DYNAMICS OF RETURN AND SUSTAINABLE REINTEGRATION IN A 'MOBILE LIVELIHOODS'-PERSPECTIVE

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Abstracts

Abstract in English: Reviewing current literature on return and reintegration processes, this working paper argues that the mobile livelihood patterns and capacities of displaced populations must be taken into account when donors and agencies plan and support such processes. Seen in this perspective, 'sustainable return' may involve continued mobility within and across borders. The working paper lists a number of tasks which involved agencies may undertake in support of return and reintegration of displaced population in regard to information, access to land and property, and development.

Abstract in Danish: Dette arbejdspapir samler aktuel litteratur om repatriering og reintegrationsprocesser og argumenterer for at donorer og hjælpeorganisationer bør tage højde for hvordan geografisk mobilitet indgår i fordrevne befolkningsgruppers livsstrategier. Set i dette perspektiv udelukker 'bæredygtig tilbagevenden' ikke at mobilitet fortsat kan indgå i livsstrategierne. Der gives en række anbefalinger om mulig støtte til repatriaerings- og reintegrationsprogrammer.

Summary

This report should be seen as complementary to other reports, papers and handbooks on return and sustainable reintegration, in the sense that it focuses on the process of reintegration from the perspective of mobile livelihoods, i.e. the incorporation of mobility and extended networks in the analysis and planning of return and reintegration. In this regard, the report points to a number of issues which are not given sufficient attention in the current process of developing the international support for return and reintegration..

The report shows that the decision to return depends on a host of factors, which are differentiated according to gender, age and other variables, but not whether refugees have become 'integrated' or not. Contrary to the belief of many host governments, local integration is not necessarily working against refugees' decision to repatriate. Apart from the conditions of security and livelihood in sending and host countries, two factors can enable the decision to return: 1) the possibility of accumulating portable assets before return (education, skills, capital, and social networks) so as to be able to make investments and develop resilient livelihoods upon return, and 2) the possibility of re-entering the country of refuge in case conditions in the country of origin deteriorate, and in order to be able to engage in networks and mobile livelihoods across borders. Research has shown that the likelihood of voluntary refugee return diminishes, when refugees have no guarantee of being able to reenter the country of refuge.

The position of the refugees in wider, transnational networks of people also has to be incorporated in the analysis and operations of return. Relatives 'at home' may resist the return if it means that they loose access to remittances, while access to remittances can help refugees in poorer countries taking the risk of returning. Likewise, planning agencies should take into consideration the possible influence and contribution – economic, political, social, and in terms of skills and education – of refugees' mobile livelihoods..

Furthermore the report emphasises that return is an 'iterative' process, which involves an on-going comparison of conditions, trends and prospects for different individuals in the household in exile, at home and probably also in other sites. It is important to recognize the possibility, and indeed the tendency, that displaced families divide themselves up before return, sending one or two family members to explore conditions, establish entitlements, and forge a base for the family in the country/area of origin. This form of 'staggered return' is a well-established strategy for rural-rural or rural-urban migration whereby new sites, assets and

alliances are incorporated into the livelihood of a family. The process may or may not end with the reunion of the family. Return operations should take account of, and seek to make room for, this pattern of mobility.

While the report mentions the most common gaps in the international support for return, reintegration, rehabilitation and reconstruction, it also recognizes the current momentum in setting up systems and approaches that promise to close the typical gaps in the international support for post-conflict reintegration and reconstruction. However, it is hard to see how coordination and assistance can make up for the most pervasive problem of sustainable re-integration, the general lack of economic opportunities and development in the areas of origin which are often economically marginal areas.

Therefore the report also emphasises that 'sustainable reintegration' should not be identified with setting up permanent residence in the place of origin. Rather, 'reintegration' will often imply that part of the returnees (re)engage in seasonal migration patterns within and beyond state borders. 4R (Return, Reintegration, Rehabilitation, and Reconstruction) programs should therefore recognize these dynamics (instead of counting such movements as 'backflows', only) and explore possibilities of supporting cross-border productive initiatives and activities before and after return. Programs should also consider expanding the usual tripartite repatriation negotiations and agreements (between UNHCR, host government and home government) to incorporate local authorities at both sides of the border in planning and needs assessments in order to, if possible, infuse dynamism in transborder regions, if there is any potential for this.

At a more general level, initiatives in support of return and reintegration should consider how general economic conditions could be improved through trade-agreements, renegotiation of debts and other post-conflict initiatives.

