



**domaid**

**DIALOGUE ON MIGRATION  
AND ASYLUM IN DEVELOPMENT**

# **FINDING SOLUTIONS TO PROTRACTED DISPLACEMENT: THE EU'S ROLE AND WAYS FORWARD**

**DISCUSSION PAPER**

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## EXECUTIVE SUMMARY

For the first time since World War II, the number of refugees, asylum-seekers and internally displaced persons (IDPs) worldwide has exceeded 51 million people. The time refugees spend in exile is now estimated to be approaching 20 years on average.

While each displacement situation around the world is unique, all protracted refugee and IDP situations have in common the absence, in a foreseeable future, of an end to displacement or of the possibility for people to rebuild their lives in dignity. As a result, people remain in limbo for many years, deprived of legal status and of their basic rights, facing poverty and insecurity. However, long-term displacement situations have traditionally been addressed by the international community as a humanitarian dilemma rather than a development challenge. This no longer is an adequate response.

As a leading political, humanitarian and development actor, the European Union has a critical role to play in supporting innovative and comprehensive solutions to protracted displacement and by working with a broad range of key players to help unlock protracted situations and ensure new displacements do not become protracted. The current debate within the European Commission around the need to adopt a new approach to address the humanitarian-development nexus when dealing with refugees and IDPs and to more coherently link the different tools of its external policies, as reflected in the Comprehensive Approach to External Conflict and Crises and in the Resilience Action Plan, suggests there is momentum for the EU to take a leading role in elaborating comprehensive solutions to prevent and unlock protracted displacement.

On the basis of concrete examples of conducive conditions and actions that are considered as key drivers promoting solutions, this paper suggests that the EU should systematically include protracted displacement into political, development and humanitarian strategies and foster coherence of EU interventions on this issue around the world, while following a three-track approach:

1. Addressing refugee and IDP rights and needs through mainstreaming in key development sectors;
2. Addressing specific issues and vulnerabilities through targeted interventions;
3. Increasing mainstreaming of refugee and IDP rights and needs as one of the cross-cutting issues to consider in all programmes and projects funded through EU external action.

# 1. PROTRACTED DISPLACEMENT

Displacement of populations across the globe is on the rise. For the first time since World War II, the number of refugees, asylum-seekers and internally displaced persons (IDPs) worldwide has exceeded 51 million people.<sup>1</sup> Moreover, the number of years refugees and IDPs spend in exile or displaced inside their own country is also increasing. Protracted displacement is currently defined as “a situation in which 25,000 or more refugees of the same nationality have been in exile for five years or longer in a given asylum country”.<sup>2</sup> On this basis, the United Nations High Commissioner for Refugees (UNHCR) reported that at the end of 2013 of the total 11.7 million refugees<sup>3</sup> under its mandate globally, 6.3 million refugees, or 54%, were living in protracted situations across 27 countries.<sup>4</sup> In addition, the average length of time a refugee spends in exile is now thought to be approaching 20 years.<sup>5</sup> As for the 33.3 million IDPs displaced by conflict or violence,<sup>6</sup> around 25.1 million<sup>7</sup> can be estimated to live in a situation of protracted displacement.

Characteristics of protracted displacement situations vary - the displaced may be in camps or largely dispersed in cities, towns and rural areas. Nevertheless, all situations have in common the fact that neither an end to displacement, nor rebuilding lives in dignity seem possible in the foreseeable future, as the process of finding durable solutions has stalled. The displaced often lack recognition of their basic rights and face conditions that do not support local integration. They are also often unable or unwilling to return to their place of origin, or to settle in a third location. Moreover, resettlement<sup>8</sup> to a third country is available to less than 1 per cent of all refugees.<sup>9</sup> In such a situation, people may opt for further movements, which may expose already vulnerable persons to additional protection risks.

At the same time, protracted displacement has a considerable impact on host communities, creating additional costs and placing a strain on services, accommodation and job markets. Host communities therefore often see refugees and IDPs as an economic burden. Beside economic challenges, prolonged displacement also raises political and security concerns for states.

The international community has traditionally considered long-term displacement situations as a humanitarian dilemma, rather than a development challenge. However, the complexity of protracted displacement requires a more systematic and sustained engagement, involving more and better collaboration. As a leading political, humanitarian and development actor, the European Union (EU) has a critical role to play in supporting innovative and comprehensive solutions by involving a broad range of key players to help unlock already protracted situations and prevent new displacement situations from becoming protracted.

