

The challenge of protecting urban refugees in Southern Africa

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Summary

More than half of all refugees in the world are currently living in urban areas (both legally and illegally), and Southern Africa is no exception – in the face of growing urbanisation, more and more refugees are avoiding refugee camps in order to self-settle in towns and cities, more often than not with less social protection and fewer basic human rights. The United Nations High Commissioner for Refugees (UNHCR) is mandated by the United Nations General Assembly (UNGA) to protect refugees worldwide regardless of their location. Through the Policy on Alternatives to Camps ('Alternatives to Camps') policy, the UNHCR aims to 'pursue alternatives to camps, whenever possible, while ensuring that refugees are protected and assisted effectively and are able to achieve solutions'.¹ However, the UNHCR seeks to pursue this policy independently of domestic refugee laws and the authorities of host states. This has proven to be problematic, since the effective execution of the UNHCR's mandate depends largely on the cooperation of host states with the Office of the High Commissioner. In Southern Africa, this situation creates contradictions, barriers and challenges with regard to implementation, which results in the lack of refugee protection as illustrated by the recent withdrawal of Tanzania from the Comprehensive Refugee Response Framework (CRRF) – a multi-stakeholder coordination model with regard to refugee matters that focuses on the humanitarian and development needs of both

refugees and host communities. Based on a robust understanding of the needs of both refugees and host communities, the UNHCR's urban refugee policy objectives need to be adapted to, or reconciled with, domestic refugee laws in host countries so as to avoid contradictions in the implementation process. Equally important is adequately demonstrating the positive impact that refugees can have in host countries, particularly at the economic level.

Introduction

The Southern African region and the African continent at large have a long history of forced migration that dates back to pre-colonial and colonial times. During the pre-colonial and colonial periods, forced migration was often caused by wars of conquest and wars of liberation, respectively. However, in the post-colonial context, forced migration in Africa can be attributed largely to political repression, civil wars, scarcity of basic resources,² and even the effects of climate change such as drought, floods and tropical cyclones.³

The concept of forced migrants encompasses refugees and asylum-seekers, and internally displaced persons (IDPs). A refugee according to the UNHCR, is a person who has fled their country of origin due to feared persecution based on their race,

religion, nationality, political opinions, or membership of a particular social group, or due to war, generalised violence, serious violation of human rights, or other circumstances (including natural disasters) that have seriously disturbed public order and, as a result, requires international protection.⁴ An asylum-seeker is a person who has left their country of origin due to reasons similar to those of a refugee and seeks protection in another country but has not yet been granted the status of a refugee and is still awaiting an official decision on their asylum claim. Seeking asylum is considered a human right, and all ratifiers of the 1951 United Nations (UN) Refugee Convention have an international obligation to grant asylum as per their domestic legal frameworks.⁵ An IDP is a person who has been forced to leave their home, town or village due to war, violations of human rights, natural and human-made disasters and other circumstances but remains within the borders of their country.⁶

All member states of the Southern African Development Community (SADC), with the exception of Mauritius and Comoros, ratified the 1951 UN Refugee Convention and, therefore, are obliged to protect refugees in their territories

As a result of some of the above-mentioned factors that give rise to forced migration or to refugees, the Southern African region is continuing to experience refugee flows, with South Africa and Zambia being the two principal destinations for refugees in the region.⁷ According to the UN, this is in part due to refugees seeking the level of political stability and peace that the Southern African region has enjoyed in the past couple of decades as compared with the rest of the African continent.⁸

All member states of the Southern African Development Community (SADC), with the exception of Mauritius and Comoros, ratified the 1951 UN Refugee Convention and, therefore, are obliged to protect refugees in their territories.⁹ In addition, in 1998, all SADC member states (apart from the same two countries just mentioned) signed the Declaration on Refugee Protection within Southern Africa (1998), recommitting to protect refugees in the region.¹⁰ It is largely on the basis of these legal instruments that Southern African countries host refugees from across the African continent and beyond.

Through the implementation of the UNHCR's Alternatives to Camps policy – a policy discouraging refugee camps and recognising that such camps should be a last resort rather than a default response to refugee flows – the agency is determined to protect urban refugees as mandated by the UNGA.¹¹ The intention is to enable refugee self-reliance, which is one of the four key objectives of the Global Compact on Refugees (GCR).¹² However, the agency seeks to achieve this independently of domestic refugee laws and the authorities of host states,¹³ which has proven to be problematic, since the successful execution of the UNHCR's mandate is dependent on the cooperation that the UNHCR receives from host states.¹⁴ This situation has created contradictions and challenges in the implementation of the policy. In the Global South, of which Southern Africa is a part, the majority of countries over-rely on the policy of encampment. As a result, legitimate refugee access to cities is often precarious, the protection of urban refugees is inconsistent, refugee access to urban services is unreliable, and employment and development with regard to urban refugees are also difficult to achieve.¹⁵ The recent withdrawal of Tanzania from the CRRF, seemingly due to conflicting objectives of its government and the UNHCR coupled with issues of sovereignty,¹⁶ is a result of such challenges and contradictions. It is quite clear that reconciliation and/or adaption of the UNHCR's urban refugee policy objectives with/to domestic refugee laws in host countries is necessary to avoid contradictions in the implementation process.

