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**Working Paper**

## Refugees, security and development: Current experience and strategies of protection and assistance in the 'region of origin'

DIIS Working Paper, No. 2004:11

**Provided in Cooperation with:**

Danish Institute for International Studies (DIIS), Copenhagen

*Suggested Citation:* Steputat, Finn (2004) : Refugees, security and development: Current experience and strategies of protection and assistance in the 'region of origin', DIIS Working Paper, No. 2004:11, ISBN 8776050289, Danish Institute for International Studies (DIIS), Copenhagen

This Version is available at:

<https://hdl.handle.net/10419/84612>

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**REFUGEES, SECURITY AND DEVELOPMENT**

CURRENT EXPERIENCE AND STRATEGIES  
OF PROTECTION AND ASSISTANCE  
IN 'THE REGION OF ORIGIN'

Finn Stepputat

*DIIS Working Paper 2004/11*

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Cover Design: Carsten Schiøler

Printed in Denmark by Vesterkopi AS

ISBN: 87-7605-028-9

Price: DKK 25,00 (VAT included)

DIIS publications can be downloaded

free of charge from [www.diis.dk](http://www.diis.dk)

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This Paper was prepared by the Department of Globalisation and Governance Research at the Danish Institute for International Studies (DIIS) for the Danish International Development Assistance (Danida) entity of the Royal Danish Ministry of Foreign Affairs, and forms part of the Migration-Development Nexus Follow-up Study. It was discussed at a workshop in Copenhagen, December 5, 2003, and subsequently revised for publication. Research Assistant Morten Liisborg provided valuable inputs and conducted part of the literature review.

## Abstracts

On the background of the recently increased political interest in protecting and assisting refugees in their 'regions of origin' this working paper lays out a conceptual framework for analyzing the strategies, conditions and options for support to refugees areas in neighboring countries to countries in conflict. In particular relations between security – or the 'securitization of refugees' – and development and local integration are discussed. The working paper identifies the confinement and lack of freedom of movement of refugees as the major obstacle to local, or rather regional, integration of refugees. Finally, the working paper makes recommendations for action and research in relation to the strategy of protecting and assisting refugees close to the countries they have left.

På baggrund af den stadig større interesse for at beskytte og hjælpe flygtninge i de såkaldte 'nærområder' foreslår dette arbejdsrapport en begrebsramme til analysen af strategier, betingelser og muligheder for at støtte flygtninge i nærområderne. Arbejdsrapporten diskuterer især forholdet mellem sikkerhed – eller rettere 'sikkerhedsmæssiggørelsen' af flygtninge – og udvikling i form af lokal integration af flygtninge, og identificerer i den forbindelse placeringen af flygtninge i lejre og begrænsningen af deres bevægelsesfrihed som den største hindring for lokal, eller rettere, regional, integration af flygtningene. Til sidst fremkommer arbejdsrapporten med en række anbefalinger til initiativer og forskning i forbindelse med nærområdestrategien.

## I. Introduction

### the policy context

The purpose of this report is to give an overview of current experience in the field of assistance and protection of refugees in poorer countries in regions of armed conflict. Far from being a new policy field, the context for refugee assistance and protection has changed considerably during the past decade, and particularly since the 9-11. These developments call for another look at the issues and discussions related to this field, which used to be of inferior importance for the agendas of development aid, security policy and international politics.

The increased importance of this field has to do with three different but related developments:

1. During more than a decade, humanitarian assistance, development aid and security have been increasingly tied together in relation to ongoing conflicts in developing countries, which has increased the range and number of humanitarian agents. With the increasing demands for coherence, humanitarian assistance has had to serve a number of purposes, including peace building and long term development, while some semi-permanent conflicts and related refugee situations were partly neglected (Macrae and Leader 2000). With the 9-11 and the war on terror, some of these areas ('failed states' and 'poor performers') have regained importance as possible safe houses for terror networks, while refugee camps are seen as possible breeding grounds for supporters of terrorism (e.g. Ministry of Foreign Affairs 2003). The security agenda is likely to marginalise humanitarian agendas more than hitherto during the post-cold-war era (Macrae and Harmer 2003).
2. During the 1990s, humanitarian agencies became increasingly preoccupied with refugee-related violence – not least sparked by the presence in refugee camps of people responsible for the Rwandese genocide (Lischer 2000). During the past couple of years, aid agencies have developed their approaches to security and protection problems (Reindorp 2002), and human rights and assistance agencies have debated to find common understandings of protection (Boano et al. 2003).
3. Since the early 1990s, the international refugee policy has increasingly been characterized by attempts to contain refugees (and other migrants) in the regions of armed conflict and preferably within the borders of their countries of origin. The attempts at creating 'safe havens' within areas of conflict, the discussions raised regarding 'the right to stay', and the

progressive institutionalization of the field of internally displaced persons (IDPs) may be interpreted in this perspective as a kind of 'internalization' of the refugee problem (Suhrke 1994). The latest developments in the EU point in the same direction, in particular the attempts at developing an 'external dimension' of Justice and Home Affairs since 1999, and the British, Dutch and Danish proposals for new approaches to asylum policies and protection (e.g. Møller 2002; UK Government 2003).

In sum, while the tension between the right to protection and States's right to control their borders may never have been greater (ECRE 2003), there is a strong trend toward reconsidering issues of security and protection in refugee-hosting areas. The international refugee regime is under pressure, and security and sovereignty - of individuals as well as states - are central issues of the necessary discussions.

In the following we discuss conceptual issues before summarizing the observations, points and debates of the existing literature regarding refugee related assistance, security and protection from 1) the 'host'-state perspective, 2) from the perspective of the refugees or asylum seekers, and 3) from the perspective of international agencies and the donor communities. The conclusion lists suggestions coming out of the complementary analytical perspective used in the report, namely a focus on mobile livelihoods (see section 2).

## 2. Conceptual issues

### HUMANITARIAN AID, SECURITY AND SOVEREIGNTY

While the Red Cross movement and refugee related aid-organizations have been involved in humanitarian assistance during large parts of the 20<sup>th</sup> century, actions were generally piecemeal and ad hoc until the 1990s, when an *international humanitarian regime* developed (Suhrke 2002). The gradual development of systematic, institutionalized responses to natural disasters and complex emergencies is based on a growing number of international conventions, fora, mechanisms, guidelines and ethical codes, which have emerged during the past 10-15 years. It is properly called a regime, because 'it is a loosely organised entity, held together more by common norms and purposes than authoritative arrangements of funding and decision-making, a sort of governance without government in a defined public sector' (ibid: 20).

