

Refugees in Diaspora: From Durable Solutions to Transnational Relations

NICHOLAS VAN HEAR

Abstract

When people flee conflict or persecution, a common pattern is for most to seek safety in other parts of their country, for a substantial number to look for refuge in a neighbouring country or countries, and for a smaller number to seek asylum in countries further afield, perhaps on other continents. If displacement persists and people consolidate themselves in their territories of refuge, complex relations will develop among these different domains of what we may call the “refugee diaspora”: that is, among those at home, those in neighbouring territories, and those spread further afield. Each of these domains corresponds to some extent to one of the sites associated with the three “durable solutions” that UNHCR is charged with pursuing for refugees: integration in the country of first asylum, resettlement in a third country, or return to the homeland. Taking its cue from the burgeoning literature on diasporas and transnationalism, this paper explores whether the notion of “durable solutions” can be squared with the transnational character of refugees. It offers a simple schema for considering diaspora and transnational relations, and suggests that transnationalism might be considered in itself as an “enduring” if not a “durable” solution to displacement.

Résumé

Lorsque des gens fuient les conflits ou la persécution, l'un des réflexes les plus courants est de chercher la sécurité dans d'autres parties de leur pays. Un nombre important de personnes cherchent plutôt refuge dans le ou les pays avoisinants et un nombre plus restreint cherche asile dans des pays plus éloignés, voire même dans d'autres continents. Si le déplacement persiste et que les personnes s'ancrent dans leurs terres d'accueil, des relations com-

plexes se développent parmi les différents volets de ce que nous pourrions appeler la « diaspora de réfugiés » : ceux qui sont chez eux, ceux des territoires voisins et ceux disséminés plus loin. Chacun de ces volets correspond jusqu'à un certain point à l'un des lieux associés aux trois « solutions durables » que le Haut Commissaire des Nations Unies pour les réfugiés (HCNUR) est responsable d'appliquer : l'intégration des réfugiés dans le pays du premier asile, le réétablissement dans un pays tiers ou le retour au pays d'origine. À partir de l'abondante littérature sur les diasporas et le transnationalisme, l'article pose la question à savoir si la notion de « solutions durables » peut être mise en parallèle avec le caractère transnational des réfugiés. Il offre un schéma pour examiner les relations transnationales et de la diaspora, et suggère que le transnationalisme peut être considéré en soi comme une solution de déplacement « persistante », sinon « durable ».

Introduction

When people flee violent conflict or persecution, a common pattern is for most to seek safety in other parts of their country, for a substantial number to look for refuge in a neighbouring country or countries, and for a smaller number to seek asylum in countries further afield, perhaps on other continents. Some of those in neighbouring countries of first asylum may later be resettled further afield, joining those who have gone there directly. As time goes on, individuals and households, at home and abroad, examine their prospects to see what they can make of their situation, given the resources they can muster. Decisions need to be made about whether to stay put, move on, or go home; whether to keep someone at home to look after the family house, farm, or business; or whether to uproot the family members left at home and reunite the family in the country of refuge. Whichever op-

tion is chosen, what began as forced migration may transmute into other forms of movement as individuals and households decide to go or to send members abroad for family reunion, or to earn money, seek education, or search for other forms of betterment. These new or mutated flows may merge with prior migratory streams of labour or trade. If exile persists and people consolidate themselves in their territories of refuge, complex relations will develop among these different domains of what we may call the “refugee diaspora”: that is, among those at home, those in neighbouring territories, and those spread further afield.

Each of these domains corresponds to some extent to one of the locations or sites associated with the three “durable solutions” that UNHCR is charged with pursuing for refugees: integration in the country of first asylum, resettlement in a third country, or return to the homeland.¹ Conventionally, these domains have been seen as distinct, or sometimes as stages in a refugee “cycle.” Taking its cue from the burgeoning literature on diasporas and transnationalism,² this paper will show that this conceptualization fails to capture adequately the transnational character of many refugee households: for example, it is conceivable that, either simultaneously or over time, a given household or family may have members at home, in a neighbouring country, in a country further afield, or moving between these locations. This must have implications for policy and practice in relation to integration, resettlement, repatriation, and efforts to resolve conflicts at home.

