Forced Migration Research and Policy
Overview of current trends and future directions

April 2010

Director's Foreword

The University of Oxford's Refugee Studies Centre (RSC) is a world leader in the multidisciplinary study of the causes and consequences of forced migration. The Conflict and Humanitarian Funding Arrangement (CHFA) between the UK Department for International Development (DFID) and the RSC has supported the expansion of the Centre's activities over the past three years, enabling the RSC to roll out a range of initiatives which seek to link its research more actively and effectively to processes of policy and practice change in the field of forced migration and humanitarian action.

As part of this programme, Forced Migration Research and Policy: Overview of current trends and future directions provides a framework for the RSC's policy-related research. It maps out contemporary issues and highlights themes and topics requiring further attention from researchers, policymakers and practitioners which the RSC will pursue.

Our approach to policy-related research is shaped by our wider academic role as a centre of scholarship engaging with some of the challenging conceptual and theoretical questions which underpin the more immediate concerns of the policy community. These intellectual ambitions and the qualities which define our academic credentials – independence, methodological rigour, systematic inquiry, analytical expertise – also enable us to research and provide critical insights into the more applied agendas of policy and practice.

This report was commissioned by the RSC and prepared by Dr Katy Long, researcher at the RSC. The document also benefited from inputs by senior RSC staff and researchers and some external policy partners of the RSC.

This document is a key strategic document for the RSC's programme of policy-related research and our aims to better connect research, policy and practice. However, we hope that it will also inform the research agenda, policy priorities and institutional practices of the wider academic community and policy stakeholders in order to improve international humanitarian action and conflict prevention, and address the rights and needs of forced migrants.

Professor Roger Zetter
Director

Contents

Objectives and overview

1. This paper was commissioned by the Refugee Studies Centre (RSC) of the University of Oxford. It provides a strategic overview of current developments in forced migration research and policy interests, concentrating on those areas in which the RSC offers its particular expertise to policymakers. It maps current research areas and policy trends as of the end of 2009, as well as identifying areas likely to demand attention in the future.

2. The paper draws upon a range of materials published by relevant policy organisations and international institutions. These documents have helped to map out these organisations' particular strategic interests in forced migration research. The project has also been influenced by recent debates that have taken place within the academic field of forced migration studies regarding the nature and scope of 'forced migration studies' as well as the outcomes of recent policy-related processes.

3. It addition this paper has benefited greatly from the assessments of RSC researchers on the likely trends in forced migration research in their own areas of expertise. It has also received valuable input from a number of policymakers and researchers notably in identifying areas of on-going research of particular relevance to policymakers.

4. In the past decade there has been considerable debate between adherents of 'refugee' studies, and those researchers who instead advocate a wider 'forced migration' approach. This reflects similar divisions among policymakers, particularly as the attention given to Internally Displaced Persons (IDPs), human trafficking and mixed migration flows has grown along with the number of organisations involved in migration work. This paper takes the line that, while refugees may be a distinct group of forced migrants, it is more helpful when considering broad research and policy trends to think in terms of forced migration and displacement. For this reason the paper refers to 'forced migration' as a general term, with specific groups of forced migrants – convention refugees, IDPs etc – only explicitly identified where appropriate.

5. The paper identifies seven key research themes which are of immediate relevance to policymakers and which are also likely to be of increasing importance in developing forced migration policy in the coming years. These are all areas in which it is suggested that further research is needed to help shape the direction of such policies. These key themes are:

    – State fragility and forced migration

    – The economics of forced migration

    – Environmental displacement

    – Displaced groups with specific needs

    – Durable solutions

- Humanitarian space and spaces of protection

- Realising protection: legal and institutional challenges

6.   There are significant overlaps between some of these themes. Where possible, these links between themes have been highlighted in the sections that follow. Recognising these connections is important because doing so helps to underline where there is most pressing need for further policy-relevant research to be conducted.

7.   In particular, it is clear that many issues prioritised by both researchers and policymakers can be linked to the meta-thematic issue of state fragility. Many of the most urgent contemporary questions – such as how to address the economic dimensions of forced migration, or how to preserve or reform humanitarian and protection space – are related above all to the fragility of states that induce displacement. This underlines the extent to which such state collapse poses serious challenges to the international community in terms both of security and of protection norms.

8.   As a result of this analysis this paper recommends that policy and research agendas ought above all to concentrate on understanding the environmental, economic, political and socio-cultural connections between state fragility and forced migration. This conclusion also responds to the growing recognition among researchers, policymakers and practitioners of the prevalence of mixed migration flows and the complex connections between economic migration and political flight that challenge traditional conceptions of 'forced' migration and displacement (Feller 2006; UNHCR 2007a; Crisp 2009).

9.   The majority of the broad thematic issues covered in this report – such as gender and forced migration, or environmental displacement – have already been recognised by policymakers and researchers as deserving of their attention. In these cases this report is primarily intended to summarise the existing policy research agenda and highlight neglected aspects within such policy fields which are ripe for further research.

10.   However, it is equally clear that there are some issues concerning forced displacement which are highly relevant to policymakers but which to date have been largely neglected by both the policy-making and research communities. As a result this paper concludes that future research agendas must pay more attention to understanding forced migrants' own political and economic agency, with the aim of incorporating these capacities into intentional policy strategies addressing forced migration.

11.   The document details potential avenues for future collaborations between the RSC as an academic research institution and international organisations and governments with an interest in addressing forced migration. However given the well-documented difficulty of encouraging fruitful connections between policy and research, this paper should be seen as a first step of engagement in a much longer-term, multi-faceted process of developing useful relationships between forced migration research and policy agendas.

Current and future trends in Forced Migration research and policy

A) State fragility and forced migration

A1. In the past decade state fragility has become an increasingly popular concept for both policymakers and researchers working on issues related to international development, humanitarian relief and global conflict (USAID 2005; DFID 2005; UNDP 2008; World Bank 2009a; OECD 2009). This in part reflects an increased awareness among Western states and international organisations of the complexity of post-conflict reconstruction and state stabilisation, as demonstrated by the difficulties encountered in Iraq and Afghanistan. It is also illustrative of the securitisation of development discourses, with fragile states becoming an increasingly important post-2001 concept linked to combating international terrorism (Duffield 2007).

A2. There has been considerable effort among researchers to define the contours of state fragility, resulting in a general agreement that fragile states are those most vulnerable to internal and external shock, which lack legitimate institutions, and which are thus vulnerable to endemic conflict and crisis (Grono 2007; Crisis Index for Foreign Policy 2009; Stewart and Brown 2009; World Bank 2009b; www.crisisstates.org). There has been particular interest among both researchers and policymakers in understanding the complex relationship between state fragility and violent conflict (e.g. Menocal 2009; World Bank 2009c).

A3. The correlation between state fragility and forced migration flows is not a new observation but builds upon the 'root causes' strategies that emerged among forced migration policymakers as early as the 1980s. It is clear that the fragility of states can contribute to forced migration: warlord economies thrive where apparatus lacks legitimacy or where effective control and state institutions may be captured by an élite, with consequent persecution of opponent groups within civil society (e.g. Ethiopia, Burma). Fractionalisation within such states can lead to civil conflict, causing flight due to generalised violence (e.g. Chad, DRC, Haiti). Fragile states also frequently demonstrate an inability to withstand economic collapse or environmental disaster, leading to flight from existential threats (e.g. Zimbabwe); this is one example of a politically-induced mixed migration flow, a phenomenon which has been recently labelled 'survival migration' (Betts and Kaytaz 2009) , although the use of this term and its implications for forced migration policy remain controversial (Survival Migration Workshop 2009).

A4. Forced migration itself is also recognised as having a significant effect on state fragility. UN Security Council resolutions from as early as 1991 recognised the link between regional instability and displacement flows (UN Security Council 1991). However given the level of interest from development and humanitarian agencies in the concept of state fragility, there has been remarkably little research focusing directly on the connections between fragile states and forced migration. There is relatively little research available, particularly among those working in security studies rather than in the field of forced

migration, looking at how refugees cause conflict, exacerbate conflict or frustrate conflict-resolution and peace-building.