The EU currently addresses protracted displacement through its humanitarian portfolio, with additional support of some of its development tools. An interesting debate has now started within the European Commission around the need to adopt a new approach to address the humanitarian-development divide when dealing with refugees and IDPs, and to link different external policy tools in a broader perspective. This is reflected in the Comprehensive Approach to External Conflict and Crises<sup>10</sup>, which makes the case for a more effective use of all relevant internal and external EU instruments to face rising global challenges. It suggests developing a shared analysis and a common strategic vision among different EU actors to enhance coherence across external instruments. Similarly, the EU Action Plan for Resilience in Crisis Prone Countries (2013-2020) reiterates the need to bring together humanitarian action, long-term development cooperation and on-going political engagements. It further suggests including protracted displacement in national resilience programmes that would address the impact of protracted displacement on host populations and acknowledge the long-term development needs of refugees and IDPs, while improving their daily lives during displacement.<sup>11</sup>

While recognising the importance of humanitarian aid the EU already dedicates to areas confronted with protracted refugee and IDP situations, a joint comprehensive approach to displacement involving all relevant actors is still missing. The EU should consider systematically including protracted displacement into political and development strategies, as much as it already does in humanitarian strategies. In this respect, it is useful to look at past experiences showing

1 UNHCR (2013), War's Human Costs, UNHCR Global Trends 2013, p. 2, available at: <http://www.unhcr.org/5399a14f9.html>, accessed July 2014.

2 Idem, p.6.

3 This number reaches 16.7m when considering both refugees under UNHCR mandate (11.7m) and Palestinian refugees registered by UNRWA (5.0 m). See UNHCR 2013, p. 2.

4 Idem, p.12.

5 Katy Long 2011, Permanent crises? Unlocking the protracted displacement of refugees and internally displaced persons, Refugee Studies Centre, University of Oxford, p. 1.

6 IDMC 2014, Global Overview 2014: people internally displaced by conflict and violence, p. 9, report available at: <http://www.internal-displacement.org/assets/publications/2014/201405-global-overview-2014-en.pdf>, accessed July 2014.

7 Please note that exact disaggregated data on protracted displacement do not exist, partly due to the difficulty of defining such a complex phenomenon. The figure used in this paper is a rough estimation deducted from IDMC 2014, where a distinction is made in annual figures between total and “new” displacement. New displacement refers to IDPs newly displaced in the course of 2013 (8.2 M) and the “total” is the cumulative figure representing all IDPs as of 31 Dec 2013 (33.3 M). This estimate is based on best available data but has some limits as it does not give any indication of the duration of displacement or whether IDPs were repeatedly displaced over time among others.

8 The notion of resettlement used in this paper is based on UNHCR's definition: “Resettlement involves the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit them – as refugees – with permanent residence status. The status provided ensures protection against refoulement and provides a resettled refugee and his/her family or dependents with access to rights similar to those enjoyed by nationals. Resettlement also carries with it the opportunity to eventually become a naturalized citizen of the resettlement country.” See UNHCR 2011, UNHCR Resettlement Handbook, available at: <http://www.unhcr.org/46f7c0ee2.pdf>.

9 See <http://www.unhcr.org/pages/4a16b1676.html>.

10 JOIN (2013) 30 final, Joint Communication to the European Parliament and the Council, The EU's comprehensive approach to external conflict and crises.

11 SWD(2013) 227 final, Commission Staff Working Document, Action Plan for Resilience in Crisis Prone Countries 2013-2020.

conducive conditions and actions which are considered as key drivers for solutions.

## 2. PROMOTING SOLUTIONS: CONDUCTIVE CONDITIONS AND KEY DRIVERS

As displacement situations further evolve and increase, it will be essential to widely promote and support solutions in situations where displacement is expected to last for many years. Given the number of people stuck in protracted displacement, the probability is high that most refugee and IDP situations will result in long-term and even multiple displacements, with little or no solutions in sight. While for some of the displaced return will be the preferred and possible solution, it will not be an option for all.

Various global initiatives have recognised the need to build an appropriate framework for long-term and comprehensive responses to protracted displacement. In 2011, UNHCR, the United Nations Development Programme (UNDP) and the World Bank launched the Transitional Solutions Initiative (TSI). This was an attempt to integrate displacement challenges into the development agenda and to foster collaboration between humanitarian and development actors in finding solutions to protracted displacement together with national governments.<sup>12</sup>

Building on the TSI, a new initiative, known as the 'Solutions Alliance' (SA), is now trying to find innovative approaches to displacement challenges through development-led solutions, bringing donors, United Nations (UN) agencies, non-governmental organisations (NGOs) and affected states together on this issue. The initiative is global in scope, while taking a closer look at specific national examples.<sup>13</sup> Recognising the development nature of challenges posed by protracted displacement, the SA aims at working hand in hand with affected communities and strengthening coherence among all its members' efforts towards achieving lasting, development-led solutions.<sup>14</sup>

As a global political actor and international donor, the EU has a leading role to play in this and other initiatives aimed at generating a comprehensive approach to address and find long-term solutions, in close coordination with all the relevant stakeholders.

Lessons learnt from past experiences in Bosnia and Herzegovina, Uganda and Zambia,<sup>15</sup> among others, show that a number of conditions, processes and actors need to be in place and functioning for solutions to happen. These are: i) conducive conditions in preparation for solutions, ii) key drivers for displacement solutions and, iii) roles and responsibilities of different actors, as outlined below.