The aim of this regime is to save lives and reduce suffering stemming from disasters and armed conflicts. As such, the notion of *human security* condenses the meaning of a regime



oriented towards securing the life and basic needs of individuals within and across boundaries. The notion makes sense mainly in its opposition to the notion of national security, the security of the territorial state. Introduced in international fora by UNDP (1994) and used by donor governments (Canada and Norway) as a way of elevating humanitarian issues to “high politics” (Suhcke 2003), human security was seen as a correlate of the changing conditions and challenges of post-cold-war security policy, when the security threat from the communist countries had disappeared. Indeed, the notion has entered crucial fora of high politics, including the UN Security Council

The opposition between human security and state security is inherently related to questions of *sovereignty*. As has been analysed elsewhere, the plight of victims of armed conflict and massive violations of human rights became a reason for challenging state sovereignty. On the basis of humanitarian law, and backed by the UN, humanitarian agents claimed their right to operate within state borders even without the consent of the state in question. Military intervention, on the other hand, could be contemplated on the basis of Chapter VII of the UN Charter, as the effects of internal armed conflict threatened international peace and security. As Suhrke (2002) notes, these two strands of interventionist justification were merged by the UN Secretary-General in 1999, when he juxtaposed ‘two sovereignties’, the sovereignty of the individual and the sovereignty of the state, calling for interventions in cases of “massive and systematic violations of human rights” (UN 1999:2). When Kofi Annan (2001) called for a mainstreaming of conflict prevention in the UN system, he propagated the view that the respect of a state’s sovereignty was conditional upon the way in which it treated its citizens.

These tensions between human and national security, and between individual and state sovereignty is equally relevant in relation to states hosting large numbers of refugees, a point to which we will return below. In general, the notion of human security may be criticised on a number of accounts. It seems to be most useful as a polemical tool for opening up discussions of security policy, but for analytical purposes human security is too broad in scope and lack specificity (Wæver 1997). For this purpose we may take the approach of Wæver et al. (1993) who analyse how the concept of security is being broadened and applied in a variety of contexts. Most importantly, this approach asks who is identifying what as a security threat (on

behalf of whom), and which instruments are being applied to protect the threatened entity, be it state, nation, society, or the individual (see table 1).<sup>1</sup>

**Table 1: Security Concepts**

Concept	Referent	Threatened value	Threat
National security	The State	Sovereignty and territory	Other states
Societal security	Nations Social groups	National identity	Migrants Foreign cultures
Human security	Individuals Humanity	Quality of life Survival	Globalization Terrorism Pollution Own states

This approach permits us to see how the perception of security threats is changing over time and in different contexts. Hence some governments have come to define migration as a threat to societal security and the survival of national identity (see below). Similarly, the international community framed 'lack of development' as a security threat during the 1990s, when poverty and low institutional capacity were seen as nurturing grievances, poor governance, human rights abuse and eventually armed conflict, which may have implications for regional and international peace and security (Duffield 2001). In this sense, migration as well as development have become 'securitised', a trend which has been reinforced after the 9-11.

### Refugees and human security

The issues of forced displacement, refugees and asylum seekers in poorer countries seem to have moved from a peripheral position at the margins of national security and largely outside high politics, to a position within the realm of high politics (Edwards 2003). As Astri Suhrke has argued, the concept of human security has been one of the vehicles of this change, but more importantly the change owes to the increased importance of the more general issue of migration which is now at the top of the political agendas of home affairs in wealthier countries in the North as well as in the South. For a number of reasons, refugees and asylum seekers are talked about in relation to problems of security, not only as the products of conflict and conditions of insecurity, but also as sources of conflict and threats to national, societal and human security (Newman 2003). The relationship is not entirely new, but the association seems to have become more frequent and pronounced since the end of the Cold

<sup>1</sup> Adapted by Møller 2001

War. The War on terror has sharpened the association between refugees/asylum seekers and insecurity, even though there is no indication that the terrorists of 9-11 have moved within these circuits (Noll 2003). This has had effects on resettlement programs, which is one of the traditional elements of burden sharing and protection in countries of first asylum.

Influential researchers in the field of refugee studies and international politics have warned against the use of the concept of security in relation to refugees, be it in the forms of 'societal' or 'human' security. According to Goodwin-Gill (1999:3) there is a very short step from the association between population movements resulting from internal disorder, and threats to international peace and security, as formulated in UN Chapter VII, to seeing refugees themselves as the threat. This is exactly the way NATO put it in the 1999 strategic concept in the context of the Kosovo crisis: the focus was on the "uncontrolled movement" that might cause problems to the Alliance rather than on the causes determining the movement (Noll 2003).

Likewise, Astri Suhrke (2003) argues that the concept of security invokes a number of common-sense associations of threat, enemy, and us/them dichotomies, thus reducing the scope for trade-offs in political disputes over distribution of resources. Security places decisions in the realm of sovereignty, beyond politics. Furthermore, the concept of security predetermines the use of instruments and institutions related to the old national security paradigm (Wæver 1997). It may not be a coincidence that the idea of promoting the humanitarian agenda in the Security Council by means of the concept of human security was developed in the national security sections of the foreign ministries in question (Canada and Norway).<sup>2</sup>

Apparently the UNHCR has embraced the human security agenda, but in a way which does not contradict the national agendas of the member states. In a speech on refugee-related human security in 1999, the High Commissioner highlighted two issues of particular concern and relevance, namely 1) the prevention of conflict and peace-building as means of improving the human security of potential refugees and IDPs, and 2) filling the gap between relief and development in order for refugees and IDPs to be able to reintegrate more readily upon return (Suhrke 2003:102). It is noteworthy, according to Suhrke, that she mentioned neither the issue of security of refugees in the camps nor the asylum issue, the cornerstone of UNHCRs protection policies (ibid.). Unlike the latter issue, prevention and intervention were in accordance with the donor agenda of prevention and intervention which underscores the current direction

<sup>2</sup> Krause quoted in Suhrke 2003.

of UNHCR as a very donor-dependent agency. Four years later, due to recent political developments in the EU and Australia, asylum in the “region of origin” has become a priority, while local integration, the “forgotten solution”, has been reintroduced as a feasible alternative under the overall umbrella of “protection in the region of origin” (see section 4 of this report). The question is if the notion of human security is very helpful in this context, when the much more precise repertoire of human right is available for definitions of “protection”.