Dynamics of return and sustainable reintegration

1. Return and sustainable reintegration is usually thought of as a set of processes which establish former refugees or other displaced people in the country or area of origin in a way that leaves the returnees with sufficient means of livelihood and conditions of safety so as to hinder further displacement within or outside the country (Turton and Marsden 2002:36). In this report, the concept of sustainable reintegration incorporates rehabilitation and reconstruction and relates to the aim of reducing vulnerabilities and promoting resilient livelihoods as well as reducing the chances that conflict and displacement will occur again in the same areas.

2. This paper presents an overview of the dynamics, issues, and problems that characterize return processes in general terms in order to delineate a number of tasks and scopes for action for donors and agencies to provide protection and assistance in support of processes of return and reintegration. Return and reintegration has been on the policy- and operational agenda for at least 10-15 years, but the discussions and programmatic initiatives have been reactivated and reinforced in the wake of UNHCR's Convention Plus process, EUs current interest in 'protection in the region of origin', and the recently launched operational framework for repatriations, 4R (Return, Reintegration, Rehabilitation and Reconstruction).[1]

3. Because of the elaborated proposals for policies and operational changes, and because UNHCRs Handbook provides 'best practices' on a host of issues in relation to return and reintegration, the present paper seeks to complement this knowledge by applying a 'mobile livelihood' perspective in the general analysis of return and sustainable reintegration which sets it apart from most other contributions to this field of analysis. Mobile livelihoods may be defined as practices and institutions for the sustenance of life that "define and cut across a range of social, economic and cultural boundaries" (Olwig and Sørensen 2002:4). The analysis of return and reintegration hence incorporates the idea that livelihood practices may span geographical and social distances and incorporate dispersed sites into one set of practices. This study is laying out the field in general terms in regard to the return of refugees, but is also of relevance to the return of internally displaced populations.

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[1] See for example the papers produced for the Dialogue on Voluntary Repatriation and Sustainable Reintegration in Africa, March 8, 2004 in UNHCR, Geneva.

Decision-making and information

4. It is generally recognized that a host of factors influence the decision of refugees and other displaced people to go 'home,' to stay in the place of refuge or to move further afield. Across the board, studies seem to agree that the following are the primary concerns of refugees regarding the *conditions in the country or area of origin*:

- conditions of *security*, including considerations of national level politics and conflict, as well as the balance of political, ethnic and other significant groupings in specific localities of potential return.
- possibilities for developing stable *livelihoods*, including status of land and other property, availability of water, employment and trade possibilities, and the state of social networks (for the mobilization of social capital).
- access to *education*, *health* and other services

It has frequently been noted that 'home' is not necessarily the place refugees lived in before flight, but rather places which offer the conditions mentioned above (e.g. Hammond 1999). The refugees' strategies, capacities and expectations may have changed over time, and groups of returnees may seek out better opportunities than they had before flight, if they have the option to choose.[2] Belonging to political movements may also influence the decision to return as part of a political strategy. In these cases it is likely that the existence of social relations between families and the influence of political leadership are decisive factors in the interpretation of available information on conditions in areas of return.

5. On the other hand, *conditions in the country or area of refuge* also influence the decision to return:

- deterioration in conditions of *security*, including harassment by police and other authorities, and local hostilities, xenophobia etc.
- changes in conditions for *livelihood* development
- limits on freedom of *mobility*, and rights to *property*
- cut-backs in assistance or access to *education* and *health*

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[2] Cambodian refugees, for example, sought areas of return which were known for having a higher agricultural potential (Eastmond and Öjendal 1999) and so did many refugees in the Guatemalan return movement (Stepputat 1996).

Such changes may well be the results of deliberate policies of forced or encouraged return and repatriation which either occur overnight as in the case of Guinea 1999 when the event of elections suddenly changed an otherwise favourable refugee policy, or accumulate over time until conditions become unbearable for the refugees.

6. Decisions to stay or return will often differ according to a number of variables, such as age, gender, economic status in exile, regional attachments, political affiliation, time of absence from 'home' etc. Such differences cause much discussion and tension within households, ex-tended families, and larger, political groups. For example, men and women attach different meanings and priorities to the variables mentioned above: women often giving more weight to conditions of health and education, while men may express more concerns about employment and political constraints and opportunities. Furthermore, men tend to see return as a return to pre-flight gender relations after the changes in exile, where women's opportunities often are relatively better than men's.

7. The refugees' position and function in wider transnational networks is also a variable which has an effect on decision-making. There will be considerable pressure from family-members at home on remittance senders to make them stay abroad to secure future remittances. Some states exercise the same kind of pressure recognizing that the national economy will suffer without a substantial level of remittances from refugees and other migrants living abroad. El Salvador and Eritrea are cases at hand.