Although the UNHCR has forged cooperative partnerships with unconventional development and employment partners such as local governments, the private sector and faith-based and civil society organisations (CSOs) whose work focuses on the urban poor, these partnerships are relatively weak. Understandably, the UNHCR has limited experience in urban development, since this area falls within the realm of the United Nations Development Program (UNDP) and UN-Habitat.¹⁷ As a result, despite these partnerships, many challenges for urban refugees persist; hence partnerships need to be strengthened.

This policy brief is concerned with the persisting challenge of protecting urban refugees in Southern Africa and the difficulties associated with the implementation of the UNHCR's Alternatives to Camps policy in the region. The rest of the policy brief discusses forced migration and the refugee phenomenon in Southern Africa, examines the role of the UNHCR in the protection of urban refugees in

Southern Africa in the face of growing urbanisation, and concludes by providing a few policy recommendations to the UNHCR based on the analyses of the study.

Forced migration and urban refugees in Southern Africa

At present, forced migration in Southern Africa is driven largely by the search for economic opportunities and political stability. As of 2020, the region's population was estimated at 363.2 million individuals and 6.4 million additional international migrants, with only a few countries serving as economic pillars of the region, namely South Africa, Botswana, Zambia and Angola.¹⁸

The UNHCR reported that, by 2021, forcibly displaced and stateless people remained above 8.4 million in Southern Africa, and this was largely attributed to conflicts and displacements in Mozambique and the Democratic Republic of the Congo (DRC).¹⁹ For instance, estimates show that, by December 2022, the conflict-ridden DRC had produced more than one million refugees, thus becoming a major refugee producer in the region and the eleventh highest globally. The majority of refugees from the DRC (942 400) are hosted by Angola, Burundi, the Republic of the Congo, Kenya, Malawi, Rwanda, South Africa, Uganda, Tanzania and Zambia.²⁰ Also, the International Organization for Migration recently confirmed that South Africa is the primary host of Zimbabwean emigrants displaced by political conflict and economic challenges, and estimated that more than 1.5 million Zimbabweans are living in the country, while Botswana has the second-highest number with just over 40 000.²¹

Apart from violent conflicts, contemporary forced migration in the region is also caused by natural disasters, especially in the eastern part of Southern Africa.²² For instance, tropical cyclones Idai and Kenneth which hit Mozambique in 2019 have affected millions of individuals in Mozambique, Malawi and Zimbabwe, leaving them displaced and in desperate need of humanitarian aid.²³ Similarly, the eruption of the Mount Nyiragongo volcano on 22 May 2021 forced more than 364 000 people to flee their homes in the DRC. Although some have since returned to their villages, many remain homeless.²⁴

Southern African countries rely on different systems of receiving and managing refugees within their borders. Botswana, Malawi, Mozambique,

Namibia, Angola, Tanzania, Zambia, Zimbabwe, Eswatini and the DRC rely on the policy of encampment to manage refugees.²⁵ However, while some countries allow refugees to leave refugee camps to access services that are not available within the camps, others do not allow them to leave the camps in order to work, trade or go to school. For instance, in Tanzania, despite the right to work and the right to education available under refugee law, refugee access to the formal job market remains impossible, as the government is reportedly not issuing work permits largely due to the influence of domestic politics.²⁶ Also, refugee learners are not incorporated into Tanzania's national education system but are offered a curriculum from their countries of origin at schools built within refugee-hosting communities. According to the Tanzanian government, this is necessary to prepare them for easy reintegration when they finally return to their country of origin.²⁷ Indeed, it is clear that, while the refugee population in Tanzania is relatively small, the challenges and vulnerabilities faced by refugees are complex. It is for this reason, therefore, that, in striving to protect refugees, the UNHCR requires a deep understanding of their needs and the role of domestic politics.