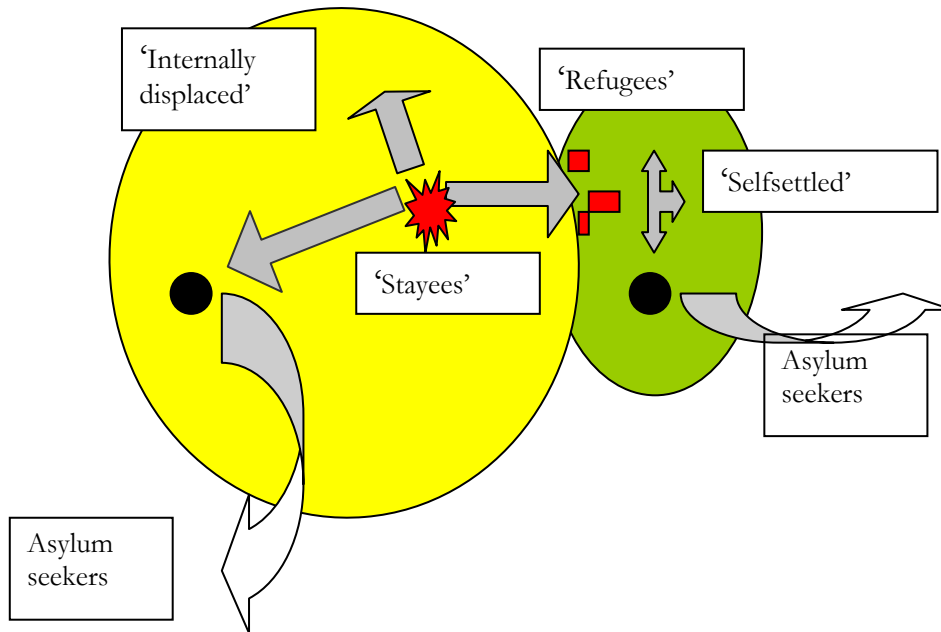
### Categories of displacement

Contemporary warfare creates displacement of civil populations, not only as a collateral effect, but also because the spatial redistribution of population within territories is a deliberate strategy in armed conflict (Stepputat 1999; UNHCR 2000). Kosovo is a case at hand, while a more recent example is the counter-insurgency program in the Aceh Province in Indonesia, where the army, anticipating large-scale population displacement, incorporated humanitarian assistance in their planning.

Likewise, the international humanitarian regime and many governments have developed bureaucratic categories and procedures to be activated in case of displacement. While the categories of *refugees* and *asylum seekers* are inscribed in international conventions, the more recent category of *internally displaced persons* has been circumscribed by a set of UN Guidelines from 1997 and ‘protected’ by a undersecretary to the Secretary-General. While the concept is based on a set of recognized human rights instruments and conventions, the IDP concept gives a much weaker protection than the refugee concept because of the question of sovereignty.

In addition, agencies and governments manage a number of alternative and residual categories, such as *stayees* – people who are not displaced and who may be included in programmes of repatriation – *self-settled refugees*, who may qualify for refugee status but who have preferred to pursue a livelihood outside the systems of care & control (see figure 1). Finally, *host populations* or *local communities* are usually the label used for the population who are not refugees.

**Figure 1: Schematic overview of categories for the management of displaced populations in the country of origin and the neighbouring country**



As has been amply shown in the literature, the bureaucratic *labels* imply many assumptions about the identity, practices and problems of displaced populations, but in practice they only define some aspects of their life (Zetter 1991). The distinction between forced and voluntary migration may be difficult to establish in every case and conditions and intentions may change over time (Crisp 1999, Hear 1998, Stepputat & Sørensen 2001). Furthermore, in practice, although people have become labelled they can, to some extent, move in and out of the categories as conditions and options change. Finally, as in all bureaucratic systems, we have to expect some measure of tactical negotiation of labels and procedures (see section 4).

### Networks and mobile livelihoods

The notion of networks is relevant and necessary for studies of refugee-related security and protection. At least three different forms of networks have to be considered: Firstly, transnational social networks provide an essential social capital for people on the move (financial resources, information, personal contacts, housing, jobs etc) and will to some extent determine where and under which conditions groups of displaced persons will move across territories.

Secondly, as described by Duffield (2001) and others, the new wars may be interpreted as 'network wars'. On one side, the actors of the international humanitarian regime have increasingly been bound up in relations with actors in the fields of security and development, forming a *security-development complex*, which comprises a wide range of private and public organisations with some kind of coordination and exchanges of information, personnel, ideas etcetera. On the other side we have to consider the existence of different illicit networks that form part of the political economies of armed conflict and human smuggling. These networks are often transnational, linking developing countries with metropolises, offshore financial centres and transit countries. They also involve relations with officials in state institutions and employees in financial institutions, who provide necessary information and documents.

Thirdly, we have to consider the networks of displaced populations in order to analyse their assets, vulnerabilities, strategies and involvement with political and economic agents. In previous works we have developed the notion of 'mobile livelihoods' which incorporates spatiality and movement in the livelihood analysis, considering practices "that both define and cut across a range of social, economic and cultural boundaries" (Olwig and Sørensen 2002:4). While previous networks and patterns of mobility to a large degree define routes of displacement and emergency livelihood practices, mobility and the control of mobility becomes of primary strategic importance under conditions of armed conflict, as well as in cases where certain groups are considered security risks (Stepputat 1999; 2002). Paradoxically, mobility and networks seem to acquire an acute significance for vulnerable populations, while at the same time mobility becomes intensely contested, dangerous and/or expensive (see for example Pain and Lautze 2002).

### 3. Security concerns and strategies of 'neighbouring countries'

How do receiving states in the vicinity of armed conflict respond to the influx of refugees? Responses change over time, and from state to state, depending on a host of contextual factors. In the following we will focus on the way in which states, according to different authors, relate refugees to security issues and develop strategies accordingly.

#### Security threats

The threats which are commonly perceived by host governments as stemming from the presence of refugees fall into two larger categories, direct and indirect security threats, what Milner (2000) refers to as the direct and the indirect "security burdens" of host states. The threats, as discussed by Milner are

1. *Direct threats:*

Threats stemming from the spill-over effects of violent conflict in the sending state, basically through the militarization of refugee groups and the retaliating cross-border actions by armed groups from the sending states. Militarization consists in armed groups' use of camps as sanctuaries with different facilities (health, food, shelter, family care), and refugee groups as pools for recruitment and logistical support, such as smuggling of arms or drugs, or other activities related to the economy of armed groups.

Suspicion of such relations have elicited armed responses in many cases, such as the South African incursions in neighbouring "frontier states", the Guatemalan incursions in Mexico, the Israeli incursions in Lebanon and Syria, the Rwandese bombardment of camps in Zaire, and the Turkish air-force attack on Kurdish camps in Northern Iraq. Indeed, creating the suspicion is in some cases a deliberate strategy for involving the host government in armed conflict (Dowty and Loescher 1996). In regional conflict complexes, attacks may also be carried out by proxy, as in the case of Sudanese-supported insurgency groups in Uganda, who attacked Sudanese refugees in Ugandan territory.