8. In regard to age, prospects in exile look very different for young people who may have adapted better or who have had access to education in exile, than they do for older people who left assets back home. Thus, should families forfeit the chances for improvement in the situation of the young or of the older, or should they split-up, spreading out the risks and op-portunities? It is important to recognize the possibility - and indeed the tendency - that displaced families divide themselves up, sending one or two family members to explore conditions, establish entitlements, and forge a base for the family in the country/area of origin. This form of 'staggered return'[3] is a well-established strategy for rural-rural or rural-urban migration, whereby new sites, assets and alliances are incorporated in the livelihood of a family. The process may or may not conclude in the reunion of the family. Chris Dolan (1999) emphasises that repatriation is an 'iterative' process which involves an ongoing comparison of

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[3] Fink-Nielsen, Hansen and Kleist 2001.

conditions, trends and prospects for different individuals in the household in exile, home and probably also other sites.

Integration vs. return?

9. It has often been taken for granted – not least by governments – that integration of refugees in the country of exile reduces the likelihood of voluntary return. Numbers from the Afghan repatriation suggest that urban refugees with poor possibilities for employment who furthermore were exposed to police harassment – were more willing to endeavour repatriation than the long-term and socio-economically well-integrated inhabitants of the refugee villages. However, numbers from the Guatemalan repatriation show that integration does not necessarily work against a decision to return (Lobato 2003), and other studies (of Somali refugees and Mozambican refugees among others)[4] confirm that integration is not a hindrance for return.

10. Thus it seems that two additional, 'enabling' factors influence the decision to return positively, given that conditions in the country/area of origin are good:

- Firstly, refugees are more likely to repatriate when they have possibilities for previous accumulation of portable assets, mainly capital for reconstruction, investment and endurance under adverse conditions, but also education and skills training (carpentry, construction, mechanics, teaching, health care). Access to remittances from kin in richer countries is also considered an asset for return and sustainable reintegration.
- Secondly, guarantees of re-entry into countries of exile in case of deteriorating conditions of livelihood and safety in the country of origin. The most prominent guarantee for free mobility is being granted citizenship or at least free entry and secure residence in a richer country which, nevertheless, increase the willingness to risk return to the country of origin. For refugees in Europe, for example, the guarantee of free mobility promises to be a far more efficient incentive to return than economic return packages (Fink-Nielsen, Hansen and Kleist 2001). In the opposite case, the lack of guarantees and legal residence works as a disincentive to repatriation since the stakes

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[4] Fink-Nielsen, Hansen and Kleist 2001and Dolan 1999. In the case of South Africa, not even poorly integrated Mozambican refugees were pre-disposed to repatriate. Thus, various other "holding factors" have to be taken into account to explain why the refugees did not repatriate.

of return are raised. The more risky the re-entry into the host country becomes, the less likely to leave are those already inside the host country.[5]

Information

11. Information and in particular the quality of, and trust in, information is crucial for decision-making regarding voluntary return. The inherent uncertainty of lives in exile and pending return engenders - apart from significantly high levels of rumour – an obsession with information on conditions and events in the country of origin, and in particular on the specific locations and people left behind. While general information is not necessarily scarce in refugee settings, confidence in the reliability of information is limited in the highly politicised environment. Studies in Malawi and in Europe have shown that refugees tend to believe more in information from known persons and relatives than in institutionally transmitted information (Koser 1997; Walsh, Black, and Koser 1999).

12. The relevance of the information may also differ in favour of personally transmitted and locality-focussed information. Information generated by organizations and institutions working in areas of conflict tend to be oriented towards the needs of donors and governments rather than potential returnees. This information is therefore – since the criterion for success is the number of returnees – likely to present conditions in areas of return in slightly more rosy terms than others would have depicted the conditions (Walsh, Black, and Koser 1999). However, if sustainable reintegration is the overall aim of the operation, information should be as accurate as possible so as to provide the best possible basis for decision-making, even though the accuracy of information may cause fewer refugees to return.

13. Turton and Marsden (2002) make the same point when they criticise the recent repatriation operation in Afghanistan which numerically went far beyond expectations and estimated planning figures. They suggest that while UNHCR did not "promote" repatriation by explicitly encouraging refugees to leave, the "facilitation", i.e. the operational support of refugees who opt for voluntary return, which involved constant talk about repatriation packages and international aid for reconstruction pouring into Afghanistan, gave refugees the impression that conditions were ripe for return to the rural districts.[6] The report argues that UNHCR should have discouraged return actively until security and reconstruction was in place. While the overwhelming success in numerical terms served the interests of all governmental and inter-

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[5] As formulated by Dolan (1999) in regard to the case of Mozambicans in post-apartheid South Africa.

[6] The question is which other kinds of information the refugees had access to?

governmental parties involved well, returning refugees and the long-term success of repatriation and reintegration became the victims of this policy, according to Turton and Marsden.