A5.   Most research on peace-building and fragile states focuses exclusively on reconstruction and the reintegration of refugees in the country in question and pays little attention to the regional context. This is striking given that conflict in the Global South has been shown to spill over into neighbouring states through the spread of small arms, the movement of armed groups and the policies of neighbouring states. Refugee movements are also linked to the regionalisation of conflict. Preliminary research has demonstrated that the long-term presence of refugees from fragile states in neighbouring countries can have a negative impact on peace-building, if there are armed elements opposed to peace, if there are pressures from the host country for early and unsustainable repatriation or if refugees are politicised in exile. Equally refugees can make an important contribution to peace-building if they benefit from training and skills development in exile (AU 2006; Milner 2009).

A6.   Much of the political interest in the concept of state fragility, and consequently much of the policy-relevant research which has been undertaken by development organisations, has been primarily interested in offering solutions to state fragility. In terms of forced migration the focus has been on the effects of state fragility on the durability of solutions, particularly repatriation. This also is a response to the fact that many protracted refugee situations are a result of endemic state fragility (Loescher 2009; Loescher, Milner, Newman and Troeller 2008). Research has focused on the conditions needed for sustainable return of forced migrants as part of post-conflict reconstruction (e.g. Feller 2009; Koser 2009).

A7.   Fragile states also offer particular obstacles to the securing of humanitarian assistance and spaces for protection. Chronic instability, endemic violence and the absence of political control structures have frequently led to the militarisation and politicisation of relief efforts and the failure of the international community to provide spaces for protection (*see Humanitarian space and spaces of protection*).

Future directions

A8.   State fragility is inextricably linked to the dynamics of forced migration but to date this relationship has been under-researched. There is an urgent need for further research to explore in more detail the relationship between displacement and state fragility. In particular this research needs to consider what forms of state fragility (e.g. anarchic, autocratic or transitioning regimes) are most likely to result in what forms of forced migration (refugee or IDP production). Incorporating forced migration into models for understanding state fragility should be an important policy priority.

A9.   Despite the interest of states and many think-tanks and NGOs in the processes of state-building, researchers have increasingly pointed to the ethical and political dilemmas that can result from such technocratic approaches (e.g. Chandler 2006; Bickerton 2007 in contrast to the account offered in Ghani and Lockhart 2008) The difficulties faced in Afghanistan by both the international community and returning refugees have also sensitised international policymakers to these problems (ICG 2009). Researchers in forced migration may be particularly well situated to address some of these issues due to their anthropological and sociological (rather than technocratic) approaches to researching displacement.

A10.   There is a need for policymakers and researchers to consider the national dimensions of state fragility and their effects upon forced migration movements. Forced migration is frequently a result of the exclusion of certain groups from national membership and as such is a consequence of the fragility of community as much as of the fragility of institutions. Sustainable reconstruction depends not only on strengthening states' technical and institutional capacities, but also on addressing this exclusion from community and the failure to build a viable and inclusive national identity. The connections between national identity, state structures and forced migration flows need further research, particularly in terms of understanding the tools needed to effect lasting stability within a society as well as a territory.

A11.   Such observations are also likely to influence and be influenced by recent developments of policies relating to urban refugees. Urban space may often offer (relatively) continued stability and levels of service within fragile states. Working with local authorities and other non-state actors within urban spaces should encourage future researchers to reflect the multiple levels of community within which displacement may both occur and be addressed in their work.

A12.   Further research is needed to more fully address the role of repatriation in combating state fragility and the role of returnee participation in post-conflict reconstruction and reintegration (e.g. as in Southern Sudan). There is a particular need for more research on the role of state-strengthening in facilitating solutions for IDPs (Duffield et al. 2008; Pantuliano et al. 2008). Although research has begun to be carried out into the role which refugees themselves can play in peace-building processes (Milner 2009), there is a need for further understanding and increased awareness by policymakers about the potential benefits of such an approach.

A13.   Policymakers' discussions surrounding state fragility and forced migration need to be linked to their increasing awareness of the role of migration as a development tool and the relationship between the regional context, refugees and peace-building in fragile states. In particular there is a need for further research on the long-term political role of diasporas from fragile states and the role of remittances in fragile state-perpetuation, state-strengthening or state-creation.

A14.   The contemporary reality of human mobility and migration challenges the assumptions of rootedness which underpin the current structures of international political organisation (Bakewell 2008). This is particularly obvious when considering population outflows from fragile states which lack the capacity to realise their obligations to their citizens. These migratory flows, particularly in the case of forced displacement, suggest that there is a need for both researchers and policymakers to consider how to reform global migration governance regimes in order that these structures can better empower (and thus protect) the peoples of fragile states.

Key thematic linkages

The economics of forced migration; Environmental displacement; Durable solutions; Humanitarian space and spaces of protection; Realising protection: legal and institutional challenges.

B) The economics of forced migration

B1.   Forced migrants, and particularly refugees, have traditionally been conceptualised as engaging in political flight. This image of the political refugee is deliberately contrasted against those of the 'economic' and the 'voluntary' migrant. However in recent years researchers and many international observers have increasingly acknowledged that perpetuation of this dichotomy is frequently intended to serve the interests of states interested in managing migration rather than refugee protection (e.g. Zetter 2007; Foster 2007; Haddad 2008).

B2.   Many researchers and policymakers recognise the importance of re-conceptualising forced displacement within a framework of political economy and as part of a wider pattern of migration and human mobility. Although stressing its continued belief in the need for a distinction to remain between the ideas of 'refugee' and 'migrant', UNHCR has nonetheless increasingly engaged with ideas relating to mixed migration flows and individual refugees' mixed and changing motivations for flight and exile (UNHCR 2007a; Long 2009).

B3.   In the past few years research projects have underlined the economic causes which may lie behind forced migration flows. Refugees may flee as a result of the economic consequences of persecution – the denial of opportunities to work or systematic livelihood discrimination (Foster 2007). However other forced migrants may move in response to broader economic collapse, which may be related to endemic political state fragility (*see State fragility and forced displacement*), or in response to environmental threats in communities of origin (*see Environmental displacement*).

B4.   This research agenda has been particularly driven by concerns about onward migration to donor countries, often from refugee camps or from host states where entry into the labour-market is prohibited and forced migrants' freedom of movement is restricted (Crisp 2003; Van Hear 2003; Lindley and Van Hear 2007; Paoletti 2009). The attention given by policymakers to human trafficking and human smuggling has also encouraged greater focus on transnational labour networks (e.g. Anderson and O'Connell-Davidson 2002). This has led to growing recognition that the search for sustainable livelihoods is a major factor driving exile, as well as a crucial element in ensuring a framework for durable solutions. UNHCR has recently begun to explore in more detail the idea of using regularised labour migration channels as a 'fourth solution' for some refugee groups, building on regional initiatives in Afghanistan and the ECOWAS[1] region (Monsutti 2006, 2008; Adepoju et al. 2007; Long 2009).

B5.   This greater recognition of the economic factors driving and/or influencing the course and outcome of some forced migration movements has important implications for the legal and normative structure of the international refugee regime. Although recent legal research has argued that violations of economic and social rights should be given greater prominence in refugee status determination processes (Foster 2009), many states are likely to be reluctant to embrace this at a policy level. However, concern about the need for forced migrants to secure sustainable livelihoods in exile has played an important role in driving UNHCR's and other international organisations' growing insistence that onward migration of refugees often occurs in search of effective protection (including access to basic economic rights) and should not therefore be characterised as irregular secondary migration (UNHCR 2007b; Lindley and Van Hear 2007; Zimmermann 2009). Reaching a consensus on the meaning of effective protection, and the architecture that is needed to ensure the provision of such protection, is likely to continue to pose a major challenge for both researchers and policymakers.