Camps may also become targeted by armed attacks - by armies, insurgent groups or bandits - because they constitute undefended repositories of resources including food, vehicles, relief supplies and people who can be recruited for purposes of labour, sex, or military service (Jacobsen 1999). Finally, in recent years, camps of civilians have been

targeted by governments involved in regional or internal conflicts in order to demoralize their opponents and/or to promote ethnic cleansing (ibid.).

The presence of refugee-related armed groups, or of populations giving legitimacy to armed groups, endanger the host governments' international relations as, frequently noted in the debate on 'refugee-warrior communities' (ibid.; Zolberg et al, 1989; Loescher 1992; Weiner 1993). Pakistan's souring relations to the Soviet Union due to the *Mujaheddin* fighters operating from the refugee camps in Pakistan during the 1980s is one famous case. Furthermore, in extended regional conflict complexes (e.g. the Great Lakes Region, Western Africa or the Horn), host as well as sending governments have a variety of political agendas in which concentrations of refugees and resources necessarily are viewed as means for political ends.

2. *Indirect security threats:*

a. Opportunity threats

Threats stemming from the possible changes in delicate balances between political, religious or ethnic groups in the host country, caused by the arrival of allies or new members of one of the existing groups in the host country. Such arrivals may change the perception of opportunities of different groups and movements and may hence change the course and scale of their political (and/or military) actions (Weiner 1993, Milner 2000). Clear examples are: the arrival of Kosovar Albanian refugees in Macedonia, of Iraqi Kurds in Turkey, of Afghan Sunni Muslims in Shia-dominated Pakistan, or of Pashtún Afghans in Beluchi-dominated Beluchistan

The radicalization of Islam in Pakistan is also interpreted as an effect of the presence of Afghan refugees, since such radical movements were weak before the 1990s (Schmeidl 2002). But as Schmeidl argues, it is possible that the arrival of refugees in this, as in other cases, has merely accelerated or accentuated dynamics of change already under way in the country.

b. Grievance threats

Contradictions between refugees and host population may also arise from perceived injustice in the distribution of goods (Milner 2000). Refugees are sometimes seen as a privileged group in terms of welfare provisions and services, or as a group that jeopardize the possibilities of others because of their acceptance of low wages or low prices on items being produced or marketed by them in the host-area, because of the



inflationary effects of the presence of refugees and relief agencies, or because of the increased scarcity of indispensable natural resources.

While these grievances vary with class in the host community as some groups - such as employers and merchants - benefit from the presence of refugees, the identities and moral communities in play are of critical importance for the development of grievances. If identities are seen to be shared, the scope of acceptance and tolerance tends to widen, while grievances tend to increase, when identities are perceived as being different and opposed.

*Contextual factors* are extremely important for the dynamics of grievances. Thus, antagonistic relations between hosts and refugees developed overnight in the context of elections in Guinea in 1999, where candidates played the “refugee card” (Crisp 2003). There are also cases, where state authorities have instigated violence against refugees, e.g. Bangla Desh where police forces encouraged Burmese refugees to repatriate (Lischer 2000).

Singular events, such as a violent assault, can trigger resentments and grievances in the context of increased crime rates and deepening feelings of insecurity - whether these are justified or not (Schmeidl 2002).

The general perception of refugees as a security threat, which increased in the wake of the end of the Cold War, has been nurtured by a number of high-profile cases, including the Afghan and the Rwandese refugee exodus. However, on the basis of an investigation of all refugee situations with more than 2000 refugees between 1987 and 1998, Lischer (2000) argues that the number of refugees affected by violence decreased during this period. This decrease owes to the high numerical weight of the Palestinian and Afghan populations, which experienced less violence towards the end of this period. On the other hand, the number of African refugees affected by violence increased. The general conclusion – which may look different today – is that refugee situations were not turning more violent after the Cold War, and that violence involving refugees became more concentrated in African states. According to Lischer (2000:1), the proper question is why refugee situations so rarely lead to violence.

The occurrence of violent confrontations does not necessarily correspond to a substantial threat to state or societal sovereignty, nor to the way in which refugee communities are perceived by receiving states. Refugees may be perceived as security threats without ever being involved in violence, and state authorities may use security as a way of legitimizing changes in

policy. As Jeff Crisp (2003) argues, the grievances resulting from competition over scarce resources are exaggerated by state authorities, and the opposite – that refugees provide labour power for the effective use of natural resources – is often the case beyond the initial phase of refugee emergencies.<sup>1</sup> However, the important issue here is how state authorities act upon perceptions of refugees as security threats.

## Strategies

According to much of the documentation produced in recent years, the general trend in refugee reception in neighbouring countries moves towards evermore constraining conditions in the name of security (Nowrojee 2000). In an overview of the literature on protracted refugee situations in Africa (more than five years), Jeff Crisp (2003) holds that refugees increasingly are confined to camps or designated areas, often at the margins of the territory and at the limits of agricultural production, where yields are meagre and insecure. The rights of refugees are often severely (and deliberately) restricted:

- The refugees have no permission to travel beyond designated areas or are directly confined to camps,<sup>2</sup>
- they have no work permits and no rights to own land,
- they have no political or civil rights,
- many have no clear legal status or prospects of becoming naturalised, and many children are born into statelessness,
- they are subject to impugnable abuses by camp officials and local authorities.

In general, refugees are treated as temporary sojourners. Their local integration is strongly opposed by many governments (e.g. Kenya, see ECRE 2003) and the pressure for immediate repatriation or return is one of the reasons for keeping refugees in camps close to their homelands,<sup>3</sup> or even for leaving the camps unprotected *vis à vis* military threats from sending governments (Jacobsen 1999). However, lack of refugee protection or screening of combatants among the refugees is often due to low capacity of governments to control refugee flows and territories at the frontiers of the country, where refugees tend to gather in larger groups even without the intervention of authorities or international agencies.

