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# Durable solutions: to what and for whom?

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## Abstract

The three durable solutions (resettlement, local integration, and repatriation) are out of reach to most refugees. Even when they are offered, they are often watered down or repackaged, so that their durability has been undermined. This paper examines their contemporary role and framing and proposes an urgent recalibration of our understanding of the solutions based around three interlinked elements. First, to recover the core function of all three durable solutions, namely the (re)gaining of citizenship; in order, second, to shift the conversation away from assumptions about the sedentary nature of durable solutions; which, third, draws out a greater understanding of the potential collaboration and connections between these traditional solutions and ground-level solutions that refugees create for themselves. We argue that not only are each of these elements important in and of themselves, but they also need to be viewed as indivisible.

## 1. Introduction

Most refugee-like situations last years or decades, not weeks or months. In fact, the idea that refugees live in protracted exile has become so widely accepted that we have become somewhat anaesthetized to the idea. Lying behind this reality is the fact that long-term solutions to refugeehood have largely failed to deliver for refugees—and, by extension, for states, donors, and the wider global refugee regime. Certainly, the three official durable solutions (resettlement, local integration, and repatriation) are out of reach to most of the world's refugees, and even when they are offered, they are often so watered down or repackaged that their durability has been significantly undermined.

Building on a recent resurgence of literature that takes a more holistic approach to this topic (Long 2014; Bradley et al. 2019), this paper examines the contemporary role and framing of the three durable solutions. Through this undertaking, we propose an urgent recalibration of our understanding of durable solutions based around three interlinked elements. First, to recover the core function of all three durable solutions, namely the (re)gaining of citizenship; in order, second, to shift the conversation away from assumptions about the sedentary nature of durable

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solutions; which, third, draws out a greater understanding of the potential collaboration and connections between these traditional solutions and ground-level solutions that refugees continue to create for themselves. We argue that not only are each of these elements important in and of themselves, but they also need to be viewed as indivisible.

Formal solutions have always been a state-oriented response to refugee movement and, as such, we should not be surprised about their current limited value to refugees. Nevertheless, opportunities for refugees to access formal solutions have also steadily declined since the 1950s, as the political grip on solutions by states has tightened. Indeed, the failure to create a fair and equitable global system of refugee protection has meant that decisions on whether to adopt local integration programmes and/or offer resettlement programmes remain a sovereign decision and as such an entirely discretionary matter for states (Hovil and Maple 2022; Ineli-Ciger 2022). With global trends framing most migrants and refugees through the prism of national security, this discretionary element means the ability to attain a new nationality today has become so difficult that it is not a realistic option for most refugees. The discretionary nature of resettlement programmes has also created a hierarchy of refugees, in which refugees from different countries or cultural or religious backgrounds are treated in remarkably different ways (Kneebone and Macklin 2021). The current differential treatment of refugees in the UK from Ukraine and Afghanistan reinforces this point (Sardar 2023). In addition, these policies all feed into narratives around refugee and migrant movement, which then influence public discourse, often predicated on tenuous beliefs about 'illegal migration'. The end result of these policies is that many refugees are forced to travel dangerous routes, often using smugglers to find safety and, when they arrive, remaining on the margins of society in their host countries.

Research on the three durable solutions also points to several biases and misperceptions within policy circles and the literature. First, all three tend to be framed as bound to a specific place. Local integration is generally framed as taking place in the country of first exile; resettlement programmes are designed with an understanding that a refugee will be moved to, and remain in, the country of resettlement—in fact, due to restrictions imposed on the allocation of services, this can be even more site-specific and focus on a particular city; and repatriation is understood as returning to, and importantly, remaining in, the country of origin (often in their home region or province). Thus, the three durable solutions are, in effect, seen as synonymous with the stopping of movement (Long 2013). Or, as Saunders (2017: 136) puts it, they are simply about 'finding places to put people'. Second, given the geographically-bound and sedentary portrayal of durable solutions, they have become understood in terms of states granting a solution (with attached conditions) to refugees. These state-controlled processes mean that refugees are afforded minimal opportunity to seek their own durable solutions to exile, or even be part of a process of locating a solution to refugeehood. The exclusion of refugees from decisions about their own future reinforces an uncomfortable reality: that the three durable solutions can no longer be seen solely as approaches centred on a respect for refugees' rights as they were originally intended by the global refugee regime. Indeed, in their current form, they appear to exist predominantly for the benefit of states rather than for refugees.

Third, the need for a recalibration of our understanding of durable solutions is intensified by the ambiguity that remains within the policy domain and academia about the terminology of solutions. Research and policy discussions frequently talk about 'solutions' to refugeehood in terms of different—albeit related—problems, such as the loss of a permanent legal status, displacement itself, and/or a lack of protection, safety, and dignity. At best, this breeds uncertainty, as it implies we are talking about solutions to at least two or three different kinds of problems. At worst, it means we are talking at cross-purposes and diluting the significance of the three durable solutions for refugees as a result.

In sum, given the increasingly tight political grip on solutions, alongside the challenges this creates in locating an end to refugeehood and the imprecision surrounding what a durable solution actually *is*, there is a need to rethink how we discuss and understand these evasive durable solutions. Drawing from recent literature and policy, this paper aims to open up a critical

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conceptual discussion that sets out broad implications for those working in and around the field of refugee and forced migration studies. To achieve this, the following three sections set out the three interlinked elements of our proposed recalibration of the notion of 'durable solution'. The next section argues for the importance of (re)gaining of citizenship. The subsequent sections then propose the need to move away from assumptions about the sedentary nature of durable solutions and, instead, to develop the potential collaboration and connections between traditional solutions and ground-level solutions that refugees continue to forge for themselves.

## 2. The re/gaining of citizenship

The first element of our argument is the need for a refocusing on the (re)gaining of citizenship.[1] In this section, we investigate the political history of durable solutions, locate the role of citizenship in the original understanding of 'durable solutions', and explore the processes of erosion and evasion that have led to all three durable solutions being largely out of reach to the world's refugees. In examining these ideas, the section makes the case for understanding durable solutions as intrinsically linked to citizenship. A key component to this, we argue, is an understanding of durable solutions as a means to end refugeehood through guaranteeing, at least in law, the 'right to have rights'. Arendt's (1973) work on refugees and stateless persons proposes that rights are only 'secure when a person belongs to a political community' (Aleinikoff and Zamore 2019: 9).[2] As noted by Gottwald (2012: 104), 'the "problem of refugees" is the denial of their human rights commonly associated with the denial of citizenship.'[3]

In doing this, we deliberately distinguish between broader 'rights-based approaches' commonly used in relation to refugee protection and rights that derive from citizenship. While 'rights-based approach' remains a broad term that is discussed in multiple contexts, it usually aims to build the capacity of states to meet their obligations and enable rights holders to claim their rights (UNSDG 2024). When used in relation to refugees, it generally refers to the human rights of refugees that derive from their *humanity* and through international law obligations. In building an argument for citizenship, we are referring to rights deriving from *nationality*.[4] Recent downward trends in global refugee protection (i.e. states ignoring their international obligations regarding the rights of refugees on their territory) suggest that Arendt's (1973) argument that belonging to a political community is vital for claiming rights, remains pertinent today. As such, any solution to the issue of refugeehood should be the restoration of these rights. And while the granting of citizenship does not remove all protection issues, it is clear from decades of research in the majority world that issues around legal documentation often create heightened levels of precarity, on top of the more collective concerns that refugees and migrants share with local populations living in the area they have decided to settle, whether for the short, medium, or long term (Hovil 2014, 2016).

### 2.1 The political evolution of the durable solutions

There is no widely accepted definition of 'durable solutions', and the 1951 Refugee Convention does not specifically engage with or set out the three official durable solutions (Bradley et al.

[1] The focus of this article is the durable solutions for refugees. As such, the article does not directly engage with parallels between the three traditional durable solutions for refugees and solutions for internal displacement or statelessness. An argument can be made for regaining 'effective' citizenship as a solution to internal displacement, yet there remain key differences between refugees (a combination of ineffective nationality and displacement outside the country of origin due to risk), and internal displacement (a 'pure' displacement category). As such, these observations raise several questions that warrant their own article (forthcoming). Statelessness and the risk of statelessness for refugees is referred to in this paper; however, for a comprehensive discussion on the role of citizenship and 'effective' citizenship for stateless persons, see Bloom (2017) and Saunders (2017).