B6.   However, recognition of the economic dimensions of forced migration also represents a positive research and policy opportunity. In recent years considerable attention has been paid to the relationship between migration and development (IOM 2003; World Bank 2007; DFID 2007; see also the Global Forum on Migration and Development), with particular interest in the positive contribution of migration remittances to development agendas (OECD 2005; World Bank 2008). This has gone some way towards reversing a previous sedentary bias in development policy, in which migration and mobility have tended to be seen as symptomatic of failure of development rather than as potential solutions to endemic poverty (Jacobsen 2005; Bakewell 2008). However, many states continue to view migration-as-development as a means of reducing South-North migration in the long term despite researchers stressing the dangers of making this assumption (IOM 2003).

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[1] Economic Community of West African States

B7.   To date, relatively little policy research has been directly concerned with the relationship between forced migration and these development agendas. The World Bank is among those institutions that have indicated an interest in focusing more directly on the development challenges related to displacement (World Bank 2009b).

B8.   Interest in development as part of (re)integration processes (*see Durable solutions*) reflects current international interest in ideas relating to capacity-building and post-conflict reconstruction – a focus which is not entirely new, given the root causes debates of the early 1980s. In particular it is increasingly recognised that the role of remittances from forced migrant diasporas (including IDPs) to those sections of the population that remain in a region during conflict and in the immediate post-conflict stages of reconstruction may play a crucial role in ensuring that livelihood strategies are capable of meeting basic needs, with local distribution networks often being more effective at reaching target populations than international aid (Ratha 2003; Lindley 2007). The economic power structures associated with remittance-led development may thus have a profound role in shaping the structures of states emerging from conflict (Ratha 2003; Fagen 2006).

Future directions

B9.   There is increasing recognition among both the research and policy communities that 'forced' migration and displacement may involve economic factors, either as a cause of flight or as a result of changing motivations in protracted refugee situations (PRSs) (UNHCR 2007a; Van Hear 2009). There is a clear need for more research exploring the nature of the economic dimensions of forced migration, in prompting flight, shaping exile and influencing the nature of durable solutions. This work needs to go beyond the current mixed migration discourse to consider individuals' complex and changing motivations for flight and/or migration.

B10.   The causal role between (forced) migrant-led development – especially remittances – and post-conflict state reconstruction has not yet been fully explored, though the importance of doing so is increasingly recognised. Research also needs to be carried out assessing the role of remittances from forced migrants, especially during protracted displacement and in conflict and crisis settings.

B11.   It is not yet clear whether 'survival migration' is the most appropriate way in which to conceptualise the movements of forced migrants seeking economic as well as political protection. Further legal and normative research would be useful in order to consider the meaning of effective protection and what policy shifts may be needed in order to better incorporate an economic dimension into forced migration protection which enables self-sufficiency rather than reliance upon long-term aid.

B12. Forced migration tends to occur from and to fragile states and in conflict settings. These settings raise particular economic development challenges related to forced migration, which are now being recognised by the policy community, and which should be the focus of future research. Given the decline in recent years of the 4Rs (repatriation, reintegration, rehabilitation and reconstruction) model for repatriation as development there is a need for research offering new frameworks linking development and refugee return.

B13. In particular, recognition of forced migrants' own agency – economic and political – must be incorporated into both policy and research agendas, so that human mobility becomes part of the displacement-development framework (e.g. Kaiser 2005). Policy-relevant research could also focus on the particular impact that the current global recession is likely to have on patterns of development in relation to forced migration.

Key thematic linkages

State fragility and forced migration; Durable solutions; Realising protection: legal and institutional challenges.

C) Environmental displacement

C1. As early as 1990 the potential impact of environmental change on patterns of human migration was recognised as a serious concern for policymakers and donor governments and one that required significant new research (IPCC 2007; UNHCR 2008b). In recent years, environmental forced migration has become a major policy issue, in part as a response to growing international recognition of the need for urgent measures to combat climate change and mitigate its likely effects (Kollmannskog 2009a). In the run-up to the Copenhagen climate talks held in December 2009, the potential for massive displacement was highlighted, with calls from the government of Bangladesh among others for new climate migration channels to be developed by Western states (*Guardian* 2009).

C2. Considerable attention has been directed to addressing the prospective effects of macro-level climate-induced mass displacement (UNEP 2009; UNHCR 2008b, 2009a; Joint Submission 2009a, 2009b; Warner et al. 2009). Several research programmes have concentrated on mapping the probable geographical impact of widespread climate change on patterns of forced migration in order to develop early warning systems and mitigate probable effects (IPCC 2007). Other projects are studying existing climate-induced displacements in order to better understand the socio-cultural, economic and political effects of this form of forced migration in affected regions (e.g. International Crisis Group 2008 on Haiti; *Forced Migration Review* 2008 on Ghana, Central Asia, Darfur, Bangladesh).

C3.   Beyond the need to gather empirical evidence with which to inform policy-making there is also a need for policymakers to address normative issues such as the degree of 'force' involved in different forms of environmental migration. In particular, as UNHCR among others has now recognised, there is a need to construct new protection mechanisms able to meet the needs of environmental migrants who currently fall outside the parameters of existing legal regimes (UNHCR 2008b; Zetter 2008, 2009; Boano, Zetter and Morris 2008; Joint Submission 2009b; Crisp 2009).

C4.   There remain significant shortfalls in both the quantity and quality of research conducted into the connections between migration – both forced and voluntary – and climate change. A new report by IOM seeking to bring together existing findings stresses above all the lack of clear data on the relationship between migration flows and climate change or environmental degradation (IOM 2009).

C5.   The causal relationship between environmental change and conflict, and consequently with forced migration, has been the subject of significant attention from both policymakers and researchers. The environmental dimensions of conflict-related displacement have been particularly highlighted in relation to the conflict in Darfur (Kibreab 1997; ICG 2004, 2008; University for Peace 2006; Smith and Vivekananda 2007). More recently a paper focusing on Burundian and Somali experiences of environmentally-induced migration highlighted the danger of fragile states' lack of adaptive capacity in responding to environmental change as well as the complexity of the dynamics that link climate change, conflict and mobility: it serves as a useful reminder that climate change may also force settlement as well as displacement (Kolmannskog 2009b; International Alert 2009).

C6.   It is clear that mass displacement has a profound effect on eco-systems (and consequently on livelihoods and state stability): this is particularly true in protracted refugee situations (Berry 2008). Research needs to consider how such damage can be reduced, to support international organisations helping to combat the potential negative environmental impact of essential livelihood activities such as firewood collection (Women's Refugee Commission 2009). This is important if local integration is to be considered as a prospective durable solution.

C7.   There has been considerable discussion about what form of legal or institutional framework is needed in order to respond to the threat of future climate displacement. UNHCR is seen as increasingly interested in expanding both its operational role and its legal mandate to cover protection in natural disasters (UNHCR 2009b; Crisp 2009). However, there are serious concerns that this may lead to the over-extension of UNHCR's mandate at a time when asylum provisions for Convention refugees are under severe strain. Some scholars have argued that the international community should stop concentrating on the causal dynamics of climate change migration and instead adopt a rights-based approach in determining how institutional reform should proceed (e.g. Survival Migration Workshop 2009).

C8.   Climate change research is, by definition, inter-disciplinary: much of the empirical evidence which will inform understandings of population movement in relation to climate change will come from studies conducted by environmental scientists. However it is important that experts in forced migration are also involved in policy-making: their in-depth understanding of the dynamics of displacement should play a crucial role in formulating appropriate responses to the human dimensions of environmental migration.

C9.   Environmental displacement is now a stated policy priority for many policy organisations who have an interest in forced migration (including the UK Department for International Development (DFID), the International Organization for Migration (IOM), the Norwegian Refugee Council (NRC), the International Council of Voluntary Agencies (ICVA), Oxfam and UNHCR). It is important that this interest in the environmental dimensions of forced migration is translated into targeted research projects producing positive policy recommendations. This means moving beyond research focusing on 'awareness-raising' profiling to work focused on developing appropriate political and legal frameworks.