Even though the majority of countries in Southern Africa still rely on the policy of encampment to manage refugees, a significant number of refugees live outside refugee camps

At the same time, in some countries, notably Malawi, Zambia and Mozambique, refugees are somehow able to commute regularly between refugee camps and the cities or urban spaces.²⁸ In the DRC, refugees are required by law to be accommodated in refugee camps established and managed by the government with the assistance of the UNHCR but, in reality, about 72% of refugees live outside the refugee camps. This is largely attributed to the high levels of insecurity in refugee camps, as militants often target the camps.²⁹ Eswatini is also an interesting case in this regard – it has a well-established policy of encampment whereby refugees are kept in refugee camps where they receive 'comprehensive' assistance from the government. However, it appears that integration is

sometimes permitted by the government at a later stage, especially in respect of those who have links outside the camps.³⁰ Yet the framework for integration is not clear. Countries in the region that rely on the refugee policy of integration are South Africa and Lesotho. These countries permit – at least in theory – freedom of movement and the right to settle anywhere in the country. In addition, refugees and asylum-seekers have socioeconomic rights, including the right to work.³¹

As indicated above, even though the majority of countries in Southern Africa still rely on the policy of encampment to manage refugees, a significant number of refugees live outside refugee camps. The Office of the High Commissioner for Refugees recently estimated that more than half of all refugees in the world live in urban areas, both legally and illegally – Southern Africa, a region in the Global South where the vast majority of the world’s refugees reside, is not immune to this reality.³² Southern Africa is one of the fastest-urbanising regions in the world. Urbanisation trends have created a situation whereby more and more refugees are avoiding refugee camps to self-settle in urban areas, more often than not with no social protection from host states. This results in greater vulnerability to various human rights violations, including xenophobic attacks.³³ In addition, in countries where the refugee policy of encampment is in place, self-settled urban refugees expose themselves to considerable risks such as detention or confiscation and destruction of their property or businesses. In such circumstances, refugees may avoid registering with the UNHCR or even making contact, further making it impossible for the institution to effectively assist them.³⁴

South Africa is regarded as one of the countries with the best refugee policies in the world

In some countries where refugees are not confined to refugee camps but are allowed to self-settle anywhere in the country, they are equally vulnerable to various human rights violations. This is especially true in settings where there is a lack of collaboration and effective coordination between the government of a host state and the UN refugee agency.³⁵ South Africa is regarded as one of the countries with the best refugee policies in the world. It is one of only two countries in the entire region that pursues the refugee policy of non-encampment. However, social protection and the promotion of human rights for

urban refugees are a challenge.³⁶ In April 2023, more than 100 asylum-seekers who had been camping outside the offices of the UNHCR in Pretoria since 2019 were forcefully evicted by the police and taken to the Lindela Repatriation Centre in Krugersdorp.³⁷ However, the majority of these asylum-seekers have refused to be accommodated at the facility, citing poor living conditions, ill-treatment and human rights abuses. Asylum-seekers and human rights groups have lamented the backlog in, and inefficiency of, the application system, stating that many asylum-seekers are being left stranded for years.³⁸ Refugee matters are, by their nature, complicated and require deliberate collaboration and effective coordination on the part of all relevant stakeholders.³⁹ In the case of South Africa, there is a clear lack of cooperation between the UNHCR and the South African government. In such circumstances, urban refugees and asylum-seekers often become targets of xenophobic violence and socio-economic marginalisation. This means that they have to constantly negotiate their existence and security in the streets of big cities, as there is no clear collaboration between the host government and the UN refugee agency to alleviate their plight. Usually, what happens is that undocumented refugees have to find alternative means of reception in various cities and remain ‘invisible’.⁴⁰ In this regard, it is crucial to examine the role of the UN refugee agency in the protection of urban refugees in Southern Africa.

The role of the UNHCR in the protection of urban refugees in Southern Africa

Together with the UNHCR, the International Organization for Migration (IOM) has, since its inception, been assisting persons of concern and persons on the move (migrants, refugees, asylum-seekers, IDPs and other categories of person) in Southern Africa and across the globe. The IOM is mandated to help governments manage migration and provide services, such as healthcare, transportation, and resettlement support to migrants, while the UNHCR is primarily focused on protecting refugees, asylum-seekers, and stateless persons, including IDPs, through resettlement, repatriation, and other enduring solutions.⁴¹ Owing to the increasing number of situations involving mixed movements and the dilemma that comes with the distinct terminologies and categorisations used to describe persons on the move, confusion over responsibilities is common. However, the strong operational partnership between the two agencies goes a long way in mitigating these problems.⁴²

In 2018, the UNGA, recognising that a sustainable solution to the global refugee crisis could not be achieved without international cooperation, mandated the UNHCR (in partnership with UN member states and CSOs) to develop the GCR as a more predictable and equitable responsibility-sharing approach to the crisis. The compact was signed by all 193 UN member states, which committed to roll out the CRRF.⁴³ At the centre of this framework is the notion that, in the beginning, a complete integration of refugees through a whole-of-society approach is crucial in that it will give refugees access to education and labour markets, will allow them to build their skills and become self-reliant, will contribute to local economies, and will fuel the development of host communities.⁴⁴