<sup>1</sup> See also Jacobsen 2002

<sup>2</sup> E.g. Thailand, Kenya and Tanzania (Jacobsen 2001)

<sup>3</sup> As stated for example by the Mexican Government in the 1980s (Stepputat 1994)

As mentioned in the introduction, the general environment for refugee protection and assistance in many regions are changing. While countries such as Tanzania and Pakistan used to be known for fairly liberal policies, both changed their policies in the mid-1990s with reference to security issues and in a context of waning international support for refugees and little will to share the burdens of the countries of first asylum. In Tanzania policies changed after the initial emergency phase of the Rwandan refugee crisis (Rutinwa 1996; Milner 2000), and in Pakistan (Schmeidl 2002) assistance almost came to a stand-still in 1995. In 2000, Pakistan and Iran officially closed their borders to refugees, and in 2001, the other neighbours to Afghanistan followed (China, Turkmenistan and Uzbekistan)<sup>4</sup>

### **The pros & cons of camps**

There are different positions regarding the reasons why camps continue to be the predominant form of formal refugee settlement despite criticisms (see below) and despite positive experience from the case of dispersed settlement in Guinea, Ivory Coast, Senegal, Uganda, Malawi and Sudan (Black 1998a). One line of argument blames the donors and international refugee agencies and their interest in visibility, accessibility to and identification of refugees, monitoring, accountability and focussed provision of assistance (see for example Harrell-Bond 1998). Another line of argument holds that host governments are the main source of the policy of encampment and containment, emphasizing host governments' preoccupation with security-issues; as Black notes, camps are usually justified in terms of the "exceptional" circumstances and the risk/threat of violence (see Black 1998a).<sup>5</sup> The latter position seems to be increasingly in tune with the political realities of poorer host-countries – and of Western countries of reception as well, as documented by the current developments in EU and Australia.

The "camp" – a category covering a range of different forms with different degrees of containment from the prison-like "deterrence" camps in Hong Kong to the open agricultural settlements that characterized many African countries during the 1960s and 70s – is the most common form of assisted settlement of refugees in poorer countries. Camps and centres currently hold 5.8 million refugees around the world, comprising more than 50% of UNHCR-assisted refugees in Africa and 35% of all refugees in Asia (Schmidt 2003).

<sup>4</sup> See Human Rights Watch 2002 (in Boano et al)

<sup>5</sup> According to Carl Schmitt, the exception is the sign and realm of the sovereign.

The descriptive and analytical literature on refugee “camps” has a long history, and the discussion on the appropriateness of the camp as a means of assisting and protecting refugees is one of the most sustained debates over refugees, particularly in Africa. Recurring characteristics and arguments focus on the negative effects in terms of:

- dependencies created,
- poor health (although services are often better in camps than in the surrounding host communities),
- domestic violence and sexual abuse by other refugees or camp officials,
- violence between different factions, clans and nationalities,
- violence between hosts and refugees,
- environmental degradation,
- being potential “hotbeds” for radical political (nationalist) movements and, as argued more recently, also for terrorists. The Afghan refugee camps in Pakistan are put forth as an example of the latter, since Al Qaida, supporting the Taliban movement, recruited refugee youth in these camps.<sup>6</sup>

It has frequently been argued that the concentration of refugees in camps increase the likelihood of violence because 1) the concentration of people and resources and the visibility turn the camps into likely targets of armed attacks, 2) the imposed delimitations and restrictions increase tensions within the camps (Waldron and Hasci 1995), 3) the location of camps in areas at the margins of state authority, where enforcement of law and order is weak, increases the influence of militarized, authoritarian forms of organization within the camps (Crisp 2003) or alternatively of agents of petty crime, drug smuggling, human trafficking, illegal logging, arms running etcetera (Jacobsen 1999), and because 4) the unsettling experiences of war-related violence, displacement and concentration in camps of mixed populations reduce social control and increases the likelihood of young (idle?) men being recruited into militias or organized crime (ibid.). In addition, the separation of host communities and refugees decreases the refugees’ respect of local rules and customary law regarding property and the use of commons (Black 1998b; Crisp 2003).

<sup>6</sup> Schmeidl (2002) explains the Taliban supporters by means of the emergence of a second generation of refugee warriors in Pakistan conditioned by the suspension in a state of exception and the lack of long-term policies causing 1) almost total separation of women and men (unlike the conditions of ‘normal’ village life, 2) absence of systematic educational alternatives to Islamic schools with training in non-violent conflict resolution, and 3) lack of treatment of trauma and other psychological ills.

In sum, as Karen Jacobsen (2001:14) argues, “camps do not solve security problems and are in fact added sources of instability and insecurity for the [refugee-populated areas] because they aggravate existing security problems and create new ones.” Therefore, a number of researchers have propagated the view that alternative and locally negotiated forms of settlement should be pursued and encouraged.<sup>7</sup>

There are however a number of drawbacks to this option:

1. First of all, this alternative is not very well documented as the conditions for research is much more difficult than in camps or settlements. There are relatively few comparisons which are furthermore difficult to undertake as the populations may differ considerably in composition (more vulnerable populations seek the camp alternative).
2. Secondly, even though UNHCR’s official policy and guidelines propagate alternative forms of settlement where possible, there are a number of constraints on the implementation (Crisp and Jacobsen 1998): Environmental and physical conditions in combination with overwhelming numbers of refugees and logistical and financial restraints in emergency situations may militate against their dispersed settlement; refugees often choose themselves to settle in large groups close to the borders so as to be able to keep up relations with networks, land, trade, etcetera.
3. Thirdly, and probably most importantly, political considerations and conditions determine the decisions of national governments *vis à vis* internal and external political actors. Legally, governments have the right to confine refugees to designated areas: Even though Art. 26 of the 1951 Refugee Convention safeguards the freedom of settlement and movement of refugees, legal experts have recognized the right of host governments to accommodate refugees in special camps or designated areas (Goodwin-Gill 1996: 300-11 note 31). The OAU convention of 1969 may be interpreted as giving states the right to decide on refugee settlement, stating that, for security reasons, refugees should be settled as far away from international borders as possible (Schmidt 2003). And since most of the refugees are

<sup>7</sup> Local integration is assumed to make refugees less exposed to armed attacks and to attune them more to local rules and authorities, thus reducing the likelihood of host-refugee conflicts. While the local capacity for regulation and control should not be overestimated or romanticised, given the sheer numbers of refugees in some cases, it is important to acknowledge that the capacities exist and that they may be strengthened (Black 1998b). Self-settled refugees do however do become very exposed to the whims and accusations of host populations.

usually not “lawfully” present in the country, the Convention’s art. 31.2 gives states the right to delimit the freedom of movement “if necessary”.<sup>8</sup>

4. Finally, it may be argued that camps, unlike many settings of self-settled refugees, may facilitate the monitoring of conditions of protection and security by relief and human rights agencies (Jacobsen 2001). Supporting this view, Jamal (2002: 4) has argued that camps, in fact, “strengthen asylum by encouraging hosts to accept the presence of refugees”.