Future directions

C10.   Research efforts should nonetheless continue to focus on mapping the dynamics of environmentally-induced migration, looking not only at climate change but also at other forms of environmental forced migration (e.g. with human causes such as over-population or deforestation) (Brown 2008; Piguet 2008). This will help to build-up research findings upon which evidence-based policies can then be constructed. In considering the impact of climate change on human mobility it will be important to consider the impact that forced settlement may have on rights-provision as well as forced displacement, as some livelihoods relying on mobility become restricted by environmental degradation (Kollmannskog 2009).

C11.   There is a particular need to consider the effects of environmental factors on the viability of durable solutions to forced migration, whether in relation to prospects for repatriation or for local integration. This issue has not yet been adequately addressed in depth beyond the case-study level by either researchers or policymakers.

C12.   UNHCR's involvement in operations after the Indian Ocean Tsunami demonstrates an increasing tendency for international involvement in protection of natural disaster victims – the vast majority as IDPs (UNHCR 2008b; 2009). Thus a priority for policy-relevant research into the environmental dimensions of forced migration must be to consider the protection challenges posed by flight from sudden-onset natural disasters.

C13. Arguably the most important issues for policymakers and researchers addressing the question of environmentally-induced forced migration are those related to political and protection issues. There has been long-standing debate about what form of rights to protection should be accorded to the environmentally displaced and what form of international regime can best address environmental forced migration (e.g. Keane 2004; UNHCR August 2009; Crisp 2009). Further research is needed to aid policymakers in determining what policies can best address the varied and distinct needs of different groups of environmental forced migrants and whether a rights-based or a causal approach is more likely to provide effective protection.

C14. There are also other political questions which will be important to address. The future disappearance of low-lying territorial nation-states due to rising sea levels raises issues regarding the nature of state-based obligations to national citizens, while the prospective relocation of these states through the purchase of new territory highlights issues of international burden sharing and the potential need for new legal frameworks (e.g. McAdam 2010). More research to ascertain the likely impact of these profound political re-organisations is required (Johnson 2009).

Key thematic linkages

Durable solutions; State fragility and forced migration; Realising protection: legal and institutional challenges.

D) Displaced groups with specific needs

D1. In the past two decades policymakers and those operating in the field have paid considerable attention to developing programmes targeting groups with specific needs within forced migrant populations. These efforts have particularly focused on challenges related to gender and generations (UNHCR 1994, 2003a; NRC 2007a; Russell 2008; IOM 2009). Gender and generation-sensitive programming remain key policy priorities for international, humanitarian and development organisations working with forced migrants (UNHCR 2008a).

D2. Gender-focused policy and research in forced migration has tended to form part of a wider policy of gender-mainstreaming that has taken place across the international development and humanitarian assistance sectors since the 1990s (OSAGI; UNHCR 2008a). However in recent years the adequacy of this approach has been questioned by several researchers and organisations who have argued that such an approach failed to ensure that the complexities of gendered experience were genuinely taken into account in policy construction (e.g. Daly 2005; Mehra and Gupta 2006; UNDP 2006).

D3.   Legal research projects have focused on how international human rights instruments, particularly women-specific instruments such as the Convention on the Elimination of All Forms of Discrimination Against Women, can support the protection, empowerment and rights of women and girls as forced migrants or in displacement settings (Edwards 2009). In addition lawyers have examined and argued for the recognition of women as refugees under international law (Edwards 2003) and there are particular problems of statelessness, for example faced by women in states with discriminatory citizenship laws (Blitz 2009; Edwards 2009).

D4.   Legal approaches to gender inequality have tended to focus on the securing of women's legal rights. However, as part of the gender-mainstreaming agenda, gender-based forced migration policies and research projects have begun to raise awareness regarding the gendered vulnerabilities of displaced men and boys too, particularly the use of sexual violence against them in armed conflict (Russell 2007; Refugee Law Project 2009). Oxfam is beginning a new project looking at protection issues and men.

D5.   Current research and policy work on gender in forced migration is also particularly focused on combating sexual and gender based violence (SGBV) (UNHCR 2003a; Alliance DARC/IOM 2007; *Forced Migration Review* 2007; EPAU 2008). This stress on the links between gender, violence and displacement was born out of the conflicts in the former Yugoslavia and Rwanda in the 1990s, and reflects today the experiences of numerous situations of forced displacement and conflict in areas such as DRC and Darfur. It reflects growing concern among both researchers and policymakers with the use of rape – against both women and men – as a weapon of war and the prevalence of SGBV in refugee camps (Dugan et al. 2000; Amnesty International 2004; UN Security Council 2008; Human Rights Watch 2009). Most of this work continues to focus on violence against female victims, who continue to be disproportionately subjected to such violence.

D6.   Researchers and policymakers have to be clear in their goals when devising gendered or generational projects and recognise that such projects may have unexpected social outcomes**.** Campaigns for female emancipation within forced migrant communities, for example, may involve deliberate and significant disruption of existing social norms that can increase conflict in domestic settings. Managing the fallout from women's rights programming and campaigns is essential to ensure that gains for women are not short-lived and that changes to negative social and cultural patterns that reinforce the second-class citizenship of women within their own communities are durable and survive even when they return to their countries of origin. This is one area in which the RSC's research expertise may prove particularly helpful to policymakers because it can provide a deep contextual understanding of forced migrant societies' own understandings of the meanings of gender and generation.

D7.   Generation-focused programming has primarily been directed at the specific experiences of child and adolescent forced migrants. UNICEF's research has in the past tended to focus on children's experiences of migration generally rather than forced migration specifically, although some regional offices have produced work on forced displacement (UNICEF UK 2004; UNICEF EAPRO 2009) and particular attention has been paid to the question of unaccompanied refugees and trafficked minors (UNICEF 2007; Reale/Save the Children 2008; UNHCR 2009). Also of special concern is the use/exploitation of children in conflict as combatants (Boyden and de Berry 2004; Coalition to Stop the Use of Child Soldiers 2008; Reich 2009). However, this work has overwhelmingly focused on processes of disarmament, demobilization and reinsertion (DDR) and child soldiers' experiences of violence rather than their experiences of displacement, despite the recognition of the link between displacement and increased vulnerability to forcible recruitment (IDMC; UN 2009).

D8.   This work has been complemented by research concerned with adolescent experiences of forced migration, research that has been particularly concerned with psycho-social and health-related dimensions of trauma associated with forced migration (e.g. Woodruff 2006; Ellis 2008). But it has also focused on the integration prospects of long-term forced migrants in host or return communities, particularly in relation to protracted refugee situations, and especially in the case of Palestinians (e.g. Hart 2008). The political dimensions of this work – in particular, the close association between the potential violence of 'refugee warriors' and young, alienated, males – make this work particularly relevant to policymakers concerned with the security aspects of forced migration.

D9.   Considerably less research work has been undertaken on the specific dimensions of the forced migration experiences of the elderly, particularly work which does not focus on the psycho-social or health-related risks to which elderly refugees are exposed (UNHCR 2000; UNHCR/HelpAge International 2002, 2006). However there is evidence that organisations are increasingly recognising the importance of programming which can respond to the needs of older refugees (UNHCR 2008a; Refugee Council 2008b).

D10. There is also a growing interest in the relationship between experiences of forced migration and disability. Although historically an area which has received little attention from policymakers or researchers, UNHCR now lists this area as one of its policy priorities (UNHCR 2008a). A major report was released last year by the Women's Refugee Commission and *Forced Migration Review* will publish an issue in 2010 on the theme of forced migration and disability (Women's Refugee Commission 2008).

Future directions

D11. Further research should be carried out on the long-term impact of women's empowerment within displaced communities. Research indicates that gains in terms of female equality are often reversed following the implementation of durable solutions and the withdrawal of international personnel (e.g. Jamal 2000). Given the relevance of these concerns to the current situations in Afghanistan and Iraq, this is an important area for better understanding of the dynamics of post-conflict return.