### I. Conducive Conditions in Preparation for Solutions

**Strengthen livelihood capacities and resilience:** By identifying, strengthening and retaining the livelihood capacities of displaced persons, conditions conducive to solutions can be developed while still in displacement. These can strengthen self-reliance and help people seize opportunities that pave the way for durable solutions, as soon as they appear, such as building the skills people need to return home and rebuild their lives.

**Support displacement-related rights and displaced persons' engagement in local society:** Bringing attention to and ensuring the protection of displacement-related rights, such as the right to work under certain conditions and the ability to participate and engage in local society, can be a key driver when preparing for solutions.<sup>16</sup>

**The development impact of displacement and displaced persons' contributions:** While the public discourse and perceptions on prolonged displacement tend to be negative, several studies have demonstrated that displaced populations contribute to the economy and can have a positive impact on the host society.<sup>17</sup> Acknowledging this positive impact is a first important step in addressing the negative consequences of displacement. In addition, addressing the needs of the displaced by including them in development activities which target host communities can help minimise negative perceptions of the impact of displacement.

**Availability and Quality of Data to Inform Solutions:** A key factor facilitating preparation and solutions-oriented planning is access to reliable data and information, especially regarding the scale, characteristics and needs of the displaced population. Displaced persons are not a homogeneous group; they are individuals and groups of persons with different needs, vulnerabilities, capacities and aspirations. Moreover, with the majority of displacement crises lasting

<sup>12</sup> For further information on the Transitional Solutions Initiative (TSI), see TSI's Concept Note available at: <http://www.unhcr.org/4e27e2f06.html>.

<sup>13</sup> For more information and background materials on the Solutions Alliance, see their website at: <http://www.solutionsalliance.org>.

<sup>14</sup> See the Initiative's Mission Statement at: <http://www.endingdisplacement.org/wp-content/uploads/2014/02/Mission-Statement-of-the-Initiative-DK.pdf>.

<sup>15</sup> For an extensive list of references, see the Solutions Alliance website at: <http://www.solutionsalliance.org>.

<sup>16</sup> In Uganda, the Self-Reliance Strategy (SRS) for Sudanese refugees intended to contribute to a durable solution when the time was right for the refugees to return home. The fact that large-scale repatriation nevertheless occurred once the situation in South Sudan was conducive showed that allowing people to engage in the local society in every way does not necessarily lead to local integration being the end solution. Dryden-Peterson, S. and Hovil, L. 2003, Local integration as a durable solution: refugees, host populations and education in Uganda, New Issues in Refugee Research, Working paper No. 93, UNHCR, <http://www.unhcr.org/3f8189ec4.html>.

<sup>17</sup> Examples include studies of Dadaab refugee camps and Burundian and Rwandan refugees in Tanzania which acknowledge that there have been negative impacts, e.g. on the environment, but also illustrate the positive economic impact including local markets with sizable purchasing power, income benefits for host communities, employment and trading opportunities and infrastructure investments. On Dadaab see Government of Kenya and Danish and Norwegian Embassies in Nairobi, 2010, In Search of Protection and Livelihoods: Socio-economic and Environmental Impacts of Dadaab Refugee Camps on Host Communities. Nairobi: Government of Kenya. Available at: [kenya.um.dk/en/~media/Kenya/Documents/Finalper\\_cent20Report30092010.ashx](http://kenya.um.dk/en/~media/Kenya/Documents/Finalper_cent20Report30092010.ashx). On Tanzania, see Alix-Garcia, J. and Saah, D. 2008, The Effects of Refugee Inflows on Host Country Populations: Evidence from Tanzania. San Francisco: University of San Francisco. Available at: <http://ssrn.com/abstract=836147>.

many years, it is essential to capture evolving needs, vulnerabilities and plans over time.

## II. Drivers facilitating solutions

**Security and rule of law:** In the same way that insecurity is a major impediment to return in the aftermath of a conflict, the cessation of fighting and hostilities and the establishment of security can be a factor contributing to a conducive environment in which displacement-affected populations can develop confidence and can start to prepare and plan for possible solutions.<sup>18</sup> Whether displaced persons feel safe and secure can be a very individual matter. Well-designed policies can support the (re)establishment of rule of law and a strong and trusted justice sector to create an enabling environment for solutions.

**Safeguarding freedom of movement:** Another key driver for displacement solutions is to safeguard the refugees' and IDPs' right to freedom of movement within the host country, meaning that displaced persons are able to move around and freely take residence. Freedom of movement is a crucial factor for establishing and/or maintaining social and economic networks.<sup>19</sup>

**Peace negotiations and agreements addressing displacement:** A key factor to create solutions to displacement, is the explicit reference to displacement and displaced populations, and a specific focus on solutions, within peace process negotiations and when drafting peace agreements. It is also important to involve in this process the representatives of refugee/IDP populations in the negotiations, including uprooted women. They represent at least half the forcibly displaced populations and are an effective agent for peace but are too often excluded. The most prominent example was the case of Bosnia and Herzegovina (BiH), where the Dayton Peace Agreement (DPA) provided an overall plan for peace and stability in BiH; importantly, a designated annex VII with a framework for solutions confirmed the right of all displaced to return to their areas of origin.<sup>20</sup>

**Development and implementation of legal frameworks addressing displacement:** Another key driver for solutions is the development of specific laws and policies to address prolonged displacement challenges and solutions at national and regional level. Examples include laws and policies for IDPs in Uganda, Colombia and Kenya. Legal frameworks that are comprehensive, covering the full cycle of prevention, response and efforts towards recovery and durable solutions can facilitate solutions to displacement.