The paper looks at whether the notion of “durable solutions” can be squared with the transnational character of refugees. It offers a simple schema for considering refugee diaspora and transnational relations, and then explores how transnationalism might be considered in itself as an “enduring” if not a “durable” solution to displacement.

Durable Solutions or Transnational Relations?

According to UNHCR’s Statute, the organization is mandated to “assume the function of providing international protection . . . and of seeking permanent solutions for the problem of refugees” by facilitating “the voluntary repatriation of such refugees, or their assimilation within new national communities.”³ In the latter case there were two possibilities, usually termed “integration into the country of first asylum” and “resettlement in a third country.” The feasibility and attractiveness of these three “durable solutions,” as they came to be called, have varied over time, partly determined by geopolitical considerations: as many commentators have observed, during the Cold War, resettlement and integration were more the norm, because this suited the purposes of the Western powers, while since the end of the Cold

War, new imperatives have prevailed and repatriation has become the most desirable durable solution.⁴

In this thinking, displacement was represented as a temporary phenomenon. It might be manifested in the form of residence in refugee camps, often in neighbouring countries, or in the form of temporary residence, perhaps in territories further afield. Only if exile became permanent would there be local integration or resettlement: the refugee might become an established resident, and eventually a citizen of the country of asylum. Temporary status should not last long in this scheme of things: either the conditions that forced flight would be resolved and the displaced should go home, or the displaced should be incorporated permanently into their place of refuge. The three statuses or “solutions” were linked to distinct physical locations, and they were conceived, originally at least, as applying to individuals rather than families or households.

Needless to say, the real world is messier than this ideal scheme. First, as is well known, “resolution” of displacement often takes a long time, which the architects of the refugee regime did not anticipate. The displaced often find themselves in a state of protracted limbo, a condition highlighted by recent focus on protracted displacement and the “warehousing” of refugees.⁵ Citizenship may not be easily acquired or reacquired, and is often disputed. People in such circumstances develop ambiguous relationships towards the places in which they find themselves. In various ways, such has been the experience of the Afghan, Palestinian, Somali, Sri Lankan Tamil, and many other “refugee diasporas.”

Second, compartmentalizing these different categories and statuses risks obscuring connections between them. These categories tend to be regarded in conception, policy, and practice as discrete and even as part of a sequence or cycle comprising: displacement first asylum integration/resettlement/return.⁶ But there are links across time and space among these places and statuses. As scholars of transnationalism have been arguing for some time now, people at home and abroad may operate in a single social field, or at least in linked social fields. This applies as much in the context of forced migration as with other forms of migration. What was a single household in a conflict area may subsequently have members at “home” in the country of origin; in neighbouring countries of first asylum; and in the wider diaspora, in countries of asylum or resettlement: we might term this a transnational household. Among wider, extended families, those at home may provide financial or other support for those who go abroad to seek asylum, and those already abroad may help newcomers. Once established, those abroad may support those at home through remittances and other transfers. Refugees returning may get

help from people at home, or from those in neighbouring countries while they are in transit: such people may facilitate the return of those from further afield, either on visits, or on a more permanent basis. These links obviously straddle the domains outlined above.

Such links are even found in quite unpromising circumstances. For example, refugee camps are often rightly represented as sites of immobility or restricted mobility. But this confinement does not mean that links with the outside world are absent. As Horst has shown, camps may also be sites of connection and link.⁷ People in camps, or at least some people in some camps, are plugged into transnational networks. Telecommunication centres near or sometimes within camps are concrete manifestations of this. The inhabitants of camps use them to maintain contact with household members or kin at home or in the wider diaspora, and to arrange visits, transfers of money, and other transactions.

Such transnational connections among refugee populations are attracting increasing attention from researchers.⁸ As has been indicated above, schematically three domains of a refugee diaspora may be distinguished—the homeland, or place of origin; the neighbouring country or countries of first asylum, which can be characterized as the “near diaspora”; and countries of asylum further afield, perhaps in other continents, which can be termed the “wider diaspora.” At least three sets of relations may emerge among these domains: between the “homeland” or territory of origin and the neighbouring country of first asylum; between the neighbouring country of first asylum and the wider diaspora; and between the “homeland” and the wider diaspora. There may also be connections among the various locations in the wider diaspora. Each set of relations consists of movements or exchanges of people, money, and information. Relations may be strong or weak and vary over time, and by type: they might be political, military, social, economic, or cultural. Moreover, these relations may be ambiguous: for example, transfers from abroad may at different times and in different ways both assist those at home and help to perpetuate conflict.