14. There is some evidence that the "go and see" operations of UNHCR and NGOs are fairly effective means of providing accurate information for refugees, and that the encounter with the area of origin is likely to provoke a final decision *either* to repatriate and settle in the home country, *or* to discard the possibility of returning 'home' and focus on integration instead, providing that this is a real option. The Danish Refugee Council's Repatriation Review of the return of Serbian refugees to Croatia provides lengthy reflections and recommendations for the operational aspects of their version of go and see operations, the "return facilitation visits" (DRC 2004).

Tasks and scope for action:

- *Consider how to support the generation and dissemination of more precise information by and for refugees, which is appropriate for refugees' decision-making processes regarding return and repatriation, including information on conditions at national as well as local levels. Monitoring systems should systematize returnee information on current conditions and changes.*

- *Work for the recognition by donors and agencies of the iterative nature of repatriation and return and promote initiatives that provide space for gradual or 'staggered' return, including an evaluation of the experience of UNHCR's "go & see" programs .*

- *Ensure that decision-making variables (age, gender, class, remittance providers etc.) are incorporated in estimates, planning and implementation of repatriation operations.*

- *Consider ways of promoting 're-entry agreements' with refugees-hosting governments.*

Return, rehabilitation, reconstruction and reintegration

15. Despite the fact that assistance of returning refugees after return goes beyond the core mandate of the UNHCR, the agency has been entrusted with the responsibility of organizing return and repatriation operations. Since the early 1990s, UNHCR has developed an enormous experience in such operations, but the agency has also encountered the same insurmountable problems over and over again, regarding the relation between short- and long-

term goals and relief and development agencies. These problems have driven the relief-development debate which basically is concerned with what we may conceptualize as 'gaps' and tensions, not particularly between relief and development, but in the international response to violent conflict and its aftermath (Danida 2001). These gaps and tensions are:

16. *Problems in knowledge and understanding,* in particular of the conditions at local level in areas of return (e.g. in the recent Afghanistan return, where the lack of knowledge translated into problems of monitoring return; in Cambodia, where available land was seriously overestimated; and in the Rwandan refugee camps, where international agencies supported leaders who threatened the lives of their fellow Hutu refugees). Timing is an important issue here. Programmatic planning of repatriation operations to fit into larger aims, such as elections, has been detrimental to return and reintegration because of the inadequate preparations for the post-return problems (e.g. Cambodia).

17. *Problems of coordination and inter-institutional arrangements.* Although this has changed much since the early 1990s – noticeable for example in the complex organizational set-up of the Afghanistan relief and development operations – the UNHCR is still left "alone on the dance floor" in many situations, when refugees have returned and regional development initiatives are needed (Turton and Marsden 2002). In Afghanistan, Mali (UNHCR 1998a) and many other places, UNHCR has been forced to stay longer than planned and to overstretch its capacities and funds into development related activities. This may be due to other gaps, such as:

18. *Problems of funding* since relief and development is funded much more readily than near-term recovery or rehabilitation projects. The routines of ECHO, which has limited emergency responses to one-year projects, have caused much frustration among agencies working beyond emergency situations. In response, the EU has established a budget-line for medium and longer-term capacity building and income generation for 'uprooted populations.' As has been noted frequently, flexibility in funding procedures is very important in order for agencies to take advantage of windows of opportunity, e.g. in case of sudden, and surprisingly large, return movements. In some recovery situations, such as Kosovo and East Timor, the UN agencies have suffered from the increasing *bilateralization* of aid, as donors have seen their advantage in channelling aid directly through NGOs (Suhrke et al. 2000). As a forthcoming evaluation of the Danish Humanitarian Assistance for Kosovo has indicated, the emphasis on a one year time frame for projects represented problems for the linkage between relief and peace building efforts.

19. *Intra-institutional problems* in regard to the peripheral and isolated conflict and emergency expertise in many development agencies, where program- and geographical units often refuse to engage in the messy business of post-conflict reconstruction and peace building. Furthermore, the lack of appropriate and experienced human resources is noted in many agencies that recognize the necessity of having a combination of technical, operational, communicational, and political/analytical skills. Hardship and burnout syndromes are well-known problems in situations of return and post-conflict reconstruction.