D12.   More attention must be paid by both researchers and policymakers to men and boys within gender programming. This is not least because protecting the long-term gains which can be made by displaced women and girls through their gendered inclusion during exile depends upon policies which also target men's gendered identities and social roles (Turner 2000).

D13.   More research is also needed to determine when gender- or generation-focused programming is an appropriate tool; this is clearly the case in delivering some services (e.g. reproductive health care or combating SGBV). But research needs to focus on providing a better understanding of the relationships – and potential conflicts – between recognised groups with specific needs in order to ensure the development of sustainable policies which address the root causes of vulnerabilities within societies. A more holistic understanding of the stresses placed on societies as a result of forced migration might seek to focus on community or family empowerment.

D14.   There is a particular need for more generation-focused research on responses to protracted displacement situations and integration issues. Policy needs to take account not simply of age but also of the particular challenges faced by second or third generation forced migrants or refugees-by-birth. Research looking at children involved in DDR processes should focus not only on their exposure to violence but also the impact of displacement.

D15.   The effect of forced migration upon disability and of disabilities upon individuals' experiences of forced migration should be the focus of new research. These projects should consider the impact of disability upon protection needs, development opportunities and durable solutions.

Key thematic linkages

Durable solutions; Humanitarian space and spaces of protection; Realising protection: legal and institutional challenges.

E) Durable solutions

E1.   Finding durable solutions to forced migration is arguably the central aim of forced migration policymakers. Durable solutions offer the promise of restoring stability and security and moving beyond the need for international aid. Refugee-focused policies have traditionally centred on three strategies: resettlement, local integration and repatriation. All of these solutions focus on the re-establishment of a protective link between a forced migrant and a nation-state through the institution of citizenship.

E2.   It is widely acknowledged that refugee resettlement does not offer a viable solution to mass displacement. However it remains a crucial strategic tool, particularly in dealing with vulnerable refugees or residual protracted refugee populations. Yet since the end of the Cold War Western asylum space has been shrinking, leading to a major 'resettlement gap' between the numbers identified by UNHCR as in need of resettlement and the number of places available (UNHCR 2009).

E3.   The decline of asylum has been identified as stemming from a number of factors, including refugees' declining geo-political value and competing domestic political considerations (Gibney 2004; Chimni 2004, 2009; Crisp 2009; Van Hear 2009). This shrinkage of 'asylum space' has been the focus of considerable research and advocacy work among forced migration scholars and activists who are interested in combating government policies seen to have an excessive focus on the exclusion of refugees and asylum-seekers (e.g. Gibney 2008; Danish Refugee Council 2008; Human Rights Watch 2008).

E4.   Repatriation has always been the international community's preferred durable solution and since the end of the Cold War it has also been the dominant operational solution. However the past decade has seen an increasingly nuanced understanding of the limits of repatriation among international organisations, in contrast with states' continued pressure for refugee return (Human Rights Watch 2008; Long 2009; IRIN 2009). Sustainable repatriation is now recognised to be a long-term process requiring significant state-building efforts to combat state fragility and to ensure good prospects for reconciliation and reintegration (Crisp 2001; UNDP 2002; UNHCR 2003c; UNHCR 2008c; IOM; Pantuliano et al. 2008). It is also recognised that even successful repatriation programmes may leave significant residual populations who cannot be repatriated.

E5.   Recent policy and research work has thus focused on understanding the connections between peace-building, post-conflict reconstruction and the return of displaced populations, particularly in fragile states such as Sudan and Burundi (Tennant et al. 2009; Kiragu and Tennant 2008). Despite general agreement among policymakers that repatriation should be voluntary there continue to be significant concerns about its operational use. Debates about the relevant importance of voluntariness and safety in repatriation continue (e.g. Bialczyk 2008). Another shift is a growing recognition that return must be dealt with in an urban context, as returnees move back to cities rather than rural communities of origin (UNHCR September 2009; UNHCR December 2009).

E6.   In the past few years local integration has reappeared on the international policy agenda and is attracting increased research attention (Jacobsen 2001; Hovil 2007; Crisp and Fielden 2008). This partly reflects UNHCR's interest in the recent successful integration of 1972 Burundians in Tanzania (Fielden 2008). It is also a response to the decline of resettlement options and the need to address protracted displacement situations; however there remain significant local and national political obstacles to permanent local integration of displaced populations in many of these.

E7.   Both local integration and repatriation face important practical obstacles, whether for IDPs or refugees. In particular there are significant issues over land distribution, particularly where demographic pressures and a lack of alternative livelihood options make access to land a vital component of socio-economic survival. Academic and policy work has long stressed the importance of land issues in both prolonging and resolving conflicts (Stepputat 2008; HPG 2008; NRC 2009; Pantuliano 2009). This reflects a growing interest in the practical dimensions of sustainable integration.

E8.   All three traditional durable solutions rely on ensuring the (re)integration of forced migrant populations into a wider community. Yet the past decade has seen increasing political anxiety about the difficulty of achieving such integration (Zetter et al. 2006; Refugee Council 2007b; Mayor of London 2007; UKBA 2009). In the West public discourse relating to failure to integrate is particularly connected to fears over the rise of Islamic fundamentalism. It is also clear that forced migrants in Western states often suffer political, social and economic marginalisation and stigmatisation. This marginalisation of displaced populations has also been a major obstacle (sometimes a deliberate one) to any formal process of local integration in Southern hosting countries. Long-term studies of repatriation also demonstrate the difficulties of integration, particularly following protracted refugee situations or if the political causes of displacement have not been resolved (Koser 2007; Milner 2009; Adelman 2009; Haider 2009).

E9.   Growing awareness of protracted refugee situations (Crisp 2003; Milner and Loescher 2005; UNHCR 2007a) and the complexities of such cases as Afghanistan (UNHCR 2003b), coupled with growing acknowledgement from policymakers that forced migrants increasingly form part of mixed migration movements involving economic and political dimensions, has led to new calls for a creative re-thinking of durable solutions (e.g. Monsutti 2006).

E10.   Long-term trends in the patterns of global displacement clearly indicate the increasing predominance of internal displacement which demands a specific approach to the idea of solutions focusing attention on integration and return to communities – rather than states – of origin (*Forced Migration Review* 2008). These new challenges have been addressed by some policymakers, notably the Brookings-Bern project (e.g. IASC 2007; Ferris and Mundt 2008), but there is a relative lack of academic research focusing on durable solutions as these relate to IDPs, although UNHCR has begun a global review of the return and reintegration of IDPs with a report due in 2010.

Future directions

E11. Research must continue mapping the effects – not only on forced migrants but also on the broader international human rights regime – of the decline of asylum space in the West and globally. More research is needed to consider on what basis states might be persuaded to re-open asylum space and when and how resettlement strategies can be successfully pursued. Western government policymakers, including those in the UK, need to be more responsive to research evidence demonstrating the continued need for resettlement as a solution to forced migration. Researchers must also continue to map the particular challenges faced in achieving durable solutions in protracted displacement situations.

E12. There is a particular need to better understand the connections between state fragility and the potential viability of durable solutions. This observation applies to both local integration and repatriation processes. Repatriation is to be understood as requiring a political settlement to the causes of displacement and thus it is intricately connected to wider programmes of post-conflict reconstruction. These linkages must be better understood in order to inform government and UNHCR policies regarding the timing, manner and content of repatriation programmes.

E13. There is an urgent need for more work investigating the applicability of durable solutions to IDPs and there needs to be more academic and policy-based debate regarding the effect of growing numbers of IDPs upon the international community's understanding of the political, socio-economic, environmental, normative and logistical dimensions of durable solutions. In particular more work should be carried out regarding the connection between repatriation and subsequent internal displacement.