Prior to the development of the GCR, the UNHCR endeavoured to cater for the urban refugee population by responding to the megatrend of urbanisation. This meant a shift away from giving primary attention to refugee camps – the UNHCR's urban refugee policy was introduced in 2009, replacing the highly controversial refugee policy of 1997.⁴⁵ This urban refugee policy has two primary objectives: 'ensuring that cities are recognised as legitimate places for refugees to reside and exercise their rights and maximising the protection space available to urban refugees and the humanitarian organisations that support them'.⁴⁶ An updated version of this policy, *Alternatives to Camps*, was introduced in 2014, and, at its core, is the idea that camps should be an exception and only a temporary measure in response to forced displacement. The policy seeks to remove the restrictions that come with refugee camps and to ensure that refugees live with greater dignity, independence and normality as members of the community, either from the beginning of displacement or as soon as this becomes possible.⁴⁷ The UNHCR has three primary, enduring solutions, namely voluntarily repatriating refugees to their countries of origin, locally integrating refugees in their hosting countries, or resettling refugees in other safe countries.⁴⁸ However, it is worth noting that the urban refugee policy is particularly relevant for the integration of refugees.⁴⁹

The *Alternatives to Camps* policy does not completely rule out the idea of refugee camps – refugee camps still constitute an essential part of the UNHCR's operational responses with regard to protection and rapid life-saving assistance, particularly during emergencies.⁵⁰ However, the UNHCR acknowledges that refugee camps have their own challenges that arguably outweigh the benefits – camps have proven

to have significant negative impacts in the long run on both host communities and the refugee populations. For instance, among other challenges, the encampment of refugees promotes dependency and undermines the ability of refugees to take control of their own lives. This perpetuates the trauma of displacement and diminishes opportunities for solutions.⁵¹ Also, camps can have an impact on local economies and development planning, as well as cause negative environmental impacts in the surrounding areas. Most importantly, in some settings, the existence of refugee camps may increase protection risks, including sexual and gendered violence, child abuse, human trafficking,⁵² and even terrorist violence as exemplified by the DRC in this regard.⁵³ In contexts where they have become spaces for indoctrination and forced recruitment, refugee camps may even become a far greater security threat.⁵⁴ However, despite the problematic nature of refugee camps, the majority of countries in Southern Africa still rely heavily on the policy of encampment to manage the refugee phenomenon. This is done for various reasons, including an attempt to safeguard perceived, limited economic opportunities and resources and to ensure public order and security. This is a major challenge, as it diminishes possibilities for integration and goes against the objectives of the GCR.⁵⁵

The relevance of the objectives and principles of the *Alternatives to Camps* policy to Southern Africa cannot be overemphasised. However, several structural challenges prevent adequate implementation of this policy. For instance, supporting urban environments as legitimate spaces for refugees to enjoy their rights and peacefully coexist with the locals is one of the primary objectives of *Alternatives to Camps*. This, in part, would include establishing registration facilities in urban centres to help refugees obtain proper documentation and not be at risk of forced repatriation.⁵⁶ However, in many developing countries, this has proven to be a challenge.⁵⁷ For instance, in Tanzania, where the refugee policy of encampment is in place, self-settled urban refugees often face the considerable risk of detention and a lack of access to public services. As a result, refugees often avoid seeking assistance from the UNHCR or even making contact.⁵⁸

Maximising the 'protection space' for refugees in urban areas is one of the endeavours of the *Alternatives to Camps* policy.⁵⁹ In this regard, it is crucial to note that the concept of protection is broad and could mean legal, social, physical,

emotional and/or economic protection. Therefore, measuring the impact of the policy can be difficult.⁶⁰ Also, unlike material assistance, the extent to which refugees can be protected in urban areas depends largely on several factors, including, for instance, the structures of national and local governments and their policies, civil society, and, most importantly, the attitudes and reactions of host communities in respect of urban refugees.⁶¹ Without negating other factors, the reactions and attitudes of host communities are critical in the expansion of protection spaces but these seem to be underemphasised in the implementation of the policy, which is problematic. For instance, in South Africa – a major refugee destination in the region with the policy of non-encampment in place – migrants and urban refugees are often victims of xenophobic attacks by local communities and, more recently, by anti-migrant vigilante groups (notably Operation Dudula).⁶² This is often attributed to the legacy of colonialism, neoliberalism, a lack of economic opportunities, poor service delivery, and a general decline in the standards of living in the country.⁶³ In this regard, host governments need to conduct a thorough conflict analysis in order to understand the needs of both refugee and host communities and to raise awareness through dialogues and workshops. This is also likely to help strengthen the participation of host communities as key stakeholders in refugee protection.