20. *Problems of protection and security* are pertinent in relation to return and repatriation operations, in particular when repatriation takes place at a larger scale before peace has been restored, either because host countries pressure for repatriation, because of unbearable conditions in exile, or because overly optimistic signals have been received by the refugees. While UNHCR is engaged in protection issues, the agency normally works at local levels in areas of return, where the field offices through their presence on the ground and contact with conflicting parties can provide some 'umbrella function' for the repatriated refugees, 'stayees' and national NGOs alike. However, UNHCR presence is (or should be, according to many donors) brief and does not have an enduring impact on national systems of protection or the general security situation. Prospects for rapid improvement in the functions of police and judiciary are bleak in post-conflict situations. Reform and capacity building in the field of justice and security are long-term endeavours. Furthermore indices of violence and criminal activities are often on the rise as in the cases of South Africa and Central America. The fields of justice and security reform have only recently become the objects of 'best practice' and guideline-exercises (see for example WB's guidelines on Disarmament, Demobilization and Reintegration (DDR) of armed forces). Demobilization of armed, organized civilians has generally been neglected despite the fact that paramilitary forces, militias, community defences and private armies are intrinsic elements of armed conflict and its aftermath.[7] Profound militarization represents a persistent problem in many return operations. In regard to security, there may be a lack of coherence between military objectives and the objectives of development and democratization as in the case of Afghanistan, where the negative influence of local strongmen and warlords on local security has been hard to reduce, as long as these are supported as allies by the international forces.

21. The problems that these gaps and tensions present for the rehabilitation and reintegration of the returning refugees are compounded by the fact that they are far from being the only

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[7] See Jensen and Stepputat 2001

vulnerable groups in the return areas: The internally displaced populations return with limited attention from international and governmental agencies, and 'stayees' receive little or no assistance despite the fact that they are often equally impoverished by conflict (although they may have been able to incorporate assets of those who left into their livelihood strategies). Apart from the destruction and damage caused by the armed conflict, the livelihoods of stayees and IDPs have usually been severely affected by the lack of safe mobility, causing local economies to plummet, levels of education and health care to fall, etcetera. Furthermore, there may be contradictions or at least competition between return schemes and DDR schemes, since both operations seek to reintegrate people in local level contexts and both need heavy funding. The two types of operations are similar in their effects, since they both cause remittances to their home communities to disappear when they return and reintegrate.

22. The current 4R process in UNHCR has reactivated the discussion of gaps and linkages between relief and development after the Brookings Process between UNDP, UNHCR and the World Bank lost momentum. A series of new initiatives focussing on pilot projects in specific country contexts promise to do away with some of the problems of information, coordination and medium term planning. However, some of the problems of sustainable reintegration go beyond the organizational and operational aspects dealt with in the 4R process.

Prospects for sustainable reintegration

23. Generally we see two major problems characterizing areas of return and the process of (re)integration of refugees: a) the general lack of economic development in marginal areas, and b) the ensuing conflicts between different groups of population. By far the most serious problem for return and sustainable reintegration is the limited possibilities for establishing sustainable livelihoods. Although some limitations may have disappeared in comparison with the situation before flight – such as constraints on trade and commercial activities, or the monopolization of land, trade or employment by one ethnic or national group – livelihood options are generally more limited in post-conflict economies than they otherwise would have been. While expectations of a new beginning - and of the capacities and skills which may have been developed in exile - are high, reintegration during the 1990s has more often proven to be an uphill battle in hostile economic environments with tough competition and limited markets, not least in agricultural production. Under these conditions, labour migration will often be the only solution in sight.

24. As the box below suggests, sustainability is not necessarily the same as immobility, since continued mobility may be the predominant avenue for integration and development of the economies of the retuning population.

Re-migration as re-integration?

In the case of an area of return in northern Guatemala, where refugees returned from settlements in Mexico in 1994, 10% of the families gave up within the first two years and moved elsewhere. Five years after return, up to half of the adult men and many young women were engaged in seasonal or long term labour migration to Mexico or the US. While the returnees had hoped to establish a diversified production with industrialization of agricultural products and forestry as an example of development for the area, they ended up being in a situation somewhat similar to that of their neighbours who have always been engaged in seasonal migration and impoverished subsistence farming. Adopting the "local" livelihood strategies, the returnees became in a sense well integrated in the regional economy, although their experience, contacts and better education from abroad gave them some advantages in migration, compared with neighbours who had not been in exile.

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25. When relief and development agencies, following their mandates, priorities and conceptions of vulnerability, give differential support to the categories of 'repatriates,' 'IDPs' and 'locals,' they risk nurturing resentment and conflicts over entitlements. Even different 'waves' or 'cohorts' of returning refugees may be set against each other, as entitlements and assistance change over the years according to agreements and international attention (e.g. Mali and Guatemala)[8]. In the tense post-conflict transitions, these kinds of conflicts are easily politicised, in particular since the returning refugees, who are usually associated with one side in the conflict, tend to be perceived as receiving privileged attention from aid agencies. Even if this is not true in purely economic terms, information and impressions are hard to manage in the politicised environment. Furthermore, it has to be recognized that although the overall themes and identities of the armed conflict – the themes and identities incorporated in peace negotiations and settlements – are important, the potentially disruptive conflicts related to return and reintegration often derive from a host of additional sources and contradictions of a more local nature. This is one reason why aid agencies need having access to local knowledge. While

