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POLICY BRIEF ON THE IMPACT OF REFUGEE RETURNS ON PEACE AND SECURITY IN AFRICA

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Introduction

After decades of conflict and violence, the Great Lakes region of Africa remains one of the areas of the world most affected by forced displacement. Currently, the Democratic Republic of Congo (DRC), the Central African Republic (CAR), Burundi and South Sudan are among the global top ten countries of origin of refugees, but every country in the region has produced refugees, often for several decades. In addition, most countries in the Great Lakes region are not only countries of origin, but also host large refugee populations. Throughout the region, complex histories of conflict have created a complicated displacement landscape.

The DRC, for instance, is not only a major source of cross-border departures, but also hosts over 4.5 million internally displaced people (IDPs) and over 500,000 refugees within its territory. Burundi hosts refugees from eastern DRC, which in turn has become home to tens of thousands of Burundian refugees. The DRC hosts several hundred thousand more refugees from CAR, South Sudan and Rwanda. Rwanda hosts tens of thousands of refugees from Burundi and the DRC. Tanzania and Uganda have opened their doors to hundreds of thousands of refugees.

These protracted situations have wide-ranging effects on the areas of departure and arrival of refugees. The domestic costs and challenges for host countries of managing these refugee populations are enormous. Voluntary repatriation is generally seen by regional and international actors as the preferred solution to these displacement crises. The return of refugees has become a key element in peace negotiations and post-war peacebuilding and is considered a critical step towards national reconciliation, state stability and economic development.¹ However, studies on return reviewed by researchers for this project show that contrary to previous assumptions, returnees rarely come home to political stability and security, and return migration can itself complicate security and stability in the areas to which they return.² This is particularly relevant in the Great Lakes region, where cycles of displacement and return have fuelled conflict and power struggles over many years.

Lessons Learned from Returns in Burundi, Central African Republic, Democratic Republic of Congo, Somalia and Sudan

IRRI partnered with several organisations to research on returns in the Great Lakes Region³ and held a Policy Lab in January 2020 in Addis Ababa and this policy brief reflects both the outcomes of the research and the Policy Lab. While the Country contexts each have their particular characteristics and dynamics, a number of broader lessons can be learned from this work. Overall, these lessons underscore the need for a conflict sensitive approach, one which begins with an analysis of the political, socio-economic and cultural factors, and which continuously assesses the potential impact of returns, not only on humanitarian and logistical aspects, but also on the dynamics of the areas to which people return. These analyses will be relevant for humanitarian and other interventions that support or impact the return of refugees and other displaced communities.

¹ J. Tegenbos and K. Vlassenroot, “Going home? A systematic review of the literature on displacement, return and cycles of violence,” Politics of Return Working Paper, ISSN: 12345678, 2018, p. 3, available at <http://eprints.lse.ac.uk/89151/>.

² Ibid.

³ The Research Report titled *Returning to Stability? Refugee Returns in the Great Lakes Region*, October 2019, can be accessed here: http://refugee-rights.org/wp-content/uploads/2019/10/Returning_to_Stability_2019-10-15-1.pdf

The following lessons can be drawn from the field research and policy lab:

1. Refugee returns are a political and not just humanitarian process

Refugee return should be understood not solely as a “humanitarian event,” to be logistically managed and organised, but as a political process. Such a process is deeply rooted in local histories and experiences of conflict and embedded in complex socio-economic, cultural and political environments. The return of often large groups of people in a short space of time can have a profound impact in areas of return. Understanding how return dynamics - and interventions that engage them - are perceived by displaced communities, by those who did not go into exile and by various authorities is important in any intervention supporting return or intervening in areas of return. Prior to taking decisions that affect the return process, national and international actors should invest in in-depth, on-the-ground analysis, based on a detailed understanding of local socio-political, economic and cultural environments and historical context, including of migration and return, to ensure that interventions are sensitive to potential conflict. In Kalehe, for example, the potential return of Congolese Tutsis is provoking animosity from non-Tutsi community leaders and leading to further militarisation of the community.