The UNHCR's Alternatives to Camps policy is fundamentally based on the idea that integrating refugees into local communities in host countries enhances their ability to take responsibility for their lives and their families as well as their communities – in other words, it enables them to be self-reliant and independent, which is the ultimate goal of the policy and the GCR at large.⁶⁴ This, in part, is an acknowledgement of the fact that refugees bring with them to their country of refuge personal skills, and sometimes assets, as well as important qualities of perseverance, flexibility and adaptability that can certainly help them better contribute to local economies and development.⁶⁵ While this assertion is correct, it is also true that the economic inclusion of refugees in host countries tends to be problematic in Southern Africa as is the case in other parts of the developing world.⁶⁶ For instance, the persistent lack of refugee access to labour markets, which is key to promoting self-reliance and sustainable livelihoods as well as reducing vulnerability, is one of the major factors undermining this objective. Similarly, the lack of refugee access to public services such as

education, healthcare, public housing, and so on, is equally problematic.⁶⁷

Despite the UNHCR's partnerships with the public and private sectors, achieving economic inclusion of refugees remains difficult in Southern Africa, since the majority of countries in the region do not see it as part of their urban-development agenda.⁶⁸ It is important to note that, in this regard, economies are generally stagnant and characterised by widespread poverty, a lack of basic resources, and high rates of unemployment, all of which fuel the competition for resources and opportunities between refugees and their host communities, thereby generating conflicts and powerful anti-migration narratives.⁶⁹ South Africa's situation of constant clashes between migrants and locals over issues related to economic opportunities is a perfect example in this regard.

Even though there have been some successes in terms of implementing the CRRF, and while the GCR pledges by Southern African countries increased from 137 in 2019 to 152 in 2021, the majority of countries in the region have not reconsidered their refugee laws in order to promote freedom of movement and economic inclusion for refugees. In fact, many countries, including those that have made pledges, are not formally applying the CRRF despite having strongly supported the consultations leading up to the GCR and having voted favourably for its affirmation in the UNGA in December 2018.⁷⁰ For instance, despite the adoption of the CRRF during the Global Refugee Forum (GRF) in 2016, Malawi continues to deny refugees freedom of movement by aggressively enforcing encampment⁷¹ – a typical treatment of refugees in the region.

Best Practices in Africa

Notwithstanding the above, a few best refugee protection practices can be observed within the region and beyond. These include: Kenya's recently promulgated National Refugee Act of 2021 which allows refugees to reside legally in urban areas, to access formal employment and to establish businesses, with prospects for integration and naturalisation;⁷² Ethiopia's revised refugee proclamation that affords refugees freedom of movement, the right to work and the right to documentation; and Djibouti's new refugee law that provides refugees with access to education and the justice system. Also, Chad has converted all refugee schools into public schools, thereby

effectively integrating refugee students into the national education system.⁷³ Lessons could also be drawn from Uganda, where refugees and host communities thrive together economically through self-employment.⁷⁴

Furthermore, Zambia is a champion of refugee protection in the region, particularly when it comes to socio-economic integration. Its new Refugee Act came into force in 2017 and provides for, among other things, refugee protection as well as access to land, labour markets and public services while simultaneously developing host communities.⁷⁵ The policy of encampment has been relaxed and eligible refugees have been locally integrated. Freedom of movement for refugees has been enhanced by easing the process of acquiring urban residency and of obtaining permission to leave the refugee settlements for formal work, to engage in any legal income-generating activities or to attend school. The government of Zambia also prioritises the civil registration of refugees and the provision of other legal documents.⁷⁶

Contrary to popular belief, the Zambian refugee situation is not a zero-sum game, for refugees also play an important role in bolstering the economy of Zambia. A study commissioned by the UNHCR Zambia and conducted by the Institute of Economic and Social Research (INESOR) in 2017 confirmed that refugees bring their own set of skills to the country, including, among others, running small businesses, farming rice and cassava, and manufacturing clay roof tiles. They therefore contribute significantly to the economy of Zambia.⁷⁷ These findings are useful, as they could be used to counter anti-refugee narratives that seek to advance the misperception that refugees take away jobs. Also, they came at a time when the Zambian government was working on a new Refugee Bill. Consequently, the findings shaped the Bill, especially on matters relating to the economic impact of refugees' livelihood activities – something that had been expected by the UNHCR.⁷⁸ Zambia's success can be attributed to the unwavering political will of the Zambian authorities to protect refugees through the country's law-and-order regime as an inherent part of Zambian society, and, most importantly, to increase cooperation with the international community as well as openness to policy advice from the UNHCR on refugee matters.⁷⁹ Even though urban refugees in Zambia are still confronted with challenges such as a lack of capital, high rentals and low salaries/wages among

others, refugee protection has improved significantly over the years and tensions and conflicts between the locals and refugees have been reduced tremendously.⁸⁰ Indeed, there are many lessons for Southern African countries to be learnt from Zambia in terms of refugee protection.