In short, the discussion on camps versus dispersed settlement has not ended yet. However, the two options may not be that different in practice. The containment of refugees in camps and designated areas do not, for many reasons, translate into immobility. In this sense, the opposition between camps and dispersed settlement is misleading since refugees in camps are to a large extent involved in networks and patterns of mobility extending beyond the region and the international borders within which they are formally contained. But the question of legality influences the conditions under which the refugees travel and stay away from camps.

## **4. Refugee livelihoods and local integration from “above” and from “below”**

Extended refugee families often split up in order to take advantage of different sites, routes and conditions: The more vulnerable stay in camps with access to health and education services, while other parts of the family network go to the cities in search of work opportunities, work as seasonal labourers in agriculture, exploit commercial niches as merchants travelling across international boundaries and rural-urban divides, find ways of upholding control with entitlements and assets “back home”, or negotiate ways of getting access to land or cattle in the host country. Finally, members of the family networks may go abroad in search of work. Case studies (of Sri Lanka, Afghanistan and Somalia) under the Migration-Development study umbrella estimated that 5 - 20% of camp refugees had access to remittances, mainly from family members in the Middle East (Gundel 2003; Jazayery 2003).

Some of the economic activities in which refugees take part are illicit, being continuations of networks and activities in the sending country, where the refugees may have been involved in

<sup>8</sup> Gregor Noll, personal communication, December 2003.

economic activities feeding into the armed conflict. The proximity of international borders also increases the likelihood of becoming involved in smuggling. However, as noted by Collinson (2003), the distinction between licit and illicit does not make a lot of sense under conditions of protracted armed conflict, where war economies, shadow economies and coping / survival economies are interconnected, and households may incorporate all of them in their survival strategies. Western Africa and the Thai-Burmese border are identified as areas where refugees are heavily involved in what is formally seen as illicit activities (Jacobsen 2001).

In general, access to social networks and mobility are the most important assets in refugee livelihoods.<sup>9</sup> In this sense, refugee livelihoods display similar dynamics as livelihoods under conditions of armed conflict where mobility achieves more importance, although under great risk, while the accumulation of assets *in situ* (the usual strategy of “sustainable or resilient” livelihoods) is more problematic due to the fact that the accumulation of assets increases the risk of being subject to armed attacks and assaults in times of conflict (Pain and Lautze 2002). For refugees, the lack of rights and legal status, in particular outside the designated areas, represent similar problems of vulnerability. The lack of land rights and the temporary nature of refugee status and camps also mitigate against long term investments, as does the expectations of many refugees to return to their home areas when conditions become safe.

Despite these conditions, many “self-settled” or “dispersed” refugees have managed to re-create stable livelihoods in the host countries, blending in or finding ways of negotiating more permanent settlement with host communities (Hansen 1990; Bascom 1998; Bakewell 1999). The exact share of refugees living outside camps and assisted settlements is of course impossible to calculate, and guesstimates should not be put in print. On the basis of what we know of the experience of “self-settled” refugees, researchers such as Karen Jacobsen (2001) and Jeff Crisp (2001) have propagated the revitalization of the forgotten “durable solution”, the local integration in the country of first asylum.

### **A framework for durable solutions: DAR and DLI**

The proposal to revitalize local integration as a durable solution became part and parcel of the process leading to UNHCRs Convention Plus. This process sought to reinvigorate protection of refugees and meet some of the challenges posed by member states who wanted to delimit “secondary movement” of refugees from countries of first asylum and “mixed flows” of refugees and migrants towards the EU and other rich regions. Apart from an attempt to

<sup>9</sup> See for example Horst 2001.

improve the options and processes of resettlement and reinforce coordination of international actions in support of repatriation (“the 4Rs”),<sup>10</sup> a new “framework for durable solutions” reinvented two instruments for the improvement of protection and assistance to refugees and other persons of concern in countries of first asylum, “Development Assistance for Refugees” (DAR) and “Development through Local Integration” (DLI) (UNHCR 2003b).

The main idea of DAR is to strengthen the self-reliance of refugees and thereby increase their contribution to local development, decrease the need for long-term care and maintenance programs, reduce the potentials for grievance conflicts between hosts and refugees, and (“through development”) better prepare the refugees for durable solutions. While advocating for support to refugee hosting areas, DAR serves to improve coordination between donors and relief and development agencies through different fora and development instruments, such as the CCA, UNDAF and PRSP.<sup>11</sup> In relation to local and central host authorities, DAR serves as a mechanism of support for capacity building and for the integration of social services, planning, income-generating activities, etcetera, in the ordinary programs and activities of the state. Here, it is emphasized, it is important that funds for refugee hosting areas are seen by the hosts as additional to other forms of support to the host government (UNHCR 2003b).

While DAR in general is a positive initiative, experience from similar attempts in the past indicate a number of recurring problems in these attempts to move from a relief to a development mode of assistance:

- The expectations of the refugees usually represent a problem when they experience reduction of donations and introduction of paid services or credit schemes, which in particular are bound to represent problems for vulnerable groups.
- To the extent that investments in local social and physical infrastructure as well as community services are based on voluntary work, as has often been the case, the commitment of the refugees tend to be low, as these activities have opportunity costs

<sup>10</sup> See the DIIS Working Paper (2004), “Dynamics of Return and sustainable reintegration in a ‘mobile livelihoods’ perspective on return and sustainable reintegration”.

<sup>11</sup> Refer to the recently developed UN policy instruments, Common Country Assessment, UN Development Assistance Framework, and Poverty Reduction Strategy Papers.



for the refugees who would otherwise leave settlements in search of piecemeal labour.<sup>12</sup>

- Other programs for increased self-reliance have taken the form of income generation through large schemes of infrastructural works – irrigation schemes, flood protection, reforestation, road repair and construction, water shed management, etcetera. The costs for donors are considerable and cannot be recuperated in the short term. Thus, for example, the income-generating programs for refugees and poor hosts in Pakistan in the 1980s provided 21 million work days at the cost of US\$ 86 mill. In addition to the developmental effect in marginal, refugee hosting areas, emphasis was given to training the workers in relation to the program activities, which, in principle, would prepare them for certain tasks upon return (Crisp 2001). Whether these skills have in fact been maintained and used after return has not been evaluated.
- Income-generating schemes based on the production of marketable items have often failed to become sustainable due to lack of markets, proper marketing or low quality of the products. Training and permanent attendance to income-generating projects may be challenged by the mobility of particularly younger refugees, who see the projects as dubious enterprises competing with other livelihood strategies and options beyond refugee camps and settlements. Ownership can be difficult to establish if projects are not genuinely negotiated and researched, and refugee-mobility should, if possible, be incorporated in the design of projects.