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[8] Papers for the recent dialogue on voluntary repatriation recognize this problem and recommends that assistance go beyond particular labels as soon as possible and focus on community dynamics (UNHCR 2004).

many aid agencies and NGOs tend to work on limited projects, more or less in competition with each other, they also feel attracted to the idea of organizing local and regional initiatives for rehabilitation and development, which cut across and benefit a broad range of groups in a given area. However, it should be researched to which extent such projects of "cooperative integration" (Duffield 1998) generate conflict rather than cooperation, since the resources channelled through such processes may as well engender conflicts between different groups over control of resources and outputs.

26. While UNHCR by default has become the agency for protection and assistance for all displaced groups, including the IDPs, it is often left with *de facto* responsibility for development initiatives at local levels. To deal with this task, the agency developed the concept of the Quick Impact Projects (QIPs) which became 'best practice' of repatriation schemes since the Nicaraguan repatriation operation. However, experience has been very mixed with this kind of projects, designed to 'bridge' the gap between relief and development by quick-starting development, removing bottlenecks, and providing possibilities for income generation (Crisp 2001). In general the advantage of the projects is that they generate international presence, that they may benefit non-returnees as well as returning refugees, and that they engender hopes for development in areas of return. However, while they provide funds and mechanisms for the reconstruction of essential infrastructure which ensures, for example, the physical access to settlements and markets, the results in general in the domain of production, income-generation and economic development are meagre and unsustainable. The QIPs also show that UNHCR does not have the appropriate capacities for managing these processes, and that community involvement and technical soundness often is sacrificed at the altar of speedy implementation (ibid.).

27. A number of problems of reintegration programmes seem to recur, such as the bypassing of local authorities and administrations by inter- and transnational aid organizations; the congestion of short-term, labour intensive reconstruction programs in the early phases of return when they risk competing with the immediate tasks of re-establishing homes and (in rural areas) subsistence farming; and the over-concentration of aid agencies in areas of relatively easy access relative to other areas.

Tasks and scope for action

- *Ensure the security situation at local level and analyze potentials for local conflicts upon return. In this regard it is important to know and recognise which* de facto *authorities are present in given return areas, and to identify and map civil society organisations (in a broad sense) which can be*

involved in linking short-term assistance and peace-building efforts.

- *Explore the scope for fielding decentralized offices of development and Human Rights agencies, and support UNHCR advocacy for early presence of development agencies in areas of return through joint visits.*

- *Recognize and incorporate the wider diaspora - the remittance economy as well as the capacities, skills and organizations - in the repatriation and reintegration efforts.*

- *Secure status of returnees in host country as a prerequisite for sending of remittances, generation of investment, and/or return, if possible by supporting mobile units for ID-documentation and legal assistance.*

- *Ensure that services and programs benefit the population at large in the return areas.*

- *Support the development of market and capacity analyses as well as counselling services, not only in areas of return but also incorporating relations between return areas and areas of exile and the potentials for trade and other cross-border activities.*

- *Support inclusive civil society organizations and regional development-oriented organizations (electrification committees, road committees etc.)*

- *Support analysis and capacity building of local administrations prior to, during and after return/reintegration.*

- *Advocate for governmental attention to return areas and ensure that different areas of return receive comparably equal attention from relief and development agencies.*

- *Ensure that medium term funding is available for projects supporting democratic governance and peace building.*

Access to land and property

28. Land and housing are key-issues of return, both in terms of the decision to return and the prospects for socio-economic reintegration. Whether owned as property or acceded through customary and communal arrangements, land in the area of origin tends to become a central preoccupation and even an obsession for rural refugees. Apart from the economic value, including access to non-agricultural resources such as wild-game, wood/charcoal, and building materials, land represents social status as well as adulthood (usually for males), as land may be seen as a precondition for marriage. Land can be converted into social capital - providing labour, food and money for relatives and neighbours, and often the land left behind has

particular symbolic value as a means of identification with ancestors, lineage, village, ethnic group, etcetera.