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Conclusion

It is clear that there are contradictions between the goals of the GCR and domestic refugee laws of host countries, coupled with issues of sovereignty. These often result in the poor implementation of the CRRF, or in no formal implementation at all. Tanzania's withdrawal from the CRRF clearly suggests that the UNHCR should consider reconciling the multisectoral and partner response plans which guide its operations in urban refugee situations with the urban-development agendas of host countries in order to avoid contradictions. However, to work, this requires the host state to cooperate closely with the UN refugee agency and to allow relevant departments to receive policy advice from the Office of the High Commissioner for Refugees. Zambia, for instance, is a good example of a host country that welcomes recommendations from the UNHCR in the region. In this regard, dialogues can be relied on to promote and share best refugee protection practices and progressive refugee laws that complement the objectives of the GCR from around the continent and beyond so as to avoid contradictions.

It is evident that tensions and conflicts between urban refugees and host communities are common in Southern Africa. Therefore, both host states and the UNHCR need to develop a good understanding of the local conflict dynamic so that it can be mitigated through the development of early-warning mechanisms. In addition, through advocacy work, the UNHCR and host states should spread awareness of the economic value that refugees add to host countries. This would also help to strengthen cooperative partnerships between the UNHCR, host states (local governments, the private sector, and faith-based and civil society organisations) and international partners.

It seems that refugee self-reliance, which is one of the major objectives of the GCR, remains difficult to achieve in Southern Africa and the Global South at large due to difficult economic conditions in the region that result in the lack of refugee economic inclusion and in continuing encampment by host states. Consequently, the UNHCR should consider

accelerating efforts in terms of mobilising the international community, including development agencies, financial institutions and the private sector, in order to encourage it to adopt inclusive economic policies. This it could do by offering incentives by way of humanitarian and development support.