**Housing, land and property rights and restitution:** Along with displacement resulting from conflict and natural disasters comes a multitude of issues and challenges relating to housing, land and property, which often represent a serious impediment to finding solutions. These include, but are not limited to, issues regarding ownership, occupation, secondary occupation, evictions, land grabbing, lost land and property documents; lack of shelter and unavailability of land for livelihoods, destruction of houses and property, boundary disputes; and, compensation and restitution. It is essential to anticipate and respond to these issues which may otherwise constitute major impediments to solutions of return or local integration.<sup>21</sup>

**Rural and urban displacement situations and solutions:** A similar key consideration is the different characteristics of urban versus rural displacement. Today, more than 50% of displaced persons are in urban areas.<sup>22</sup> Many of the displaced stay in cities and towns, or decide to move between towns, and are more reluctant to return to rural and semi-rural areas, which offer fewer opportunities. Therefore, the characteristics, challenges and impact of urban displacement need to be integrated in urban planning and more general development plans in specific countries.

**Comprehensive approaches to displacement solutions:** A key lesson learned from Bosnia and Herzegovina, Colombia and Zambia is the need for a comprehensive approach to displacement solutions, whereby a number of conditions and processes need to be in place for solutions to be sustainable.<sup>23</sup> Simply returning to the country of origin, or in the case of IDPs, relocating within the country, may not be sufficient. For formerly displaced persons to be able to enjoy their rights without discrimination on account of their displacement, their safety, security and access to basic services need to be re-established along with their ability to participate in public life.

## III. Different actors with different roles and responsibilities

**Engaging with displacement affected populations:** It is crucial to listen and engage with the displaced when it comes to decisions affecting them – especially when defining preferred solutions. National and international actors often tend to prefer return to local integration (and relocation). Even when return is the preferred solution for the majority,

<sup>18</sup> This was seen in Bosnia and Herzegovina (BiH) where the presence of a high number of NATO Stabilisation Force (SFOR) troops provided some level of confidence for people to return to their areas of origin, while a persistent challenge was that despite or even with the presence of SFOR there were few minority returns, i.e. return of groups to areas in which another ethnic group was/is in majority. On BiH, see Mooney, E. and Hussein, H. 2009 *Unfinished Business: IDPs in Bosnia and Herzegovina*, Forced Migration Review 33:22-24.

<sup>19</sup> In Zambia, the continuous cross-border migration and mobility of Angolan refugees within Zambia appears to have contributed towards both their return and local integration. People going back and forth across the border for both shorter and extended visits meant that voluntary repatriation was regarded as a natural and gradual continuation of previous practices. See Bakewell, O. 2012, Moving from war to peace in the Zambia-Angola borderlands, Working Papers 63, University of Oxford.

<sup>20</sup> The Dayton Peace Agreement, full text available at: [http://www.ohr.int/dpa/default.asp?content\\_id=379](http://www.ohr.int/dpa/default.asp?content_id=379); Annex VII, Dayton Peace Agreement, full text available at: [http://www.ohr.int/dpa/default.asp?content\\_id=375](http://www.ohr.int/dpa/default.asp?content_id=375)

<sup>21</sup> In countries like Bosnia and Herzegovina (BiH) and Colombia, addressing housing, land and property issues up front has had a positive impact in bringing about displacement solutions. In BiH, special commissions were set up to address property claims of refugees and displaced.

<sup>22</sup> See UNHCR website: <http://www.unhcr.org/pages/4b0e4c6a6.html>.

<sup>23</sup> For an extensive list of references on lessons learned from these countries see the Solutions Alliance website at <http://www.solutionsalliance.org>.



consideration needs to be given to displaced persons with specific vulnerabilities, who may not be able or willing to return.<sup>24</sup>

**The role of the authorities:** The authorities have primary responsibility for providing protection and humanitarian assistance to displaced persons. It is of key importance that this role and responsibility extends all the way from national to local level. Some countries have used the good practice of linking national and local levels in finding solutions to displacement through local action plans for refugees and IDPs at the municipal level. This is the case in Colombia where local action plans are the product of a local consultative and community driven process with representatives of the affected population. The National System for Comprehensive Assistance to Populations displaced by violence in Colombia provided national level infrastructure with the aim to replicate this structure at district and municipal levels, and included representation from local authorities, police, national Red Cross, faith-based groups, civil society and affected communities.<sup>25</sup>

This way, the local authorities are taking on responsibility to support displaced populations in their effort to achieve their chosen solution. Engaging with different national and local actors, and encouraging ‘mainstreaming’ of displacement populations into national development programming and urban development strategies, namely by including refugees and IDPs in key sectors such as health, education and good governance, is of critical importance.

