

# Protracted refugee and IDP situations: a challenge

## **REFUGEES:**

Millions of refugees worldwide who continue to be trapped in "protracted refugee situations" (5 years or more after their initial displacement, without immediate prospects for implementation of durable solutions)

In principle, all refugees should have the right to have restored to them or be compensated for any housing, land or property of which they were deprived in an illegal, discriminatory or arbitrary manner before or during exile: potential need for fair and effective restitution mechanisms

While every situation is unique, all feasible and practical efforts should be taken to unlock all continuing protracted situations especially through the implementation of durable solutions in the spirit of international solidarity and burden sharing,

Voluntary repatriation remains the preferred durable solution of refugee situations and that, while one or another solution may be more directly applicable to each of the respective protracted situations, all solutions will usually complement and intersect with each other, requiring careful tailoring, sequencing and phasing in some situations, and simultaneous application in others,

Importance of political will: States to act as catalysts to unlock protracted refugee situations and address root causes

Responsibility of countries of origin, with the help of the international community where appropriate, to create and/or ensure conditions for refugees to regain the rights of which they were deprived.

Facilitate durable solutions, with a view to burden and responsibility sharing, be directed, as appropriate, in the form of voluntary repatriation, local integration or resettlement in third countries.

Local integration is a sovereign decision and an option that may be exercised by States considering the specific circumstances of each refugee situation

Self-sufficiency of refugees towards enhancing their protection and dignity, helps them manage their time spent in exile effectively and constructively and invests in future durable solutions;

Specific protection concerns of men, women, girls and boys, in particular, unaccompanied and separated children, adolescents, persons with disabilities, and older persons, who may be exposed to heightened risks

There is no "one size" which fits all protracted situations: need to learn from good practices and experience

Resources....

**IDP:**

**IASC framework for promoting durable solutions (2010)**

The purpose of this Framework is:

- to foster a better understanding of the concept of durable solutions for the IDP;
- to provide general guidance on the process and conditions necessary for achieving a durable solution; and
- to assist in determining to what extent a durable solution has been achieved.

**A durable solution is achieved when** IDPs no longer have specific assistance and protection needs that are linked to their displacement and such persons can enjoy their human rights without discrimination resulting from their displacement:

- Return
- Integration

It is therefore important to determine whether the remaining needs or human rights concerns are related to the fact of having been displaced.

The following criteria can help determine whether an IDP need or human rights concern is displacement-specific:

The need or human rights concern is the consequence of events causing displacement or resulting from displacement.

The need or human rights concern results from the displaced person's absence from his or her home.

The need or human rights concern is related to conditions in areas of return, local integration or settlement elsewhere in the country that pose an obstacle to the IDP

The need or human rights concern is a consequence of a problem disproportionately affecting IDPs, in particular if the problem results from discrimination