While refugees have engaged in de facto “local integration from below” in most contexts, the concept of local integration managed by UNHCR and the DLI initiative emphasise that it is a process with three elements: economic integration, social/cultural integration and legal integration. The latter provides the necessary documents, rights and freedoms for refugees to fully participate in national markets of land, labour and goods (UNHCR 2002b). In addition, integration should provide for the representation of (former) refugees in local governments and give them access to social services and the full protection by national systems of security and justice. However, in many marginal areas, such systems are not present and their establishment could be costly affairs for host governments.

<sup>12</sup> See for example Dick 2002 on Tanzania and Bakewell 2002 on Zambia. In the settlements of Guatemalan refugees in Mexico the refugees organized systems of rotation, which permitted the refugees to leave for wage labour in distant urban centres and construction sites every second month, while they had to stay and work in/near the camp in between (Stepputat 1994).

In general, integration of refugees depends on 1) acceptance by the host government, 2) acceptance by local host communities, and 3) the attitude of the refugees themselves who may guard political (nationalist) agendas of return, which regard local integration as being disloyal or “unpatriotic”. Local conditions (mainly the availability of land, housing and labour) and the characteristics of the refugee groups in question (shared language, previous relations etcetera) are important for the possibilities for acceptance by host communities, while host governments, apart from the possible tensions between hosts and refugees, are preoccupied with general security issues and political agendas.<sup>13</sup>

Jacobsen (2001) concludes that traditional approaches to local integration must be modified in two ways:

1. Recognizing that the host government has to be convinced that local integration will not generate security problems, tensions with host communities or increases in the economic burdens of host governments, agencies must adopt a flexible approach and assess the specific conditions and agendas for integration. In some situations local integration may not be possible or recommendable.
2. Recognizing the potentiality of mobility, as well as the ambivalent feelings, visions and practices of refugees *vis à vis* repatriation, local integration should be propagated in a way that incorporates repatriation/return projects. As has been concluded in various investigations (Bakewell 1999; Jacobsen 2001; Stepputat and Sørensen 2001; Hear 2002) refugees and IDPs may not want to go back permanently to their places of origin, but rather to go back to re-establish their entitlements and integrate these assets in a network of cross-border activities and exchange relations between the different communities and sites. UN Country Teams involved in DAR and DLI, as well as their governmental counterparts, should therefore look beyond the borders (as far as the political conditions permit) to explore possibilities for cross-border, regional integration projects which are often left unexplored because of the state focus.<sup>14</sup>

While “local” or maybe better, “regional” integration may be a much more feasible longer-term solution than usually imagined, it remains contingent upon the recognition and benevolence of the host government. Judging from current experience, Crisp (2003) concludes that

<sup>13</sup> I would argue that “local hosts” have equally political agendas, where refugees may fit in or not.

<sup>14</sup> See also Hear 2001 on the transnational durable solution.

the recognition of the local integration alternative by host governments is realistic in several cases,<sup>15</sup> but that UNHCR or other UN agencies by no means will be able to pressure governments to leave their policies of spatial containment. If they do so, the result is likely to be the *refoulement* of the refugees, according to Crisp.

Like the 4Rs, DAR and DLI are not novelties in themselves. They build on more than a decade of experience, in particular from the attempts to link relief and development through coordination, early involvement of development agencies, information sharing etc. But the renewed interest in the notion of burden sharing, the Convention Plus process and the branding of new initiatives have generated a new momentum in the search for funds, context-specific proposals, and political openings in the positions of host governments in the pursuit of local integration of refugees and development of marginal, refugee hosting areas.

## 5. International action for protection and security

As the trend of the international refugee agenda has moved towards protecting and assisting affected populations in the regions of conflict, international agencies - other than UNHCR and the International Red cross Committee - have become increasingly preoccupied with issues of protection (Reindorp 2002) and there have been attempts to build a common understanding of this issue between refugee and IDP agencies and other actors in the field of humanitarian aid and human rights (Boano et. al 2003).

In the wake of the Rwandan and Balkan refugee crises, the UN Security Council adopted a resolution (#1208) which reaffirmed the responsibility of host states for ensuring the security and humanitarian character of refugee camps. This position was partly informed by UNHCR's attempt to address the protection and security crisis in host countries and the need of the international community to show interest in sharing the "security burden" of host states (Milner 2000). In 1998, after pressures and a number of poor experiences, UNHCR introduced a "ladder of options", which defines three levels of insecurity and the corresponding options for action - soft, medium and hard - with roles to play for regional and international organizations (UNHCR 1999).

<sup>15</sup> The Zambia Initiative is one recent example. Even in the designated areas in Tanzania it has been possible to negotiate that markets be established at the borders between refugees and the local population (Dick 2002).

While the soft option involves contingency planning, preventive measures and cooperation with national law enforcement authorities, the medium option involves policing and monitoring missions reporting to the Secretary General and the Security Council. Only the hard option involves military enforcement, in cases where the generation of forced migration represents a threat to peace and stability (in extreme cases leading to the employment of Chapter VII). In the case of screening of “mixed populations” of refugees and combatants, which otherwise would represent a high security risk for the refugees and the host state, partnership with the Department for Peacekeeping Operations and peacekeeping forces is relevant. Force may be necessary to disarm and demobilize combatants and UNHCR cannot deal with combatants in any way, since its mandate is limited to strictly civilian operations (Jacobsen 1999; Yu 2002).

The UNSC Resolution 1208 has been operationalised by means of stand-by arrangements and staff exchange programs with DKPO (UNHCR 2002a) and stand-by arrangements with Humanitarian Security Officers in different fields, where they are supposed to liaise with local police on community policing, with military forces on public security, with the judiciary on issues of investigation or programmes against domestic and gender-based violence. A Humanitarian Security Assessment checklist has been developed, and UNHCR is increasingly being invited to training sessions with police and military forces which are trained to maintain security and the “civilian and humanitarian character of refugee camps and settlements” (UNHCR 1999; 2000). Also camps have been removed from the border in Guinea, and a number of “security packages” have been implemented in Tanzania and Kenya, based on training and liaison with host government police and judiciary, public lightning, etc.

Nevertheless, continued appeals for funding for the “medium” and “hard” options and for more commitment from the DPKO indicate that UNHCR is engaged in an uphill battle. And as of 2003, the High Commissioner has commissioned a comprehensive paper to “clarify certain highly complex issues regarding this serious problem [of military and armed attacks on refugee camps and settlements]” and to find solutions to the problem (UNHCR 2003a:19).