**Partnership between development and humanitarian actors:** Responses to forced displacement are traditionally approached by donors and the international community through a humanitarian lens, with a focus on providing lifesaving care and assistance. While these are often required in the early phases of a displacement crisis, once a situation has moved beyond the emergency phase, other essential needs remain. Livelihoods, housing, education and healthcare, for example, are major challenges that refugees and IDPs in protracted displacement are constantly confronted with. The focus on more traditional lifesaving activities and short-term needs is often compounded by the nature of humanitarian funding cycles.

There is however no quick fix. Experience shows that mass repatriation is not likely to occur over a short period of time and that repatriation requires much more than logistics. When assessing the conditions for return, refugees look at multiple factors, including access to livelihoods, land, housing, employment and education. Provision of services and support with education, employment and livelihoods are, however, normally not part of the classical repatriation programmes. This underscores the importance of humanitarian and development actors working in tandem to implement comprehensive, integrated and long-term solutions. Development actors need to engage with governments and humanitarian actors from the outset of an emergency, with the aim of promoting and finding solutions to displacement together, through mutually reinforcing actions benefitting all those affected.<sup>26</sup>

This overview shows how long-term solutions to prolonged displacement need to be multi-faceted, and need to be framed in constructive engagement by all the different relevant actors. Therefore, the international community’s attention and efforts to support solutions should focus on partnerships involving humanitarian, development, political, economic and security actors, with support from different policy and funding tools.

### 3. THE ROLE OF THE EU IN PROTRACTED DISPLACEMENT

As the world’s largest humanitarian and development donor, the EU already dedicates a significant amount of funds to countries and regions hosting displaced populations, in both emergency situations and protracted settings. The EU has traditionally recognised protracted displacement as a humanitarian challenge to be addressed through its humanitarian policy, where the issue features as a key priority.<sup>27</sup> Addressing displacement was until very recently not identified as a key issue within other policy areas such as development cooperation.

The largest part of European Commission funds dedicated to refugees and IDPs are managed by ECHO, who actively assist refugees with shelter, food assistance, water, basic health services, access to protection, and livelihood activities in a wide range of situations.<sup>28</sup> At the same time, development cooperation instruments (geographic and thematic) also

<sup>24</sup> In Yemen, an IDP profiling exercise in 2010 showed that as many as 25% of the IDPs were not intending to return and not interested in or aware of alternative solutions. The profiling exercise informed the Government of Yemen’s durable solutions strategy, and by listening to the concerns of the IDPs regarding solutions, the findings provided the evidence required for the strategy to promote alternative solutions instead of focusing on return only. See [www.jips.org](http://www.jips.org)

<sup>25</sup> See Vidal-López, R. 2012, Truth telling and internal displacement in Colombia: case studies on Transitional Justice and Displacement, Brookings-LSE Project on Internal Displacement; <http://www.ictj.org/sites/default/files/ICTJ-Brookings-Displacement-Truth-Telling-Colombia-Case-Study-2012-English.pdf>.

<sup>26</sup> Recognition of the role development responses have in addressing protracted displacement is not new. Various global initiatives have worked to build an appropriate framework for long-term and comprehensive responses to forced displacement. Initiatives during the 1980s and 1990s such as the International Conference on Assistance to Refugees in Africa (ICARA), the Programa de Desarrollo para Desplazados, Refugiados y Repatriados (PRODERE) and Brookings processes all acknowledged development opportunities and challenges posed by displacement. More recently, UNHCR with the United Nations Development Programme (UNDP) and the World Bank, launched the Transitional Solutions Initiative (TSI) in 2011. This was an attempt to integrate displacement challenges into the development agenda and to foster collaboration between humanitarian and development actors in finding solutions to protracted displacement together with national governments.

<sup>27</sup> See EC (2013), 3773197, ECHO Outreach Policy Newsletter, 19/12/2013, p. 6.

<sup>28</sup> ECHO funding has already been allocated to: Afghan refugees in Iran and Pakistan, Syrian refugees in Jordan, Lebanon, Iraq, Egypt and North Africa, Somali refugees in Kenya and Yemen, Congolese refugees in the Great Lake region, Colombian refugees in Ecuador and Venezuela, Myanmar refugees in Thailand, Rohingya refugees in Bangladesh and Palestine and Sahrawi refugees. See ECHO 2013 Factsheet on Refugees and internally displaced persons [http://ec.europa.eu/echo/files/aid/countries/factsheets/thematic/refugees\\_en.pdf](http://ec.europa.eu/echo/files/aid/countries/factsheets/thematic/refugees_en.pdf).



include actions that support and assist refugees and IDPs.<sup>29</sup>

In terms of EU policy framework, a number of initiatives recognise the need to move beyond life-saving interventions and to include protracted displacement in long-term development planning.<sup>30</sup>

The EU resilience Action Plan includes a commitment to address displacement and link humanitarian action, long-term development interventions and political engagement in EU external action.<sup>31</sup> This has also been linked to a broader debate within the Commission on the need to ensure coherence across departments dealing with external crises and to improve effectiveness in the use of different tools, as equally reflected in the EU's comprehensive approach to external conflicts and crises.<sup>32</sup>