Endnotes

- 1 UNHCR, (2014). UNHCR Policy on Alternatives to Camps. 3.
- 2 Mpho Makhema, (2009). 'Social Protection for Refugees and Asylum Seekers in the Southern African Development Community (SADC)'. Social Protection & Labour: The World Bank. Accra. 1–50.
- 3 UNHCR, (2021). Global Report 2021: Stories behind the Numbers, <https://reporting.unhcr.org/globalreport2021>.
- 4 Ibid.
- 5 Amnesty International, n.d. 'Refugees, Asylum Seekers and Migrants', <https://www.amnesty.org/en/what-we-do/refugees-asylum-seekers-and-migrants/>.
- 6 United Nations Office for the Coordination of Humanitarian Affairs (OCHA), n.d. 'Internal Displacement', <https://www.unocha.org/es/themes/internal-displacement>.
- 7 Nicholas Maple, (2021). 'The Peripheral Role of the Global Refugee Regime in Southern Africa: Protection Challenges in Urban Spaces', <https://protectproject.w.uib.no/the-peripheral-role-of-the-global-refugee-regime-in-southern-africa-protection-challenges-in-urban-spaces/>.
- 8 UN, (2018). Global Compact on Refugees. New York: UN.
- 9 UNHCR, n.d. States Parties, Including Reservations and Declarations, to the 1951 Refugee Convention, <https://www.unhcr.org/media/38230>.
- 10 SADC, n.d. Declaration on Refugee Protection within Southern Africa (1998), <https://www.sadc.int/document/declaration-refugee-protection-within-southern-africa-1998>.
- 11 UNHCR, (2014). UNHCR Policy on Alternatives to Camps.
- 12 UNHCR, (2022). Global Compact on Refugees: Indicator Framework. UN.
- 13 UNHCR, (2014). UNHCR Policy on Alternatives to Camps.
- 14 Jeff Crisp, (2017). 'Finding Space for Protection: An Inside Account of the Evolution of UNHCR's Urban Refugee Policy'. *Refuge, Canada's Journal on Refugees*.
- 15 Rasha Arous, (2023). 'Towards a Better Implementation of the UNHCR Urban Refugee Policy'. Canada Excellence Research Chair in Migration & Integration.
- 16 Markus Rudolf, (2019). 'Share the Burden or Pass It On?'. *International Migration*.
- 17 Rasha Arous, (2023). 'Towards a Better Implementation of the UNHCR Urban Refugee Policy'. Canada Excellence Research Chair in Migration & Integration.
- 18 Migration Data Portal, (2021). 'Migration Data in the Southern African Development Community (SADC)', <https://www.migrationdataportal.org/regional-data-overview/southern-africa>.
- 19 UNHCR, (2021). Global Report 2021: Stories behind the Numbers, <https://reporting.unhcr.org/globalreport2021>.
- 20 UNHCR, (2023). 'Democratic Republic of the Congo Situation', <https://reporting.unhcr.org/operational/situations/democratic-republic-congo-situation#:~:text=Global%20Appeal%20>
- 21 IOM South Africa (2016). IOM Stands Ready to Assist Zimbabweans Returned from South Africa, <https://southafrica.iom.int/news/iom-stands-ready-assist-zimbabweans-returned-south-africa>.
- 22 Migration Data Portal, (2021). 'Migration Data in the Southern African Development Community (SADC)', <https://www.migrationdataportal.org/regional-data-overview/southern-africa>.
- 23 United Nations Children's Fund (UNICEF), (2019). 'Cyclone Idai and Kenneth', <https://www.unicef.org/mozambique/en/cyclone-idai-and-kenneth>.
- 24 UNHCR, (2022). 'Emergency Update on Volcano Nyiragongo'.
- 25 Mpho Makhema, (2009). 'Social Protection for Refugees and Asylum Seekers in the Southern African Development Community (SADC)'. Social Protection & Labour: The World Bank. Accra. 1–50.
- 26 Leonard Chimanda and Stéfanie Morris, (2020). Tanzania's National Legal Framework for Refugees: Law, Policy & Practice. Local Engagement Refugee Research Network Paper No. 5.
- 27 Ibid.
- 28 Mpho Makhema, (2009). 'Social Protection for Refugees and Asylum Seekers in the Southern African Development Community (SADC)'. Social Protection & Labour: The World Bank. Accra. 1–50.
- 29 UNHCR, n.d. 'Democratic Republic of Congo', <https://www.unhcr.org/countries/democratic-republic-congo>.
- 30 The Kingdom of Eswatini. 'Refugees', <https://www.gov.sz/index.php/ministries-departments/ministry-of-home-affairs/citizenship-2>.
- 31 Mpho Makhema, (2009). 'Social Protection for Refugees and Asylum Seekers in the Southern African Development Community (SADC)'. Social Protection & Labour: The World Bank. Accra. 1–50.
- 32 UNHCR. Global Strategy for Settlement and Shelter: A UNHCR Strategy 2014–2018.
- 33 Nicholas Maple, (2021). 'The Peripheral Role of the Global Refugee Regime in Southern Africa: Protection Challenges in Urban Spaces', <https://protectproject.w.uib.no/the-peripheral-role-of-the-global-refugee-regime-in-southern-africa-protection-challenges-in-urban-spaces/>.
- 34 UNHCR, (2014). UNHCR Policy on Alternatives to Camps.
- 35 Nicholas Maple, (2021). 'The Peripheral Role of the Global Refugee Regime in Southern Africa: Protection Challenges in Urban Spaces', <https://protectproject.w.uib.no/the-peripheral-role-of-the-global-refugee-regime-in-southern-africa-protection-challenges-in-urban-spaces/>.
- 36 Aljazeera, (2023). 'South Africa Evicts Asylum Seekers Camped outside UN Office', <https://www.aljazeera.com/news/2023/4/21/south-africa-evicts-asylum-seekers-camped-outside-un-office>.
- 37 Ibid.