E14. Researchers need to continue to explore the dynamics relating to the frequent failure of forced migrant groups to integrate into host communities or reintegrate after returning to their community of origin. This will allow policymakers to better combat the negative consequences of such failures which may result in significant domestic social instability involving host communities as well as displaced groups. Such work should focus on Northern as well as Southern responses and obstacles to integration and must consider the political, social and economic dimensions of integration. These projects should focus not just on reconnection to state-level institutions, but on the practical local dimensions of reintegration such as competition over resources.

E15. More attention needs to be paid to refugee autonomy within the framework of durable solutions by policymakers. Research suggests that refugee groups have significant political capacity and interest in shaping durable solutions to suit their needs (e.g. KANERE 2009). This is likely to involve recognition of the potential viability of self-settlement and 'informal' solutions to displacement, in particular through local integration. Research which has stressed the resilience of transnational networks and the creativity of forced migrants in achieving de facto solutions through self-settlement and onward movement is important in underlining the need to work with forced migrants' own searches for dignified solutions (Bakewell 2000; Van Hear 2003; UNHCR 2007, 2009; Long 2009).

E16.	There is also an urgent need to move beyond the limits of the three traditional durable solutions and formulate new means of solving forced migration crises. Durable solutions no longer have an 'exilic' bias but they continue to have a sedentary bias assuming a return home or a new anchoring to a single place of residence. This must be questioned (Bakewell 2008) and the rights attached to citizenship and those attached to residency need to be unbundled (Gibney 2008; Long 2009a, b).

E17.	The potential contribution of mobility to solving problems of displacement is an area which merits more research attention and is likely to be of considerable policy significance. Regularised labour migration may provide one possible 'fourth solution' to displacement and UNHCR is currently exploring the protection implications that such an approach might have (Adepoju et al. 2007; UNHCR 2007a; Long 2009, 2010). This type of solution would not address the political causes of forced migration but would recognise that labour migration may be an appropriate response with which to meet refugees' economic needs.

Key thematic linkages

State fragility and forced migration; The economics of forced migration; Environmental displacement; Displaced groups with specific needs; Humanitarian spaces and spaces of protection; Realising protection: legal and institutional challenges.

# F)	Humanitarian space and spaces of protection

F1.	In addressing forced migration flows the international humanitarian community constantly refers to the concept of protection. However protection has proved difficult to define in detail (ICVA 2009a; ICRC 2008). In September 2009 the RSC, in partnership with the Overseas Development Institute (ODI), held an international conference in Oxford on the Challenges of Protection. Some of the papers presented highlighted the difficulties – ethical, conceptual and practical – of negotiating the politics of state-based protection while simultaneously attempting to preserve the neutrality and impartiality of humanitarian space (Addison 2009; Refugee Studies Centre 2009).

F2.	It is clear that protection is not necessarily made effective simply by virtue of space being available within which humanitarian agencies may operate, given that the idea of protection goes beyond meeting human needs of all with impartiality and neutrality to aim at securing full respect for individuals' fundamental rights (ICVA 2009a). This means that UNHCR's legal mandate to protect refugees (and conversely the lack of a legal mandate for IDP protection) is particularly important and has led to considerable debate within the international community about whether humanitarian organisations can or should provide protection (e.g. MSF 2007).

F3.   The concept of humanitarian space emerged in the mid-1990s, popularised by then-MSF President Rony Brauman (Wagner 2005).[2] In the past decade the shrinking of humanitarian space has become a topic of particular concern to humanitarian organisations (OCHA/IRIN 2003; Holt 2006; Stokes 2008; UNHCR July 2009). With the politicisation of international engagement in fragile states such as Iraq, Afghanistan, Sudan, Somalia and DRC, relief and aid efforts have become connected to explicitly political projects focused on state reconstruction rather than humanitarian principles (Gnaedinger 2007a, b; Michalski 2007; HPG 2008). Therefore the international humanitarian community is often no longer perceived as neutral by local actors, resulting in the 'legitimate' targeting or blocking of humanitarian aid and increasingly violent attacks upon humanitarian workers. Researchers argue that the shrinking of humanitarian space is likely to have direct impacts on patterns of forced migration and the ability of the international community to respond to the immediate needs of the displaced.

F4.   Regional fragility and porous international borders often result in the spread of so-called civil conflicts across international borders; this can make humanitarian access difficult. However, refugees and other externally displaced persons are generally more easily accessible to the international humanitarian community than IDPs, and it is the latter who are generally recognised as facing the greatest protection risks. (NRC 2009).

F5.   Urban forced migrants are another subset of displaced persons who must frequently survive beyond the boundaries of humanitarian space. The number of Iraqi urban refugees in Jordan and Syria has made this a particularly urgent and relevant issue for policymakers (Crisp et al. 2009). In September 2009 UNHCR released its long-awaited new policy on urban refugees; its rights-based framework is intended to establish a basis for the extension of humanitarian services and protection into urban areas (UNHCR 2009). Over half of the persons of concern to UNHCR are now classified as urban displaced and the 2009 High Commissioners' Dialogue on urban protection issues underlined the extent to which this is likely to represent a long-term paradigm shift (UNHCR December 2009). Protection needs are likely to increasingly reflect urban realities and will need to be met in urban settings. This will pose new institutional challenges, not least in the novel involvement of local authorities in such protection work.

F6.   Some researchers have pointed out that many urban displaced may deliberately seek to evade the labels that accompany entry into formal international protective space. This throws up questions about the international community's obligation to protect as against forced migrants' autonomy – the diminishing ability to exercise choice which frequently accompanies access to formal spaces of protection (*Journal of Refugee Studies* 2006; Lindley 2007; Hovil 2007) and the need to consider how self-reliance can be incorporated into models of effective protection. Related to this there is a growing interest in community-based protection strategies among researchers, policymakers and practitioners (Addison 2009).

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[2] Brauman described humanitarian space as 'a space of freedom in which we are free to evaluate needs, free to monitor the distribution and use of relief goods, and free to have a dialogue with the people' (Wagner 2005).

F7.   Policy concerns relating to urban refugees and IDPs are intricately connected to questions relating to protection space within refugee or other forced migrant camps. Camps are intended to function as humanitarian space within which the international community can offer both relief and protection. However in the past decade there has been an increasing recognition among policymakers that camps, particularly when located within fragile states, cannot always offer protection from external threats such as militia raids. They may also fail to offer adequate protection from internal threats such as exposure to sexual violence, harassment and corruption (Martin and Tirman 2009). The full impact on spatial protection of the Camp Management Cluster, while innovative, remains to be seen (OCHA 2008; NRC 2009).

F8.   The process of humanitarian reform which has taken place since 2005, particularly designed to improve inter-agency coordination, has addressed some of these protection issues (as seen in the cluster approach) (UNHCR 2005). However there remain significant obstacles to any further programme of reform, not least declining interest and political will among agencies themselves (ICVA 2008, 2009). Some agencies, notably MSF, have argued that such coordination occurs at the expense of humanitarian independence and neutrality (Stobbaerts 2007; Elhawary 2008).

F9.   A connected issue which has also been raised is the extent to which some organisations dealing with displacement and migration (especially IOM) should become involved in issues of protection rather than assistance (Human Rights Watch 2003; Amnesty International 2004).

Future directions

F10.   Protection is a foundational term for those involved in forced migration, whether as scholars, policymakers or practitioners, but it remains poorly conceptualised and further research is needed involving both policymakers and academics about its meaning both operationally and philosophically (Addison 2009; RSC conference 2009).

F11.   There is an urgent need for further research and policy consideration of the relationship between humanitarianism and politics. Identifying the politicisation of humanitarian space as a new intrusion over-simplifies the relationship between political action and humanitarian space. There needs to be more nuanced contextualisation of how the dynamics of international humanitarian action have changed and what the longer-term implications of new 'integrated' approaches to crises and conflicts mean for humanitarian operations. There is also a need for research which considers the limits of protective space as distinct from humanitarian space, particularly given the increasingly insecure environment within which humanitarian organisations operate.