29. However, a number of additional factors in relation to land influence the refugee's decision to return:

- Over time the number of children growing up in exile increases and the prospects for them of getting access to sufficient land through inheritance diminishes.
- Depending on conditions in exile, agricultural capacities and knowledge of particular climatic and soil conditions may well decrease over time, although in many cases new capacities are developed in exile (new crops and cultivation methods – such as Central American refugees who learned about ecological farming in exile, or Mali refugees who became oriented towards sedentary agriculture rather than nomadic pastoralism). The problem of capacity is particularly acute for the younger generation.
- The location of the land left behind may be seen in a different light, as awareness increases of the importance of access to markets and additional development factors, such as credits, irrigation, fertilizer and processing facilities.
- Form of entitlement: While security is a prime preoccupation, studies in the late 1980s showed that many refugees in fact went home during conflict, thus risking being victims of war and displacement again in exchange for securing access to land. There seems to be a marked sense in refugee communities that prospects for recapturing landed entitlements decrease rapidly over time, in particular if the land is untitled or communally held, as has often been the case. Thus, the existence of land titles tend to prolong stays abroad, although some legal regimes have clauses which alienate land from the owners in case of prolonged absences.

30. As has been noted frequently, there is a good chance that abandoned lands have been re-occupied by other people - landless peasants, IDPs, large landowners or others - who take de facto possession of the land or have been assigned land through governmental resettlement schemes. Although return to the area of origin will usually be the preferred solution for re-turnees, it has proven possible to induce return while offering the former owners compens-ation, either in cash or by offering access to land in other areas.

31. In addition to lands having been taken over by new occupants, armed conflict may have rendered land unfit for agriculture due to destruction of infrastructure, mines, or chemical means of warfare. Other major structural problems are the general unavailability of sufficient land for small landholders, including returnees and their siblings, and the lack of agricultural

policies favourable to small landholders' production of stable crops and other agricultural products.

32. Finally, the return and reoccupation of land accentuates gender inequalities in access to land, such as widows and women in general being deprived of land rights because of customary laws of inheritance, property and usufruct.

Tasks and scope for action:

- *Register refugees' claims to land and investigation of the actual status of land regarding legal status, possession, and accessibility in areas of return. This task may be undertaken by various organizations, but may also include "go and see" visits by the refugees themselves.*

- *Establish a mechanism for decision-making by involved authorities and parties which a) decides on the issue of whether land is to be compensated or restituted, taking the legal regime of property/usufruct into consideration, and, in case of compensation, b) identify criteria and procedures for defining compensation, i.e. how the value is decided and whether changes in the value of land (positive or negative) should benefit the owner or the occupant.*

- *Support mine clearing programmes*

- *At a more general level, donors will have to consider if there is political will to support compensations economically. This is expensive but the offer is likely to make the process of negotiations over compensations and other conditions of return less arduous (which does not mean that conflicts can be avoided, since - in the highly politicized environment of return and repatriation - every negotiation and problem risk being turned into a contestation over major issues of the armed conflict in question.*

- *Identify and support institutions and procedures for solving disputes over land and other territorial resources. In support of such procedures, special task forces for investigation and documentation may be considered, as well as specific fast-track procedures.*

- *Identify and support economic alternatives to traditional agricultural activities (particularly for youth) as well as counselling services and market studies for agricultural development.*

- *Mobilize support for improving women's access to land, including legal support and law reforms*

The urban bias and rural-urban linkages

33. It has been argued that although the huge majority of refugees are rural when they leave, there is a tendency for them to become prone to choose urban areas for settlement when/if they return (Petrin 2002). The main reason seems to be that the urban areas are seen as hold-

ing better opportunities for benefits and employment, even though the opposite is often the case, at least when access to land is secured (see for example Sørensen and Van Hear 2003). More importantly, services are perceived as more readily available and being of a higher quality in urban areas; precisely services in health and education are among the sectors which traditionally have been given priority in refugee settings, and the refugees are not necessarily willing to accept a decrease in the quality of such services. Furthermore, in the cases where refugees have been exiled in countries richer than their countries of origin, returning refugees tend to perceive themselves as being more modern and more urban in their general outlook and orientation (Stepputat 1999).

34. Even though returnees may emphasize the differences between rural and urban settlers, studies suggest that rural-urban linkages and exchanges have a long history and are much more prominent than we usually tend to believe (de Haan 2000; Stepputat and Sørensen 2001; Sørensen and Van Hear 2003). Rural families send their children to live with relatives in the cities where secondary education is available, urban dwellers seek support with rural kin in cases of crisis, or when they seek out investment in rural assets (for example livestock) etcetera. The rural-urban networks may also extend to family members and kin living abroad in the neighbouring countries and the wider disapora.

Tasks and scope for action:

- *Explore ways in which rural-urban relations can be encouraged and re-established, for example in domains of production, where marketing and processing of rural produce may be developed.*

State, return and development

35. Negotiations over and support to repatriation/return operations have become an inevitable part of post-conflict reconstruction and peace-building operations to a degree that some analysts have defined 'state building' as the capacity to reincorporate refugees in the home country (Helton 2002). Refugees still represent a problem of legitimacy and recognition (international as well as national) of the regimes of their countries of origin and have been used as a legitimate cause of international action. Apart from contributing to the legitimacy of the government (at least in the eyes of the international community), returning refugees may represent considerable human resources for state building, if they return with education, new skills and new ideas about democratisation and modernization of societies (Petrin 2002).