A newly released EU Issues Paper "Development, Refugees and IDPs"<sup>33</sup> aims at providing reflection on possible new approaches reinforcing the humanitarian-development nexus on refugees, IDPs and displacement *"with the goal of seeking firm engagement of development actors, including donors and governments via policy ownership and programming, as early as practicable with the aim to seek sustainable solutions for refugees, IDPs and returnees thus avoiding/reducing continued dependency on humanitarian aid"*.<sup>34</sup>

Moreover, refugee and protection capacities in third countries are included in the 'external dimension' of migration and asylum policy, namely the EU Global Approach to Migration and Mobility (GAMM).<sup>35</sup> Within the GAMM, Regional Protection Programmes (RPPs) are policy tools supporting protection capacities in third countries, albeit limited in scope and impact.<sup>36</sup>

First steps have been taken to acknowledge the need for comprehensive approaches to long-term solutions to displacement situations. A range of existing development cooperation instruments already offer opportunities for the EU to support actions that are conducive to solutions, and to foster key drivers for change through targeted assistance and mainstreaming of displacement challenges into national and regional cooperation programmes.

Nevertheless, considering the current scale of conflicts that are only likely to increase, gaps still exist in the way the EU addresses global displacement challenges. The EU would be in a better position to address those challenges through significant coordination between the three relevant policy areas, namely development cooperation, humanitarian aid and the external dimension of migration and asylum. Moreover, while commitments to address these gaps are starting to become more visible, these still need to be translated into concrete implementation at regional and national level.

The current Regional Development and Protection Programme for the Syrian refugee crisis is a good example of a development-led approach aimed at minimising the negative impact of refugees in host countries and enhancing their positive economic contribution, and their empowerment as economic and self-reliant actors, in both camp and urban settings.<sup>37</sup> It also reflects recognition of the need to engage in long-term and sustainable solutions to displacement. Such mechanisms would need to be further brought to scale and become a standard approach in the way the EU deals with displacement crises. They need to build on existing good practices and find innovative approaches aimed at bridging gaps in responses to protracted displacement. The growing debate within the EU on the need to increase cooperation among different departments offers a significant opportunity to include displacement as a key priority and to identify appropriate mechanisms to operationalise it.

29 Relevant geographic instruments for the period 2014-2020 are: the Development Cooperation Instrument (DCI) with programmes such as the "Global Public Goods and Challenges" and "Aid to Uprooted People", the European Neighbourhood Instrument (ENI), the European Development Fund (EDF) the Instrument for Pre-accession Assistance (IPA II). As regards thematic instruments, migration, asylum and displacement are included in the European Instrument for Democracy and Human Rights (EIDHR), and the Instrument for Stability (IfS).

30 COM(2011), 743 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Global Approach to Migration and Mobility, Maximizing the Development Impact of Migration; Council of the European Union, Conclusions on the European Commission's Communication on Maximising the Development Impact of Migration, 12415/13, 19 July 2013; SWD (2013), 227 final, EU Action Plan for Resilience in Crisis Prone Countries, Brussels, 19.06.2013; SWD (2013), Commission Staff Working Document EU 2013 Report on Policy Coherence for Development; SWD(2013), 503 final, Annual Strategy for Humanitarian Aid in 2014: General Guidelines on Operational Priorities.

31 COM (2012), 586 final, Communication from the Commission to the European Parliament and the Council, The EU approach to Resilience: Learning from Food Security Crisis, Brussels, 03.10.2012.

32 COM (2001), 153 final, Communication from the Commission to the Council and the European Parliament - Linking Relief, Rehabilitation and Development - An assessment, Brussels, 23.04.2001 and JOIN(2013), 30 final, Joint Communication to the European Parliament and the Council, The EU's comprehensive approach to external conflict and crises, Brussels, 11.12.2013.

33 EC (2014), Issues Paper, Development, Refugees and IDPs, available at: [http://ec.europa.eu/echo/files/policies/sectoral/2014\\_dev\\_refugees\\_idps\\_issuespaper.pdf](http://ec.europa.eu/echo/files/policies/sectoral/2014_dev_refugees_idps_issuespaper.pdf).

34 Idem, p. 3.

35 This is part of the third pillar of the GAMM: "Promoting International Protection and Enhancing the external dimension of asylum policy". See COM (2011) 743 final.

The idea of supporting the protection capacities in third countries goes back to the years 2003 and 2004, when the Commission presented the idea of a comprehensive approach to asylum that amongst other things also looked at protection capacities in regions of origin and transit. See COM (2004), 410 final, Communication from the Commission to the Council and the European Parliament of 4 June 2004 on the managed entry in the EU of persons in need of international protection and the enhancement of the protection capacity of the regions of origin: Improving access to durable solutions.