Research has elucidated how some of these sets of relations work, but less attention has been paid to others. For example, the movement of people from the inner to the outer domains as refugees or migrants has been well studied; so has the return of such refugees and migrants. Movements of money and information have been studied rather less, but have attracted more attention recently.⁹ Nevertheless, such research as has been done usually presents a partial picture; few studies have elaborated the whole or offered an integrated approach. Yet a grasp of the “whole” is needed, both to understand the societies concerned and to help devise appropriate policy interventions.

To give some empirical substance to this schema, the Somali, Afghan, and Sri Lankan Tamil diasporas each features the tripartite scheme outlined above. There is a homeland or place of origin, with a substantial population of internally displaced people: Somalia and Somaliland, Afghanistan, and North and East Sri Lanka. Substantial numbers of refugees have sought safety in neighbouring countries—Kenya, Ethiopia, and Yemen in the case of Somalis; Pakistan and Iran in the case of Afghans; and south India in the case of Sri Lankan Tamils. Finally there is a wider set of territories into which people seek entry, either directly from the homeland, or via the neighbouring countries: Europe, North America, and Australasia are home to the wider diasporas of refugees and other migrants from Somalia, Afghanistan, and Sri Lanka. Over time complex and enduring relations have developed among these different domains of the diaspora emerging from a combination of migration compelled by circumstance or pursued by choice, as refugee migration transmutes into economic migration.

These three cases also show that political, economic, and other relations are highly volatile, as the importance of particular domains of the diaspora shifts over time. In all three cases cited above, there has been substantial migration to the Persian Gulf states, but this has proved vulnerable to historical contingency, most notably the Gulf crisis in the early 1990s, when many migrants were forced to leave the region. These shifts over time occur both at the macro level of national and international political economy, and at the micro level of the household and individual life and livelihoods; needless to say, there is interaction between these levels. At times, the near diaspora is an important conduit of resources—economic, social, political, cultural – while at other times this domain may be bypassed.

There are significant cleavages within and among different domains of the diaspora. Very broadly speaking, spatial distribution also reflects class distribution, for it is largely (though not exclusively) the better-off who reach the more distant and more affluent destinations, because so much is now needed by way of economic resources and, increasingly, social capital.¹⁰ The less well-resourced may have sufficient resources to find refuge in neighbouring countries or to invest in labour migration; and the least well-off stay within their country of origin. For those remaining behind in the society in conflict, the scale of resource inflows from abroad obviously depends on the socio-economic standing and resources of those abroad. The Somali, Afghan, and Tamil cases all illustrate this.

Finally, the three cases show how transnational connections can help to fuel conflicts as well as ameliorate their effects: for good or ill, Somali, Afghan, and Sri Lankan Tamil exile communities have been essential bases of sup-

port for those contesting power in the homeland. Whatever their effects, however, the deployment of transnational networks as a resource is predicated on reasonably secure attachment to the place of exile, for it is from such attachment that resources and entitlements come: it is hard to imagine how resources can be raised—whether for a household in distress at home, or to procure arms for a guerrilla group — from a footloose, transient population without such attachment to place.

Transnationalism as a Durable Solution?

If transnational activities across locations at home and in exile are as pervasive as the experience of refugee diasporas suggests, does the continued use of the categories “home,” “country of first asylum,” and “resettlement country,” which accompany the notion of “durable solutions,” make sense? Can durable solutions be squared with transnational relations?