[2] Also see Batchelor (1998).

[3] This form of belonging (citizenship) is intrinsic to every aspect of refugeehood. As noted by Shacknove (1985), the basis of refugeehood is the absence of state protection. This could be the fleeing across an international border due to persecution by the 'home' state, or due to events that are seriously disturbing public order, such as in member states to the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. These actions amount to the 'severing of the normal social bond' (Shacknove 1985: 277). We argue that the regaining of citizenship is a vital step in ending refugeehood, the re-connecting of a normal social bond, and securing long-term rights.

[4] See below for a discussion on nationality and citizenship.

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2022; Ineli-Ciger 2022). Furthermore, the 1951 Refugee Convention does not require states to provide 'solutions to refugeehood' (Goodwin-Gill and McAdam 2007; Ineli-Ciger 2022). Rather, in terms of a resolution, the 1951 Refugee Convention focuses on the cessation of refugee status, which is linked to the resumption of effective nationality. This is because a refugee is primarily defined by their lack of effective nationality. Nevertheless, the international instrument also sets out a normative framework for ending exile, by 'establishing principles on issues such as the opportunity for refugees to practise professions, transfer assets, and naturalise' (Bradley et al. 2022: 166).

In addition, UNHCR's 1950 statute is clear on the High Commissioner's directive to seek 'solutions to the problem of refugees'. This means that while there are no legal entitlements to durable solutions within international law (Jubilut and de Lima Madureira 2016), the idea of solutions based on cessation, integration, and naturalization are reflected in the 1951 Refugee Convention and the UNHCR mandate (UNHCR 2006). As a result, it has been argued that the goal of international protection must be the pursuit of durable solutions (Gottwald 2012)—even though it was not until the 1970s that the notion of the three durable solutions as understood today emerged in common discourse (Bradley et al. 2022).[5]

The inclusion of citizenship in the make-up of solutions to refugeehood was evident during the inception of the global refugee regime and the creation of UNHCR, even if states themselves have never fully accepted this. UNHCR, for instance, pushed for 'permanent solutions' during its first decade, with the first High Commissioner, Gerrit van Heuven Goedhart noting at the time:

> Refugee-status comes to an end through the acquisition of citizenship of another country. As long as that process has not been completed, the refugee, even if well on his way to firm establishment in a country of immigration, may run into difficulties arising from his defective legal status. (as quoted by Bradley et al. 2022: 189)

Certainly, durable solutions were envisaged very differently by UNHCR in its early years to how they are viewed today. As Bradley et al. (2022) note, UNHCR's initial approach reflected the UN agency's attention on individual refugees becoming citizens as the *sine qua non* for permanent solutions. In addition, the focus on 'permanent' solutions was aimed at respecting refugees' choice and agency in searching and finding a solution. Finally, the approach was also centred around individual rights, with a focus on human rights protection. As examined throughout this paper, these three key elements of the traditional understanding of the durable solutions that emerged in the 1950s through the global refugee regime are integral to our overarching argument around the indivisible nature of citizenship, the need for mobility, and the emphasis on increased collaboration between traditional solutions and ground-level solutions refugees create for themselves.

It is evident, however, that over time, an emphasis on citizenship as the way to end refugeehood has diminished, along with the effectiveness of the three durable solutions (Bradley et al. 2022; Ineli-Ciger 2022). This has occurred both as a result of state practice, and of shifts and concessions by policy-makers and international organizations who have been left with difficult dilemmas when states fail to live up to their obligations. Indeed, from the 1970s, states started to adopt methods of evasion to avoid the obligations related to offering solutions (Chimni 2004).[6] Furthermore, a hierarchy amongst the three solutions started emerging almost immediately, with states and international agencies promoting their preferred options. As Chimni (2004) notes, between 1945 and 1985, repatriation was deemed as the preferred solution, although resettlement was also promoted. In fact, during the Cold War and liberation of colonized states in the 1960s and 1970s, resettlement and local integration were offered and became the most viable and desirable durable solutions (UNHCR 2006). This shifted from the mid-1980s, however,

[5] UNHCR changed the language of 'permanent solutions' to 'durable solutions' in the 1960s, with the agency concerned about the terminology and the viability of local integration (Bradley et al. 2022).

[6] Certainly, in contrast to the global refuge regime, one could argue that member states never intended the durable solutions to serve the rights of refugees *over* those of states. Even so, as explored in the paper, methods of evading the granting of long-term rights to refugees have certainly increased.

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with repatriation becoming the dominant, if not only, viable solution, with varying degrees of voluntariness associated (Chimni 2004).

Today, increasingly sophisticated methods of evasion by states means the possibility of a durable solution outside of the state of nationality (i.e. through repatriation) is now difficult, if not impossible. The offer of resettlement by the minority world continues to shrink, with the overall numbers in 2020 having decreased to the lowest in almost two decades (UNHCR 2021); and neighbouring states, and states of first asylum in the majority world, remain reluctant to grant citizenship rights to large numbers of refugees from neighbouring states without support from the wider international community (Hovil and Maple 2022). Thus, while some states have allowed significant numbers of refugees into their territory, they then fail to offer anything more than short-term sanctuary (and often not even that). Other states have put up barriers to durable solutions by making their borders and asylum systems painfully hard to breach in the first place, while other states have fallen somewhere in between, for instance by welcoming particular nationality groups and refusing to accept others (Abdelaaty 2021). Finally, and despite the relentless international insistence on repatriation as the preferred, if not only, durable solution on offer, many refugees will never return to their country of origin.

Due to these blockages preventing the meaningful implementation of all *three* solutions, the very idea of 'solutions' has gradually shifted from a correlation with a permanent legal status to the idea that they can be achieved in the absence of conditions for cessation so long as refugees can live in safety and dignity. The result has been the diluting and repackaging of solutions into humanitarian responses, re-conceptualized by policy makers, and facilitated by UNHCR's willingness for pragmatism in order to make them more palatable to states. For example, the two durable solutions that involve, at their core, the granting of a new citizenship (local integration and resettlement), are largely watered down into forms of temporary hosting (Hovil and Maple 2022; Ineli-Ciger 2022). These state-based solutions are fast becoming another method of stopping movement and keeping refugees as perpetual temporary guests (in the case of local integration) and offering short-term visas rather than new forms of citizenship (in the case of resettlement) until they can return 'home'. Meanwhile, global initiatives such as the Global Compact on Refugees and the New York Declaration, and UNHCR, speak of 'local solutions' and 'complementary pathways' rather than solutions. Yet, these approaches remain inherently temporary as a politically palatable substitute for the offer of citizenship (Zieck 2021; Crisp 2023). On one level, the pragmatism shown by UNHCR and other international agencies is understandable, with a core focus on working towards 'solutions' that at least have the potential to allow refugees to live in safety and dignity even if their presence in host states never shifts beyond guest. Yet, particularly in the majority world, it is not hard to see why all three have become largely meaningless for many refugees (Innocent 2023).

With the decreasing relevance of durable solutions, the original focus on citizenship has been eroded along with the idea that refugees are players in these decision-making processes. Certainly, the hierarchy of solutions reflects the preferences of states over refugees (Gallagher 1994), with the three durable solutions evolving to allow states to evade their responsibility (Chimni 2004). If each 'solution' has, in reality, been designed by states, while also being simultaneously altered and weakened by state behaviour, there are implications for the meaning and potency of durable solutions for the majority of refugees. Our concern lies not with the idea that durable solutions are inherently political in nature—which is not only inevitable but vital to our argument that a durable solution rests on the (re)gaining of citizenship—but with the power imbalance inherent to the process, which inevitably skews both the process and outcome.

## 2.2 An *imperfect* argument for citizenship

The role of citizenship within traditional durable solutions is understood by academics and policy makers in different ways, perhaps in part because of the lack of clarity around solutions. Some agree on the core importance of citizenship, others see it more as an ideal endpoint but not a prerequisite for reclaiming rights, while others argue for the need to move entirely away

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from the notion of citizenship. This section draws out the key debates while also setting out our (somewhat imperfect) argument for a return to citizenship as the key tenet to discussions on durable solutions.