One of the issues of complexity, which has not been brought out sufficiently in the texts on security and protection of refugees and their hosts, is the role of conflict analysis and conflict prevention. It is essential for UNHCR and other operators of refugee programs that they have access to adequate information on the local politics and grievances, and sufficient capacity for analyzing this information. Ignoring these factors may be catastrophic, as the case of the

Rwanda refugees in Zaire showed.<sup>16</sup> As an evaluation of community services emphasised, information on problems, grievances and needs in the camps (“social protection”) is one of the important functions of the local officers of community services. However, these officers are often disregarded and occupy the lowest rungs in the status (and funding) hierarchy, while other layers of UNHCR are focussing on delivery of goods and legalistic definitions of refugees (UNHCR 2003c: viii). Thus, while participation and community involvement are high on the policy agenda, in practice UNHCR staff is increasingly distanced from the field by the demands of higher levels within the organisation (*ibid.*).

In this regard the confinement of refugees in camps and designated areas has ambiguous effects. While camps in some situations provide protection for the refugees, the main thrust of the reviewed literature is that camps and containment generate insecurity rather than security, and that long-term, development-oriented strategies of assistance and protection have to involve mobility. However, monitoring protection becomes a big challenge, when refugees are dispersed in the territory of the host nation.

## 6. Conclusion

### Refugees, migration management and development

The overall argument coming out of this report is in a simplified form the following:

1. Preoccupation with the effects and risks of high numbers of refugees and migrants coming to the EU has spurred the interest of member-states in managing migration flows in general, and in particular of finding ways to avoid the “secondary movement” of refugees from countries of first asylum to countries further afield. One of the means which have been conceived to achieve this aim is the improvement of protection and assistance of refugees in the region of origin, which is assumed to reduce the need to move on from countries bordering countries in armed conflict. Among several instruments (resettlement schemes and return and sustainable reintegration), this report has focussed on the attempts to stabilize refugee populations and their host communities and increase their participation in, and contribution to, development at local and national

<sup>16</sup> UNHCR (1997) quotes the warning of Prunier regarding the risk of not taking the political situation in account and screen the Hutu leadership, which he published prior to the disastrous events in the refugee camps.

levels, so as to improve the possibility of reaching durable solutions, whether through repatriation or through local integration.

2. These instruments, in particular Development Assistance for Refugees and Development through Local Integration, are not new as such. They have a long history in the work of UNHCR, but the current process, “Convention Plus”, has given a renewed momentum to these efforts, which hold the promise of improving conditions and the scope for development in refugee-hosting regions. The new programs and pilot projects, which are being developed in specific countries, have - at a programmatic level at least - incorporated some of the experiences from former attempts at merging refugee assistance and development, such as improving the coordination between UN agencies, advocating for support to refugee hosting areas, and supporting refugees as well as their hosts with an aim of seeking to go beyond the bureaucratic labels of refugee and non-refugees.
3. However, the same trend that generated this renewed momentum constitutes the major hindrance for development and local integration in refugee hosting areas. Host governments, like their Northern counterparts, have become more restrictive in terms of the rights and entitlements of refugees whom they tend to regard as a security threat. This change in perception is not necessarily related to actual changes in levels of violence, crime or militarization, but may be an answer to general anxieties and changes in globalizing societies. At the level of communities, researchers have noted an increased obsession with questions of belonging, of the definitions and entitlements of locals and aliens. This tendency to conceive of refugees as security threats combines with very real problems and grievances in some refugee-hosting areas of congestion, crime, militarization and over-exploitation of scarce resources.
4. The most important effect of the “securitization” of refugees is the containment of refugees in camps and designated areas, which makes it difficult and/or risky for them to develop their pervasive mobile livelihood strategies that otherwise extend their networks and enable them to survive in marginal areas through the combination of a range of different resources and sites of labour, trade, investment, education and other social services.
5. Hence, the report argues that the most effective instrument for achieving self-reliance of refugees and development of refugee hosting areas is the negotiation with host governments of the rights of refugees to move freely within the territory and to have proper documentation and permissions giving them access to justice, security and social services,

and the right to own property and to engage in trade and other remunerative activities across the territory. If the application of this instrument and of the situation of refugees dispersed across the territory could be monitored we could talk about an effective “protection” of the refugees. The drawbacks to this instrument is the predictable resistance of host governments, and the fact that many refugee-hosting states are not even remotely in a position to secure their own citizens’ rights and access to services, justice and security.

6. From this perspective, the following actions are recommended:

- To provide additional funding for specific development programs in refugee-hosting areas along the lines suggested in the DAR. However, other and more wide-ranging measures regarding conditions for national trade and loans might also be considered in order to prove commitment to burden-sharing by supporting general national and regional development.
- To map existing livelihood strategies and patterns of mobility among refugee populations with the purpose of basing new initiatives on this knowledge and incorporating existing strategies and mobility patterns in income-generating schemes, rather than having them compete (in which case the income-generating schemes tend to loose out). The mapping – which is more difficult to undertake if movement outside the designated areas is illegal – could also serve for additional initiatives in sites and sectors where refugees (and other migrant populations) seek employment and/or markets, such as plantations, mines, shanty towns or cities (e.g. women as domestic workers). Such initiatives could involve additional support to existing social services, legal assistance, and arbitration of conflicts. A system which gives school, clinics and hospitals additional funds according to the number of refugees they attend would seem to be fair, but is complicated and expensive to administrate.
- To think of “local integration” as being in fact more properly labelled “regional integration” in order to reflect the potentialities and realities of mobile livelihoods
- To train selected central administrations as well as local and provincial administrations in refugee provisions and rights.
- To consider that camps and settlements still, even under conditions of increased mobility, may be used by the more vulnerable parts of the refugee population, social services could be supported here and made accessible for (poor) neighbours as well as refugees.
- To consider how DAR and DLI programs could support the exploration and generation of productive activities across borders into countries of origin, given appropriate conditions.

7. While these proposals would complement already conceived initiatives under DLI and DAR, they would help dissolving differential treatment between different categories (refugees and non-refugees) qua the refugees' increased self-reliance. However, while expenses for relief and care/maintenance programs might be brought down, the regional integration will not in the short term be less expensive than relief programs. But conditions will be less detrimental to the long-term objectives of development.
  
8. The reinforced interest in seeking and funding durable solutions for displaced populations in the region of origin can benefit refugees and host communities in countries of first asylum, but they do not necessarily contribute to the underlying aim of reducing and managing migration flows towards the EU. Specific case studies need to be undertaken of the groups engaging in "secondary movement" in order to establish their social, cultural, and economic backgrounds. Given the increasingly disparate levels of living in richer and poorer regions, the assumption that marginal improvements in economic and legal conditions for refugees in countries of first asylum will translate into a reduction in secondary movements is not convincing. But we do not know enough about the issue to answer the question of who and how many move on towards Europe.



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