The notion of durable solutions has recently staged a resurgence in the context of the development of UNHCR’s Convention Plus and related initiatives. In an effort to strengthen the international protection regime and reaffirm commitment to the 1951 Refugee Convention, UNHCR launched the Global Consultations on International Protection in 2000. The outcome was the Agenda for Protection, one of whose six goals was to “redouble the search for durable solutions,” as part of reinvigorating protection efforts.¹¹ Convention Plus, announced in late 2002, was seen as a means to these ends. It had three interlinked strands:

- strategic use of resettlement as a tool of protection, a durable solution, and a tangible form of burden sharing;
- targeting development assistance to support durable solutions for refugees, whether in countries of asylum or upon return home; and
- clarification of the responsibilities of states in the event of irregular secondary movements of refugees and asylum seekers.¹²

Targeting development assistance was the strand that subsequently made most headway, and in 2003 UNHCR launched its Framework for Durable Solutions, aimed primarily at promoting local integration in the country of asylum or repatriation to the homeland through making refugees’ or returnees’ livelihoods sustainable.¹³ The revitalization of the notion of durable solutions struck a chord in wider policy circles. Shortly after the introduction of Convention Plus and the Framework for Durable Solutions, the European Commission issued a communication, *Improving Access to Durable Solutions*, which set out policy intent echoing some of the themes of UNHCR’s Framework.¹⁴ These initiatives were at the more benevolent end of the policy

spectrum in this area. Far less positive have been other elements of the containment agenda seen in much current migration and refugee policy, characterized as the “internationalisation” of European asylum policy in a recent report.¹⁵

The resurgence of the notion of durable solutions has thus been a significant feature of policy developments in the refugee field. But while there is much positive about some aspects of the recent initiatives, acknowledgement of transnational dimensions across the sites represented in the three durable solutions is weak in this resurgent policy.

As has been suggested, in areas experiencing conflict or other severe strain, extended families often disperse to take advantage of different resources at different sites. Some stay at home, or become internally displaced, seeking refuge in other parts of their country. Of those who flee the country, the more vulnerable (perhaps the elderly, some women, and children) may stay in camps where they have access to health and education services. Other members of the extended family may go to cities in search of employment or seek seasonal agricultural work; they may negotiate access to land or livestock in the host country, or find ways of maintaining control of their assets still in the homeland; or they may find trading niches between town and country or across international borders. Still other extended family members may go abroad as labour migrants, asylum seekers, undocumented workers, or through other migratory channels to find work and incomes for themselves and the family. Such “strategies,” if they may be called this, may well be in place before displacement, but the portfolio of strategies is likely to be broader after displacement, sometimes of necessity, sometimes by new opportunities opening up. Access to social networks and mobility can be among refugees’ most important assets.¹⁶

From this perspective, the objective of discouraging “secondary movements” from first asylum countries to western states, which is one of the imperatives driving Convention Plus and other recent initiatives, may be counterproductive, since they curtail what may be an important element within families’ livelihood portfolios. Likewise concerns to prevent “backflows” after repatriation may militate against cross-border networks that have been built up while in exile. Refugees may not want to go back permanently to their places of origin, but to re-establish their entitlements and to integrate these assets into their networks of cross-border livelihood activities.¹⁷

The lack of attention paid to transnational dimensions in recent policy initiatives on durable solutions is somewhat surprising given the prominence given to them in UNHCR’s thinking, as evidenced in the research publications of its Evaluation and Policy Analysis Unit. It is also perhaps at odds with conceptual shifts within UNHCR in

the 1990s, when the organization was said to have moved from being “reactive, exile-oriented and refugee specific” to being “proactive, homeland-oriented and holistic”:¹⁸

In contrast to the refugee-centric focus of earlier years, it has now been recognized that if UNHCR is to discharge its mandate of ‘seeking permanent solutions for the problem of refugees’, then the organization must address the situation of people who have been displaced within their own country, exiled populations who have returned to their homeland, and those communities which are at risk of being uprooted.¹⁹

Accompanying the shift to a “holistic” approach, the relevance of transnationalism has also been recognized for some time by UNHCR: “Refugee problems are by definition transnational problems, which cannot be resolved by means of uncoordinated activities in separate countries.”²⁰

This recognition of the importance of transnational links is implicit in some policy interventions. For example, a number of countries (such as the Netherlands, France, Sweden, and Denmark) have instituted “look and see” schemes, under which refugees may go to look at the homeland without jeopardizing their refugee status: Bosnian and Somali refugees are among those who have participated in such schemes. In some cases these initiatives have been government-organized; in other cases non-governmental organizations have set them in motion.²¹ While such schemes are not without problems, they partly overcome the compartmentalization of locations, and recognize and acknowledge the interrelations between exile and home.