36 ECRE, (2014), Regional Protection Programmes: an Effective Policy Tool? Discussion Paper, DOMAID project, October 2014, Brussels; ECRE

37 See 2013, Action Fiche for the Regional Development and Protection Programme for refugees and host communities in the Middle East (Jordan, Lebanon and Iraq), available at: [http://ec.europa.eu/europeaid/documents/aap/2013/af\\_aap\\_2013\\_dci-migr\\_p2.pdf](http://ec.europa.eu/europeaid/documents/aap/2013/af_aap_2013_dci-migr_p2.pdf).

## 4. WAYS FORWARD FOR THE EU

The global scale of protracted displacement urges the EU, as a major development and humanitarian donor, to better define its role and find innovative ways to promote solutions. Given the fact that the majority of displacement situations have moved from an emergency phase to a long-lasting one, there is a need for the EU to effectively implement its commitments to address displacement. This also means working towards addressing the root causes of displacement in order to prevent it from becoming protracted. Moving beyond the humanitarian approach would certainly improve cost-effectiveness and sustainability. There is momentum to include displacement under different external policy tools and make it operational.<sup>38</sup> The Commission itself has stated that a purely emergency approach “*stops short of delivering sustainable solutions for refugees, IDPs and returnees*” and that it “*has led to an exponentially growing pressure on humanitarian resources with no viable long-term solutions and serious implications for security and stability.*”<sup>39</sup>

As a major donor, the EU is in a unique position to contribute to global efforts and foster dialogue with other stakeholders, international organisations, host governments and communities, and EU Member States. The Solutions Alliance is perhaps the most prominent example of a process where the EU could take an active role.<sup>40</sup>

## Recommendations for the EU

### I. Policy and strategy frameworks

» *Joint objectives and operational guidelines:* relevant EU Commission directorates (DEVCO, ECHO and HOME), in coordination with the EEAS, should elaborate a joint framework with a view to promote long-term solutions to displacement from the outset; this would provide guidance for geographic units and EU Delegations to address long-term displacement in their strategies and programming. A joint strategy should also ensure appropriate follow-up of the various policy initiatives that touch upon protracted displacement and include concrete mechanisms and collaboration tools (joint analysis, joint monitoring, inter-service coordination groups, flexible use of funds). In addition, the EC could elaborate Guidelines on mainstreaming refugees and IDPs in external action and promote their implementation. The EU Council Working Party on Development Cooperation (CODEV) should monitor the implementation of these Guidelines and ensure the establishment of tools to adapt them at the country level; a Pilot Programme could be set up in the initial stage of the implementation of the Guidelines, focusing on three to four countries. An informal Platform could be set up for exchange of views with external third parties, such as international organisations and NGOs.

» *Coordination mechanisms to ensure policy coherence:* DEVCO, ECHO and EEAS should ensure that protracted displacement is included in the focus of existing EU coordination mechanisms, such as the ‘Inter-service group on transition’.<sup>41</sup> The latter should be strengthened in order to ensure its role and mandate are clear and include monitoring and follow-up of coordination efforts around responses to protracted displacement. Systematic dialogue on this issue should also be promoted in the Council Working Party on Development Cooperation (CODEV) and Humanitarian Aid and Food Aid (COHAFA) as well as in those parties/groups responsible for geographical areas (e.g. on Africa - COAFR, on Asia-Oceania - COASI, on Mashreq/Maghreb - MAMA, on Middle East/Gulf – COMEM/MOG) to ensure political commitment from the Member States and to maximize synergies.

» *Solutions for refugees and IDPs should become a recognised priority within EC strategic frameworks:* ECHO should systematically incorporate concrete actions for solutions based on refugees and IDPs’ self-reliance and resilience into its Humanitarian Implementation Plans (HIP). DEVCO should encourage more mainstreaming of refugee and IDP issues in national and regional development strategies such as Poverty Reduction Strategy Papers (PRSPs), in ways that benefit both displaced and host communities. In parallel with this horizontal approach, targeted interventions for vulnerable groups among the displaced should be maintained.

### II. Development and humanitarian aid programming and funding

» *Support conducive conditions and key drivers for solutions:* the EU should support programmes that promote action and conditions/conducive factors which serve as drivers for solutions. Among those, livelihood opportunities, income generating activities, cash-based schemes, educational and vocational training opportunities and other activities enhancing self-reliance are particularly important and should equally engage host communities and governments. Attention further needs to be paid to programmes strengthening the rule of law, promoting law reform and reinforcing capacity at national level;

» *Avoid parallel and disconnected funding streams:* the EU should review and monitor funding mechanisms that respond to the needs of refugees and IDPs to ensure that funding and programming also supports the needs of host communities for example by improving existing services.

<sup>38</sup> This would also enhance coherence with the Comprehensive Approach to external conflict and crises, JOIN (2013) 30 final and the Action Plan for Resilience, SWD (2013), 227 final.

<sup>39</sup> EC (2014), Issues Paper, p. 1.

<sup>40</sup> For more information and background materials on the Solutions Alliance, see their website at: <http://www.endingdisplacement.org>.