36. Even in cases where refugees are explicitly anti-government, their potential involvement in civil society organizations can become an impetus to change of the political system. When the regime has changed, the refugees and, more generally, the diaspora are often called upon by governments in order to contribute their political and technical skills in reconstruction and state building (e.g. Eritrea, Afghanistan, South Africa). At local levels, return operations and the increased presence of governmental and intergovernmental agencies have an impact on state building, in the sense that the images of, and expectations to, the state are emerging or reinforced. The question is of course whether the state apparatus in question has economic and technical possibilities to respond to these expectations.

37. State administrations become directly involved in returns in a number of ways. Besides the political negotiations, returns raise a lot of technical (and political) questions, such as the access to identification documents, permissions and professional licences, recognition or translation of education and skills acquired abroad, recuperation of lost property, etcetera.

38. The return of refugees may also have adverse effects on state reconstruction, as the visible incapacity to manage returns can de-legitimize and overstretch government institutions, while the returning refugees may create new sites of conflict and/or be converted into internally displaced populations, as in the case of Sri Lankan returnees. In particular in cases of very limited economical opportunities, a state apparatus with little territorial presence and control, and in countries where the commitments to peace processes are fragile, returns may create more problems than they solve. Afghanistan could well become a case in point confirming that the aim of generating "sustainable reintegration" in "quasi-states" is elusive (Turton and Marsden 2002). In general, as Macrae (2000) has argued, no development agencies are equipped to work effectively in quasi-states.

39. At state level, best practices in support of return and sustainable reintegration involves the usual set of post-conflict programs of disarmament, demobilization and reintegration, reforms of judiciary and security forces, mine-clearing, minority protection arrangements, etcetera. Currently displacement and return is sought being mainstreamed in UN country teams that seek to integrate operations for returning refugees, IDPs, demobilized armed forces, etcetera, and to involve development agencies and Governmental authorities in the process, so as to coordinate short-term and long-term development objectives. While partnership is essential for the sustainability of the process, it should be recognized that not all governments will attach importance to the reintegration process, in particular if this involves former enemies of the regime in power.

40. As researchers from the World Bank have argued, funds for development are generally ill-timed and considerably lower than they would have been in the same country in peace-time (Collier et al. 2003). While former conflict-ridden countries loose their status as development program partners, they receive temporary funds from post-conflict and transitional funds over a relatively short period; however, the bulk of these funds are disbursed during the first years after the conflict, when the state administration's and the NGOs capacity for absorption is too low to benefit optimally from the development programmes. When this capacity increase and the rates of return of aid increase, funds are dwindling without the countries being incorporated as partner countries. The WB is obviously using an ideal, linear process model which seldom applies to real conditions (and not at all to "quasi-states"), but the thrust of the argument does make some sense.

Tasks and scope for action:

- *Negotiate agreements on double citizenship and/or permanent visas as well as ensuring returning refugees from richer countries continued access to earned pensions.*

- *Facilitate repatriation of 'exiled' capital.*

- *Review trade agreements and negotiate reduction or removal of hindrances for access to European markets of goods and services from the country of origin.*

- *Push for coordinated sequencing of development aid for post-conflict reconstruction.*

- *Integrate return operations in national processes of development planning and funding (UNDAF, CCA, and PRSP).*

Conclusions

41. When seen from the perspective of dynamics and logics of 'sustainable reintegration', promotion of return to marginal areas in poor, war-torn countries with states that have limited control over population and territory, is a questionable enterprise. Security problems and potential conflicts proliferate, prospects for socio-economic reintegration and development are poor, and household and national economies are likely to suffer from the ensuing lack of remittances. 'Sustainable reintegration' is particularly unlikely to happen if it is interpreted as immobility. Refugees returning to marginal areas are prone to re-engage in migration if not on

a permanent basis then at least in seasonal migration. From what we know about migration, it is likely to be the poorest of the poor who stay back without engaging in migration.

42. Acknowledging that stable state structures seem to be a very distant goal in many cases, Jeff Crisp suggested some years ago that we should start reconsidering the possibilities for improving the conditions of refugees in countries of asylum instead of pursuing return and repatriation at any price (Crisp 2001). Under all circumstances the question of local integration, resettlement or return is a political question of conflicting interests between countries of asylum and countries of origin, a problem that technical and economic programmes of return and sustainable integration cannot do away with.

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