees in Urban Areas

Another 2014 field study in Jordan found that a growing number of Syrian refugees are living in urban areas over the rural camps that are typically associated with refugee populations.<sup>18</sup>

It is currently estimated that about 75% of refugees live outside of camps.<sup>19</sup> Many national governments have been slow to recognize the value of integrating refugees into the economic and social aspects of their cities. Similarly, only recently has the UNHCR enacted policies aimed at shifting humanitarian action to cities.



Za'atari Refugee Camp in Jordan (Source: US Department of State)

Originally, it was argued that refugee camps were best suited to meet the political, economic, and social needs of refugees. Now, the UNHCR has specific policies on alternatives to camps and hopes to implement them successfully by communicating with refugees and host communities, reinforcing contingency planning, and emergency planning and emergency preparedness, etc.<sup>20</sup> The shift away from camps has been

<sup>15</sup> "Kenya says it will shut world's biggest refugee camp at Dadaab." *The Guardian*.

<https://www.theguardian.com/world/2016/may/11/kenya-close-worlds-biggest-refugee-camp-dadaab>.

<sup>16</sup> "Kenya to appeal court block on closure of world's largest refugee camp." *CNN*.

<http://www.cnn.com/2017/02/09/africa/kenya-dadaab-refugee-camp/index.html>.

<sup>17</sup> "UNHCR Diagnostic Tool for Alternatives to Camps." *UNHCR*. <http://www.unhcr.org/en-us/5731adcc9>.

<sup>18</sup> "Refugees: Research on living conditions, health, assistance efforts." *Journalist's Resource*.

<https://journalistsresource.org/studies/international/human-rights/refugees-around-the-globe-statistics-and-research-on-living-conditions-health-assistance-efforts>.

<sup>19</sup> Policy on Alternatives to Camps." *UNHCR*. <http://www.unhcr.org/protection/statelessness/5422b8f09/unhcr-policy-alternatives-camps.html>.

<sup>20</sup> "Policy on Alternatives to Camps." *UNHCR*. <http://www.unhcr.org/protection/statelessness/5422b8f09/unhcr-policy>.

celebrated by many across the globe because it means that refugees are able to have many control over their lives, exercise more rights and freedoms, and have greater independence from relying on external assistance. The new UNHCR policies stress the need to respect refugees' rights, mobility, and inclusion. Also, the policies recognize the need to work with the local government and the potential for refugees to be productive members of the societies they live in. While the UNHCR has been applauded for these new policies, there are many challenges that face in regard to implementing these ideas.<sup>21</sup>

## Questions to Consider

- How effective is the UNHCR's approach to helping refugees?
- How can the underlying causes of refugees be addressed?
- What responsibilities do nations and the international community have to respond to the needs of refugees?
- How can long-term refugees be better integrated into the country they have fled to?

---

[alternatives-camps.html](#).

<sup>21</sup> "With camps limiting many refugees, the UNHCR's policy change is welcome." *The Guardian*.  
<https://www.theguardian.com/global-development/poverty-matters/2014/oct/02/unhcr-policy-change-refugee-camps>.