First, however, it is beneficial to briefly set out the relationship between citizenship and nationality as they relate to our argument for the re-inclusion of citizenship within an understanding of the durable solutions for refugees. As noted above, the 1951 Refugee Convention refers to nationality rather than citizenship, with refugees defined by ineffective nationality. In law, the two concepts are frequently used interchangeably to 'refer to the legal relationship between an individual and a state, in which the state recognises and guarantees the individual's rights' (Manby 2016: ix). Nevertheless, some differences remain. As von Rütte (2022: 11) notes, while both refer to the 'legal status of an individual as a member of a nation state', nationality has traditionally been used to refer to the international aspect of belonging to a state, and as such is reflected in international legal frameworks, while citizenship refers more to the internal aspects of membership to a state, and so is reflected more commonly in national frameworks. Thus, while relevant international frameworks such as the 1951 Refugee Convention refer to nationality, this paper is more interested in the offer of membership at the national level, through citizenship. Indeed, the preference for citizenship extends beyond legal analysis. While nationality has evolved to retain connotations of national sovereignty and nationalism, citizenship still importantly evokes membership, belonging, and the rights of the individual (Ballin 2014). While this somewhat crude explanation is sufficient for the purpose of our argument, it should be noted that there are other subtle differences between the two concepts,[7] and the relationship between the two concepts, particularly in relation to refugee matters, remains under explored.

Turning now to the role of citizenship within the durable solutions, since its early days, UNHCR has regularly connected durable solutions to permanent settlement and a form of citizenship (Ineli-Ciger 2022). As Souter (2014) suggests, many of the harms that refugees experience during the different phases of their journeys fleeing persecution (before, during, and after) stem from a lack of citizenship—whether a loss of safety or security, a loss of their homes or livelihoods, or of family members. Thus, and as evoked in the work of Arendt (1973), at the heart of a durable solution must be the act of restoring a permanent relationship between an individual and a state (Gallagher 1994)—either the state from which they fled or a new state.[8] Through this approach, citizenship can be understood as the foundation for the enjoyment of basic human rights (Batchelor 1998). As Long (2011: 232) suggests, all three durable solutions involve the restoration of citizenship through which they achieve 'the protection and expression of their fundamental human rights'. This means that if an essential problem (but not the only one) that refugees face is a lack of effective citizenship, the solution to this problem is its re-establishment (Gottwald 2012).[9]

In contrast to this line of argument, other scholars frame obtaining or achieving durable solutions as more of a *process* of forming a relationship with a host state and obtaining rights (Gottwald 2012).[10] In this framing, citizenship is often at the end of this process, but not essential (or a prerequisite) to it. Gallagher (1994) sees durable solutions as establishing a permanent relationship with a sovereign state. Goodwin-Gill et al. (2021) see durable solutions as a way for refugees to 'live in safety and with dignity, not subject to arbitrary expulsion, discrimination, or alienation'. Jubilut and de Lima Madureira (2016) see durable solutions as *access* to protection and rights. Skran (1995) speaks of the 'search' for durable solutions that aim to re-establish refugees within the state system. Finally, other authors and institutions talk of durable solutions in

[7] As Manby (2016) observes, in some contexts, 'an individual can have the nationality of a state … without the full citizenship rights that are granted to others'. This was more common in the past, for example, in African countries under colonial rule or apartheid South Africa.

[8] See (n.1) on the re-connecting of a normal social bond, based on the work of Shacknove (1985).

[9] See (n.1) , further analysis is needed on the role of citizenship in terms of solutions to persons who are displaced in their country of origin (internally displaced persons). However, inherent differences between different categories of displaced persons means it is outside the scope of this paper.

[10] Hathaway introduced this idea of observing that refugees get increasing levels of rights under the 1951 Refugee Convention as their stay in the host country becomes more and more definite (see Hathaway and Foster 2014).

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terms of the subjective notion of *ending* displacement (Bradley et al. 2022). Our concerns with these approaches are, first, the high risk of ambiguity around whether or not a refugee has, in fact, been offered a 'durable solution' to their precarious situation. Second, that the 'solutions' on offer appear at times to be talking to different—albeit related—problems. For example, the ability to 'live in dignity' would appear to be a much higher bar to achieve (albeit worthy) within the context of many countries of asylum to, say, 'ending displacement'. Third, these ideas risk simply becoming a tool for further evasion: states can appear to be 'working hard' to offer long-term solutions to displacement or finding a way for refugees to live in safety with dignity, but when they cannot quite match the requirements at the end of the process, no-one notices that they have not lived up to their commitments.

Aleinikoff and Zamore (2019) offer a different approach. They question why solutions are linked to membership of a state at all. They rightly note that the 1951 Refugee Convention, specifically Article 34, makes no reference to refugees having a right to citizenship. As a result, they suggest that a better understanding of solutions would be to link it to the concept of international protection. In other words, the international community would only be able to extricate itself from providing international protection once Convention rights and other applicable human rights have been fully respected by a host state. They argue that this approach better links to rights and opens up 'a non-state-based understanding of the international regime for protecting fleers of necessity, including emphasis on welfare, agency, and mobility' (40).

This is a thought-provoking argument and, at least in theory, is compelling. It also follows broader discussions within Critical Citizenship Studies and contemporary literature on statelessness that have critiqued the 'status of the citizen as the political subject *par excellence*' (Saunders 2017: 7). As Bloom (2017: 168) notes, for instance, membership of a state should be 'less crucial for rights protection and legal personhood.' While we intuitively agree with this statement, we also recognize the need for realism and acknowledge the 'persistent power of the state' and the regrettable 'limitations of the state-centred human rights regime' (Kingston 2019: 239).[11] Indeed, as Bloom (2017: 153) affirms in relation to statelessness today, effective citizenship is regularly needed to 'pursue human rights claims and to be heard through standard political and legal spaces'. In practice, our concern is that solutions need to be sufficiently robust to withstand the political attacks that they come under in the context of xenophobia, identity politics and shifting approaches in national and regional policies. Of course, citizenship is not a panacea to all protection issues, but it does go some way to creating a robustness or layer of defence against the politically unstable climate refugees find themselves in (Hovil 2016). As noted by Gibney (2022), underlying what most refugees are seeking when they move are rights that are most 'firmly guaranteed when citizenship is held, largely because it is a status that protects individuals from expulsion and provides unique possibilities for political voice and recognition in national politics'.[12] Therefore, while Aleinikoff and Zamore's (2019) ideas are appealing, not least where they draw attention to the linkage between movement and rights, the notion that refugees have the right to have rights is surely best taken through citizenship or at least some form of formal and permanent political inclusions (Ziegler 2017; Gibney 2022).

Finally, many scholars argue that offers of citizenship can be largely understood as theoretical or abstract, particularly in some majority world contexts (Landau 2019). Research has shown that legal documentation is of minimal benefit to refugees and migrants in urban spaces where nationals have similar difficulties in accessing core rights and services; or where rising xenophobia means barriers exist at the point of access to services, regardless of whether or not an individual has valid documentation (Landau 2018; Bradley et al. 2022). Landau (2019: 163) suggests in many urban cities in the majority word, 'formal citizenship and stability may have value for some, but with only limited enforcement capacity and a minimal reliance on state provided services—schools, clinics, jobs—it is safe to say that documentation and legal status often do little'.

[11] Also see Nyers (2006).
[12] Also see Buxton (2023).

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Some authors have gone further, with Fiddian-Qasmiyeh (2019) questioning the assumption that membership or citizenship to a state—which is often seen as being 'fixed' to a specific territory—is always desirable. Using the work of Lisa Malkki (1992), she highlights how the 'rerooting' of refugees and other migrants is not always 'necessary to provide an anchor to end refugees' liminality and insecurity' (247). Many refugees and other forced migrants actively resist incorporation into national and international systems, preferring to understand cities in the majority world as resources or 'stations' rather than final or long-term destinations (Landau 2018, 2019). These arguments, therefore, question the value of durable solutions for many of the world's refugees.

These are important observations and have informed our thinking on these issues. Our argument is not that citizenship is a panacea for all issues related to refugeehood; nor can it be understood as necessarily ending displacement. Certainly, as Bhagat (2020: 444) observes, citizenship is often a 'fetishised category of access'. It is, however, an important step towards the goal of ending displacement and regaining a sense of long-term permanence and security. We agree with Pitt (2021: 471) who, in also exploring the work of Malkki, notes that the botanical language of 'rooting' 'falsely naturalizes links between people and places celebrating a territorial rootedness that is neither inevitable nor desirable in a world of displacement and mobility'. Instead, we prefer the metaphor, albeit flawed, of *mooring*, whereby citizenship may give many refugees a sense of attachment or permanence to a location while at the same time allowing for movement—or, taking the metaphor to its limits, lifting anchor (Debarbieux 2014). Indeed, the reconnection with legal rights and the permanent attachment to a nation-state, creates a mooring that allows refugees to then find their own solutions to the multiple economic, social, political, and cultural challenges that they may face. Thus, as explored next, the granting of citizenship can actually be the key for *increased* mobility rather than less.