F12. Displacement by definition involves spatial upheaval. It also frequently involves permanent spatial transformation, exemplified by the building of permanent camps and squatter settlements, especially in protracted refugee situations. In order to help international policymakers be aware of the effects such physical spatial transformations may have on the conceptual space available for protection in attempting to deliver both humanitarian assistance and effective protection, further research and understanding of these connections is required.

F13. Further research is needed to map the specific humanitarian and protection needs of the urban displaced, both refugees and IDPs. In general more research should be directed towards understanding how the micro-level geography of protection space (camps, urban squatter slums etc.) interacts with the macro-level spatial geography of protection. Then policies can be designed to reflect these multi-level spatial challenges.

F14. The spatial dimensions of protection and humanitarian relief in forced migration situations tend to be approached by international policymakers in terms of international requirements for access and security. While this is undoubtedly an important consideration, there is a pressing need for more work to acknowledge the tensions that this approach creates between the autonomy of the displaced and their access to protection or relief. Research could help to demonstrate how the creation of space within displacement locations might help in the exercise of choice for the pursuit of individual livelihood strategies and for the development of political capacity within displaced populations as a sustainable pathway to longer-term protection (Zetter and Boano 2009).

F15. More research is also needed on the availability of both humanitarian and protective space for forced migrants within the Global North and to map the causes and consequences of the incremental erosion of this space and the formal exclusion from the North of forced migrants. It is particularly important to better understand – and for policymakers to take better into account – the relationship between securitisation discourse, the failures of the Northern asylum-protection regime and the destitution and political and social alienation suffered by forced migrants as a consequence.

Key thematic linkages

Environmental displacement; Groups with specific needs; State fragility and forced migration; Realising protection: legal and institutional challenges.

G) Realising protection: legal and institutional challenges

G1.   The realisation of human rights of the displaced requires political will in order that good intentions in the form of binding international treaty obligations or custom are translated into action. There are significant legal and institutional challenges to ensuring the provision of protection to refugees, IDPs and other forced migrants. The meaning of protection itself has been the subject of considerable debate in recent years. UNHCR and other international organisations have emphasised the need for protection to extend beyond the recognition of civil and political rights to encompass access to sustainable livelihoods (UNHCR 2007, September 2009), although states have refused to accept this rationale for what they call irregular secondary migration. Recent developments in the asylum policies of EU and other Northern states and the Common European Asylum System, for example, have been repeatedly criticised by advocacy organisations for their incompatibility with refugees' rights (ECRE 2004; Refugee Council 2009). There is an urgent need to build a wider consensus on what constitutes protection not only in practice but also in legal and normative terms.

G2.   It is also clear that the existing refugee regime cannot offer protection to significant subsets of forced migrants, particularly those who are fleeing the socio-economic consequences of political collapse or environmental disaster. Labelling such groups as 'survival migrants' is not unproblematic (Betts 2009; Survival Migration Workshop 2009) but helps to highlight the gaps in current institutional implementation of existing protection regimes. As calls are made for more groups of forced migrants to benefit from protection against *refoulement*, or in some cases for special status, including those who qualify for subsidiary protection under the EU Qualifications Directive, the institution of asylum becomes ever more elusive.

G3.   In terms of the protection of IDPs, the Guiding Principles on Internal Displacement are now well-established, and provide an important protection framework. However there continues to be debate among both researchers and policymakers about the nature of the protection space afforded to IDPs (Guiding Principles). Some have argued for instance that it is questionable whether IDPs should be distinguished in conflict situations from other civilians who are protected under international humanitarian law and generally fall under the ICRC's mandate (Wagner 2005). Similar arguments were made about the treatment of IDPs in urban settings at the 2009 High Commissioner's Dialogue (UNHCR December 2009). Questions also continue to be raised about whether UNHCR should take formal responsibility for all IDPs, and if so what form of mandate extension this would entail (UNHCR 2005b; Feller 2006b; UNHCR 2007). The adoption in Kampala in October 2009 of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa has been welcomed as an important step forward although serious concerns remain about how the Convention will be implemented, and the extent to which its provisions actually reflect political will (IRIN 2009).

G4. The international protection regime has also struggled to effectively combat statelessness and the loss of meaningful access to fundamental human rights experienced by stateless persons. Although legal instruments exist, the widespread failure to ratify and comply with existing conventions on statelessness, and the deliberate discrimination against specific populations who are unable to realise their rights to nationality and hence state protection, have exposed major holes in the human rights regime (Blitz 2009: 6).

G5. Another legal and normative development influencing the study of forced migration is the changing international conception of state sovereignty. Recent years have seen the development and strengthening of the Responsibility to Protect (R2P) doctrine as a means of securing access to populations within fragile states, with the International Crisis Group playing an important role in this process (International Commission on Intervention and State Sovereignty 2001; Evans 2008; International Coalition for the Responsibility to Protect 2009). Given that forced migration is a direct consequence of an inability to protect and that fragile states represent a particular challenge for those interested in securing humanitarian or protection space for forced migrants, this is clearly an important development with potential impact on the means of protecting forced migrants. However, the politicisation of humanitarian intervention doctrines as proclaimed in Afghanistan and Iraq have led to a backlash against R2P (UN 2009; Conklin 2009).

G6. Reflecting many of these broader legal and institutional challenges is the increasing interest among policymakers and researchers regarding the relationship between refugee law and human rights law, as well a growing focus on the notion of human security (e.g. Edwards 2009). Many legal scholars now argue that refugee law should be seen in direct relation to the wider body of human rights law and interpreted accordingly (Edwards 2003, 2009). This human rights-based approach has been used to argue for the incorporation of socio-economic rights within Refugee Status Determination (RSD) processes (Foster 2007), as well as in building up 'soft law' and subsidiary protection frameworks that rely upon other human rights treaties and a *non-refoulement* obligation incorporated in the International Covenant on Civil and Political Rights (Article 7).

G7.   Many of these legal innovations have been focused on practices in Northern jurisdictions (including Australia and New Zealand), and have been responses to increasing restrictions by developed countries on asylum seekers entering their territory and curtailment of their rights upon entry. Advocacy groups and researchers have documented the significant protection failures resulting from this closing of protection space within Northern states who are not only the signatories but the authors of the current normative regime. Convention Plus[3] attempted to address these issues in relation to North-South burden-sharing, but also raised concerns about burden-shifting (UNHCR 2009). More recently the development of subsidiary protection within the EU indicates an attempt to at least carve out temporary, minimal spaces for protection without impinging on states' security agendas, although these initiatives may also lead to the erosion of asylum rights within the EU (ECRE 2009).

G8.   One aspect of the growing securitisation has been an increased recourse by Northern states to detention, deportation and denaturalisation procedures in order to remove non-citizens from state territory. Recent work has stressed the role of these processes as both for immigration control and as social control mechanisms, reinforcing the privileges of citizenship and membership hierarchies (Gibney 2008; Deportation and the Development of Citizenship Conference 2009). By exploring the reasons behind the expansion of detention and deportation practices this work is likely to be particularly important for those engaged in advocacy work against such procedures. It also has important implications for those seeking to understand the dynamics of immigrant integration into Northern states. The use of internal and external borders, containment policies and the encouragement of regional protection responses also highlights a system of asylum that is very much under threat.

G9.   Another aspect of displacement which has traditionally not been considered when addressing both the spatial and legal dimensions of realising protection is meeting migrants' needs during the journey itself. The increasing prominence of anti-trafficking discourse in recent years has gone some way to addressing this gap by focusing attention on the idea of the journey as a space of potential exploitation and a location for international intervention (UNHCR 2005a; Edwards 2007; Riiskjaer and Gallagher 2008; UNODC 2009). Again, this reflects policymakers' growing concerns with the protection needs of mixed migratory flows. However anti-trafficking rhetoric is frequently connected not only to the idea of protection but also to matters of border securitisation and mixed migration, thus representing a highly politicised rather than a humanitarian approach to protection within the journeys of the displaced.