UNHCR and other components of the “refugee regime” have then to some extent recognized the unavoidably transnational character of refugee issues, the need to reconsider conventional distinctions and categories, and the imperative to recognize the links among different domains, including those outlined schematically earlier in this paper. “Look and see” schemes are one practical manifestation of this. Perhaps it is time to go one step further and acknowledge that transnationalism may in itself be a “durable solution” for conditions of displacement—or at least an “enduring” solution. This might mean considering the encouragement or promotion of transnationalism. The cases presented above suggest a number of arguments in support of such an approach. First, “transnationalism” is arguably a “solution” favoured by the displaced, since it is the practice often pursued by them in everyday life. Policy approaches that resonate with what refugees and migrants actually practice make sense. Second, it is increasingly acknowledged that remittances and other transnational flows tend to be an effective means of reaching people in need, since they are

often one-to-one flows, rather than the more generalized distributions implemented through aid or welfare — although there are obvious issues of equity here, not least between those households with migrants abroad and those without. Third, as is increasingly recognized, diaspora connections may be vital in sustaining societies in upheaval or conflict and have the potential for assisting such societies once conflict lessens. Building on such potential involves understanding that the return of some members of a household or community to a “post-conflict” society may be predicated on others staying abroad. That way the viability or durability of the return would be enhanced: by sending money home, for example, those abroad may help to set up or sustain livelihoods established by returnees during start-up periods or during hard times. A sustainable livelihood may then be established as the basis for subsequent returns of the displaced. At the same time, as has been suggested above, the deployment of transnational connections in such ways is predicated on some elements of the diaspora attaining reasonably secure residence in the place of exile.

There are, of course, problems with such an approach. Not least of these are questions of equity, already referred to, for it tends to be those who are already better off who take prime positions in the transnational arena: encouragement of transnationalism may therefore reinforce inequalities. Another issue is commitment to place, also just referred to, for if people are really as footloose as some proponents of transnationalism imply, why should they contribute to the places they find themselves in? This may indeed be problematic for host countries where migrants’ or newcomers’ loyalties lie elsewhere. A third issue is the ambiguity of transnational connections, since they can contribute to conflicts as well as ameliorating their effects, as is indicated by the cases considered above. Can (or should) policies be devised which enhance the positive outcomes of transnational networks, while discouraging transnational activities which fuel or sustain conflicts?

These problematic areas notwithstanding, the implications of transnationalism are gaining greater attention among policy makers and practitioners concerned with displacement and its resolution. Indeed there has recently been an explosion of interest in the development potential of migration, remittances and diasporas, including refugees.²² This burgeoning interest in transnational dimensions is ostensibly somewhat at odds with the resurgence of the pursuit of durable solutions associated with particular sites—repatriation to the homeland, local integration in the asylum country, or resettlement in a third country. It is even more at odds with the containment thrust of much current “migration management” policy.

The resurgence of the search for “durable solutions” involving repatriation, local integration, and resettlement in a third country is welcome, so long as we do not lose sight of the links between the geographical locations and social statuses that each is associated with, both to understand how refugees and their networks function and the policy implications of that understanding. One real-world manifestation of this is that interventions in one sphere may reverberate in other connected spheres: for example, curtailment of immigration or repatriation may lead to a decline in remittances, which may in turn lead to hardship and instability at home, and possibly renewed conflict and forced displacement.

The challenge is to reconcile the quest for durable solutions associated with particular sites with recognition that transnational connections and practices provide important means for sustaining people caught up in conflict, displacement, and its aftermath. “Reconstruction” after conflict will not only involve the homeland or the actual arena of conflict; transnational links and diaspora connections that develop to sustain societies in conflict are likely to be irrevocably integral parts of the “post-conflict” society to be reconstructed. Taking advantage of transnational connections and practices requires taking account of the links among different domains of diaspora: this paper has offered the beginnings of a simple framework for considering the relations among these different domains, and has argued that policies seeking durable solutions for refugees should embrace those linkages.