## 3. Mobility with mooring

The second element to recalibrating our understanding of durable solutions, therefore, is a move away from assumptions and conceptualizations about the sedentary nature of durable solutions to a stronger recognition of the mobility that they offer. A durable solution that includes citizenship creates the opportunity *for* movement (both internal and cross-border) rather than stopping it. The legal certainty and belonging that comes from citizenship, we argue, is likely to generate a level of stability for both the (now former) refugee and the host state, because it allows for movement that is deemed more acceptable to states than similar movement conducted by 'guests' or 'outsiders' such as asylum-seekers and refugees.

Traditional framings in the literature have portrayed durable solutions as bound to one location, associated with ending movement (Bakewell 2008; Long 2013). Policy makers, on the other hand, have framed each solution differently with regard to movement (Long 2013): resettlement is seen as a single onward movement to a third country, local integration as ending movement in the first country of asylum, and repatriation as the reversal of movement. Yet, beyond distinctions related to the *direction* of movement linked to each solution, the perception is that once a durable solution has been bestowed on a refugee, movement essentially stops (Long 2013).

Indeed, Long suggests that a core premise of durable solutions has always been the stopping of movement (Long 2013), which then implies that citizenship is inherently linked to sedentariness (Van Hear 2003; Bakewell 2008). In line with the idea that durable solutions have functioned over the last 60 years by states *for* states, the stopping of movement allows states and international organizations to '"close the books" on particular "caseloads"' (Bradley et al. 2019: 18). This sedentary focus also goes some way to address the perception of instability that states feel when large numbers of migrants attempt to enter their borders, either formally or in more informal ways (Kotef 2015; Maple 2024).

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On the ground, however, refugees regularly contradict these assumptions and challenge state-based understandings of solutions (Malkki 1995; Bradley et al. 2019; Landau 2019).[13] For example, research consistently shows that return/repatriation is more complex that simply a 'homecoming' to 'homelands' or 'home' (Bakewell 2008: 357). Many refugees who have returned 'home' in recent years have moved to new urban destinations in their country of origin, as was seen, for instance, in the return of (South) Sudanese refugees prior to the 2010 referendum (Harild et al. 2015; Zetter 2021). Equally, for many Liberians in Ghana, the decision to return 'home' is complicated with many social, political, and economic factors at play, while 'nostalgic longing for a homeland has little space' (Omata 2013: 1281). Furthermore, former refugees who have been repatriated will often continue to move back and forth between their country of origin and (former) country of asylum. Mbazumutima (2023) explores how refugees in Tanzania, who were repatriated to Burundi, continue to move between the two countries, in part because of the failings of the state and UNHCR led repatriation programme, but also due to social networks and employment opportunities created in both countries.[14] Likewise ongoing cross-border movement in the South Sudan and Uganda borderlands, where mobility between the two countries has been a fundamental coping mechanism for individuals, families, and communities over decades of conflict, further subverts this assumption (Hovil 2010).

Thus, while durable solutions continue to be framed as a final (and often siloed) step that ends displacement and movement, this is simply not how refugees and other migrants necessarily understand it. This is particularly evident when you consider their connections to places of origin, transit, and destination (Arar and FitzGerald 2022).[15] Indeed, given that refugeehood is inherently international, a location-bound outcome is, if anything, unlikely and even counter-intuitive.

How, then, do we marry this reality with what we know about how states frame the movement of refugees? Building on the work of Kotef (2015), we suggest the need to engage more methodically with state-orientated conceptions of citizenship, whereby yes, there is a sense of national attachment to a place, but the granting of citizenship also opens up the possibility of *more* movement (nationally, regionally and globally) rather than less. Citizenship enables former refugees not only to move freely within the country but to move outside of it. This can be understood at two levels: first, in terms of the granting of legal rights—as Gottwald (2012) argues, the purpose of durable solutions for refugees has to be the full restoration of rights, and outcomes that purport to be a durable solution cannot restrict freedom of movement or be seen as location-bound. Second, it can be understood in how states understand and conceptualize different forms of movement on their territory: namely, that the movement of citizens is deemed acceptable, while the same movement by outsiders, such as refugees and other forced migrants, is framed as a threat (Kotef 2015).

This alignment between a form of citizenship and 'acceptable' forms of movement links to previous work that has looked at mobility as a possible fourth durable solution or at least as an opportunity to access solutions (Long 2014). Yet, the key element here is the relationship between national belonging, movement, and the state (Maple 2024). Recent examples of states moving refugees from their national refugee regime to their national migration regime, without a form of citizenship, highlight the risk when mobility and political inclusion through a migration status are promoted. For example, when non-Syrian refugees applied for legal work in Jordan, they were presented with a choice of either keeping their asylum-seeker status or surrendering it in order to apply for a migrant work permit (and thus losing their rights as a refugee) (Almasri 2024). Similarly in South Africa, when 200,000 Zimbabwean forced migrants were offered the option of applying for a 4-year work permit under Zimbabwean Dispensation Permit scheme in 2009, the migrants lost the potential human rights attached to the global refugee regime (Carciotto 2018; Maple 2023). Instead, every 4 years they need to reapply for the permit,

[13] Recent research continues to question this sedentary bias (Fiddian-Qasmiyeh 2019; Landau 2019; Sherwood 2019).
[14] Also see Weima (2017).
[15] Also see Zetter (2021).

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leaving their status in the country conditional and temporary. Similar observations have been made in West Africa (Gullotta 2022).

Thus, we suggest the link to a form of permanent political inclusion is vital, while also acknowledging that citizenship will not magically resolve all issues or even displacement—which is why Long (2014) is wary of the idea of turning refugees into citizens to solve displacement. Yet, when many long-term refugees are still unable to return to their countries of origin, can temporary migration visas really be seen as meaningful political inclusion? At the same time, a core component to mobility should be the possibility of one day returning to their country of origin should conditions and circumstances change. After all, a refugee's relationship with their homeland is, inevitably, highly complex and changes over time. The disquiet expressed by former Burundian refugees in Tanzania when they were told to renounce their Burundian citizenship before they were allowed to apply for their Tanzanian citizenship is case in point (Hovil 2018).

## 4. Greater interaction and dialogue between '*de jure*' and '*de facto*' solutions

The third element related to our call for an urgent recalibration of our understanding of durable solutions is the need for more work on potential collaborations and connections between traditional solutions and ground-level solutions refugees continue to create for themselves. For every official solution, there is often a parallel process taking place at the ground level. On rare occasions, these approaches work with each other (as seen infrequently in the case of repatriation programmes). Yet more often, they work in parallel or contradiction to each other, remaining distinct and separated—albeit while states increasingly attempt to create new barriers to block both forms.

By suggesting further exploration of the symmetry and potential connections between these *de jure* and *de facto* approaches to 'solutions', our hope is two-fold. First, to move back to a more traditional understanding of durable solutions utilized by UNHCR in the 1950s, whereby the focus on solutions is aimed at respecting refugees' choices and movement in searching for and finding a solution. Of fundamental concern has been the broad acceptance in recent global discussions and initiatives of refugees as a 'burden' or inconvenience that needs to be shared or passed around like a commodity (Freier et al. 2021; Weima 2021). Any discussion on durable solutions and responsibility sharing needs to have refugees reframed as active subjects. Yet, we are acutely aware of the political realities of refugee hosting today, and so simply demanding a refocus on the rights and agency of refugees from the top-down that includes a recognition of refugees' place at the table is unlikely to change anything.

Thus, as a second aim, and perhaps more manageable in the short-term, we suggest that an exploration into more holistic understandings of what durable solutions mean to refugees in practice could be hugely beneficial. Through listening and learning from refugees' approaches and how these approaches could work with local, national, and regional structures, we can develop more nuanced arguments based on localized economic, social, and political dynamics to convince host states to accept refugees long-term on their territory with offers of citizenship. The next section highlights the potential of this approach, through an analysis of existing literature on this topic in relation to the majority world.