<sup>41</sup> The ‘Interservice Group’ was established in February 2003 to take stock of the follow-up of the 2001 Commission Communication COM (2001) 153 – Linking Relief, Rehabilitation and Development – An assessment. The exercise of the Interservice Group resulted in some practical recommendations aiming at improving the working methods within the involved Commission services to ensure an effective transition from emergency aid to the normal development co-operation cycle.

» *The specificities of non-camp and urban displacement:* future EU programming and funding should take into account the specific needs of protracted refugees and IDPs in urban contexts and areas outside camps. Through existing tools it would be important to map the location of refugees and IDPs, their needs and those of the host community, and identify services available as well as barriers to access.

» *Ensure availability of adequate funding levels:* during and after the eruption of a displacement emergency, ensure that resources are not progressively reduced as other emergencies come along. The EU should increase funding to protracted displacement in proportion with the needs of refugees and IDPs in camps and urban areas.

» *Creative and flexible use of EU funds:* the Commission should allow for development money to be released earlier in the emergency response for interventions that go beyond lifesaving activities and foster self-reliance (e.g. vocational and educational training, security, livelihoods, income-generating and cash based activities). The need for funds to be flexible and re-adaptable in fragile contexts and crisis situations is acknowledged in the new DCI regulation.<sup>42</sup> Mechanisms should be set up to monitor that these provisions are effectively implemented, used for the intended purposes and offering enough flexibility for quick adaptations to unexpected circumstances. The need for long-term responses should also result in extended funding time-frameworks which allow for more planning (multi-annual instruments). Furthermore, new tools and mechanisms allowing joint work, such as EU Trust Funds, should be considered from the onset of an emergency to tackle issues of displacement from an early stage.

» *Invest in data collection to inform solutions:* the EU should act as a lead in developing innovative mechanisms for data collection, to support evidence based programming and promote appropriate solutions. With the same aim, investing in research on the positive and negative impact of displacement, on market dynamics in camps and urban areas, as well as on documenting successes and best practices, is also crucial. Host governments should be involved in this type of exercise and encouraged to share information and data on displacement of a protracted nature.

### III. External engagement and advocacy

» *Dialogue with host governments:* the EU must urge host governments to protect, promote and fulfil refugees and IDPs' rights. The EEAS and the Council of the EU should place protracted displacement systematically on the agenda of their political, economic and social dialogues with third countries and regional organization. EU delegations have an important role to play in influencing national authorities in refugee hosting countries to consider providing more developmental support to refugee impacted areas and to linking programmatic priorities with refugee/displaced populations, as a key concern.

» *Advocating for the respect of refugees and IDPs rights:* with a view to make self-reliance possible and create an enabling environment for solutions to take place, the EU should promote the protection of rights of displaced populations, such as the right to work, to own property, to freely move around and choose their place of residence. Regarding return to displaced people's places of origin, the inclusion of the right to return within Peace Negotiations and agreements can play a very useful role; the EU should advocate with host states for the incorporation of these considerations in the framework of peace processes.

» *Engagement in global processes:* both EU humanitarian and development actors should engage in global efforts to elaborate and operationalise long-term solutions to displacement, notably the Solutions Alliance and the national and thematic platforms incorporated within it, e.g. the "Common Messaging" group<sup>43</sup>, identified as next steps within that process. The EU should also act as a lead in bringing the issue of protracted displacement high on the agenda in other global fora such as discussions around the Post 2015 framework and the 2016 World Humanitarian Summit.

» *Advocacy with EU Member States:* the EU should foster a *positive domino effect* by encouraging Member States to adopt the same long-term approach to protracted displacement and to keep an adequate level of attention and funding.

To summarise, the EU should develop a **framework for a comprehensive EU approach for solutions to protracted displacement**, following a **three-track approach** that would:

1. Address refugee and IDP rights and needs through mainstreaming in key development sectors
2. Address specific issues and vulnerabilities through targeted interventions
3. Increase mainstreaming of refugee and IDP rights and needs as one of the cross-cutting issues to consider in all programmes and projects funded through EU external action

The way forward for the EU is therefore a complex process, where solutions can be found with serious engagement by the different actors involved and by using different tools available to them. This will require a sustained effort, but the EU has already made very important political commitments that would improve the lives of millions displaced people worldwide, if fulfilled.

<sup>42</sup> The new DCI regulation includes provisions for "Unallocated funds in order to ensure an appropriate response of the Union in the event of unforeseen circumstances, in particular in fragile crisis and post-crisis situations (art. 10(6)). A dedicated art (12) on Programming for countries in crisis, post-crisis or situations of fragility, includes provisions for modifying strategy papers and multiannual indicative programmes in crisis situations. See REGULATION (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020, 11.03.2014.

<sup>43</sup> For more background information on the « Common Messaging » Group, see Solutions Alliance, June 2014, Forced Displacement and the Post-2015 Global Development Agenda: Towards "Common Messaging" Among Solutions Alliance Members – Messages that Members May Draw Upon, available at: <http://www.endingdisplacement.org/wp-content/uploads/2014/06/Forced-Displacement-and-the-Post-2015-Agenda-June-2014.pdf>.

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