Notes

1. UNHCR, *The State of the World's Refugees 1995: In Search of Solutions* (Oxford: Oxford University Press, 1995).
2. The consolidation of this field of study is indicated by the recent publication of *Encyclopedia of Diasporas: Immigrant and Refugee Cultures Around the World*, ed. Melvin Ember, Carol R. Ember, and Ian Skoggard, 2 vols. (New York: Kluwer Academic/Plenum, 2004).
3. Statute of the Office of the United Nations High Commissioner for Refugees, G.A. res. 428 (V), annex, 5 U.N. GAOR Supp. (No. 20) at 46, U.N. Doc. A/1775 (1950), at para. 1.
4. See, for example, Bupinder S. Chimni, “From Resettlement to Involuntary Repatriation: Towards a Critical History of Durable Solutions to Refugee Problems” (Working Paper 2, *New Issues in Refugee Research*, UNHCR Evaluation and Policy Analysis Unit, UNHCR, Geneva, 1999).
5. UNHCR, *Protracted Refugee Situations*, Executive Committee of the High Commissioner's Programme, Standing Committee 30th meeting, EC/54/SC/CRP.14, 10 June 2004; US Committee for Refugees *World Refugee Survey 2004* (Washington DC: USCR, 2004).
6. Richard Black and Khalid Koser, eds., *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction* (Oxford: Berghahn, 1999).
7. Cindy Horst, “Transnational Nomads: How Somalis Cope with Refugee Life in the Dadaab Camps of Kenya” (Ph.D. thesis, University of Amsterdam, 2003).
8. See, for example, Horst, *Transnational Nomads*; Stephanie Riak Akuei, “Remittances as Unforeseen Burdens: The Livelihoods and Social Obligations of Sudanese Refugees” (*Global Migration Perspectives Paper 18*, Global Commission on Migration, Geneva, 2005); Anna Lindley, “Migration and Financial Transfers: UK-Somalia,” *Refuge 23*, no. 2 (forthcoming).
9. Horst; Riak Akuei; Lindley.
10. Nicholas Van Hear, “I Went as Far as My Money Would Take Me’: Conflict, Forced Migration and Class” (*COMPAS Working Paper WP-04-06*, COMPAS, Oxford, 2004).
11. UNHCR, *Agenda for Protection* (Geneva: UNHCR, 2003).
12. UNHCR, “Convention Plus at a Glance” (as of 14 May 2004), <<http://www.unhcr.ch>>.
13. UNHCR Core Group on Durable Solutions, *Framework for Durable Solutions for Refugees and Persons of Concern* (Geneva: UNHCR, 2003).
14. European Commission, *Communication on Improving Access to Durable Solutions: On the Managed Entry in the EU of Persons in Need of International Protection and the Enhancement of the Protection Capacity of the Regions of Origin*, COM (2004) 410 final, 4/6/04.
15. Oxfam, *Foreign Territory: The Internationalisation of EU Asylum Policy* (Oxford: Oxfam, 2004).
16. Finn Stepputat, “Refugees, Security and Development: Current Experience and Strategies of Protection and Assistance in ‘the Region of Origin’” (Working Paper, Danish Institute for International Studies, Copenhagen, 2004); Nicholas Van Hear, “From ‘Durable Solutions’ to ‘Transnational Relations’: Home and Exile among Refugee Diasporas” (Working Paper 83, *New Issues in Refugee Research*, UNHCR Evaluation and Policy Analysis Unit, UNHCR, Geneva, 2003); Nicholas Van Hear and Ninna Nyberg Sørensen, *The Migration-Development Nexus* (Geneva: International Organisation for Migration, 2003).
17. Finn Stepputat, “Dynamics of Return and Sustainable Reintegration in a ‘Mobile Livelihoods’ Perspective” (Working Paper, Danish Institute for International Studies, Copenhagen, 2004).
18. UNHCR, *The State of the World's Refugees 1995*, at 43.
19. *Ibid.* at 49.
20. *Ibid.* at 49.
21. Martha Walsh, Richard Black, and Khalid Koser, “Repatriation from the European Union to Bosnia Herzegovina: The Role of Information,” in *The End of the Refugee Cycle*, ed. Black and Koser.
22. See, for example, Van Hear and Sørensen, *The Migration-Development Nexus*; David Ellerman, “Policy Research on Migration and Development” (World Bank Policy Research Working Paper 3117, World Bank, Washington, D.C., 2003); House of Commons International Development Committee,