### 4.1 Ground-level approaches to finding solutions

The shrinking of access to durable solutions, combined with the watering down of their core elements (namely the meaningful (re)assertion of citizenship) has left many refugees little choice but to locate and utilize *de facto* solutions to long-term displacement. While some may prefer to avoid the global refugee regime altogether, for many, *de facto* solutions are merely a means to overcome the barriers to official routes or a response to the belief that official routes have failed them or are out of their reach.

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The adoption of more *de facto* solutions can be seen in past repatriation programmes. Many refugees, when realising the 'best' (or, indeed, only) option (often out of a range of flawed options) is return to their country of origin, have preferred to return outside of formal reintegration programmes set up by UNHCR, host state, and country of origin (Hovil 2010; Mbazumutima 2023). Hovil (2010) observes how returns from Uganda to (South) Sudan in 2010 consisted of two parallel return processes: an official one, whereby refugees were being assisted to return to their country of origin by UNHCR, and an unofficial one, in which individuals and families were independently taking the decision to return without assistance. The decision to 'go it alone' was adopted to allow for 'multiple coping strategies in order to maximise their protection in a context of chronic uncertainty' (Hovil 2010). Indeed, refugees saw the official process as fundamentally flawed, in part because it sought to return them and keep them in the exact location from which they had originally fled, with minimal attention paid to the fact that these locations had been inexorably altered by the war.

Similar patterns are notable in the context of local integration and resettlement. As has been noted elsewhere, resettlement is the counterpart to local integration in obtaining a new nationality. In other words, local integration and third-country resettlement are two versions of the same "solution" (Hovil and Maple 2022). In both local integration or resettlement programmes, the decision to grant refugees citizenship remains a sovereign one that is entirely discretionary on the part of individual states. As opportunities to gain new citizenship continue to shrink worldwide, refugees and other forced migrants forge more *de facto* forms of citizenship in countries of first exile or further afield. The literature continues to highlight how refugees (with a particular focus on the majority world), regardless of the temporary and often hostile hospitality offered to them as permanent guests, use their agency and mobility to negotiate and find forms of 'local citizenship' and belonging at the local level (Hovil 2007, 2016; Polzer 2009; Muhumad and Jaji 2023). Chekero (2023) shows how refugees in Cape Town use 'nimbleness' to form convivial social networks, which is then converted into social capital. This social capital allows them to move around the city, locate work, and evade (or even at times engage positively) with law enforcement, even when their legal status is precarious.[16] Ultimately, these tactics enable refugees to hustle, adapt, and access communities and labour markets to find *de facto* solutions by achieving longer term social and economic goals.

The reality of resettlement today means refugees are expected to wait for years or decades in refugee camps for the small chance of being accepted on a resettlement programme. As a result, many decide to leave the camps and settle in nearby urban areas or travel great distances, using informal means such as smuggling networks, to reach countries in the minority world (McMahon and Sigona 2018). With resettlement being an official pathway to local integration, irregular migration is simply an alternative (and often unsafe) method refugees use to locate a *de facto* form of local integration. Indeed, for many, this is not a choice but a necessity (Crawley et al. 2016; McMahon and Sigona 2018).

There are significant merits in these *de facto* solutions. As Landau (2019) notes, many of these unofficial pathways should not be dismissed as mere 'survivalism' but as being at the heart of migrants' longer-term objectives. They often exist as a means of rejecting the restrictions on movement that refugee policies so often promote. Yet equally, they should not be overromanticized. They are often only achieved by pulling in the opposite direction to a broader hostile policy environment that is trying to avoid offering any form of reception or long-term hospitality. Müller (2024: 1) notes how Eritreans and Ethiopians living in urban areas of Sudan prior to the recent outbreak of war, lived and engaged in neighbourhoods, workplaces, and communities with citizens yet at the same time were 'legally precarious and often quasi-invisible with respect to state-guaranteed rights in countries of residence'. This inevitably impacts a sense of belonging, planning, and future aspirations. Similarly, Bhagat (2020) notes how the 67,000+

[16] These acts in many ways can be understood as forms of 'lived' or 'performative' citizenship; by acting as political agents, they are making certain rights claims in their daily lives, even if they do not have a permanent status (Abdelaaty 2024; Müller 2024). As discussed above, formal citizenship should not be framed as the sole distributor of rights or political existence (Bloom 2017).

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refugees in Nairobi are *de facto* integrated, yet most are on the fringes of the urban space, excluded from formal employment and excluded from locating housing outside of precarious informal settlements.

A singular focus on (rightly) celebrating the resilience and agency of refugees may miss how these ground-level approaches remain nested within larger geo-political hierarchies, namely state-based refugee reception policies (Hovil and Maple 2022). Their existence remains fragile and susceptible to shifts based on wider political trends. And, for those living in Sudan, the impact of the conflict remains, as yet, unclear. For example, refugees often continue to run the risk of statelessness for themselves and their families, particularly when refugee status is withdrawn through a cessation agreement or through failures to access civil registration mechanisms.[17] The failure to offer durable solutions to their plight not only impacts current refugees but is passed onto future generations. Our concern here, therefore, is how to start learning from, and engaging with, these ground-level approaches to develop a more holistic or comprehensive approach to durable solutions.

## 4.2 Learning from ground-level approaches

Globally, there have been several attempts over the last few decades to reinvigorate the three traditional durable solutions, typically using the language of a more 'comprehensive' approach. The Global Consultations on International Protection in 2001 and the Agenda for Protection in 2002 introduced the idea of 'comprehensive durable solutions', which, as Gottwald (2012) notes, both focussed on 'how the traditional solutions could be used in a more integrated and a mutually reinforcing manner'. Other initiatives such as the 2003 UNHCR Framework for Durable Solutions for Refugees and Persons of Concern, the 'Development Assistance for Refugees' (DAR), and the 'Repatriation, Reintegration, Rehabilitation and Reconstruction' (4Rs) also all attempted to do similar things with a focus on the needs of refugees, returnees, and local communities (Gottwald 2012). Yet, it is highly debatable whether refugees were truly centred as the main actors in these approaches. While there was discussion around the inclusion of refugees in decision making (Gottwald 2012), most initiatives have remained 'top-down and somewhat paternalistic' by states and UNHCR—focussing primarily on making sure states' wishes were satisfied (Souter 2014).

That is not to say that the idea of a more comprehensive or holistic approach to solutions is inherently flawed. Rather, we argue that for as long as it functions essentially as a top-down initiative with only a token focus on the views of the main protagonists, refugees, it remains fundamentally flawed. As Gottwald (2012) notes, approaches need to support and learn from 'refugees' collective strategies rather than controlling or curtailing them'. Instinctively this seems logical. Decades of repatriation programmes have taught us that many may want to return 'home', some will simply want to 'check out' conditions in their 'home country' first, others will want to keep moving back and forth between the country of origin and the host country, while others—particularly those born in exile—may prefer to remain in the host country (Long 2013; Hovil 2016).

As Hovil (2016) argues, a 'one size fits all' approach based solely on western understandings of protection and solutions is unlikely to work. Nevertheless, we accept that this third element, related to our call for an urgent recalibration of our understanding of durable solutions, somewhat 'muddies the water'. Certainly, we have asserted throughout that the offer of citizenship is vital in overcoming the absence of an effective nationality, with this offer made 'from above' being seen on one level as a 'one-size fits all' model. Yet, we argue this is only one element of our tripartite approach. There is a need to hold in tension these connected but contrasting processes—namely top-level approaches that can restore a form of citizenship, and ground-level approaches aimed at achieving long-term social and economic goals. Given the complex realities on the ground, where refugees retain multiple identities, regularly defy formal labels and status,

[17] See for example, Manby (2021) for a discussion of the risk of statelessness for displaced person (including children) in the Horn of Africa.

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and utilize multiple coping strategies, attempts at bridging the gap actually becomes essential (Hovil 2016). It would also address Arendt's (1973) concerns around framing citizenship as the sole answer to all the problems faced by refugees or stateless persons. As Saunders (2017) notes, Arendt was also concerned that a fixation on legal rights could leave us blind to the condition of *a loss of a place in the world* that often befalls refugees. This 'place' is not automatically 'regained through being provided with a physical space in which to live, or by acquiring citizenship in a state' (Saunders 2017: 125). The key, therefore, is to find ways by which the different processes work together under a shared understanding of the ultimate outcome, namely ending exile. Through these approaches, citizenship can become more than a legal status, rather, an *effective* relationship 'between the state and the individual that is active and mutually beneficial' (Kingston 2019: 19).