2. Support and assistance must be managed in a conflict sensitive and inclusive way

The case studies indicate that voluntary and assisted return processes offer the highest chances of providing security, protection and reintegration for returnees, if external support is managed in a conflict-sensitive and inclusive way. A key element to such an approach is the provision, by UNHCR and its partners, of verified information to refugees about the areas to which they will return, and to host communities and local leaders about the process of return and forms of assistance and support to returnees. As the Kalehe case shows, the absence of such reliable information can feed into speculation and mobilisation against return. Efforts to support and guide return processes should be coordinated and inclusive. Too often, a multitude of actors pursue support efforts according to their own logic and sometimes in isolation. In order to prevent contradictory policies and forum shopping, mechanisms should be put in place to both better coordinate return support and to align these efforts with stabilisation and development policies. The research and deliberations of the Policy Lab clearly indicated that assistance programmes (or the lack thereof) can have an important influence on social relations in areas of return and can be a source of tension, especially where multiple communities are impoverished and marginalised, as we have seen in all the countries. The Burundi and DRC cases highlight how limited assistance can be a source of social tension between returnees and other groups. When returnees receive assistance, this can create resentment among those who stayed (as is the case in Burundi), many of whom have significant humanitarian needs themselves. Similarly, when returnees receive less assistance and attention than other displaced communities (for example South Sudanese refugees in DRC), returnees can become frustrated.

3. Holistic, inclusive and long-term approaches should be adopted

Humanitarian and development interventions should adopt a long-term and inclusive paradigm that supports returnees, the communities to which they return and other displaced people to enhance reintegration and improve living conditions. Returnee assistance should be integrated into broader development and stabilisation programmes in areas of return.

4. Conflict and political dynamics impact on access and assistance

Although returnees' experiences have been mixed, the fact that they are returning to a country ruled by the same government that precipitated their flight means that overall, they have little bargaining power. Further, the most important avenue for accessing assistance and social protection — ruling party affiliation — poses challenges for returnees. They are perceived by some local authorities and communities to be less loyal citizens and are sometimes associated with the political opposition, which compounds obstacles to collectively advocating for their rights and interests with local authorities or humanitarian actors.

5. Agency and representation of returnees should not be overlooked

The case studies illustrate clearly that national and international actors involved in supporting returns should take measures to improve the representation of returnees and host communities in areas of return by including them in decision making and by supporting their capacity and space to enable them to promote their interests safely. The way in which returns are organised and perceived can strongly shape returnees' relations with other groups and actors.

6. State authority, and socio-political, economic and conflict dynamics in return zones also impact on the space for humanitarian actors

The context in which returns take place can have an important effect on the potential role of outside actors, for example in the humanitarian or development field. Suspicions and allegations of mandate creep, conflicts with customary and state actors, the existence of armed groups, and weak state presence and ensuing insecurity, have hampered the operations of national and international actors and the efficacy of their interventions. Humanitarian actors, including UNHCR and its implementing partners, should therefore consider how their interventions affect established forms of authority and position themselves to ensure that actors who are seen as legitimate by returnees and local communities are involved in and informed about the process. At the same time, they should be realistic about the resources, capacities and actual legitimacy of local powerholders, and avoid strengthening authorities perceived as corrupt or abusive. Especially as local actors position themselves to benefit as much as possible from the process of returns and related resources. The research found that in some countries, authorities had taken advantage of the opacity in the selection of beneficiaries of humanitarian assistance (mostly returnees), to seek bribes in exchange for assistance or to reinforce ruling party patronage, while others had strengthened their clout by attracting resources associated with assistance to returnees. In each case study, the changing dynamics create winners and losers, potentially exacerbating or creating new conflicts among authorities vying for resources and “beneficiaries”.

7. Both returning and receiving states must work together for a better outcome for returnees

The way in which return is organised cannot be dissociated from the broader relationship between the host country and the country of origin and their position towards refugees or returnees. When the interests of the two states align against those of most refugees, as is the case with Tanzania and Burundi, this has negative implications for the return process, putting pressure on refugees and creating challenges for international involvement. In Kalehe, the October 2019 complicated relationship between Rwanda and the DRC undermined coordination and information-sharing between the two countries, with implications for relations between the returnees (and potential returnees) and resident communities. It would

be particularly fruitful for host countries and countries of origin to enhance cooperation and information-sharing, including on the profile and citizenship status of potential returnees and on refugees intentions to return. Representatives of refugee and returnee communities should be included in such discussions, and UNHCR could facilitate such cooperation.

8. There should be recognition of the changed dimension of forced displacement in Africa

There should be a recognition that frequent movements of populations, are not limited to a single forced flight and a single return. Many communities, including those in the return areas featured in these case studies, have longstanding economic, social and political ties that cut across borders. Despite their international labels of “refugees” or “returnees”, there continue to be everyday movements of populations in the border areas where the research was conducted. As indicated by one of the panellists at the Policy Lab, in DRC returnees not only dream of going to their places of origin, but also being able to move to other places which they often do in search of stability and opportunity. Why must they be forced to stay in hostile environments risking violence from those who interests are threatened by their presence? The dynamics of refugee return cannot be disentangled from internal forms of (often forced) migration. Return does not always mean “coming home” or settling back in the place of departure. In many cases, internal displacement is part of the trajectory, either before going into exile, or after coming back. Violence and economic vulnerability can be both drivers of internal and external displacement for the same person or community. A better understanding of how internal population movements impact the socio-political constellations and conflict dynamics, and how they relate with refugee movements, could help domestic and international actors, shape approaches to the potential effects of refugee returns in the short or long term.