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[3] Convention Plus was an international effort initiated and coordinated by UNHCR between 2002 and 2006. Its aim was to improve refugee protection worldwide and to facilitate the resolution of refugee problems through multilateral special agreements. This was to be achieved through a process of discussion and negotiation with states and other partners of UNHCR to mobilise support and bring about firmer commitments. See http://www.unhcr.org/pages/4a2792106.html

Future directions

G10. There is a considerable need for further collaboration between policymakers and researchers regarding the best structures and practices through which protection can be provided to forced migrants. This is likely to involve considerably more legal research into the connections between the refugee regime and broader human rights frameworks that may provide protection to wider categories of forced migrants. One opportunity for such broad-based policy discussions may be UNHCR's 60th Anniversary programme (Feller 2009b).

G11. The research needed is not only legal. There is also an urgent need for more conceptual and normative work to be done looking at how a shift to a rights-based protection framework alongside changes in conceptions of sovereignty may impact upon understandings of displacement itself. Within a rights-based framework the international community's concern must be to ensure meaningful access to human rights by all those whose human rights are violated. In particular, the question of the conditions under which IDPs can or should be distinguished from other rights-deprived citizens must be given serious attention. A related question is whether the economic and social needs of forced migrants are less worthy of international protection than the political – and if so on what ethical basis (Foster 2007). Refugee and asylum researchers and their migration studies counterparts will need to speak to each other more frequently and deeply.

G12. Although there is a general consensus that institutional and legal responses must now move beyond the traditional focus upon refugees to looking at forced migrant groups, policymakers and researchers must now consider how it is most appropriate to categorise such groups. On the one hand calls for protocols addressing the needs of those displaced by natural disasters or by climate change (Docherty and Gianini 2009) tend to encourage a focus on causes of displacement rather than the rights lost. On the other hand a focus only on rights provision ignores the very real distinctions between the loss of home, the loss of political rights or the loss of state territory and nationality, all of which may result in displacement but which may require very different remedies. And for the stateless rights deprivations regularly occur in their own countries. These dilemmas require further research and serious discussion at policy level.

G13. Continuous monitoring is needed to see how the enlargement of the international normative protection system alongside a narrowing of access to countries of asylum will play out.

G14. There is also a particular need for policymakers and researchers to focus on how protection frameworks already in existence could be better implemented in practice. Human rights law, regional treaties and increasingly accepted 'soft law' guiding principles already offer a robust protection regime in theory, but there is a danger that in focusing on further regime reform the real protection gap – which is above all a question of political will – may be ignored. Further research on potential uses of non-state forms of protection is required, as is greater commitment to advocacy on the basis of existing research detailing failures in implementing existing legal protection frameworks (Betts 2009a, 2009b; Cross 2009).

Key thematic linkages

The economics of forced migration; Environmental displacement; Groups with specific needs; Durable solutions; State fragility and forced migration; Humanitarian space and spaces of protection.

H) Conclusions and recommendations

H1.   Forced migration has historically been addressed by the international humanitarian community as a question of aid delivery and legal protection. This remains the primary operating lens for a number of international organisations, from relief operations such as those of MSF through to the protection-based activities of UNHCR. However, states have tended to view forced migration as also being a political issue involving questions of entitlement to national membership and inter-regional security. Particularly in reviewing policy trends in the last decade, it is clear that the humanitarian approach to forced migration is under threat from an increasingly securitised public political discourse surrounding all forms of migration.

H2.   It must be recognised that policymakers and practitioners cannot adequately confront the complex political, environmental and economic dimensions of forced migration through a humanitarian lens alone nor by focusing only on South-based policies without considering the exclusionary impact of Northern restrictions on mobility. However it must also be acknowledged that humanitarian work – and thus the safeguarding of humanitarian space – remains a crucial front-line response to the crises caused by forced migration. The major challenge for policymakers and researchers in the future will be to consider how humanitarian space can be protected without limiting the ability of the international community to tackle the substantive causes of forced migration.

H3.   Development has traditionally only been linked to forced migration in relation to durable solutions, particularly in terms of post-conflict reconstruction and reconciliation programmes. There has been a clear sedentary bias to such work. Recent discourse on migration and development, particularly focusing on the role remittances can play in post-conflict situations, should now be incorporated into policies and practices relating to forced migration. The major challenge for development policymakers and researchers interested in forced migration will be to understand how to use the agency and economic capacities of the displaced within reconstruction programmes, encouraging rather than limiting human mobility.

H4.   Humanitarian, political, economic and security concerns surrounding forced migration all converge on the problems posed to the international community by endemic state fragility. This is particularly true in grappling with those flows of 'survival migrants' who fall outside the existing protection regimes and exemplify the human consequences of some policymakers' false dichotomies between 'genuine' political refugees and 'bogus' economic migrants.

H5.   This does not mean that there is a 'solution' to forced migration to be found simply by attempting to 'fix failed states' in the Global South. State fragility is equally indicative of incoherence and hypocrisies within contemporary structures of international political organisation in the Global North, and solving forced migration does not mean that migration will or should be solved. These observations do, however, demonstrate the urgent need for further research on the question of the relationships between state fragility, forced migration and the remedies required to ensure human security.

H6.   This report makes the following recommendations to policymakers:

a. Policymakers should adopt an evidence-based approach to policy, building policy frameworks from research findings and not vice versa. In the long term such policies, developed on firm research foundations, will be more likely to result in successful outcomes.

b. Development policymakers should seek to explicitly incorporate understanding of forced migration into already existing programmes focusing on migrant-led development

c. The current attention paid to the potential impact of environmental forced migration is important. However, such attention should not be used to divert attention away from shrinking asylum space or other political protection failures. Nor should policy interest in environmental forced migration focus solely on the science or geography of climate-change migration. Instead, policymakers should focus on the political dimensions by considering what types of reform of the global governance regime might adequately protect these groups of forced migrants.

d. Fragile states are arguably the greatest policy challenge faced by the international community in relation to forced migration. However policies addressing the relationship between fragile states and forced migration must not limit themselves to state-strengthening or capacity-building programmes. A comprehensive approach must also consider the connections between state fragility and the behaviour of Northern states, particularly in terms of border securitisation discourses.

e. To redress a historic neglect of refugees' own agency in the international community's approach to forced migration, policymakers must look to use forced migrants' own political and economic capacities, placing human mobility, autonomy and dignity at the centre of international programmes for relief, protection and reconstruction.

H7. **The RSC intends to pursue the following interests:**

a. Given the recognised need for continued discussion about the best means of connecting research, policy and practice to ensure maximum benefit for all parties, the RSC will continue to build up strong institutional links with relevant international organisations and to act as a forum for frank and open discussions relating to forced migration in order to encourage dialogue between policymakers and researchers in the field of forced migration. The RSC will seek to improve links between research projects and relevant policy debates. This should help to underline the useful contribution RSC can make to urgent practical concerns whilst retaining its academic focus and its position as a strong independent organisation.

b. The RSC will move towards a more integrated research agenda that would encourage cross-disciplinary and cross-thematic dialogue, in order to have a positive impact on research outcomes in both academic and policy terms. A more integrated and thematic research approach should also help external policymakers to identify relevant expertise within the RSC.

c. Policy agendas in the North frequently fail to adequately acknowledge the positive political and economic agency of forced migrants. The RSC has a strong network of Southern research contacts with whom it has built up long-term relationships. This gives the RSC exceptional access to Southern research networks which directly challenge this absence of refugee voices within policy discourse. The RSC will build on its connections in the Global South to encourage research projects and policy agendas to take full account of the potential for refugee agency and human mobility to contribute to forced migration policy frameworks.

References

The references below are organised thematically and correspond to the sections above. Works referenced in multiple sections are listed under the first section in which they are cited, unless the work is felt to be particularly pertinent to separate themes, in which case it appears twice. Works that consider 'forced migration' or 'refugee studies' as a whole are listed in the General overview section.

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