The idea of these dual processes of a durable solution (from 'above' and 'below') working collaboratively would also need to go hand in hand with different durable solutions also working together. As Hovil and Maple (2022) note, in many situations, the idea of local integration itself contributes to responsibility-shifting, or at least to a skewed understanding of responsibility-sharing, with the 'first country of asylum' bearing the majority of responsibility. In other words, the risk here is that any insistence on citizenship in neighbouring countries means again minority world states are able to continue shifting the 'burden' of refugees onto anyone else. Thus, to counter this, resettlement programmes need to match local integration in neighbouring countries in the majority world in some way.

There are risks to these suggestions, with the dangers of over-promoting ground-level solutions seen in policy today. The use of terms such as 'resilience' and 'self-reliance' feeds into state and UN agencies' reliance on the *self*-integration of urban refugees in the majority world (André 2023; Maple 2024). Refugees who arrive in urban centres are expected to be self-sufficient, without the need for integration programmes. Likewise, in Burundi, repatriation programmes are grounded in the expectation that the agency and mobility of individual refugees will be enough in of itself for successful reintegration (Mbazumutima 2023). This is also, somewhat conveniently, pragmatic when UNHCR and a government recovering from decades of war have limited resources and multiple demands on their wallets.

The irony, of course, is that ground-level solutions that refugees create for themselves are often cheaper than heavily bureaucratic official processes. In addition, official processes designed at the international level often promise much, but deliver little. Ultimately, of course, they need to work together (Hovil 2016). Through listening and learning from refugees' approaches and how these approaches could work with local, national, and regional structures, we can develop more nuanced arguments based on localized economic, social, and political factors to convince host states to accept refugees long-term on their territory with offers of citizenship. However, this has to start and develop at the local level, with refugees becoming drivers of change and genuine players in any decision-making process. Finally, it is important to keep in mind that many refugees may simply prefer more informal approaches and have little interest in either the global refugee regime or host state bureaucracies—even if options for accessing more formal 'solutions' became more readily available.

## 5. Conclusions

Having examined the contemporary role and framing of the three durable solutions, it is evident that formal 'solutions' to refugeehood have shifted over time by states, and this has created a significant disconnect between states' interests and refugees' interests. The extent to which solutions in their current form exist for states is perhaps most evident in the movement—or lack of—afforded to refugees. 'Solutions' today are arguably sedentary, state-controlled processes, with refugees afforded minimal opportunity to seek their own durable end to exile.

Many of the state-based blockages that prevent most of the world's refugees accessing long-term solutions have been well-known to relevant UN and aid agencies, civil society, and refugee-

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led organizations for decades. This has led to a number of pragmatic, but often compromized, responses at both international and local levels, such as complementary pathways, development projects in formal settlements, or 'local solutions' as alternatives to refugee camps. These pragmatic approaches have arguably also fed into a broad fuzziness around what a durable solution actually is today. Are they the ability for refugees to live in safety with dignity? The point when refugees no longer need international protection? The (re) gaining of citizenship? The end of displacement? This ambiguity breeds uncertainty, with policy circles and academia often speaking about solutions to at least two or three different kinds of problems. Beyond this confusion, by talking at cross-purposes over how durable solutions are being interpreted—which, at best, could be described as pragmatism—there is a danger that this is inadvertently feeding into states' attempts at diluting the significance of the three solutions for refugees. When durable solutions metamorphose into essentially humanitarian or development projects, they might have some short-term benefit to refugees, but ultimately there is a good chance that they will lack any real value as a solution. Equally, watered-down versions of durable solutions such as 'local solutions', with neoliberal hallmarks such as 'self-reliance', could see refugees become migrants on temporary visas, and thus removed from the global refugee regime (Hovil and Maple 2022; André 2023).

It is essential that we continue to separate out pragmatic responses to displacement and the repackaging of 'solutions', from the three durable solutions and their original meaning—namely, the inclusion of citizenship, respecting refugees' choice and agency in searching and finding a solution, and the centring of rights in this search. To do this, we need to reconfigure our understanding of durable solutions in order, ultimately, to convince states (whether host or donor) to re-engage with this original meaning. We also acknowledge this will not be easy.

At the heart of our proposal are three suggestions for harnessing policy and academic thinking in order to create stronger safety nets against the monopolization of durable solutions by political actors. First, we propose a refocusing of policy and academic discussions on durable solutions from an acceptance of non- (or quasi)-legal alternatives to legal forms of belonging—namely, citizenship. Citizenship is a vital tool for refugees to find their own solutions that are rooted in official political acceptance of their durable presence on a particular territory. Citizenship must not be forgotten in all the political hubris and evasion tactics that surround discussions on durable solutions. As naive as it might sound, it needs to become the norm rather than the exception. While we have no illusions that citizenship is a silver bullet, it acts as a *mooring* that assists refugees to then find their own solutions to the multiple economic, social, political, and cultural challenges that they—like many of the 'host populations' they have been living among—face.

The granting of citizenship is not a sedentary act, rather the *opportunity for* movement. By adopting this understanding, the idea that citizenship automatically triggers an end to displacement is incorrect (Bradley et al. 2019). One only has to engage with the contemporary literature on internally displaced persons and refugee return/repatriation to understand that citizenship, in and of itself, is no panacea to on-going or new forms of displacement (Hovil 2016; Fiddian-Qasmiyeh 2019; Hovil and Maple 2022; Kalin 2023).[18] But through this paper, we have argued that it can be the restoration of something that has been taken away—the reconnection with legal rights and the permanent attachment to a nation-state. In this way, citizenship still retains real meaning. Our argument, in line with the terminology of *durable* solutions as opposed to *permanent* solutions, is that citizenship can be a fundamental step to regain a sense of long-term permanence/security.

Second, and albeit on one level unintuitively, the focus on citizenship does not mean that solutions have to be either conceptually or practically bound to a geography. The idea that the solutions anchor movement no longer reflects (if it ever did) contemporary refugee movement—particularly in the majority world. Equally, neither should the granting of citizenship or

[18] The contemporary statelessness literature also critiques the importance placed on citizenship for accessing rights and legal personhood (Bloom 2017).

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permanent residence signify the end of movement or mobility. Indeed, we argue that giving the added security that comes with state-sanctioned recognition through citizenship to an individual refugee opens up new potential avenues for movement, whether nationally, regionally, or internationally. Our argument, therefore, is that by granting refugees citizenship, rather than necessarily fixing them to a particular location, this legality can create options to move with far greater safety through accessing regular—and, therefore, regulated—routes, just like any other citizen of that country. It becomes possible, therefore, that refugees are more or as likely to leave the territory in which they have first sought asylum by being given citizenship.

Third, we argue for greater interaction and dialogue between the *de jure* and *de facto* solutions rather than seeing them as operating in isolation (or even competition) to each other. Any process that attempts to hold in tension these connected but differing processes has to start at ground level, with genuine participation and leadership by refugees and refugee-led organizations. This dialogue should explore the role of citizenship in helping individuals achieve their longer-term social, political, and economic goals. From a 'mooring' and legal status to what Arendt referred to as a 'lived experience' (as per Saunders 2017). At the same time, it is important to resist the temptation to weaken *de jure* solutions to the point where they simply mimic *de facto* solutions. This is why we argue that not only are each of the three elements described above important in and of themselves, but they also need to be viewed as indivisible. Citizenship and the reframing of refugee movement linked to durable solutions would be essential for any discussion of merging of the two processes.

To conclude, despite the illusion of control by states, it is hard to see how durable solutions (or their failure) are working for anyone. As Long (2013: 9) notes, in their current form, they do not 'provide an answer to either "refugees" problems' or states' "refugee problem"'. Ironically, the failure to create a workable global system for equitable responsibility sharing and/or functioning durable solutions has inadvertently created the very instability that state actors have tried to avoid by restricting asylum spaces and re-conceptualizing resettlement and local integration into temporary forms of protection. An urgent recalibration is needed. In bringing together these three components, we hope we can reach a position where durable solutions come a bit closer to working for all.