- 38 Ibid.
- 39 Jeff Crisp, (2017). 'Finding Space for Protection: An Inside Account of the Evolution of UNHCR's Urban Refugee Policy'. *Refuge*, Canada's Journal on Refugees.
- 40 Nicholas Maple, (2021). 'The Peripheral Role of the Global Refugee Regime in Southern Africa: Protection Challenges in Urban Spaces', <https://protectproject.w.uib.no/the-peripheral-role-of-the-global-refugee-regime-in-southern-africa-protection-challenges-in-urban-spaces/>.
- 41 UNHCR, (2022). Global Compact on Refugees: Indicator Framework. UN.
- 42 IOM and UNHCR, (2019). Joint IOM-UNHCR letter on coordination - 25 January 2019. <https://www.unhcr.org/media/joint-iom-unhcr-letter-coordination-25-january-2019>.
- 43 Human Rights Watch, (2023). 'Malawi: Refugees, Including Children, Forcibly Relocated – End Evictions, Confinement to Overcrowded Camp', <https://www.hrw.org/news/2023/06/05/malawi-refugees-including-childrenforciblyrelocated#:~:text=Most%20are%20in%20the%20refugee,areas%20for%20a%20considerable%20time>.
- 44 Ibid.
- 45 Jeff Crisp, (2017). 'Finding Space for Protection: An Inside Account of the Evolution of UNHCR's Urban Refugee Policy'. *Refuge*, Canada's Journal on Refugees.
- 46 Ibid.
- 47 Ibid.
- 48 Ibid.
- 49 Rasha Arous, (2023). 'Towards a Better Implementation of the UNHCR Urban Refugee Policy'. Canada Excellence Research Chair in Migration & Integration.
- 50 UNHCR, (2014). UNHCR Policy on Alternatives to Camps.
- 51 Ibid.
- 52 Ibid.
- 53 UNHCR, (2022). 'Southern Africa', <https://reporting.unhcr.org/globalreport/southern-africa>.
- 54 UNHCR, (2014). UNHCR Policy on Alternatives to Camps.
- 55 Ibid.
- 56 Ibid.
- 57 Rasha Arous, (2023). 'Towards a Better Implementation of the UNHCR Urban Refugee Policy'. Canada Excellence Research Chair in Migration & Integration.
- 58 UNHCR, (2020). Tanzania Country Refugee Response Plan: The integrated response plan for refugees from Burundi and the Democratic Republic of the Congo January 2019 – December 2020.
- 59 UNHCR, (2014). UNHCR Policy on Alternatives to Camps.
- 60 Rasha Arous, (2023). 'Towards a Better Implementation of the UNHCR Urban Refugee Policy'. Canada Excellence Research Chair in Migration & Integration.
- 61 Ibid.
- 62 Zama Mthombeni, (2022). 'Xenophobia in South Africa: Problematising Ubuntu as an Ethical Response'. *The Thinker*.
- 63 Ibid.
- 64 UNHCR, (2014). UNHCR Policy on Alternatives to Camps.
- 65 Ibid.
- 66 Jeff Crisp, (2017). Finding Space for Protection: An Inside Account of the Evolution of UNHCR's Urban Refugee Policy. *Refuge*, Canada's Journal on Refugees.
- 67 Rasha Arous, (2023). 'Towards a Better Implementation of the UNHCR Urban Refugee Policy'. Canada Excellence Research Chair in Migration & Integration.
- 68 UNHCR, (2020). Tanzania Country Refugee Response Plan: The integrated response plan for refugees from Burundi and the Democratic Republic of the Congo January 2019 – December 2020.
- 69 Naohiko Omata, (2022). 'Rethinking Self-Reliance and Economic Inclusion of Refugees through a Distributive Lens: A Case Study from Uganda'. *African Affairs*.
- 70 UNHCR, (2020). Tanzania Country Refugee Response Plan: The integrated response plan for refugees from Burundi and the Democratic Republic of the Congo January 2019 – December 2020.
- 71 Gowokani Chirwa and Florisa De Leo Magambi, (2022). 'Relocation Intentions of Dzaleka Residents in Anticipation of a Comprehensive Refugee Response Framework in Malawi'. Inua Consulting.
- 72 Sergio Carciotto and Filippo Ferraro, (2020). 'Building Blocks and Challenges for the Implementation of the Global Compact on Refugees in Africa'. *Journal on Migration and Human Security*.
- 73 Ibid.
- 74 Ibid.
- 75 Ibid.
- 76 Ibid.
- 77 Mushiba Nyamazana, Grayson Koyi, Patricia Funjika and Edward Chibwili, (2017). *Zambia Refugee Economies: Livelihoods and Challenges*. UNHCR.
- 78 Ibid.
- 79 Sergio Carciotto and Filippo Ferraro, (2020). Building Blocks and Challenges for the Implementation of the Global Compact on Refugees in Africa. *Journal on Migration and Human Security*.
- 80 UNHCR, (2022). Annual Result Report: Zambia 2022.

Abbreviations and acronyms

CRRF	Comprehensive Refugee Response Framework	OCHA	United Nations Office for the Coordination of Humanitarian Affairs
CSO	civil society organisation	SADC	Southern African Development Community
DRC	Democratic Republic of the Congo	UN	United Nations
GCR	Global Compact on Refugees	UNHCR	United Nations High Commissioner for Refugees
GRF	Global Refugee Forum	UNDP	United Nations Development Programme
IDP	internally displaced person	UNGA	United Nations General Assembly
INESOR	Institute of Economic and Social Research	UNICEF	United Nations Children's Fund
IOM	International Organization for Migration	Zimstat	Zimbabwe National Statistics Agency

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