9. Nationality and free movement rights should be afforded to returnees

Regardless of legal regulatory frameworks, many individuals continue to have one foot in their “country of refuge” and another in their “country of origin.” At times, such ambivalent relationships with borders and nationalities have been a complicating factor for refugee returns, in particular in Kalehe. They have also been used to attach negative labels to returning refugees, calling them ‘unpatriotic opportunists’ in Burundi, or have created security risks, such as for ‘returnees’ to Faradje trying to access continuous assistance in South Sudan. While acknowledging that it is sometimes necessary to categorise groups to ensure their protection, return programmes must find ways of better way of responding to these realities, including by facilitating and analysing cross-border movements. The labels of “refugee” and/or “returnee” should be tags of inclusion and protection, rather than exceptionalism.

10. Land access, ownership and scarcity further complicate refugee returns

One cannot talk about displacement in Africa without addressing the issue of land and its relationship with belonging and authority. Access to land has been a key driver of conflict in the region, with unresolved historical disputes, further complicating the experiences of returnees. While the question of access to land has had an impact on renewed population movements in Burundi for instance, it appears to have been less of an explosive factor in the context of the 2015 flight and ongoing return of Burundians from Tanzania than in previous waves of displacement. The fact that many refugees or authorities had taken measures to safeguard property and refugees spent a shorter time in exile, meant that there were fewer opportunities for others to grab their land. In Kalehe, however, there is a serious risk that land disputes related to refugee returns could spill over into broader tensions between communities

and fuel armed mobilisation. Mineral exploration has further fuelled competition over scarcely available land, as have assistance programmes for returnees focussed on land and agriculture. It is important that impartial formal and informal structures which mediate land conflicts are supported by national and international actors, to address current tensions and prevent them from escalating. Also, that programmes for returnees diversity ways of providing assistance, with less land intensive activities.

11. Addressing root causes of displacement is an imperative

Addressing the root causes of displacement is essential for the promotion of sustainable returns and the prevention of repeat displacement. In all the case studies, many root causes of flight remained present. They should be identified and addressed through locally driven but nationally supported interventions, to create conditions for the sustainable reintegration of returnees, and to avoid renewed conflict.

Recommendations for Humanitarian and Development Actors

1. Response actions should encourage less land intensive activities. Policy actors should diversify ways of helping returnees to make ends meet;
2. Impartial formal and informal structures which mediate land conflicts should be established and/or supported by national and international actors, to address current tensions and prevent such conflicts from escalating.
3. There need to be efforts to resolve the root causes of conflict that drives displacement and impacts on returns;
4. Before returns happen, it is important to ensure that refugees know about the processes of return, and that they understand the situation of local or host communities and vice versa;
5. Government agencies working on refugee matters and their international supporters should include both representatives of returnees and local leaders (including customary leaders) in decision-making about the return process and related assistance;
6. Addressing the root causes of displacement is essential for the promotion of sustainable returns and the prevention of repeat displacement including situations of negative peace;
7. Support and assistance must be managed in a conflict sensitive and inclusive way;
8. Adequate mechanisms must be put in place to address corruption and abuse of authority by local government officials involved in the returnee assistance processes;
9. Prior to taking decisions that affect the return process, national and international actors should invest in in-depth, on-the-ground analysis, based on a detailed understanding of local socio-political, economic and cultural environments and historical context, to ensure that interventions are conflict sensitive;
10. Provision of verified information to refugees about the areas to which they will return, and to host communities and local leaders about the process of return and forms of assistance and support to returnees;
11. Humanitarian and development interventions should adopt a long-term and inclusive paradigm that supports returnees, the communities to which they return and other displaced people to enhance reintegration and improve living conditions;
12. National and international actors involved in supporting returns should take measures to improve the representation of returnees and host communities in areas of return by including

them in decision making and by supporting their capacity and space to enable them to promote their interests safely;

13. Host countries and countries of origin should enhance cooperation and information-sharing, including on the profile and citizenship status of potential returnees and on refugees intentions to return. Representatives of refugee and returnee communities should be included in such discussions, and UNHCR could facilitate such cooperation;
14. There should be recognition of the changed dimension of forced displacement in Africa. Studies should be done or collated to present a clear picture of forced migration in Africa in the 21st Century and appropriate responses and policies instituted;
15. Nationality, free movement as well as other rights should be afforded to returnees and The labels of “refugee” and/or “returnee” should be tags of inclusion and protection, rather than exceptionalism.

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