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## References

**Abdelaaty, L.** (2021) *Discrimination and Delegation: Explaining State Responses to Refugees*. Oxford: Oxford University Press.

**Abdelaaty, L.** (2024) '"The Greatest and Most Important Human Right": Citizenship and Bureaucratic Indifference in Refugee-UNHCR Correspondence'. *Migration Politics*, **3**: 1–18.

**Aleinikoff, A., and Zamore, L.** (2019) *The Arc of Protection: Reforming the International Refugee Regime*. Stanford, CA: Stanford University Press.

Downloaded from https://academic.oup.com/jrs/article/38/1/112/7945181 by Cynthia Warren user on 22 October 2025

**Almasri, S.** (2024) 'How Humanitarian–Development Responses May Discriminate by Nationality: Refugee and Migrant Inclusion Following the 2016 Jordan Compact'. *Development Policy Review*, **42**: 12734.

**André, L.** (2023) 'Behind the Politics of Resilience: The Limits of the EU's Response to Syrian Refugees in Lebanon'. *Refugee Survey Quarterly*, **42**: 55–80.

**Arar, R., and FitzGerald, D. S.** (2022) *The Refugee System: A Sociological Approach*. Cambridge: Polity Press.

**Arendt, H.** (1973) *The Origins of Totalitarianism*. New York City: Harcourt.

**Bakewell, O.** (2008) 'Keeping Them in Their Place: The Ambivalent Relationship Between Development and Migration in Africa'. *Third World Quarterly*, **29**: 1341–58.

**Ballin, E. H.** (2014) *Citizens' Rights and the Right to be a Citizen* (Vol. **66**). Leiden: Martinus Nijhoff Publishers.

**Batchelor, C. A.** (1998) 'Statelessness and the Problem of Resolving Nationality Status'. *International Journal of Refugee Law*, **10**: 156–82.

**Bhagat, A.** (2020) 'Governing Refugee Disposability: Neoliberalism and Survival in Nairobi'. *New Political Economy*, **25**: 439–52.

**Bloom, T.** (2017) 'Members of Colonised Groups, Statelessness and the Right to Have Rights', in T. Bloom, K. Tonkiss, and P. Cole (eds) *Understanding Statelessness*. New York: Routledge.

**Bradley, M., Milner, J., and Peruniak, B.** (2019) 'Introduction: Shaping the Struggles of Their Times', in M. Bradley, J. Milner, and B. Peruniak (eds) *Refugees' Roles in Resolving Displacement and Building Peace: Beyond Beneficiaries*, pp. 1–22. Washington: Georgetown University Press.

**Bradley, M.** *et al.* (2022) 'Whither the Refugees? International Organisations and "Solutions" to Displacement, 1921-1960'. *Refugee Survey Quarterly*, **41**: 159–95.

**Buxton, R.** (2023) 'The Duty to Naturalise Refugees'. *Critical Review of International Social and Political Philosophy*, **26**: 1119–39.

**Carciotto, S.**; **Scalabrini Institute for Human Mobility in Africa**. (2018) 'The Regularization of Zimbabwean Migrants: A Case of Permanent Temporariness'. *African Human Mobility Review*, **4**: 1011–6.

**Chekero, T.** (2023) 'Borders and Boundaries in Daily Urban Mobility Practices of Refugees in Cape Town, South Africa'. *Refugee Survey Quarterly*, **42**: 361–81.

**Chimni, B. S.** (2004) 'From Resettlement to Involuntary Repatriation: Towards a Critical History of Durable Solutions to Refugee Problems'. *Refugee Survey Quarterly*, **23**: 55–73.

**Crawley, H.** *et al.* (2016) *Destination Europe?: Understanding the Dynamics and Drivers of Mediterranean Migration in 2015*. Centre for Trust, Peace and Social Relations, Coventry University. https://pure.coventry.ac.uk/ws/portalfiles/portal/11554075/MEDMIG_final_report_destination_europe.pdf, accessed 14 March 2024.

**Crisp, J.** (2023) *Local Integration, Local Settlement and Local Solutions: Disentangling the Conceptual Confusion*. Forced Migration Review. https://www.fmreview.org/issue71/crisp-8/, accessed 11 August 2024.

**Debarbieux, B.** (2014) 'Rootedness–Anchoring–Mooring: Reviving Metaphors'. *LEspace Geographique*, **43**: 68–80.

**Fiddian-Qasmiyeh, E.** (2019) 'From Roots to Rhizomes: Mapping Rhizomatic Strategies in the Sahrawi and Palestinian Protracted Refugee Situations', in M. Bradley, J. Milner, and B. Peruniak (eds) *Refugees' Roles in Resolving Displacement and Building Peace: Beyond Beneficiaries*. pp. 247–66. Washington: Georgetown University Press.

**Freier, L. F., Micinski, N. R., and Tsourapas, G.** (2021) 'Refugee Commodification: The Diffusion of Refugee Rent-Seeking in the Global South'. *Third World Quarterly*, **42**: 2747–66.

**Gallagher, D.** (1994) 'Durable Solutions in a New Political Era'. *Journal of International Affairs*, **47**: 429–50.

**Gibney, M.** (2022) 'The Ethics of Migration Policy Dilemmas Refugees and the Right to Citizenship … Somewhere. A Response to Aleinikoff and Owen'. *Migration Policy Centre (MPC) at the European University Institute (EUI)*. https://migrationpolicycentre.eu/docs/dilemmas/2nd_dilemma_1st_response.pdf, accessed 14 March 2024.

Downloaded from https://academic.oup.com/jrs/article/38/1/112/7945181 by Cynthia Warren user on 22 October 2025

**Goodwin-Gill, G. S., and McAdam, J.** (2007) *The Refugee in International Law*. Oxford: University of Oxford Press.

**Goodwin-Gill, G. S., McAdam, J., and Dunlop, E.** (2021) *The Refugee in International Law*. Oxford: Oxford University Press.

**Gottwald, M.** (2012) 'Back to the Future: The Concept of "Comprehensive Solutions'. *Refugee Survey Quarterly*, **31**: 101–36.

**Gullotta, G.** (2022) 'Refugee Self-Reliance in Ghana as a Biopolitical Instrument rather than a Durable Solution'. *RLI Blog*. July 7, 2022. https://rli.blogs.sas.ac.uk/2022/07/07/refugee-self-reliance-in-ghana-as-a-biopolitical-instrument-rather-than-a-durable-solution/, accessed 13 March 2024.

**Harild, N, Christensen, A., and Zetter, R.** (2015) Sustainable Refugee Return: Triggers, Constraints, and Lessons on Addressing the Development Challenges of Forced Displacement. World Bank Group, Global Program on Forced Displacement Issue Note Series, August 2015. https://documents1.worldbank.org/curated/en/542611468188337350/pdf/99618-WP-PUBLIC-Box393206B-Sustainable-Refugee-Return-15Sept-WEB-PUBLIC.pdf, accessed 13 October 2024.

**Hathaway, J. C., and Foster, M.** (2014) *The Law of Refugee Status*. Cambridge: Cambridge University Press.

**Hovil, L.** (2007) 'Self-Settled Refugees in Uganda: An Alternative Approach to Displacement?'. *Journal of Refugee Studies*, **20**: 599–620.

**Hovil, L.** (2010) *Hoping for Peace, Afraid of War: The Dilemmas of Repatriation and Belonging on the Borders of Uganda and South Sudan*. UNHCR, Policy Development and Evaluation Service. https://www.unhcr.org/uk/media/hoping-peace-afraid-war-dilemmas-repatriation-and-belonging-borders-uganda-and-south-sudan, accessed 14 March 2024.

**Hovil, L.** (2014) 'Local Integration', in E. Fiddian-Qasmiyeh *et al.* (eds) *The Oxford Handbook of Refugee and Forced Migration Studies*. Oxford: Oxford University Press.

**Hovil, L.** (2016) *Refugees, Conflict and the Search for Belonging*. Basingstoke: Palgrave Macmillan.

**Hovil, L.** (2018) 'Where the Formal and Informal Collide: Former Burundian Refugees Struggling to Belong in Tanzania', in O. Bakewell and L. Landau (eds) *Forging African Communities: Mobility, Integration and Belonging*. London: Palgrave Macmillan.

**Hovil, L., and Maple, N.** (2022) 'Local Integration: A Durable Solution in Need of Restoration?'. *Refugee Survey Quarterly*, **41**: 238–66.

**Ineli-Ciger, M.** (2022) 'Is Resettlement Still a Durable Solution? An Analysis in Light of the Proposal for a Regulation Establishing a Union Resettlement Framework'. *European Journal of Migration and Law*, **24**: 27–55.

**Innocent, N.** (2023) 'Flipping the Narrative: 'It's like Living in a Waiting Room to Nowhere': What Happens when so-called 'Solutions' for Refugees Fail?' *The New Humanitarian*, 28 February 2023. https://www.thenewhumanitarian.org/authors/ndizeye-innocent, accessed 14 March 2024.

**Jubilut, L. L., and de Lima Madureira, A.** (2016) 'Durable Solutions for Refugees: Principles and Implementation Strategy of a General Framework'. *LSE Human Rights Blog*, 21 November 2016. https://eprints.lse.ac.uk/80130/, accessed 14 March 2024.

**Kingston, L.** (2019) *Fully Human*. Oxford: Oxford University Press.

**Kneebone, S. Y., and Macklin, A.** (2021) 'Resettlement', in, C. Costello, M. Foster, and J. McAdam (eds) *Oxford Handbook of International Refugee Law*, pp. 1080–98. Oxford: Oxford University Press.

**Kotef, H.** (2015) *Movement and the Ordering of Freedom: On Liberal Governances of Mobility*. Durham, NC: Duke University Press.

**Landau, L. B.** (2018) 'A Chronotope of Containment Development: Europe's Migrant Crisis and Africa's Reterritorialisation'. *Antipode*, **51**: 169–86.

**Landau, L. B.** (2019) 'Shunning Solidarity', in M. Bradley, J. Milner and B. Peruniak (eds) *Refugees' Roles in Resolving Displacement and Building Peace: Beyond Beneficiaries*, pp. 153–67. Washington: Georgetown University Press.

**Long, K.** (2011) 'Refugees, Repatriation and Liberal Citizenship'. *History of European Ideas*, **37**: 232–41.

**Long, K.** (2013) *The Point of No Return: Refugees, Rights and Repatriation*. Oxford: Oxford University Press.

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**Long, K.** (2014) 'Rethinking 'Durable' Solutions', in E. Fiddian-Qasmiyeh *et al.* (eds) *The Oxford Handbook of Refugee and Forced Migration Studies*. Oxford: Oxford University Press.
**Malkki, L.** (1992) 'National Geographic: The Rooting of Peoples and the Territorialization of National Identity among Scholars and Refugees'. *Cultural Anthropology*, **7**: 24–44.
**Malkki, L. H.** (1995) 'Refugees and Exile: From 'Refugee Studies' to the National Order of Things'. *Annual Review of Anthropology*, **24**: 495–523.
**Manby, B.** (2016) *Citizenship Law in Africa: A Comparative Study*. New York: African Minds on behalf of Open Society Foundations.
**Manby, B.** (2021) 'Citizenship and Statelessness in the Horn of Africa'. *UNHCR*. https://www.refworld.org/reference/research/unhcr/2021/en/123981#:~:text=The%20report%20discusses%20the%20various,mixed%20Eritrean%2DEthiopian%20descent)%20living, accessed 14 November 2024.
**Maple, N.** (2023) 'Zimbabwean Forced Migrants in South Africa: The Continual Search for Solutions to Long-term Displacement'. *RLI Blog*. https://rli.blogs.sas.ac.uk/2023/03/01/zimbabwean-forced-migrants-in-south-africa-the-continualsearch-for-solutions-to-long-term-displacement/, accessed 14 March 2024.
**Maple, N.** (2024) *Refugee Reception in Southern Africa: National and Local Policies in Zambia and South Africa*. London: University of London Press.
**Mbazumutima, T.** (2023) 'Staying in Tanzania or Returning to Burundi is All the Same": Re-Imagining the Reintegration of Burundian Returnees'. *Refugee Survey Quarterly*, **42**: 336–60.
**McMahon, S., and Sigona, N.** (2018) 'Navigating the Central Mediterranean in a Time of 'Crisis': Disentangling Migration Governance and Migrant Journeys'. *Sociology*, **52**: 497–514.
**Muhumad, A. A., and Jaji, R.** (2023) 'Somali Refugees, Informality, and Self-Initiative at Local Integration in Ethiopia and Kenya'. *Journal on Migration and Human Security*, **11**: 75–88.
**Müller, T. R.** (2024) 'Liminal Legality and the Construction of Belonging: Aspirations of Eritrean and Ethiopian Migrants in Khartoum'. *Journal of Ethnic and Migration Studies*, 1–18.
**Nyers, P.** (2006) *Rethinking Refugees: Beyond State of Emergency*. New York: Routledge.
**Office of the United Nations High Commissioner for Refugees (UNHCR)**. (2006) *The State of the World's Refugees 2006: Human Displacement in the New Millennium*. Oxford: Oxford University Press.
**Office of the United Nations High Commissioner for Refugees (UNHCR)**. (2021) 'With Refugee Resettlement at a Record Low in 2020, UNHCR Calls on States to Offer Places and Save Lives'. *UNHCR*. https://www.unhcr.org/news/press/2021/1/600e79ea4/refugee-resettlement-record-low-2020-unhcr-callsstates-offer-places-save.html, accessed 14 March 2024.
**Omata, N.** (2013) 'The Complexity of Refugees' Return Decision-Making in a Protracted Exile: Beyond the Home-Coming Model and Durable Solutions'. *Journal of Ethnic and Migration Studies*, **39**: 1281–97.
**Pitt, H.** (2021) 'Roots'. *Environmental Humanities*, **13**: 470–4.
**Polzer, T.** (2009) 'Negotiating Rights: The Politics of Local Integration'. *Refuge: Canada's Journal on Refugees*, **26**: 92–106.
**Sardar, M.** (2023) 'Refugee Week—A limit to compassion?' Garden Court Chambers. https://gardencourtchambers.co.uk/refugee-week-a-limit-to-compassion/, accessed 14 October 2024.
**Saunders, N.** (2017) *International Political Theory and the Refugee Problem*. New York: Routledge.
**Shacknove, A. E.** (1985) 'Who is a Refugee?'. *Ethics*, **95**: 274–84.
**Sherwood, A.** (2019) '"Grabbing" Solutions: Internal Displacement and Postdisaster Land Occupations in Haiti', in M. Bradley, J. Milner and B. Peruniak (eds) *Refugees' Roles in Resolving Displacement and Building Peace: Beyond Beneficiaries*, pp. 168–86. Washington: Georgetown University Press.
**Skran, C.** (1995) *Refugees in Inter-War Europe: The Emergence of a Regime*. Oxford: Oxford University Press.
**Souter, J.** (2014) 'Durable Solutions as Reparation for the Unjust Harms of Displacement: Who Owes What to Refugees?'. *Journal of Refugee Studies*, **27**: 171–90.
**United Nations Sustainable Development Group (UNSDG)**. (2024) 'Universal Values: Principle One: Human Rights-Based Approach'. UN Sustainable Development Group. https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach, accessed 14 March 2024.

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**Van Hear, N.** (2003) 'Sustaining Societies under Strain: Remittances as a Form of Transnational Exchange in Sri Lanka and Ghana', in N. Al-Ali and K. Koser (eds) *New Approaches to Migration? Transnational Communities and the Transformation of Home*, pp. 202–23. London: Routledge.

**von Rütte, B.** (2022) *The Human Right to Citizenship: Situating the Right to Citizenship within International and Regional Human Rights Law*. Leiden: Brill Nijhoff.

**Weima, Y.** (2017) 'Refugee Repatriation and Ongoing Transnationalisms'. *Transnational Social Review*, **7**: 113–7.

**Weima, Y.** (2021) 'Is It Commerce?": Dehumanization in the Framing of Refugees as Resources'. *Refuge: Canada's Journal on Refugees*, **37**: 20–9.

**Zieck, M.** (2021) 'Reimagining Voluntary Repatriation', in C. Costello, M. Foster and J. McAdam (eds) *The Oxford Handbook of International Refugee Law*, pp. 1064–79. Oxford: Oxford University Press.

**Ziegler, R.** (2017) *Voting Rights of Refugees*. Cambridge: Cambridge University Press.

**Zetter, R.** (2021) 'Refugees and Their Return Home: Unsettling Matters'. *Journal of Refugee Studies*, **34**: 7–22.

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